

SITE PLAN APPLICATION

In accordance with Article III, Division 19, Section 24-160 D.9
and Article V of the City Code

Application No.	<u>Z-301A</u>
Date	<u>9/2/11</u>
Total Fee	<u>paid</u>

CONCEPT PRELIMINARY FINAL (MXD FEE APPLIES) SCHEMATIC DEVELOPMENT

1) SUBJECT PROPERTY

Street Address Northwest Intersection of MD Rte. 355 & Watkins Mill Road

Project Name The Spectrum at Watkins Mill

Subdivision _____ Zoning MXD Tax ID See attached

Lot _____ Block _____ Historic Area Designation Yes No

2) APPLICANT

Name BP Realty Investments, LLC

Street Address 10000 Falls Road Suite No. 100

City Potomac State MD Zip Code 20854

Telephone Numbers: Work (301) 299-2099 Home _____ Cell _____

3) CITY PROJECT NUMBER

Original Site Plan Number (if applicable) Z-301; SDP-05-003; SDP-07-001

Name of previously approved Final Plan (if applicable) SP-07-0017; SP-09-0004; STF-10-088; AFP-10-028

4) ARCHITECT/ENGINEER/DEVELOPER

Architect's Name Patrick Casey, AIA, LEED AP. Studio PCA

Street Address 7196 Cosner Court Suite No. _____

City Warrenton State VA Zip Code 20187

Telephone Numbers: Work (540) 351-1604 Home _____ Cell _____

Engineer's Name _____

Street Address _____ Suite No. _____

City _____ State _____ Zip Code _____

Telephone Numbers: Work _____ Home _____ Cell _____

Developer's Name Mr. Peter Henry, BP Realty Investments, LLC

Street Address 10000 Falls Road Suite No. 100

City Potomac State MD Zip Code 20854

Telephone Numbers: Work (301) 299-2099 Home _____ Cell _____

5) PROPERTY OWNER

Name same as applicant

Street Address _____

City _____ State _____ Zip Code _____

Telephone Numbers: Work _____ Home _____ Cell _____

Joint Hearing - MCC & PC
Z-301(A)
1

6) PRIMARY USE

Mixed Use Non-Residential Residential

7) PROPOSED UNIT TYPE

Mixed Use Retail/Commercial Other
 Office/Professional Residential Multi-Family
 Restaurant Residential Single Family

8) WORK DESCRIPTION

Amendment to plan approval Z-301 to replace approximately 35,690 sf of mixed use retail/restaurant/office space with 296 multi-family units.

9) PROJECT DETAIL INFORMATION. Please supply the following information.

DEVELOPMENT INFORMATION		REQUIRED	PROVIDED
1) Site (square feet)		--	1,746,894 SF +/-
2) Site Area (acres)		--	40.1 A.C. +/-
3) Total Number of Dwelling Units/Lots		--	678
4) Height of Tallest Building		--	Per Zone
5) Green Area (square feet)		--	
6) Number of Dwelling Units/Acre		--	
7) Lot Coverage (percent)		--	N/A
8) Green Area (percent)			25%/40% Min.
9) Residential		--	
a. Single Family Detached	# Units		--
b. Single Family Attached	# Units		--
c. Multi-Family Condo	# Units		--
d. Multi-Family Apartment	# Units		678
e. Other			--
10) Retail/Commercial	Sq. Ft.		46,810
11) Restaurant Class: A [] B [] C []	Sq. Ft.		36,700
12) Office/Professional			100,100
13) Warehouse/Storage			1,200
14) Parking			
15) Shared Parking/Waiver		1,717	1,941
16) Other		30,000 Senior Center	30,000 Senior Center
17) Totals			214,810 *

10) SUBMISSION REQUIREMENTS

- a. Set of plans per the respective checklist. Plans must be folded to 8.5 x 11".
- b. Completion of the table above.
- c. Completed checklist.
- d. Fee as applicable.

I have read and complied with the submission requirements and affirm that all statements contained herein are true and correct.

Applicants Name (please print)

Telephone (301) 299-2099 _____

Applicants Signature

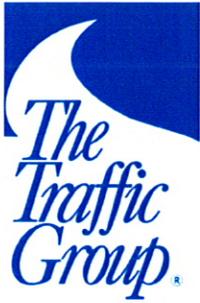
Date _____

The Spectrum at Watkins Mill Tax Identification

<u>Owner</u>	<u>Parcel ID</u>	<u>Tax Reference</u>
BP Realty Investments, LLC	Part Parcel 1D	09-03501283
BP Spectrum, LLC	Parcel A, Block D	09-03664994
BP Spectrum, LLC	Parcel A, Block E	09-03664972
BP Spectrum, LLC	Parcel C, Block E	09-03664983
BPTC One, LLC	Parcel 14	09-03501465
BPTC Two, LLC	Part of Parcel 15	09-03501476
BPTC Two, LLC	Parcel N	09-03665010
BPTC Thirteen, LLC	Parcel 13	09-03501454
BPTC Thirteen, LLC	Outlot 1B	09-02214641

Spectrum At Watkins Mill

		<u>Existing Approval</u>	<u>Proposed Revision</u>	<u>Proposed Modification</u>
<u>Phase 1</u>				
<u>Office/Police</u>	P	28,000 SF	28,000 SF	
<u>Warehouse/Police</u>	P	1,200 SF	1,200 SF	
<u>Senior Center</u>	Q	30,000 SF	30,000 SF	
<u>Multifamily</u>	A	114 DU	114 DU	
	C	110 DU	110 DU	
	H	---	<u>296 DU</u>	
		224 DU	520 DU	+ 296 DU
<u>Mixed Use/Retail:</u>	A	3,770 SF	3,770 SF	
	C	9,240 SF	9,240 SF	
	C-3	5,100 SF	---	
	F	41,690 SF	---	
	G	6,500 SF	---	
	H	---	4,000 SF	
	M	2,700 SF	3,100 SF	
	T	---	<u>5,000 SF</u>	
		69,000 SF	25,110 SF	- 43,890 SF
<u>Restaurants:</u>	B	9,500 SF	9,500 SF	
	C-3	---	5,100 SF	
	D	6,500 SF	6,500 SF	
	F	---	7,500 SF	
	H	7,000 SF	8,000 SF	
	L	<u>7,400 SF</u>	---	
		30,400 SF	36,600 SF	+ 6,200 SF
<u>Mixed Use Office/Bank</u>	L	---	4,000 SF	
	S	<u>6,000 SF</u>	<u>4,000 SF</u>	
		6,000 SF	8,000 SF	+ 2,000 SF
<u>Phase 2</u>				
<u>Multifamily</u>	R	158 DU	158 DU	
<u>Mixed Use/Retail:</u>	E	5,000 SF	---	
	J	4,300 SF	---	
	K	---	9,300 SF	
	R	<u>1,500 SF</u>	<u>1,500 SF</u>	
		10,800 SF	10,800 SF	
<u>Restaurants:</u>	I	6,200 SF	---	
	K	---	<u>6,200 SF</u>	
		6,200 SF	6,200 SF	
<u>Mixed Use Office/Bank:</u>	O	4,100 SF	4,100 SF	
	K	<u>60,000 SF</u>	<u>60,000 SF</u>	
		64,100 SF	64,100 SF	
<u>Service Station/Retail:</u>	N	4,800 SF	4,800 SF	



September 14, 2011

Mr. Peter Henry
BP Realty Investments, LLC.
10000 Falls Road
Suite 100
Potomac, Maryland 20854

CORPORATE OFFICE
Baltimore, MD

Suite H
9900 Franklin Square Drive
Baltimore, Maryland 21236
410.931.6600
fax: 410.931.6601
1.800.583.8411

RE: Spectrum Phase 1
(Formerly Casey's East)
Traffic Assessment
Gaithersburg, Maryland
Our Job No: 2000-1107

FIELD OFFICE LOCATIONS

Arkansas
Maryland
New York
Texas
Virginia

Dear Mr. Henry:

As requested, The Traffic Group, Inc. has had an opportunity to prepare a Traffic Assessment to determine what impact the proposed revisions to the subject Approved Plan would have with regard to transportation findings made for the subject site when this project was approved in 2007. As you are aware, the Casey East Phase 1 project which was approved in 2007 was to be developed as a mixed-use development with the following land uses:

- 224 Townhouse/Condominium Units
- 30,000 sq. ft. Recreational Community Center
- 28,000 sq. ft. Government Office Building
- 6,000 sq. ft. General Office Space
- 69,000 sq. ft. of Retail Space
- 30,400 sq. ft. of High Turnover Restaurant Space

During the approval process for this property, a Traffic Impact Analysis was prepared which determined the amount of traffic projected to be generated by each of the various land uses outlined on the plan at that time. Based on this amount of traffic a finding of adequacy was made for Phase I of the site. Using the Institute of Transportation Engineers (ITE) Trip Generation Report (8th Edition) we have prepared Exhibit A which shows the peak hour trips projected to be generated by each of the proposed uses at that time for the subject site. Because of the mixed-use nature of this project, a portion of the traffic projected to be generated by some of the uses on the site would never leave the subject property. These trips are referred to as internal trips or intra-site trips. We consulted the ITE Trip Generation Report (2nd Edition) which has a template which is used for determining the percentage of trips from each of the various land uses that would visit or utilize the other land uses on a site. This information is summarized on Exhibit B. Following Exhibit B are two worksheets which show how the percentage of trips were determined based on the information contained in the ITE Trip Generation Report.

Exhibit C was prepared to show the total number of external trips that were projected to be generated by the plan based on the 2007 approval which would have an impact on traffic conditions in this area. It should be noted that the internal trips shown on Exhibit 3 would have no impact on the off-site intersections.

As a result of the change in market demand, it is our understanding that a new plan is being proposed which would contain a different mix of uses. This plan would contain the following:

- 526 High Rise Townhouse/Condominium Units
- 30,000 sq. ft. Recreational Community Center
- 28,000 sq. ft. Government Office Building
- 8,000 sq. ft. of Office Space
- 31,210 sq. ft. of Retail Space
- 25,400 sq. ft. of High Turnover Site Down Restaurant
- 5,100 sq. ft. of Quality Restaurant

As prepared for the approved plan as discussed above, using the ITE Trip Generation Report, we have prepared Exhibit D which shows the total trips projected to be generated by the proposed plan based on the above land uses. The internal and intra-site trips were then established as shown on Exhibit E. The reductions for the internal and intra-site trips were determined by the worksheets that follow based on the information contained in the ITE Trip Generation Report. Exhibit F shows the total external trips projected to be generated by the proposed plan.

Exhibit G was prepared to show a comparison between the number of off-site trips projected to be generated by the previously approved plan versus the off-site trips that would be anticipated to be generated by the proposed plan. A review of Exhibit G indicates that both plans are projected to generate 676 off-site trips during the morning peak hour. During the evening peak hour, the proposed plan is expected to generate 141 fewer trips than the plan that was previously approved for the subject property in 2007. Based on the information shown on Exhibit G, we believe that it is clear that the proposed plan would generate the same or significantly less traffic than what the previously approved plan would have generated.

Based on this information, it is our opinion that the approval of the proposed plan would result in no negative impact to the findings of the study previously conducted for the approved plan for the subject site.

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

Sincerely,



Glenn E. Cook
Vice President

GEC:clg
(F:\2000\2000-1107\Wp\Henry.docx)

TRIP GENERATION FOR SUBJECT SITE

TRIP TOTALS

MORNING PEAK HOUR			EVENING PEAK HOUR		
IN	OUT	TOTAL	IN	OUT	TOTAL

SPECTRUM PHASE I

Age-Restricted Attached housing, Local rates

0 units 0 0 0 0 0 0

Townhouse/Condo Units (ITE-230, Units)

224 units 17 81 98 78 38 116

Residential Trips 17 81 98 78 38 116

Recreational Community Center (ksf, ITE-495)

30,000 sq.ft. 30 19 49 14 35 49

Government Office Building (ksf, ITE-730)

28,000 sq.ft. 139 26 165 11 23 34

General Office (ksf, ITE-710)

6,000 sq.ft. 18 2 20 15 71 86

Office Trips 187 47 234 40 129 169

Shopping Center (ksf, ITE-820)

69,000 sq.ft. 76 49 125 235 255 490

High Turnover (Sit-Down) Rest. (ksf, ITE-932)

30,400 sq.ft. 182 168 350 203 129 332

Retail/Restaurant Trips 258 217 475 438 384 822

TOTAL TRIPS FOR SPECTRUM PHASE I - PREVIOUSLY APPROVED

462 345 807 556 551 1107



EXHIBIT A
TRIP GENERATION FOR
SPECTRUM PHASE I - PREVIOUSLY APPROVED

MORNING PEAK HOUR			EVENING PEAK HOUR		
IN	OUT	TOTAL	IN	OUT	TOTAL

TOTAL TRIPS BEFORE INTERNAL DEDUCTION

Residential Trips	17	81	98	78	38	116
Retail/Restaurant Trips	258	217	475	438	384	822
Office Trips	187	47	234	40	129	169
	462	345	807	556	551	1107

INTERNAL TRIP DEDUCTION

1. inter-landuse

Residential Trips	5	23	28	26	20	46
Retail/Restaurant Trips	28	12	40	29	36	65
Office Trips	7	5	12	12	11	23
Subtotal	40	40	80	67	67	134

2. intra-landuse

Residential Trips	0	1	1	1	0	1	1%
Retail/Restaurant Trips	26	22	48	44	38	82	10%
Office Trips	2	0	2	0	1	1	1%
Subtotal	28	23	51	45	39	84	

3. Total Internal Deduction

Residential Trips	5	24	29	27	20	47
Retail/Restaurant Trips	54	34	88	73	74	147
Office Trips	9	5	14	12	12	24
Total Deduction	68	63	131	112	106	218

% deduction of total Trips

15%	18%	16%	20%	19%	20%
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EXHIBIT B
INTERNAL CAPTURE TRIPS FOR
SPECTRUM PHASE I - PREVIOUSLY APPROVED

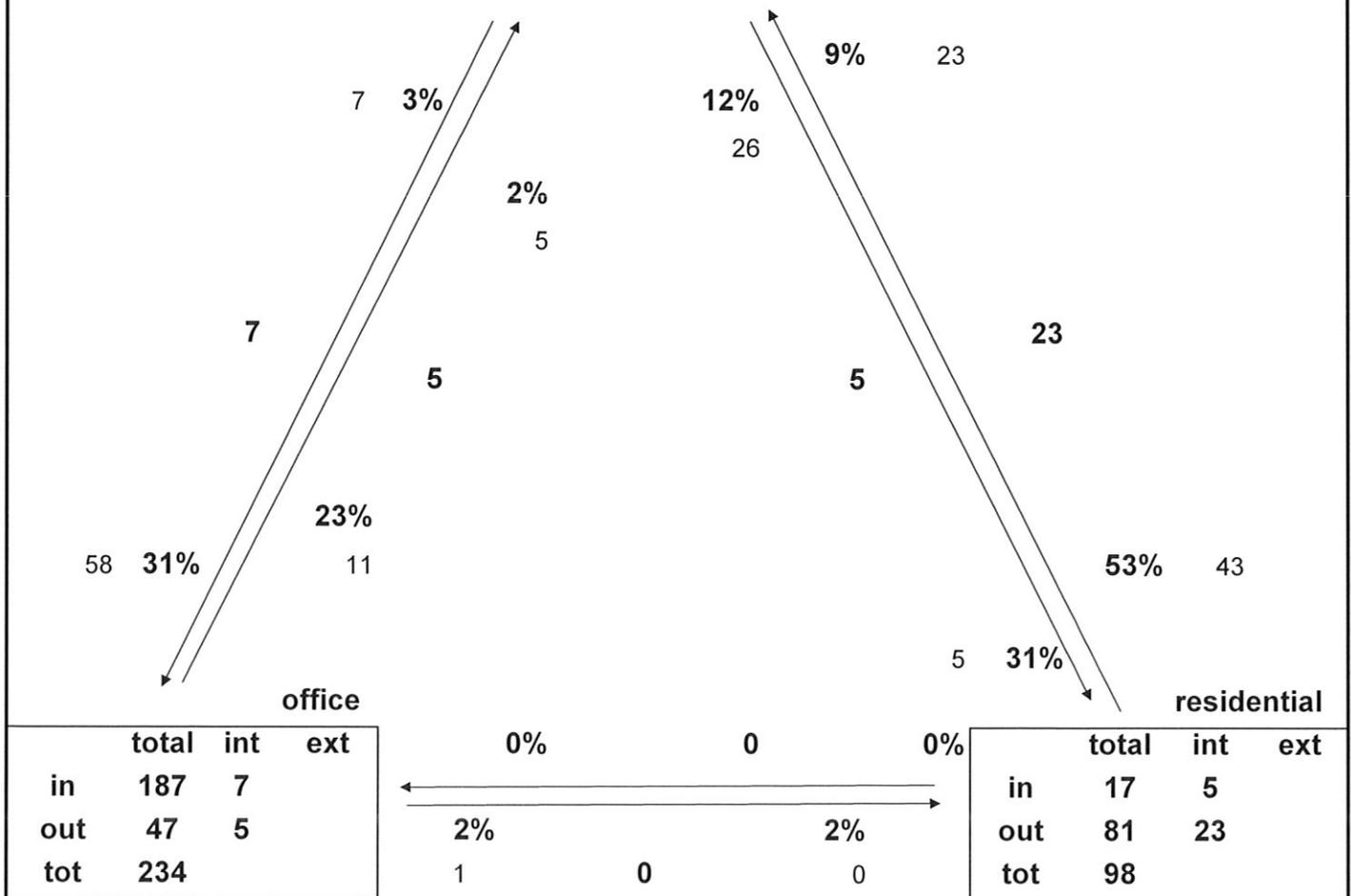
MORNING PEAK HOUR

from off	to off	1%		to off	from off	6%
	to ret	23%			from ret	31%
	to res	2%			from res	0%
from ret	to off	3%		to ret	from off	2%
	to ret	20%			from ret	20%
	to res	12%			from res	9%
from res	to off	0%		to res	from off	2%
	to ret	53%			from ret	31%
	to res	0%			from res	0%



retail/rest	total	int	ext
in	258	28	
out	217	12	
tot	475		

WITHOUT INTERCHANGE



EVENING PEAK HOUR

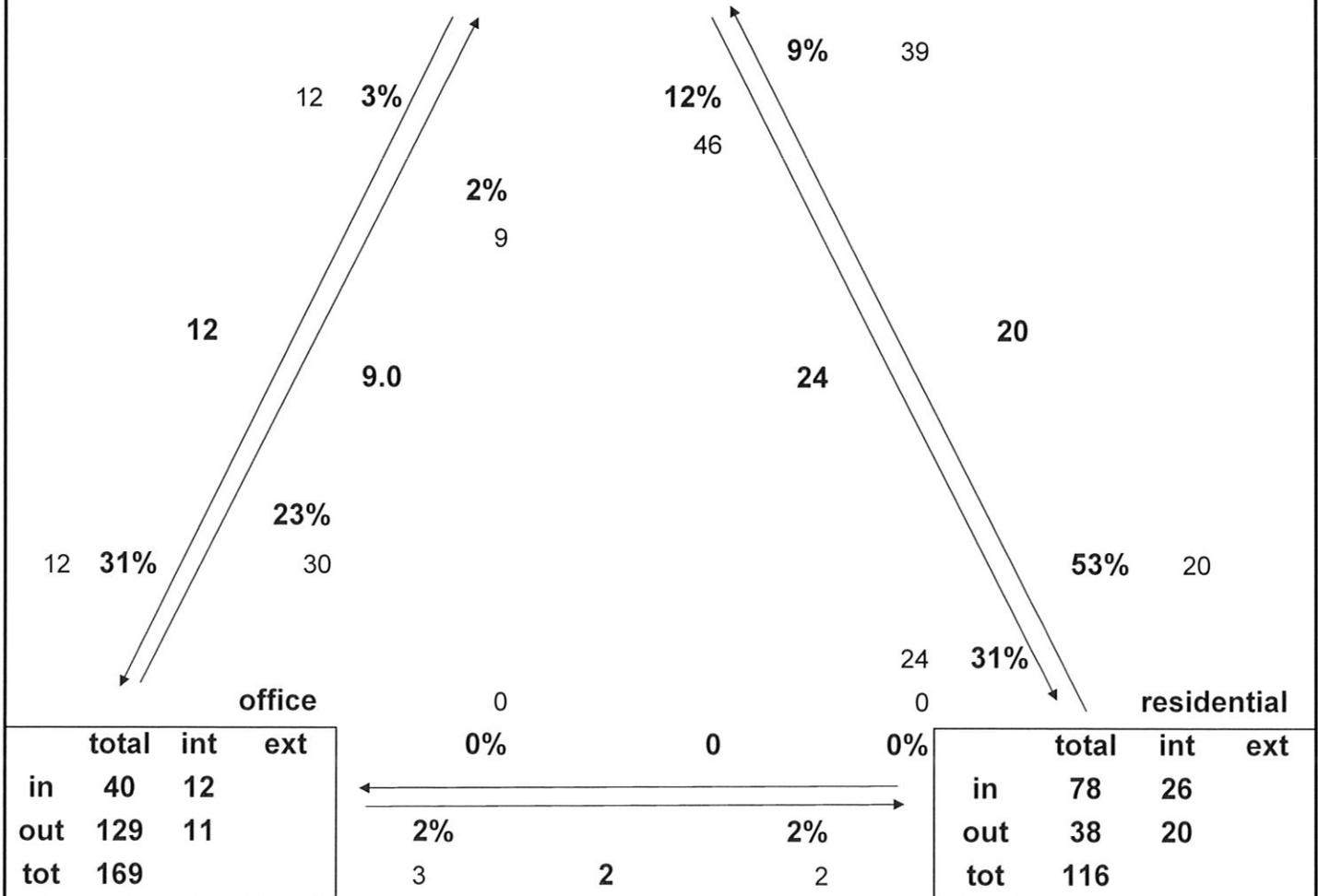
from off	to off	1%		to off	from off	6%
	to ret	23%			from ret	31%
	to res	2%			from res	0%
from ret	to off	3%			from off	2%
	to ret	20%			from ret	20%
	to res	12%		to ret	from res	9%
from res	to off	0%			from off	2%
	to ret	53%			from ret	31%
	to res	0%		to res	from res	0%



retail/rest

	total	int	ext
in	438	29	
out	384	36	
tot	822		

WITHOUT INTERCHANGE



TRIP TOTALS

	MORNING PEAK HOUR			EVENING PEAK HOUR		
	IN	OUT	TOTAL	IN	OUT	TOTAL
Residential Trips	17	81	98	78	38	116
less internal	-5	-24	-29	-27	-20	-47
External Res. Trips	12	57	69	51	18	69
Office Trips	187	47	234	40	129	169
less internal	-9	-5	-14	-12	-12	-24
External Office Trips	178	42	220	28	117	145
Retail Trips	258	217	475	438	384	822
less internal for retail/restaurants	-54	-34	-88	-73	-74	-147
trips w/o internal	204	183	387	365	310	675
Shopping Center (ksf, ITE-820)						
Pass-by Trips	-20	-13	-33	-81	-88	-169
High Turnover (Sit-Down) Rest. (ksf, ITE-932)						
Pass-by Trips	-56	-52	-108	-81	-52	-133
Ext. Ret. Passby Trips	76	65	141	162	140	302
External Ret. New Trips	128	118	246	203	170	373
Total Off-Site Trips	394	282	676	444	445	889



EXHIBIT C
TRIP GENERATION TOTALS FOR
SPECTRUM PHASE I - PREVIOUSLY APPROVED

TRIP GENERATION FOR SUBJECT SITE

TRIP TOTALS

MORNING PEAK HOUR			EVENING PEAK HOUR		
IN	OUT	TOTAL	IN	OUT	TOTAL

SPECTRUM PHASE I

Age-Restricted Attached housing, Local rates

0 units 0 0 0 0 0

High-Rise Townhouse/Condo Units (ITE-232, Units)

526 units 34 147 181 120 74 194

Residential Trips 34 147 181 120 74 194

Recreational Community Center (ksf, ITE-495)

30,000 sq.ft. 30 19 49 16 28 44

Government Office Building (ksf, ITE-730)

28,000 sq.ft. 139 26 165 11 23 34

General Office (ksf, ITE-710)

8,000 sq.ft. 22 3 25 15 73 88

Office Trips 191 48 239 42 124 166

Shopping Center (ksf, ITE-820)

31,210 sq.ft. 47 30 77 143 149 292

High Turnover (Sit-Down) Rest. (ksf, ITE-932)

25,400 sq.ft. 152 141 293 167 116 283

Quality Restaurant (ksf, ITE-931)

5,100 sq.ft. 2 2 4 25 13 38

Retail/Restaurant Trips 201 173 374 335 278 613

TOTAL TRIPS FOR SPECTRUM PHASE I - PROPOSED PLAN

426 368 794 497 476 973



EXHIBIT D
TRIP GENERATION FOR
SPECTRUM PHASE I - PROPOSED PLAN

MORNING PEAK HOUR			EVENING PEAK HOUR		
IN	OUT	TOTAL	IN	OUT	TOTAL

TOTAL TRIPS BEFORE INTERNAL DEDUCTION

Residential Trips	34	147	181	120	74	194
Retail/Restaurant Trips	201	173	374	335	278	613
Office Trips	191	48	239	42	124	166
	426	368	794	497	476	973

INTERNAL TRIP DEDUCTION

1. inter-landuse

Residential Trips	12	18	30	35	30	65
Retail/Restaurant Trips	22	16	38	37	41	78
Office Trips	5	5	10	8	9	17
Subtotal	39	39	78	80	80	160

2. intra-landuse

Residential Trips	0	1	1	1	1	2	1%
Retail/Restaurant Trips	20	17	37	34	28	62	10%
Office Trips	2	0	2	0	1	1	1%
Subtotal	22	18	40	35	30	65	

3. Total Internal Deduction

Residential Trips	12	19	31	36	31	67
Retail/Restaurant Trips	42	33	75	71	69	140
Office Trips	7	5	12	8	10	18
Total Deduction	61	57	118	115	110	225

% deduction of total Trips						
	14%	15%	15%	23%	23%	23%



EXHIBIT E
INTERNAL CAPTURE TRIPS FOR
SPECTRUM PHASE I - PROPOSED PLAN

MORNING PEAK HOUR

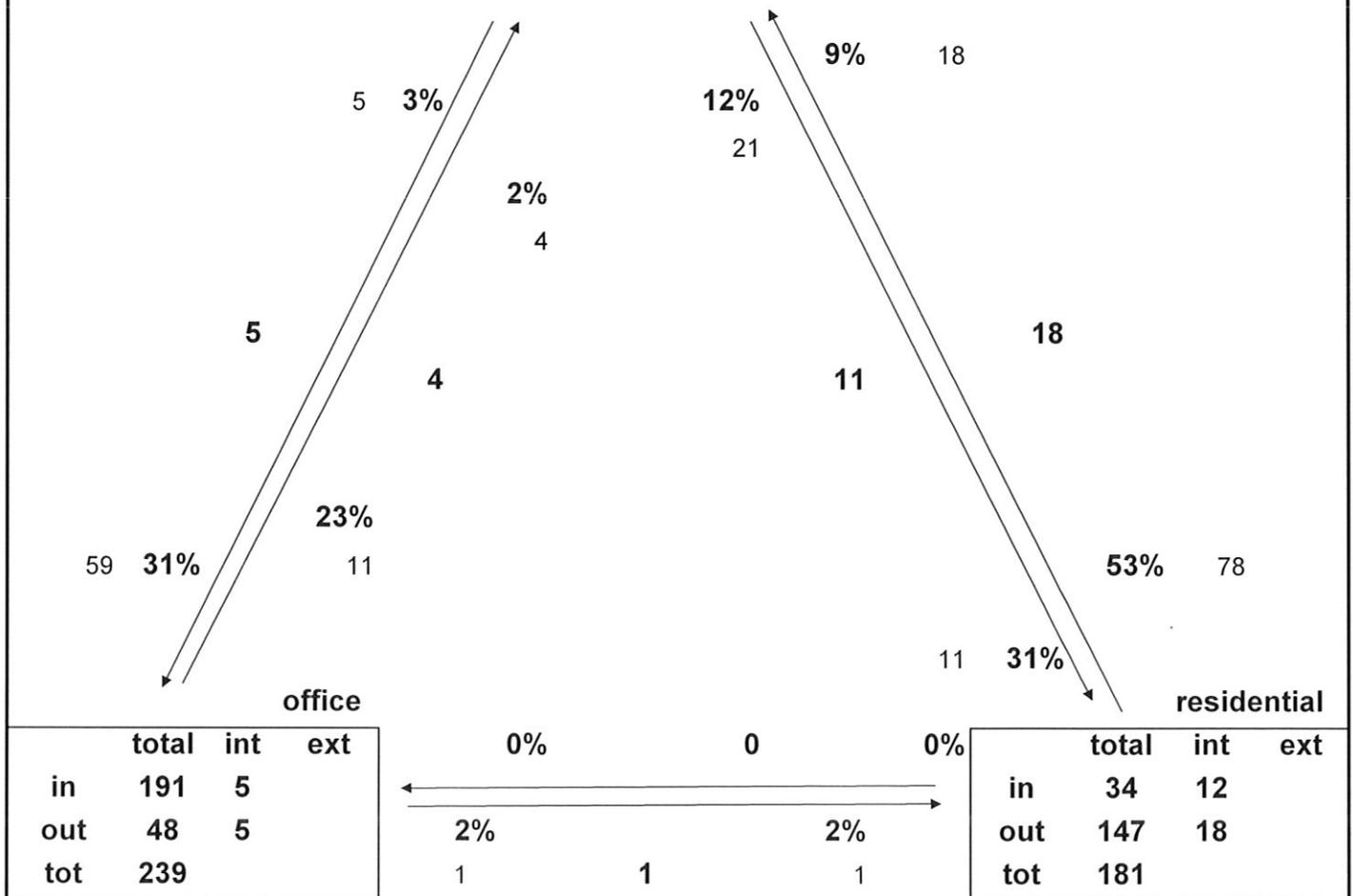
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	to ret	23%			from ret	31%
	to res	2%			from res	0%
from ret	to off	3%		to ret	from off	2%
	to ret	20%			from ret	20%
	to res	12%			from res	9%
from res	to off	0%		to res	from off	2%
	to ret	53%			from ret	31%
	to res	0%			from res	0%



retail/rest

	total	int	ext
in	201	22	
out	173	16	
tot	374		

WITHOUT INTERCHANGE



EVENING PEAK HOUR

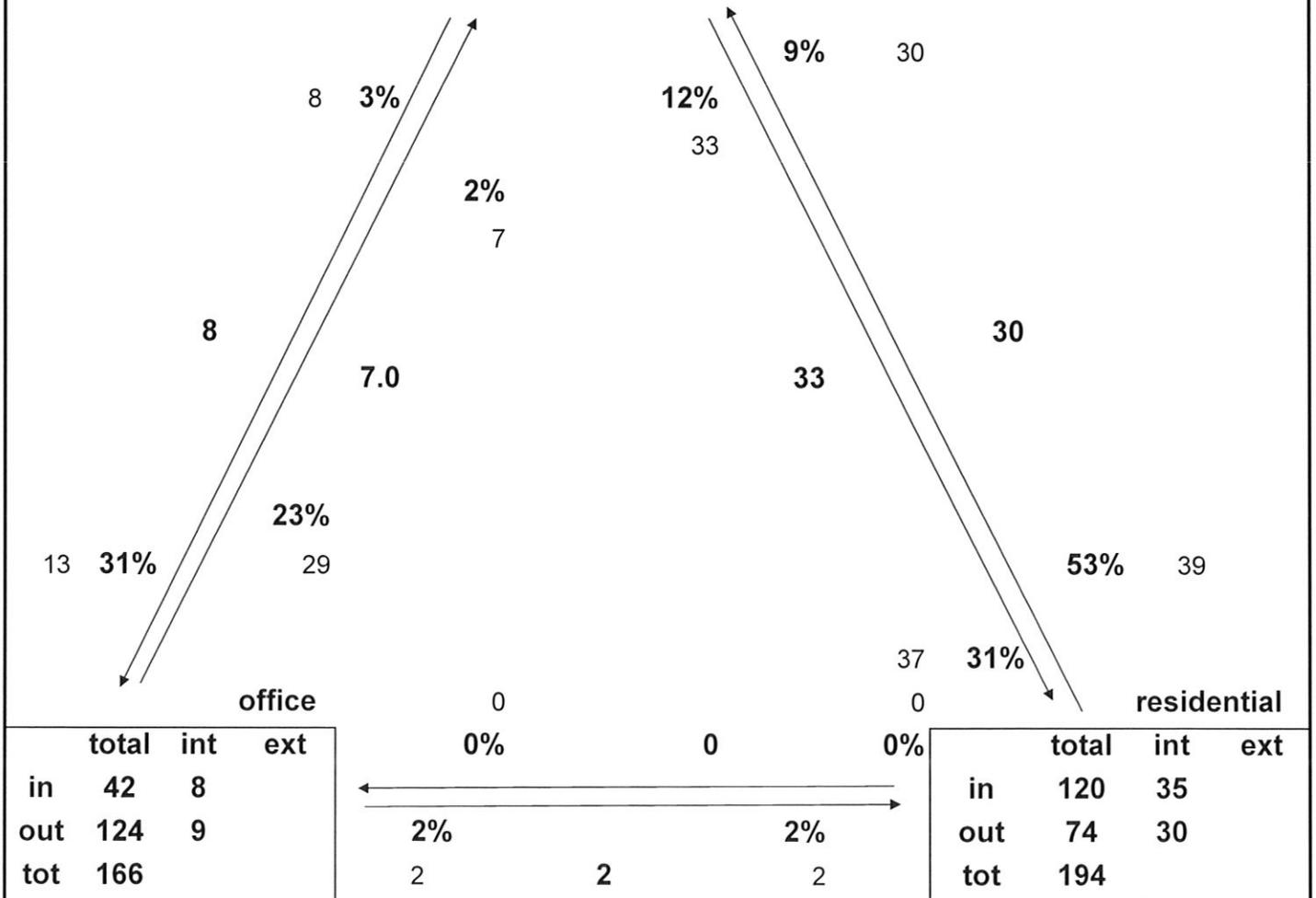
from off	to off	1%		to off	from off	6%
	to ret	23%			from ret	31%
	to res	2%			from res	0%
from ret	to off	3%		to ret	from off	2%
	to ret	20%			from ret	20%
	to res	12%			from res	9%
from res	to off	0%		to res	from off	2%
	to ret	53%			from ret	31%
	to res	0%			from res	0%



retail/rest

	total	int	ext
in	335	37	
out	278	41	
tot	613		

WITHOUT INTERCHANGE



TRIP TOTALS

	MORNING PEAK HOUR			EVENING PEAK HOUR		
	IN	OUT	TOTAL	IN	OUT	TOTAL
Residential Trips	34	147	181	120	74	194
less internal	-12	-19	-31	-36	-31	-67
External Res. Trips	22	128	150	84	43	127
Office Trips	191	48	239	42	124	166
less internal	-7	-5	-12	-8	-10	-18
External Office Trips	184	43	227	34	114	148
Retail Trips	201	173	374	335	278	613
less internal for retail/restaurants	-42	-33	-75	-71	-69	-140
trips w/o internal	159	140	299	264	209	473
Shopping Center (ksf, ITE-820)						
Pass-by Trips	-17	-11	-28	-63	-66	-129
High Turnover (Sit-Down) Rest. (ksf, ITE-932)						
Pass-by Trips	-40	-38	-78	-58	-40	-98
Quality Restaurant (ksf, ITE-931)						
Pass-by Trips	-1	-1	-2	-9	-5	-14
Ext. Ret. Passby Trips	58	50	108	130	111	241
External Ret. New Trips	101	90	191	134	98	232
Total Off-Site Trips	365	311	676	382	366	748



EXHIBIT F
TRIP GENERATION TOTALS
FOR SPECTRUM PHASE I - PROPOSED PLAN

TRIP TOTALS

MORNING PEAK HOUR			EVENING PEAK HOUR		
IN	OUT	TOTAL	IN	OUT	TOTAL

PROPOSED PLAN (EXHIBIT F)

External Residential Trips	22	128	150	84	43	127
External Office Trips	184	43	227	34	114	148
Ext. Retail Passby Trips	58	50	108	130	111	241
External Retail New Trips	101	90	191	134	98	232
TOTAL OFF-SITE TRIPS	365	311	676	382	366	748

PREVIOUSLY APPROVED PLAN (EXHIBIT C)

External Residential Trips	12	57	69	51	18	69
External Office Trips	178	42	220	28	117	145
Ext. Retail Passby Trips	76	65	141	162	140	302
External Retail New Trips	128	118	246	203	170	373
TOTAL OFF-SITE TRIPS	394	282	676	444	445	889

TRIPS INCREASE, PROPOSED - PREVIOUSLY APPROVED

External Residential Trips	10	71	81	33	25	58
External Office Trips	6	1	7	6	-3	3
Ext. Retail Passby Trips	-18	-15	-33	-32	-29	-61
External Retail New Trips	-27	-28	-55	-69	-72	-141
TOTAL OFF-SITE TRIPS	-29	29	0	-62	-79	-141

% INCREASE, PROPOSED - PREVIOUSLY APPROVED

External Residential Trips	83.3%	124.6%	117.4%	64.7%	138.9%	84.1%
External Office Trips	3.4%	2.4%	3.2%	21.4%	-2.6%	2.1%
Ext. Retail Passby Trips	-23.7%	-23.1%	-23.4%	-19.8%	-20.7%	-20.2%
External Retail New Trips	-21.1%	-23.7%	-22.4%	-34.0%	-42.4%	-37.8%
TOTAL OFF-SITE TRIPS	-7.4%	10.3%	0.0%	-14.0%	-17.8%	-15.9%



EXHIBIT G
TRIP GENERATION COMPARISON FOR SPECTRUM PHASE I
PROPOSED PLAN VS PREVIOUSLY APPROVED

***R*AZTEC ASSOCIATES, INC**

Civil Engineers

Land Planners

August 26, 2011

Mr. Don Boswell,
City of Gaithersburg Department of Public Works,
31 South Summit Avenue,
Gaithersburg, MD. 20877

Page | 1

Re: Majestic Layout Stormwater
Management Hydrology Analysis

Dear Mr. Boswell

At the request of BP Realty Investments LLC, we have performed a stormwater management analysis of the Majestic Concept Plan which proposes to revise the approved section 1B, Spectrum at Watkins Mill. The plan proposes to revise parts of section 1B previously approved for retail and office space to multi-family residential and mixed use development, as follows;

- The Majestic concept plan proposes to replace the retail pads E, H, I, J and office building K with a multi-family building, called Majestic, with a footprint of approximately 105,000 sf.
- The new concept plan also revises the proposed footprints of retail buildings B, D, F, L and M; and adds a 5,000 sf office building, designated T, and parking area to the drainage area for stormwater management pond 2.
- Other small changes in the sidewalks, parking and landscape areas necessitated by the new building footprints as also part of the concept plan.

Our analysis comprises of a comparison of impervious areas as approved under section 1B plan versus proposed impervious areas recalculated for the Majestic concept plan. We find that there will be no net increase in imperviousness under the concept Majestic plan. The stormwater facilities, as designed, will be adequate to provide stormwater quality (Wqv) and water quantity (Cpv), and recharge, provided that the time of concentration (Tc) flow path remains unchanged.

Therefore, given the impervious area analysis and the anticipation that the time of concentration will remain unchanged, we concluded that the Stormwater Management Plan as already approved will be adequate for the new concept plan.

RAZTEC ASSOCIATES, INC

Civil Engineers

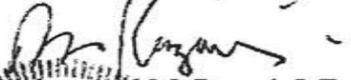
Land Planners

Re: Majestic Layout Stormwater
Management Hydrology Analysis

Upon finalization of the design Raztec Associates, Inc. should review the layout to confirm. Please do not hesitate to contact me, should you have any questions.

Page | 2

Yours Truly,
Raztec Associates, Inc.


Mohammad M. Razavi, P.E.

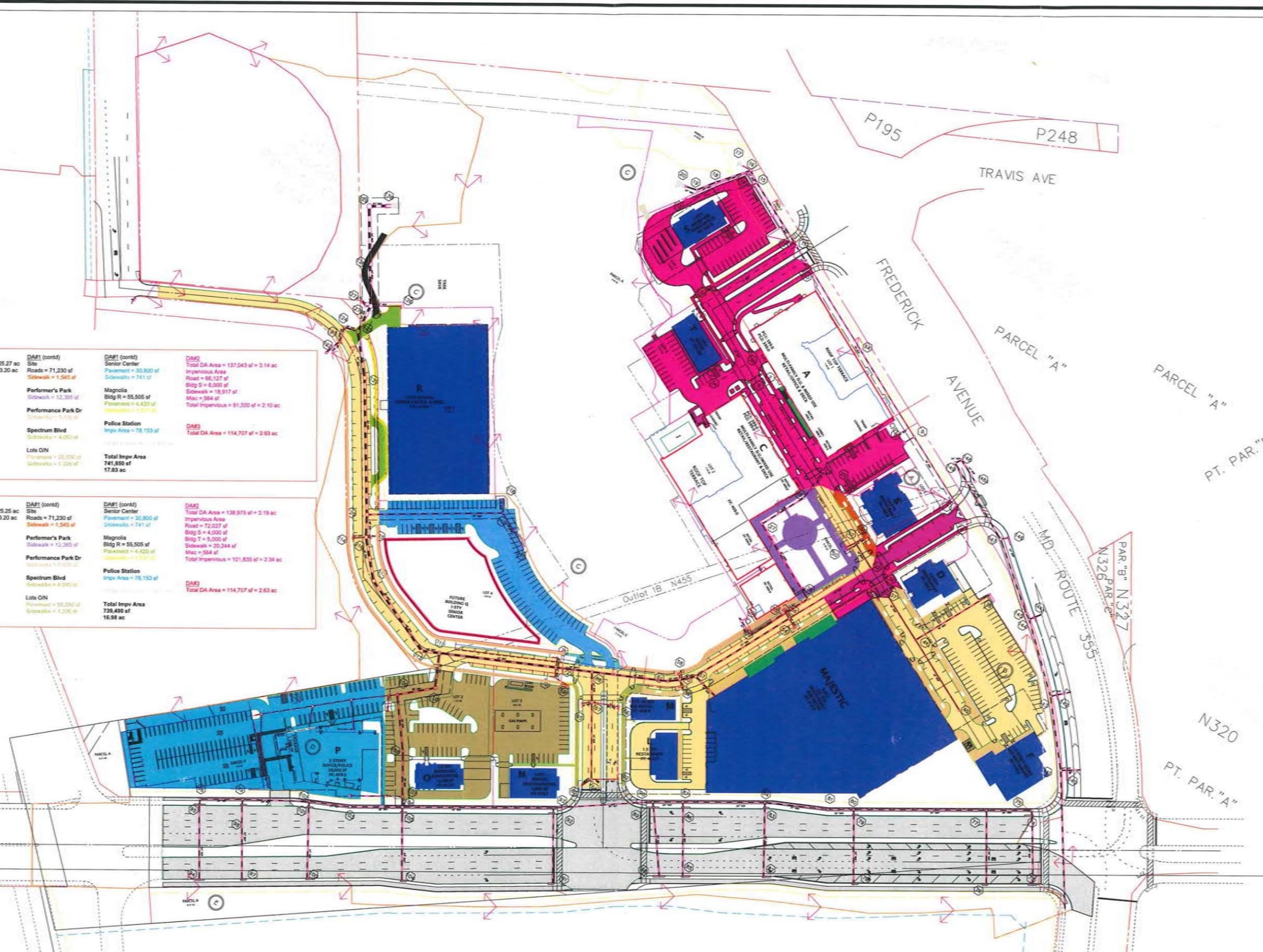


Phase 1B Plan

<p>DAF1 Total DA Area Site = 1,100,970 sf = 25.27 ac Total DA Area HSUS = 139,386 sf = 3.20 ac Impervious Area WWR = 207,339 sf = 4.76 ac</p> <p>Retail 1 Roads = 66,147 sf Sidewalk = 21,767 sf Bldg B = 9,500 sf Bldg D = 6,500 sf Bldg E = 5,000 sf Bldg F = 30,000 sf Bldg G = 6,500 sf Bldg H, I & J = 17,500 sf Bldg K = 34,776 sf Bldg L = 7,400 sf Bldg M = 2,700 sf</p>	<p>DAF1 (cont'd) Site Roads = 71,230 sf Sidewalk = 1,545 sf</p> <p>Performer's Park Sidewalk = 12,365 sf</p> <p>Performance Park Dr Sidewalk = 3,032 sf</p> <p>Spectrum Blvd Sidewalk = 4,093 sf</p> <p>Lots QIN Pavement = 35,530 sf Sidewalk = 1,229 sf</p>	<p>DAF1 (cont'd) Senior Center Pavement = 30,800 sf Sidewalk = 741 sf</p> <p>Magnolia Bldg R = 55,505 sf Pavement = 4,420 sf Sidewalk = 1,747 sf</p> <p>Police Station Impv Area = 78,153 sf</p> <p>Total Impv Area 741,850 sf 17.83 ac</p>	<p>DAK2 Total DA Area = 137,043 sf = 3.14 ac Impervious Area Road = 66,127 sf Bldg S = 6,000 sf Sidewalk = 18,917 sf Mac = 564 sf Total Impervious = 91,330 sf = 2.10 ac</p> <p>DAE3 Total DA Area = 114,707 sf = 2.63 ac</p>
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Majestic Plan

<p>DAF1 Total DA Area Site = 1,099,690 sf = 25.25 ac Total DA Area HSUS = 139,386 sf = 3.20 ac Impervious Area WWR = 207,339 sf = 4.76 ac</p> <p>Retail 1 Roads = 55,128 sf Sidewalk = 16,133 sf Bldg B = 7,000 sf Bldg D = 6,000 sf Bldg E = 0 sf Bldg F = 7,500 sf Bldg Majestic = 105,000 sf Bldg H, I & J = 0 sf Bldg K = 0 sf Bldg L = 4,000 sf Bldg M = 3,100 sf</p>	<p>DAF1 (cont'd) Site Roads = 71,230 sf Sidewalk = 1,545 sf</p> <p>Performer's Park Sidewalk = 12,365 sf</p> <p>Performance Park Dr Sidewalk = 3,032 sf</p> <p>Spectrum Blvd Sidewalk = 4,093 sf</p> <p>Lots QIN Pavement = 35,530 sf Sidewalk = 1,229 sf</p>	<p>DAF1 (cont'd) Senior Center Pavement = 30,800 sf Sidewalk = 741 sf</p> <p>Magnolia Bldg R = 55,505 sf Pavement = 4,420 sf Sidewalk = 1,747 sf</p> <p>Police Station Impv Area = 78,153 sf</p> <p>Total Impv Area 739,499 sf 16.98 ac</p>	<p>DAK2 Total DA Area = 138,975 sf = 3.19 ac Impervious Area Road = 72,027 sf Bldg S = 4,000 sf Bldg T = 5,000 sf Sidewalk = 23,244 sf Mac = 564 sf Total Impervious = 101,835 sf = 2.34 ac</p> <p>DAK3 Total DA Area = 114,707 sf = 2.63 ac</p>
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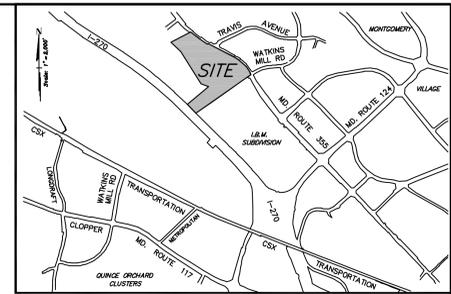


MAJESTIC CONCEPT PLAN - IMPERVIOUS AREA CALCS

THE SPECTRUM AT WATKINS MILL

GAITHERSBURG, MARYLAND

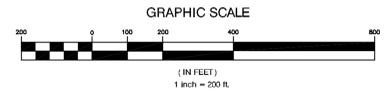
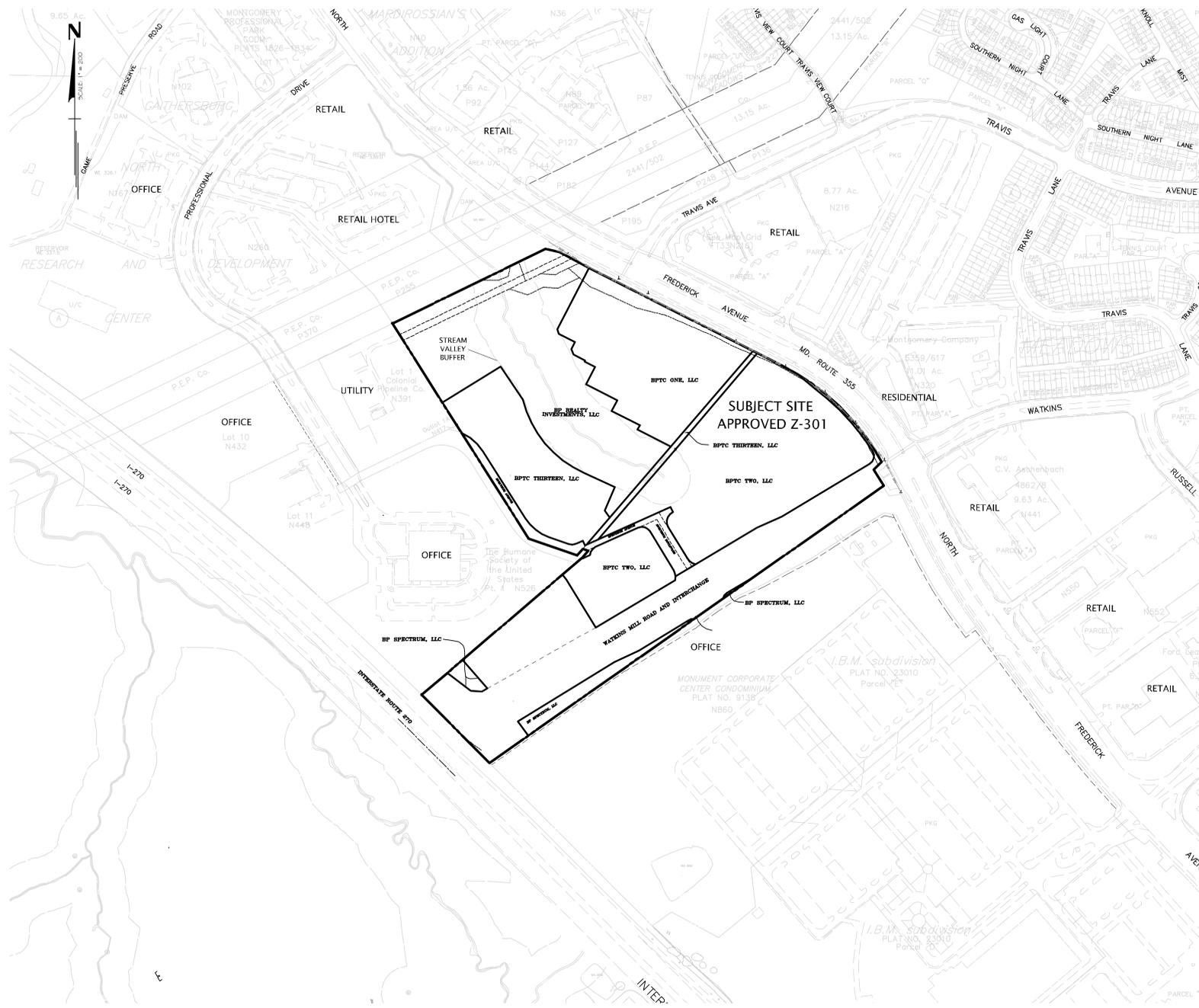
AMENDED MXD - ZONING APPLICATION



Vicinity Map
1" = 2000'

SKETCH PLAN SHEET INDEX

TITLE	SHEET NO.
COVER SHEET AND LAND USE PLAN	1
SKETCH PLAN	2
PHASING PLAN	3
APPROVED NRI/FSD	4
BOUNDARY SURVEY	5
FINAL FOREST CONSERVATION PLAN	6



CITY OF GAITHERSBURG PLANNING COMMISSION
31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877
MXD SKETCH PLAN APPROVAL
AT THE REGULARLY SCHEDULED MEETING OF THE MAYOR AND CITY COUNCIL HELD ON
APPLICATION NO. Z-XXX WAS GRANTED
BY RESOLUTION _____ WITH _____ CONDITIONS.
DATE _____ BY _____
NOTE - ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE PLANNING COMMISSION

Z-XXX



BP Realty Investments, LLC
10000 Falls Road, Suite 100
Potomac, Maryland 20854
Ph.: (301) 299-2099
Fax: (301) 299-2033

COVER SHEET
AND
LAND USE PLAN

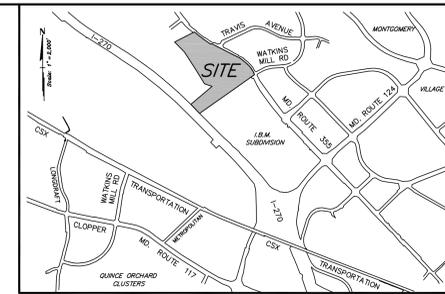
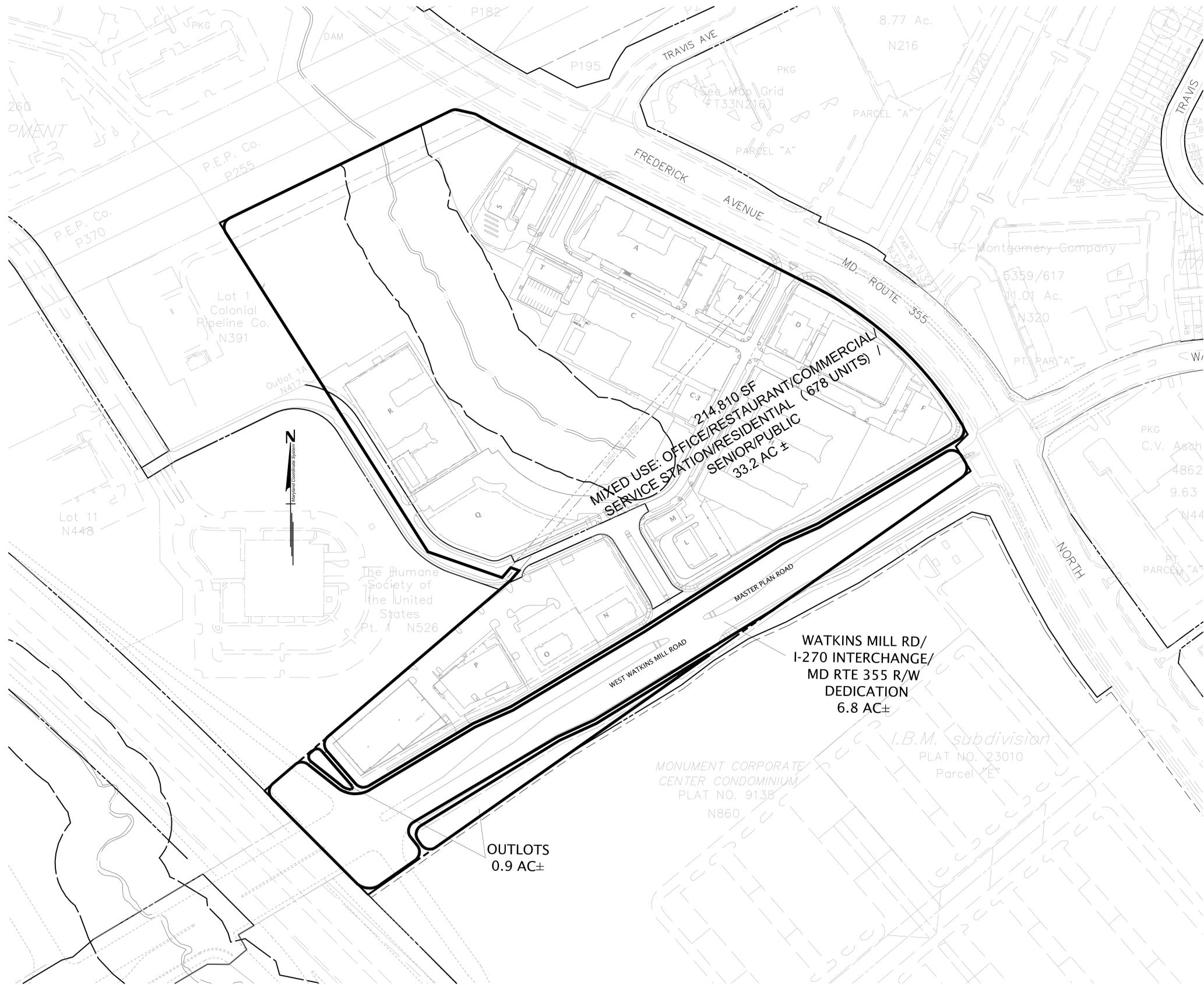
REVISION	DATE

THE SPECTRUM AT WATKINS MILL

City of Gaithersburg
9th election district
Montgomery County, Maryland

SCALE: 1"=200'
Drawn By: LFG
DATE: Sept. 2011
SHEET No. 1 OF 6

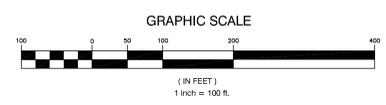
Z:\My Desktop\7802\ConsPlans - Landscape\Drawings\Majestic MXD\Sheet: 78601-Cover MD-Majestic.dwg Sheet: 01 Sep 20, 2011, 12:04pm



Vicinity Map
1" = 2000'

General Notes

- Topography was prepared aerially by photographic data services.
- Existing zoning: MXD (TO REMAIN THE SAME)
Maximum building height: as allowed by zone, maximum FAR = 0.75
- Site area:
 N668 0.7 ac±
 N633 0.2 ac±
 N565 0.02 ac±
 P360 8.8 ac±
 P356 5.7 ac±
 P457 8.4 ac±
 N561 2.0 ac±
 P450 4.0 ac±
 N455 0.4 ac±
 N686 1.5 ac±
 N572 5.3 ac±
 N613 2.0 ac±
 MD SHA 0.1 ac±
 PUB. R/W 8.4 ac±
 total site 40.1 ac±
- Proposed Development:
 33.17 AC ± Mixed Use: Retail/Office/Restaurant/Industrial/Research/Service Station/Residential/Public/Senior
 6.92 AC ± Watkins Mill Rd., I-270 Interchange & MD 355 R/W dedication.
- 40% of the residential area and 25% of the commercial area to be provided for green space.



CITY OF GAITHERSBURG PLANNING COMMISSION
 31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877
MXD SKETCH PLAN APPROVAL
 AT THE REGULARLY SCHEDULED MEETING OF THE MAYOR AND CITY COUNCIL HELD ON
 APPLICATION NO. **Z-XXX** WAS GRANTED
 BY RESOLUTION _____ WITH _____) CONDITIONS
 DATE _____ BY _____)
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Z-XXX

The Spectrum at
WATKINS MILL

BP Realty Investments, LLC
 10000 Falls Road, Suite 100
 Potomac, Maryland 20854
 Ph.: (301) 299-2099
 Fax: (301) 299-2033

SKETCH PLAN

REVISION	DATE

THE SPECTRUM AT WATKINS MILL

City of Gaithersburg
 9th election district
 Montgomery County, Maryland

SCALE: 1"=100'
 Drawn By: LFG
 DATE: Sept. 2011
 SHEET No. 2 OF 6

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Property Summary

	Floodplain	Wetland	Forest	Stream Valley Buffer	Total Tract
Casey West	15.29	3.6	76.33	57.91 28.01*	125.23
Casey East	3.46	0	20.47	40.09 5.86*	40.12
Total Areas	18.75	3.6	96.8	68 33.87*	165.35

* Revised March 10, 2005

Forests

Symbol	Forest Stand Description	Size
①	Mixed Growth Hedgerow	3.50 Ac.
②	Mature Oak/Poplar Forest	51.82 Ac.
③	Mature Oak Forest	0.69 Ac.
④	Mature Bottomland Forest	20.32 Ac.
⑤	Mature Oak/Poplar Forest	20.47 Ac.

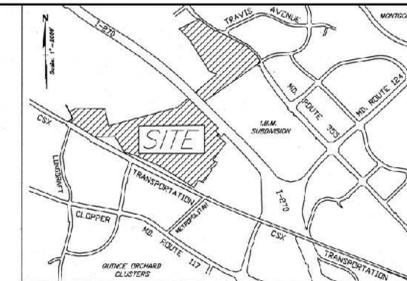
Soils

Symbol	Soil name	Comments (Per Soil Survey)
1 B	Gailla silt loam, 3-8% slopes	
1 C	Gailla silt loam, 8-15% slopes	
2 B	Glencel silt loam, 3-8% slopes	
6 A	Baile silt loam, 0-3% slopes	hydric
1 2 C	Brinklow-Blocktown channery silt loam, 8-15% slopes	
1 6 D	Brinklow-Blocktown channery silt loam, 15-25% slopes	highly erodible (See Note 3)
1 2 E	Occoquan loam, 3-8% slopes	
1 7 C	Occoquan loam, 8-15% slopes	
6 4 A	Harbors silt loam, 0-3% slopes	hydric
1 1 6 D	Blocktown channery silt loam, 15-25% slopes	
1 1 6 E	Blocktown channery silt loam, 25-45% slopes	very rocky, highly erodible

Wetlands

Symbol	Wetland Type	Size
△	PSS1C/E	0.04 ac.
△	PEM2C	0.03 ac.
△	PFO1C/E	0.08 ac.
△	PSS1C	0.02 ac.
△	PEM1C/E	0.02 ac.
△	PFO1A/E (off site)	0.46 ac.
△	PEM2C	1.75 ac.
△	PEM1A	0.56 ac.
△	PFO1A	0.23 ac.
△	PEM1A	0.41 ac.

CITY OF GAITHERSBURG PLANNING COMMISSION
 31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877
 MIXED SKETCH
 PLAN APPROVAL
 AT THE REGULARLY SCHEDULED MEETING OF THE MAYOR AND CITY COUNCIL HELD ON _____
 APPLICATION NO. Z-XXX WAS GRANTED
 BY RESOLUTION _____ WITH _____ () CONDITIONS.
 DATE _____ BY _____
NOTE: ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE PLANNING COMMISSION



VICINITY MAP
 The Casey Property
 Gaithersburg, MD
 1" = 2000'

Casey Property
 Natural Resource Inventory/
 Forest Stand Delineation

- The subject property is 165.34 Acres ± and is comprised of Parcels P910, P980, P33, P211 and PN 455 of tax map pages FT 22, FT 23, and FT 13. The subject property is bisected by Interstate 270 creating two areas hereafter referred to as the western area and the eastern area.
- Boundary information was taken from tax map data July, 1997.
- Soils information is taken from Montgomery County Soils Survey, July 1995 issue, Maps 7 & 8. A geo-technical study was conducted for the soils mapped as 16D to determine erodibility. The locations of these test pits are indicated on this plan. The result of this study determined that the 16D soils in this area are not to be considered highly erodible. Please see the geo-technical report dated July 30, 2002 as issued by Hillis-Carnes Engineering Associates, Inc. for additional information.
- Wetland delineation provided as part of the I-270 multi-modal corridor study, Environmental Impact Statement. Wetland delineation was confirmed by representatives of Rodgers Consulting, Inc. for use on this map.
- The ultimate 100 year flood plain is taken from FEMA Flood Insurance Rate Maps for the City of Gaithersburg (FEMA, 1982). The subject property contains 6.98 acres of floodplain.
- The topography shown is from an aerial topographic survey completed in 2001 and is shown in 2' contour intervals.
- The location of individual specimen trees is by field survey utilizing a Global Positioning System with sub-meter accuracy.
- Streams on the site are Use Class I-P and are part of Great Seneca Creek and its tributaries.
- Existing forest cover = 96.80 Acres ±.
- Site visits for purposes of conducting this inventory occurred in fall of 2000, Feb. of 2002, and Summer 2004.
- The Stream Valley Buffer depicted on this plan is based on the best available information at this time. Since the limits of the parameters used to define the Stream Valley Buffer are by their very nature dynamic, the buffer is subject to further refinement as additional data becomes available.
- Per the City of Gaithersburg's Environmental Standards for Development Regulation, as part of the site plan application, the applicant will conduct a wildlife management plan.
- Existing and adjacent sources of noise includes vehicle traffic traveling on I-270 and rail traffic on the railroad line to the west of the property. Per the Environmental Standards for Development Regulation, as part of the site plan application, the applicant will conduct a noise study to determine existing and potential sources of noise and noise abatement recommendations.

Legend

- Stream Valley Buffer
- Floodplain Delineation
- Floodplain BRL
- Wetlands delineation
- Wetland Buffer (50' City)
- Wetland Area Reference Number
- Forest Stand and Reference Number
- Specimen Tree w/ Critical Root Zone
- Spring/Seed Location
- Soils Lines
- Soil Text Type
- Existing Trees
- 15-25% Slopes
- Slopes 25% and greater
- Existing Perennial/Intermittent Stream
- Locations of Test Pits for soil erodibility study TP-4

Approval with the following conditions!

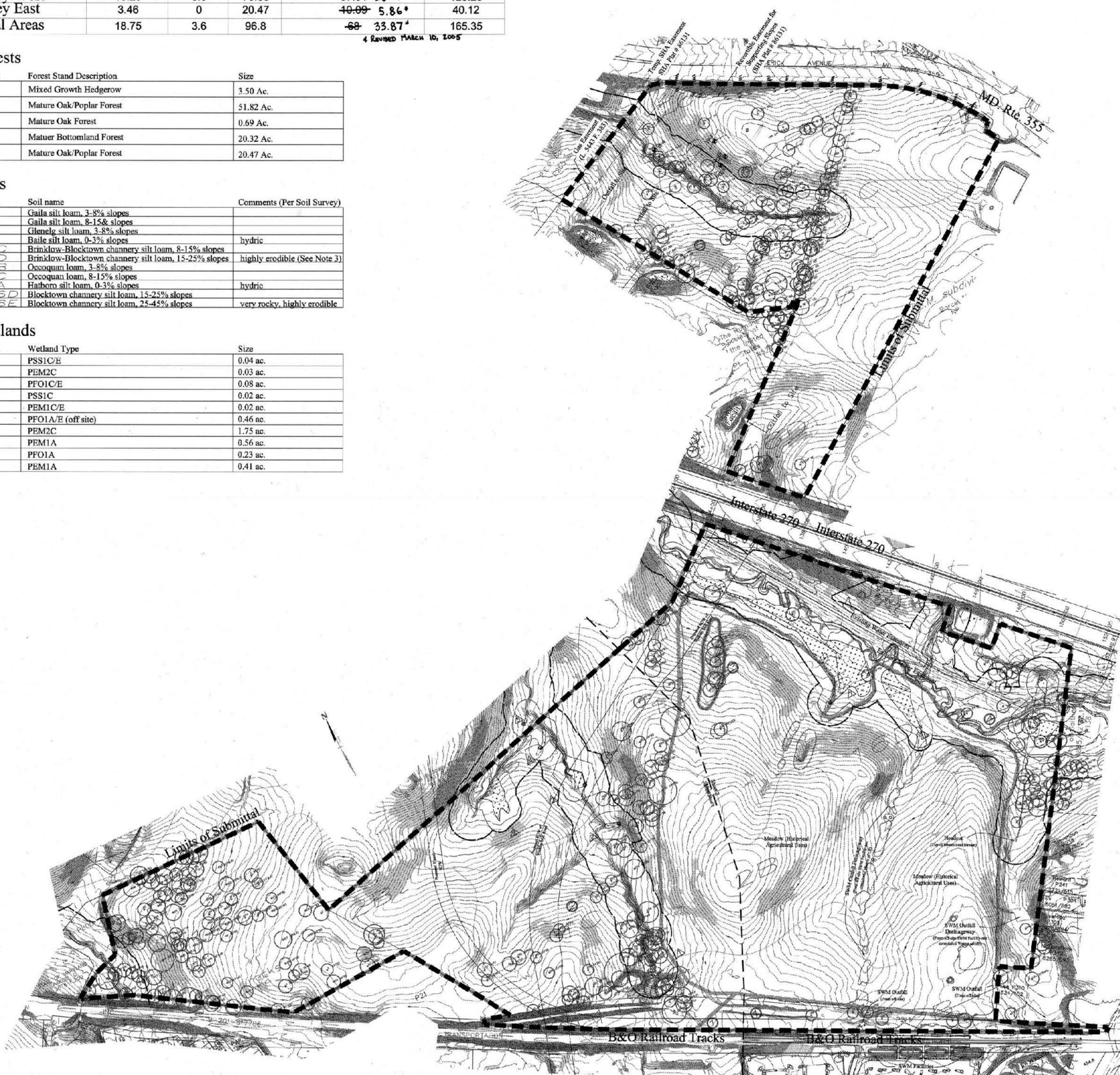
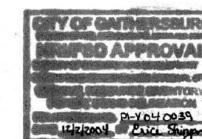
- A noise study is required per Section 34 of the Environmental Standards for Development Regulation.
- A wildlife management plan is required per Section 31 of the Environmental Standards for Development Regulation.
- A Danger Reach/burn break analysis is required per Section 29 of the Environmental Standards for Development Regulation.
- Wetland boundaries and associated buffers to be constructed by the U.S. Army Corps of Engineers; a jurisdiction determination (J.D.) request is pending review.

Z-XXX

Qualified Professional Certification

I hereby certify that this plan was prepared to the best of my knowledge and belief in accordance with the Maryland Forest Conservation Law and the City of Gaithersburg's approved and adopted Environmental Standards.

12/2/04
 M. Dwyer
 Rusty Road
 CIVIL ENGR. 02190601
 Exp. Date 12/31/2008



The Spectrum at
WATKINS MILL

BP Realty Investments, LLC
 10000 Falls Road, Suite 100
 Potomac, Maryland 20854
 Ph.: (301) 299-2099
 Fax: (301) 299-2033

NATURAL RESOURCES INVENTORY/
 FOREST STAND DELINEATION

REVISION	DATE

THE SPECTRUM AT WATKINS MILL
 City of Gaithersburg
 9th election district
 Montgomery County, Maryland

SCALE: 1"=200'
 Drawn By: LCG
 DATE: Sept., 2011
 SHEET No. 4 OF 6



LEED 2009 for Core and Shell Development -V2.0

Project Checklist

Project name: Spectrum at Watkins Mill

Project Location: Gaithersburg, Maryland

18	9	1	Sustainable Sites	28
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Y	N	?		
X			Prereq 1 Construction Activity Pollution Prevention	
		1	Credit 1 Site Selection	1
	5		Credit 2 Development Density and Community Connectivity - (New development does not yet qualify under either Option 1 or 2.)	5
	1		Credit 3 Brownfield Redevelopment	1
6			Credit 4.1 Alternative Transportation—Public Transportation Access (Located within 1/2 mile of existing rail station)	6
2			Credit 4.2 Alternative Transportation—Bicycle Storage and Changing Rooms (See note 2	2
3			Credit 4.3 Alternative Transportation—Low-Emitting and Fuel-Efficient Vehicles	3
2			Credit 4.4 Alternative Transportation—Parking Capacity (See note below)	2
	1		Credit 5.1 Site Development—Protect or Restore Habitat	1
	1		Credit 5.2 Site Development—Maximize Open Space (Open Space is off site)	1
1			Credit 6.1 Stormwater Design—Quantity Control	1
1			Credit 6.2 Stormwater Design—Quality Control	1
1			Credit 7.1 Heat Island Effect—Non-roof	1
1			Credit 7.2 Heat Island Effect—Roof	1
	1		Credit 8 Light Pollution Reduction	1
1			Credit 9 Tenant Design and Construction Guidelines	1

0	7	3	Water Efficiency	10
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Y	N	?		
		X	Prereq 1 Water Use Reduction—20% Reduction (see note below)	
	3	1	Credit 1 Water Efficient Landscaping (see note below)	2 to 4
	1	1	Credit 2 Innovative Wastewater Technologies	2
	3	1	Credit 3 Water Use Reduction (see note below)	2 to 4

3	7	27	Energy and Atmosphere	37
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Y	N	?		
		X	Prereq 1 Fundamental Commissioning of Building Energy Systems (see note Below)	
X			Prereq 2 Minimum Energy Performance	0
		X	Prereq 3 Fundamental Refrigerant Management (see note below)	
3		18	Credit 1 Optimize Energy Performance	3 to 21
	1	3	Credit 2 On-Site Renewable Energy	4
	1	1	Credit 3 Enhanced Commissioning (see note below)	2
	1	1	Credit 4 Enhanced Refrigerant Management	2
	2	1	Credit 5.1 Measurement and Verification—Base Building (see note below)	3
	1	2	Credit 5.2 Measurement and Verification—Tenant Submetering	3
	1	1	Credit 6 Green Power (see note below)	2

Note: The project is part of a new high-density urban core with extensive hardscape and limited open and green space. The Urban Core does not qualify for Density or Connectivity measurements since the criteria (banks, shopping, restaurants etc.) are currently lacking and will be provided by the site as it is developed. Individual design alternatives for systems and finishes will be determined at the building design level in concert with the building architect and/or lead tenant..

Project Name - Watkins Mill Town Center

2	5	6	Materials and Resources	13
---	---	---	--------------------------------	-----------

Y	N	?		
X			Prereq 1 Storage and Collection of Recyclables	0
	1	4	Credit 1 Building Reuse—Maintain Existing Walls, Floors, and Roof	1 to 5
1	1		Credit 2 Construction Waste Management	1 to 2
	1		Credit 3 Materials Reuse	1
	1	1	Credit 4 Recycled Content (see note below)	1 to 2
1	1		Credit 5 Regional Materials (see note below)	1 to 2
		1	Credit 6 Certified Wood (see note below)	1

1	0	11	Indoor Environmental Quality	12
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Y	N	?		
X			Prereq 1 Minimum Indoor Air Quality Performance	0
X			Prereq 2 Environmental Tobacco Smoke (ETS) Control	0
		1	Credit 1 Outdoor Air Delivery Monitoring (see note below)	1
		1	Credit 2 Increased Ventilation (see note below)	1
		1	Credit 3 Construction IAQ Management Plan—During Construction (see note below)	1
		1	Credit 4.1 Low-Emitting Materials—Adhesives and Sealants (see note below)	1
		1	Credit 4.2 Low-Emitting Materials—Paints and Coatings (see note below)	1
		1	Credit 4.3 Low-Emitting Materials—Flooring Systems (see note below)	1
		1	Credit 4.4 Low-Emitting Materials—Composite Wood and Agrifiber Products (see note below)	1
		1	Credit 5 Indoor Chemical and Pollutant Source Control (see note below)	1
		1	Credit 6 Controllability of Systems—Thermal Comfort see note below)	1
1			Credit 7 Thermal Comfort—Design	1
		1	Credit 8.1 Daylight and Views—Daylight (see note below)	1
		1	Credit 8.2 Daylight and Views—Views (see note below)	1

2	4	0	Innovation and Design Process	6
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Y	N	?		
1			Credit 1.1 Innovation in Design: Underground parking design-decreased carbon footprint	1
	1		Credit 1.2 Innovation in Design: Specific Title	1
	1		Credit 1.3 Innovation in Design: Specific Title	1
	1		Credit 1.4 Innovation in Design: Specific Title	1
	1		Credit 1.5 Innovation in Design: Specific Title	1
1			Credit 2 LEED Accredited Professional	1

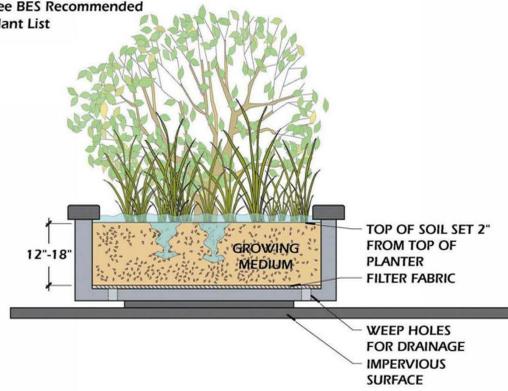
0	2	2	Regional Priority Credits	4
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	1		Credit 1.1 Regional Priority: Specific Credit	1
	1		Credit 1.2 Regional Priority: Specific Credit	1
		1	Credit 1.3 Regional Priority: Specific Credit	1
		1	Credit 1.4 Regional Priority: Specific Credit	1
26	34	50	Total	110

Note: The project is part of a new high-density urban core with extensive hardscape and limited open and green space. The Urban Core does not qualify for Density or Connectivity measurements since the criteria (banks, shopping, restaurants etc.) are currently lacking and will be provided by the site as it is developed. Individual design alternatives for systems and finishes will be determined at the building design level in concert with the building architect and/or lead tenant..

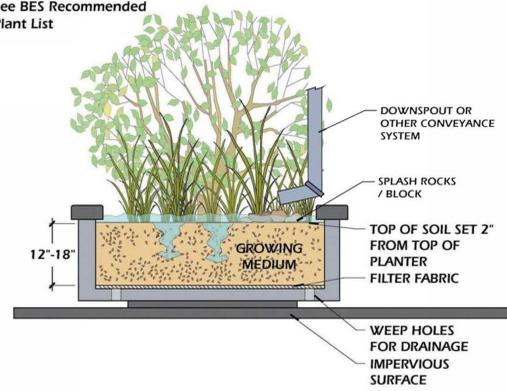
Certified 40 to 49 points Silver 50 to 59 points Gold 60 to 79 points Platinum 80 to 110

PLANTINGS:
See BES Recommended
Plant List



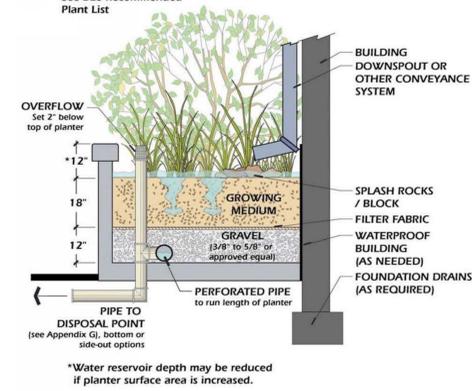
1 Contained Planter Box
1/26/02 SOURCE: CITY OF PORTLAND STORMWATER MANAGEMENT MANUAL

PLANTINGS:
See BES Recommended
Plant List



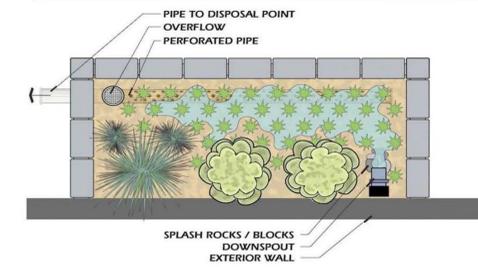
2 Contained Planter Box
1/26/02 SOURCE: CITY OF PORTLAND STORMWATER MANAGEMENT MANUAL

PLANTINGS:
See BES Recommended
Plant List



3 Flow-Through Planter Box
1/26/02 SOURCE: CITY OF PORTLAND STORMWATER MANAGEMENT MANUAL

LEGEND



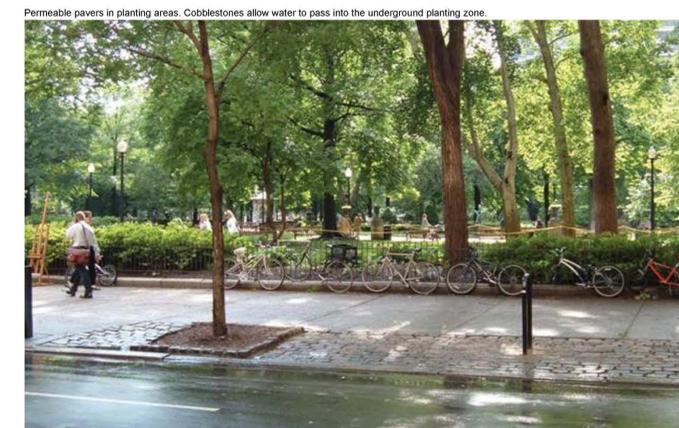
Planter Area = Approx. 50 sq. ft.
Not to Scale

Notes:
1. At least 50% of the facility shall be planted with grasses or grass-like plants, primarily in the flow path. Large grass like plants can be considered as shrubs.
2. See BES recommended plant list, and quantity requirements.

3 Flow-Through Planter - Plan
1/26/02 SOURCE: CITY OF PORTLAND STORMWATER MANAGEMENT MANUAL



4 Permeable Pavers Between Tree Wells

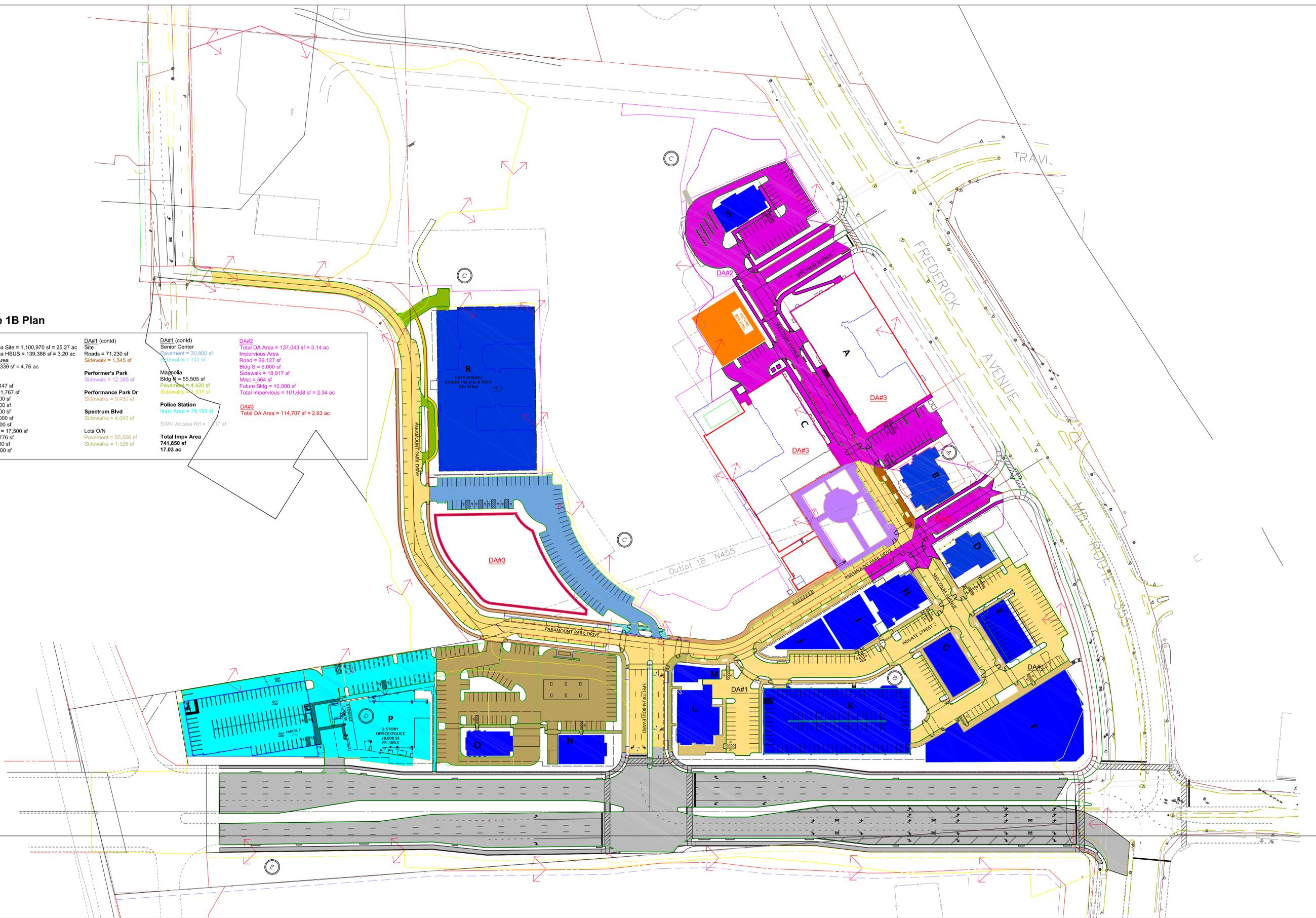


SOURCE: DISTRICT DEPARTMENT OF TRANSPORTATION
ANACOSTIA WATERFRONT TRANSPORTATION ARCHITECTURE DESIGN GUIDELINES

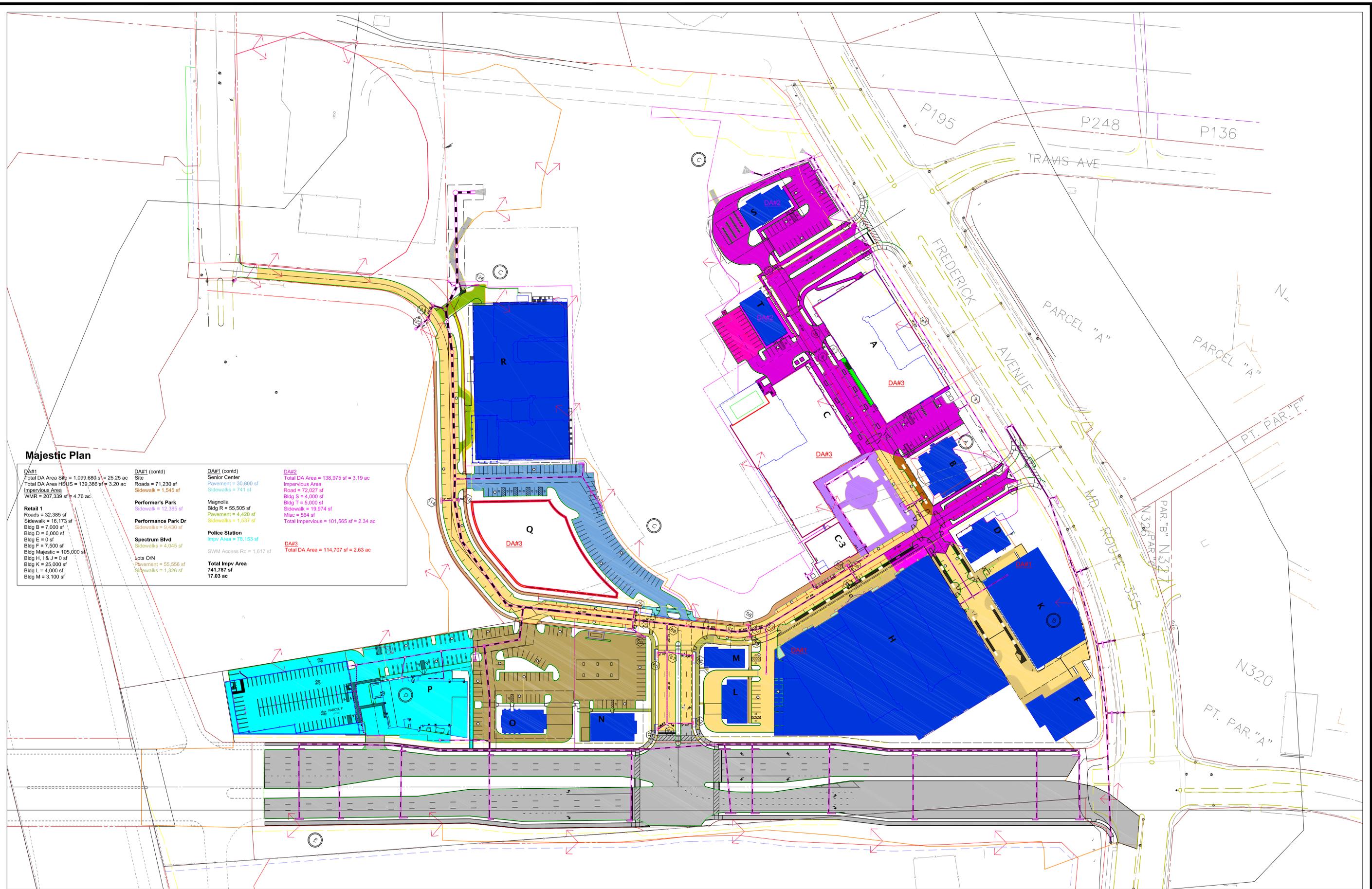
DRAFT 08.31.2011

Phase 1B Plan

<p>DA#1 Total DA Area Site = 1,100,970 sf = 25.27 ac Total DA Area HSUS = 139,386 sf = 3.20 ac Impervious Area WMR = 207,339 sf = 4.76 ac</p> <p>Retail 1 Roads = 66,147 sf Sidewalk = 21,767 sf Bldg B = 9,500 sf Bldg D = 6,500 sf Bldg E = 5,000 sf Bldg F = 30,000 sf Bldg G = 6,500 sf Bldg H, I & J = 17,500 sf Bldg K = 34,776 sf Bldg L = 7,400 sf Bldg M = 2,700 sf</p>	<p>DA#1 (cont'd) Site Roads = 71,230 sf Sidewalk = 1,545 sf</p> <p>Performer's Park Sidewalk = 12,365 sf</p> <p>Performance Park Dr Sidewalks = 9,430 sf</p> <p>Spectrum Blvd Sidewalks = 4,093 sf</p> <p>Lots O/N Pavement = 55,556 sf Sidewalks = 1,326 sf</p>	<p>DA#1 (cont'd) Senior Center Pavement = 30,800 sf Sidewalks = 741 sf</p> <p>Magyolla Bldg R = 55,505 sf Pavement = 4,420 sf Sidewalks = 1,537 sf</p> <p>Police Station Impv Area = 76,153 sf SWM Access Rd = 1,217 sf</p> <p>Total Impv Area 741,850 sf 17.03 ac</p>	<p>DA#2 Total DA Area = 137,043 sf = 3.14 ac Impervious Area Road = 66,127 sf Bldg S = 6,000 sf Sidewalk = 19,917 sf Misc = 564 sf Future Bldg = 10,000 sf Total Impervious = 101,608 sf = 2.34 ac</p> <p>DA#3 Total DA Area = 114,707 sf = 2.63 ac</p>
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PHASE 1B - IMPERVIOUS AREA CALCS



Majestic Plan

<p>DA#1 Total DA Area Site = 1,099,680 sf = 25.25 ac Total DA Area HSUS = 139,386 sf = 3.20 ac Impervious Area WMR = 207,339 sf = 4.76 ac</p>	<p>DA#1 (cont'd) Site Roads = 71,230 sf Sidewalk = 1,545 sf</p> <p>Performer's Park Sidewalk = 12,385 sf</p> <p>Performance Park Dr Sidewalk = 9,430 sf</p> <p>Spectrum Blvd Sidewalk = 4,045 sf</p> <p>Lots O/N Pavement = 55,556 sf Sidewalk = 1,326 sf</p>	<p>DA#1 (cont'd) Senior Center Pavement = 30,800 sf Sidewalk = 741 sf</p> <p>Magnolia Bldg R = 55,505 sf Pavement = 4,420 sf Sidewalk = 1,537 sf</p> <p>Police Station Impv Area = 78,153 sf</p> <p>SWM Access Rd = 1,617 sf</p> <p>Total Impv Area 741,787 sf 17.03 ac</p>	<p>DA#2 Total DA Area = 138,975 sf = 3.19 ac Impervious Area Road = 72,027 sf Bldg S = 4,000 sf Bldg T = 5,000 sf Sidewalk = 19,974 sf Misc = 564 sf Total Impervious = 101,565 sf = 2.34 ac</p> <p>DA#3 Total DA Area = 114,707 sf = 2.63 ac</p>
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MAJESTIC CONCEPT PLAN - IMPERVIOUS AREA CALCS



October 3, 2011

Mr. Dave Duncan
BP Realty Investments
10000 Falls Road
Potomac, MD 20854

Subject: Z-301(A)/SDP-11-002 The Spectrum at Watkins Mill

Z-301(A)/SDP-11-002:

1. The submitted plans do not include concept/preliminary stormwater management or engineering plans. In accordance with Chapters 8 and 24 of the City Code, an approved preliminary stormwater management plan is required for the proposed plan. Given that the site currently has stormwater management plans approved under the previously approved site plan, staff recommends that the applicant submit a plan showing the approved plan and its impervious surface calculations on one full size sheet, and a plan showing the proposed plan and its impervious surface calculations on another full size sheet for review by DPW. Further, a preliminary storm drain and paving plan and preliminary utility plan needs to be submitted.
2. The proposed building elevations need to indicate proposed exterior building materials and the height of the proposed buildings in feet.
3. Rather than simply referencing the zoning ordinance requirement for green space and other relevant zoning data such as building coverage (code requires the following to be specifically identified: the amount of area of land involved in the site, the percentage of the site proposed to be covered by buildings, the total number of dwelling units proposed, the number of dwelling units proposed per acre, the square footage of office and/or commercial development, the area proposed to be devoted to open space, the area proposed to be paved for parking, driveways, loading space and sidewalks, and the total number of parking spaces required by this chapter for the uses proposed), the main page of the SDP should include a plan specific zoning analysis for the overall development and the subject area of the site plan.
4. All site plans need to be submitted in 30 scale.
5. The proposed shared parking and parking garage exhibits are illegible in their current size.

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098
301-258-6300 • FAX 301-258-6149 • TTY 301-258-6430 • cityhall@gaitthersburgmd.gov • www.gaithersburgmd.gov

MAYOR
Sidney A. Katz

CITY COUNCIL MEMBERS
Jud Ashman
Cathy C. Drzyzgula
Henry F. Marraffa, Jr.
Michael A. Sesma
Ryan Spiegel

CITY MANAGER
Angel L. Jones

Joint Hearing - MCC & PC
SDP-11-002
Exhibit #24

6. A Final Traffic Impact Study has been received, but must be approved by DPW in accordance with the City's Traffic Impact Study Standards and Regulation prior to this application being deemed complete.
7. Please confirm that the forest conservation plan submitted with the application is the final approved FCP. Staff recalls working on a revised FCP following the approval date of the plan submitted. Please contact Rob Robinson directly regarding the submittal of a revised Forest Conservation Plan for the proposed development.
8. Please verify that all proposed road profiles conform to Road Code Waiver 38 by reference within the General Notes. If the proposed road profiles do not conform with RC-38, please submit a separate application for a road code waiver and the associated fee.

To stay on schedule for a tentative Joint Public Hearing date of November 21, the above noted plans would need to be received no later than 3:00 pm on October 6, 2011. Contact me at your convenience with any questions.

Sincerely,



Lauren Pruss
Planning Director
Planning and Code Administration



October 24, 2011

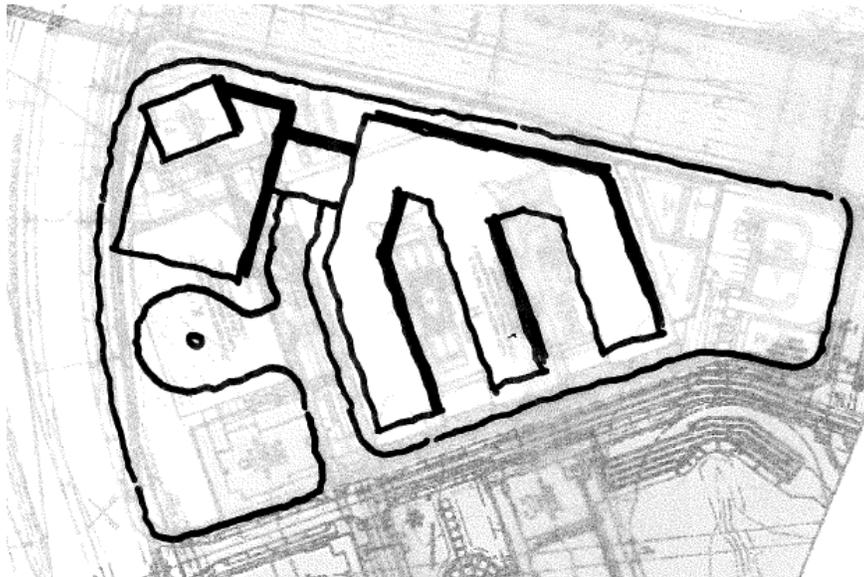
Mr. Dave Duncan
BP Realty Investments
10000 Falls Road
Potomac, MD 20854

Subject: Z-301(A)/SDP-11-002 The Spectrum at Watkins Mill

The City has received and reviewed the proposed sketch plan/schematic development plan for the Spectrum at Watkins Mill and has the following comments.

General:

- a) Upon further review of the proposed plan, staff felt that the site should be anchored by the 9 story building at the corner of Watkins Mill Road and MD355 rather than a one-story restaurant. This could free up space for a “motor court” that could provide valet services for nearby restaurants or even another pad site. A redesign as suggested would also help to eliminate the awkward rear building elevation for the new building H, which would allow the Watkins Mill Road elevation to have a more uniform design.



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MAYOR
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CITY MANAGER
Angel L. Jones

Joint Hearing - MCC & PC
SDP-11-002
Exhibit #52

- b) A plan should be provided that indicates interim conditions showing parking lot layout, etc., between phases of development.
- c) The plans should more clearly indicate retail frontage on buildings.
- d) All plans need to reflect the previous building configuration for building R.

Z-301 (A):

- a) The sketch plan needs to better define what Phase 1 and 2 represent with regard to timing and land uses. A statement should be included indicating that Phase 2 cannot commence before a specific trigger. Further, the breakdown of uses and square footage by phase should be provided.
- b) All plans need to reflect the previous building configuration for building R.

SDP-11-002:

Sheet 1 of 21:

- a) Plan should show approved and proposed use breakdown.
- b) Under the legend, please amend the note “Previously Approved SDP-07-001” to indicate that no changes are proposed (please update on all applicable sheets).

Sheet 2 of 21:

- a) Please indicate proposed topography.
- b) Building T: need to indicate building setbacks from all property lines.

Sheet 3 of 21:

- a) Please indicate proposed topography.
- b) Please indicate all building setbacks from all property lines.
- c) Building K: note needs to indicate that building is 9 stories total – 6 stories of office on top of 3 stories of parking garage.
- d) Plans should also provide the first floor layout of parking garage and retail space along with the depth and height of the retail space.
- e) Staff is concerned about the depth of the building setbacks along Watkins Mill Road and MD 355. Sufficiently sized setbacks should allow for landscape yards at the base of all buildings. The 3 foot setbacks shown (and possibly less in areas where the setbacks are not indicated) are not deep enough to provide sufficient landscaping.
- f) Is it possible to reorient the bank so that the drive through is tucked between the bank and building M?
- g) With this redesign, the dimension of the tree wells along Paramount Park drive should be revisited and increased to a minimum of 6’ x 10’. This would allow any of the street

trees in the newly designed tree wells to be counted towards forest conservation credits, thus reducing any required fee-in-lieu.

- h) Staff is concerned about that the proposed width of the pedestrian way located between the tree wells and buildings H and K. Although not indicated, it appears that this width is only 5 feet and may be too narrow. This width should be indicated on any future revisions to the plans.
- i) There should be some sort of opportunity for landscaping along the foundation of building H in the area between the bank.
- j) Staff is currently looking into the requirements for the design of the private street. Although a road code waiver was approved for the design of this road, a subsequent building code amendment may require the design of this road to current fire safety standards. Staff will notify you of the requirement once our analysis is complete.

Sheet 7 of 21:

- a) Staff is currently looking into the requirements for the design of the private street. Although a road code waiver was approved for the design of this road, a subsequent building code amendment may require the design of this road to current fire safety standards. Staff will notify you of the requirement once our analysis is complete.

Sheet 8 of 21:

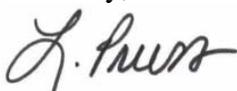
- a) Please label each garage level.
- b) The parking distribution charts need to provide the breakdown of apartment units by type and the respective parking ratio and total required parking. The proposed parking distribution is now required at SDP and as such, we need complete details for required parking similar to what was provided for final site plan.

DPW Comments:

- a) Marked up stormwater management plans are available for pickup at the Planning and Code Administration front desk.

To stay on schedule for a tentative Joint Public Hearing date of December 5, any revisions to the above noted plans would need to be received no later than 3:00 pm on November 10, 2011. Contact me at your convenience with any questions.

Sincerely,



Lauren Pruss
Planning Director
Planning and Code Administration



WATKINS MILL
TOWN CENTER

Ten Thousand Falls Road, Suite 100
Potomac, Maryland 20854

phone. 301.299.2099

fax. 301.299.2033

www.watkinsmilltc.com

November 8, 2011

Ms. Lauren Pruss
Director of Planning
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, MD 20877

**RE: Z-301(A)/SDP-11-002
The Spectrum at Watkins Mill
Land Use Revision**

Dear Ms. Pruss:

Thank you for your response of Oct. 24, 2011 and the opportunity to address each of these. I have prepared our response in the same order as they were raised for ease in following and to permit a detailed and thoughtful response.

Comments and Responses:

General Note A.1 - Should a 9-story office building be located with a motor court at the corner of Watkins Mill road and MD 355 rather than a one-story restaurant?

Response: The restaurant pad at the corner with outdoor seating area is intended for immediate development to bring activity and an upscale restaurant user to the project, where as the future, phase 2, post interchange, three-story office building over structured parking is proposed to be revisited with the Planning Staff and Planning Commission when the market might justify such a development. We would see this as likely to occur after the remaining Monument's office building and the nearly 1,000,000 square feet of office development at Casey West had been constructed. To attempt to shift a post interchange, 3-story office building to the corner dooms this critical location to long-term vacancy.

It is entirely feasible that the office density and related traffic capacity associated with this future office building could be utilized to modify or increase the density of other portions of the Phase 2 portions of the approved plan to permit re-conceptualization of those areas (i.e., the Phase 2 gas station, bank pad, or future multifamily building) as the City ultimately might agree to.

However to make the intent clear that this Phase 2, future building is not being proposed to be constructed in the foreseeable future, a note has been added to the plans indicating that no construction of Building K could occur until that Applicant brought the building back to the Staff and Planning Commission for an additional final site plan approval.

General Note A.2: Please provide a plan that shows the Phase 1 layout of the parking lot and buildings.

Response: Done.

General Note B: Please look at the rear of the multifamily building along Watkins Mill Road to develop a more uniform and cohesive design with the balance of the building.

Response: Following our meeting and discussion, the rear elevation was redesigned to more closely coordinate with the balance of the building, and the building was set back several additional feet from Watkins Mill Road to permit additional distance and plantings. In addition, a large planting area has been included adjacent to the outdoor eating area, resulting in a significantly increased landscaped area along the roadway.

General Note C: Please indicate/show the retail frontage on the buildings.

Response: Illustrative storefronts in compliance with the Approved Storefront Design Guidelines have been included as requested, but the final designs are contemplated to be coordinated with each individual tenant leasing retail space as part of the build out of their respective space.

General Note D: Please include the approved building configuration for Building R on plans.

Response: Done.

Z-301 Note A: Please provide a plan that better explains the Phase 1 and the later Phase 2 development so as to understand the phasing of each. Please include a statement that Phase 2 cannot commence before a specific trigger. Also, please provide the breakdown of uses and square footage by phase.

Response:

- (i) A separate illustrative has now been included showing (a) the Phase 1 improvements, and (b) the Phase 2 improvements;
- (ii) The following note has been added: "Buildings shown as Phase 2 may be commenced at the beginning of construction of the Watkins Mill Road Interchange", consistent with the existing approvals.
- (iii) The breakdown of uses and square footages by phases has been included.

Ms. Lauren Pruss
Paramount AFP
November 8, 2011
Page 3 of 5

Z-301 Note B: Please include the approved building configuration for Building R on plans.

Response: Done (see General Note D above).

SDP-11-002:

Sheet 1: (a) provide the breakdown of uses and square footage by phase, and (b) under the legend, please amend the note "Previously Approved SDP-07-001" to indicate that no changes are proposed (and update all sheets accordingly).

Response: (a) Done (see SDP Note A (iii) above), and (b) done.

Sheet 2: Indicate (a) proposed topography, and (b) building setback from all property lines for building T.

Response: (a) Done, (b) Done.

Sheet 3

Comment (a): Please indicate proposed topography.

Response: Done.

Comment (b): Please indicate all building setbacks from all property lines.

Response: Done.

Comment (c): Please note height of proposed Phase 2 Building K.

Response: The height of 3 stories of office over a parking deck with retail has been noted. The proposed Phase 2 building K is 60,000 sf of office (3 floors @ 20,000 sf per floor) sited on three levels of above-grade parking. A portion of that above grade parking is utilized for retail space. Since this cannot be built before the Watkins Mill Road Interchange has commenced construction, and the Applicant foresees possibly relocating the density in other portions of the Phase 2 project, it has agreed to return to the Staff and Planning Commission to prior to proceeding with Building K.

Comment (d): Please (i) provide the first floor parking garage and retail layout, and (ii) the related depth and height of those spaces.

Response: As requested, a separate exhibit has been prepared showing (i) the first floor parking garage and retail layout, and (ii) the depth and interior heights of the retail spaces.

Comment (e): Please review the building setbacks along (i) Route 355 and (ii) Watkins Mill Road.

Response: (i) The Route 355 setback is intended to be comparable with that of the existing approval, and the future Phase 2 Building K (which was shown to encroach within this buffer) has been adjusted to fit within the existing parking area. (ii) The Building H has been shifted 5 feet further away from Watkins Mill Road for additional distance and plantings, and generates slightly more overall green space along Watkins Mill Road than the existing approved plan

Comment (f): Could the bank drive through for building L be placed between it and the adjoining Building M?

Response: No. Since the drive through movement is required to be counterclockwise and the drive through requires stacking, the drive through cannot be shifted to between the buildings. The drive through element will be addressed architecturally as part of that building's separate approval by Staff and the Planning Commission in the future.

Comment (g): The tree wells are 5 feet in width rather than the 6-foot preferred.

Response: The 5 foot width was discussed at length during the previous design and approvals, where it was determined that the 5 foot dimension would be the model used throughout the project. However, note change in item (h) below.

Comment (h): Staff is concerned about that the proposed width of the pedestrian way located between the tree wells and buildings H and K. Although not indicated, it appears that this width is only 5 feet and may be too narrow. This width should be indicated on any future revisions to the plans.

Ms. Lauren Pruss
Paramount AFP
November 8, 2011
Page 5 of 5

Response: Based on discussions with Staff, Applicant has agreed to convert the parallel parking spaces in this area to additional plantings to accommodate a wider walkway and enhance the pedestrian experience.

Comment (i): There should be some sort of opportunity for landscaping along the foundation of building H in the area between the bank.

Response: There was landscaping which was blocked from view by the cantilevered pool deck over the parking spaces. The screening has been turned on for view.

Comment (j): *Road code is being reviewed to be sure the plan is in compliance.*

Response: Noted.

Sheet 7:

Comment (a): Same comment as Sheet 3(j), above.

Sheet 8:

Comment (a): *Please label each garage, along with the proposed apartment unit by type and respective parking ratio, similar to what was provided for final site plan.*

Response: Done

Lauren, we believe this movement from a series of freestanding pads to an Urban Streetscape is the right direction for the project. We look forward to working with you and the entire staff on the continued improvement of this and future projects.

Sincerely,

Leigh
Leigh Henry
BP Realty Investments, LLC

Lauren Pruss

From: David Duncan [ddcapstone@gmail.com]
Sent: Monday, November 14, 2011 6:10 PM
To: Lauren Pruss
Cc: Leigh Henry
Subject: RE: FW: Modifications for Private Storm Drain Line Easement

Thanks Lauren. Well take Jan 17.

Dave

On Nov 14, 2011 1:39 PM, "Lauren Pruss" <LPruss@gaithersburgmd.gov> wrote:

I don't know if there is a 2012 council calendar yet. Attached is the PC calendar.

The deadline for the January 2 council meeting is 12/8, and the deadline for the January 17 council meeting is 12/15. Let me know which meeting you will be submitting for.

From: David Duncan [mailto:ddcapstone@gmail.com]
Sent: Monday, November 14, 2011 12:06 PM
To: Lauren Pruss
Cc: 'Leigh Henry'
Subject: RE: FW: Modifications for Private Storm Drain Line Easement

Lauren,

We are requesting to take the Amended Sketch and SDP to a Joint Hearing in January rather than December. I do not have a copy of the Council and PC 2012 calendar so please let us know the actual date and submission deadline.

Also, if you could send a pdf copy of the 2012 calendar it would be much appreciated. Thanks!

David W. Duncan

Watkins Mill Town Center

10000 Falls Road

Suite 100

Potomac, MD 20854

From: Lauren Pruss [mailto:LPruss@gaithersburgmd.gov]
Sent: Monday, November 14, 2011 11:38 AM
To: David Duncan
Subject: RE: FW: Modifications for Private Storm Drain Line Easement

No problem.

One other thing. In my meeting with Leigh last week, she indicated that you would like to postpone the Dec 5 public hearing. The letter she provided in response to my October 24 letter did not specifically address postponing the hearing. Can you provide me with a request in writing?

Thanks,

Lauren

From: David Duncan [mailto:ddcapstone@gmail.com]
Sent: Monday, November 14, 2011 11:32 AM
To: Lauren Pruss
Cc: Kent Henry
Subject: Re: FW: Modifications for Private Storm Drain Line Easement

Lauren,

Yeah, we had a miscommunication here in the office and it got lost, sorry for the delay. We'll have it back over to you tomorrow latest.

Thanks for your help!

Dave

On Nov 14, 2011 9:40 AM, "Lauren Pruss" <LPruss@gaithersburgmd.gov> wrote:

Dave,

I have not received the revised doc. We will take the plats to the Planning Commission Wednesday night but can't record them until we have the liber folio from the recorded easement.

Lauren

From: Lynn Board
Sent: Friday, November 04, 2011 4:14 PM
To: peterh@henryinvestments.com
Cc: David Duncan
Subject: RE: Modifications for Private Storm Drain Line Easement

Pete:

This change is acceptable. Please resubmit signed originals to the Planning Department.

Lynn Board

City Attorney

City of Gaithersburg

31 South Summit Avenue

Gaithersburg, MD 20877-2098

[301-258-6310](tel:301-258-6310) ext. 2193

[301-948-6149](tel:301-948-6149) (fax)

lboard@gaitersburgmd.gov

From: peterh@henryinvestments.com [mailto:peterh@henryinvestments.com]
Sent: Friday, November 04, 2011 3:13 PM
To: Lynn Board
Cc: David Duncan
Subject: Modifications for Private Storm Drain Line Easement

Hi Lynn:

Lauren forwarded your comments, and we have made the changes, other than I have a question on one point relating to executors and administrators. The draft language in Section 6 would make the administrators and executors as liable for the repairs as the actual owners of the properties.

Would the following language be acceptable?

Executors and administrators of the BP Entities (if any) shall, in their capacity as executor or administrator, shall agree to be bound by the terms of this Agreement.

Peter

Peter Henry

Henry Investment Partners, LLC

[301-299-2099](tel:301-299-2099)



December 15, 2011

Ms. Lauren Pruss
Director of Planning
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, MD 20877

**RE: Z-301(A)/ SDP-11-002
The Spectrum at Watkins Mill
Land Use Revision**

Dear Ms. Pruss:

We are following up with updates to the above referenced applications. This letter also will provide additional follow up responses the BP responses of November 8, 2011. Again, thank you for your consideration.

Comments and Responses:

General Note A.1 & A.2:

Response: This submission will provide sections and illustrative drawings to more thoroughly present the proposed concept and finish conditions. These will include a section drawing that better explains the relationship between Route 355 to the north of the project and the parking field between Buildings D and F. We also have revised the plans to include a shield wall between that parking field and the adjacent, interior sidewalk. We also are proposing a decorative wall along Watkins Mill Road between buildings K and F.

General Note A.2: Please provide a plan that shows the Phase 1 layout of the parking lot and buildings.

Response: Done.

General Note B: Please look at the rear of the multifamily building along Watkins Mill Road to develop a more uniform and cohesive design with the balance of the building.

Response: Following our meeting and discussion, the rear elevation was redesigned to more closely coordinate with the balance of the building, and the building was set back several additional feet from Watkins Mill Road to permit additional distance and plantings. In addition, a large planting area has been included adjacent to the outdoor eating area, resulting in a significantly increased landscaped area along the roadway.

General Note C: Please indicate/show the retail frontage on the buildings.

Response: We have amended the plans to include Illustrative storefronts in compliance with the Approved Storefront Design Guidelines have been included as requested but the final designs are contemplated to be coordinated with each individual tenant leasing retail space as part of the build out of their respective space.

General Note D: Please include the approved building configuration for Building R on plans.

Response: Done.

Z-301 Note A: Please provide a plan that better explains the Phase 1 and the later Phase 2 development so as to understand the phasing of each. Please include a statement that Phase 2 cannot commence before a specific trigger. Also, please provide the breakdown of uses and square footage by phase.

Response:

- (i) A separate illustrative has now been included showing (a) the Phase 1 improvements, and (b) the Phase 2 improvements;
- (ii) The following note has been added: "Buildings shown as Phase 2 may be commenced at the beginning of construction of the Watkins Mill Road Interchange", consistent with the existing approvals.
- (iii) The breakdown of uses and square footages by phases has been included.

Z-301 Note B: Please include the approved building configuration for Building R on plans.

Response: Done (see General Note D above).

SDP-11-002:

Sheet 1: (a) provide the breakdown of uses and square footage by phase, and (b) under the legend, please amend the note "Previously Approved SDP-07-001" to indicate that no changes are proposed (and update all sheets accordingly).

Response: (a) Done (see SDP Note A (iii) above), and (b) done.

Sheet 2: Indicate (a) proposed topography, and (b) building setback from all property lines for building T.

Response: (a) Done, (b) Done.

Sheet 3

Comment (a): Please indicate proposed topography.

Response: Done.

Comment (b): Please indicate all building setbacks from all property lines.

Response: Done.

Comment (c): Please note height of proposed Phase 2 Building K.

Response: The height of 3 stories of office over a parking deck with retail has been noted. The proposed Phase 2 building K is 60,000 sf of office (3 floors @ 20,000 sf per floor) sited on three levels of above-grade parking. A portion of that above grade parking is utilized for retail space. Since this cannot be built before the Watkins Mill Road Interchange has commenced construction, and the Applicant foresees possibly relocating the density in other portions of the Phase 2 project, it has agreed to return to the Staff and Planning Commission to prior to proceeding with Building K.

Comment (d): Please (i) provide the first floor parking garage and retail layout, and (ii) the related depth and height of those spaces.

Response: As requested, a separate exhibit has been prepared showing (i) the first floor parking garage and retail layout, and (ii) the depth and interior heights of the retail spaces.

Comment (e): Please review the building setbacks along (i) Route 355 and (ii) Watkins Mill Road.

Response: (i) The Route 355 setback is intended to be comparable with that of the existing approval, and the future Phase 2 Building K (which was shown to encroach within this buffer) has been adjusted to fit within the existing parking area. (ii) The Building H has been shifted approximately 5 feet further away from Watkins Mill Road for additional distance and plantings, and generates slightly more overall green space along Watkins Mill Road than the existing approved plan.

Comment (f): Could the bank drive through for building L be placed between it and the adjoining Building M?

Response: No. Since the drive through movement is required to be counterclockwise and the drive through requires stacking, the drive through cannot be shifted to between the buildings. The drive through element will be addressed architecturally as part of that building's separate approval by Staff and the Planning Commission in the future.

Comment (g): The tree wells are 5 feet in width rather than the 6-foot preferred.

Response: The 5 foot width was discussed at length during the previous design and approvals, where it was determined that the 5 foot dimension would be the model used throughout the project. However, the area incorporated pervious pavement to increase the water penetration to the roots.

Comment (h): Staff is concerned about that the proposed width of the pedestrian way located between the tree wells and buildings H and K. Although not indicated, it appears that this width is only 5 feet and may be too narrow. This width should be indicated on any future revisions to the plans.

Staff then also requested that the road width to the east of Building H be re-evaluated to be increased from the previously approved 20 foot road with 7' parallel spaces to a 22' road width, as called for under the newly adopted City Road Code.

Response: Based on discussions with Staff, Applicant has made changes to the sidewalk areas to allow for a greater walkway width of approximately 6 feet.

Applicant requests that Staff continue to utilize the 20-foot road width as previously approved and as approved throughout the balance of the site. Widening one short length of street will in turn offset the tree alignment for this important visual road that currently acts to tie the project together. While we would prefer to simply leave the width in place as approved under the existing approval, we understand if the Staff is looking for the project as part of the approval to seek a road code waiver on this short stretch of road.

Comment (i): There should be some sort of opportunity for landscaping along the foundation of building H in the area between the bank.

Response: There was landscaping which was blocked from view by the cantilevered pool deck over the parking spaces. The screening has been turned on for view.

Ms. Lauren Pruss
Paramount AFP
December 15, 2011
Page 5 of 5

Comment (j): *Road code is being reviewed to be sure the plan is in compliance.*

Response: See comment H above.

Sheet 7:

Comment (a): Same comment as Sheet 3(j), above.

Sheet 8:

Comment (a): *Please label each garage, along with the proposed apartment unit by type and respective parking ratio, similar to what was provided for final site plan.*

Response: Done

Lauren, we believe this movement from a series of freestanding pads to an Urban Streetscape is the right direction for the project. We look forward to working with you and the entire staff on the continued improvement of this and future projects.

Sincerely,

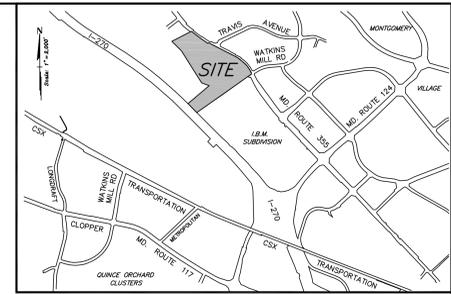
Leigh

Leigh Henry
BP Realty Investments, LLC

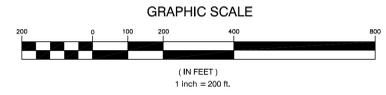
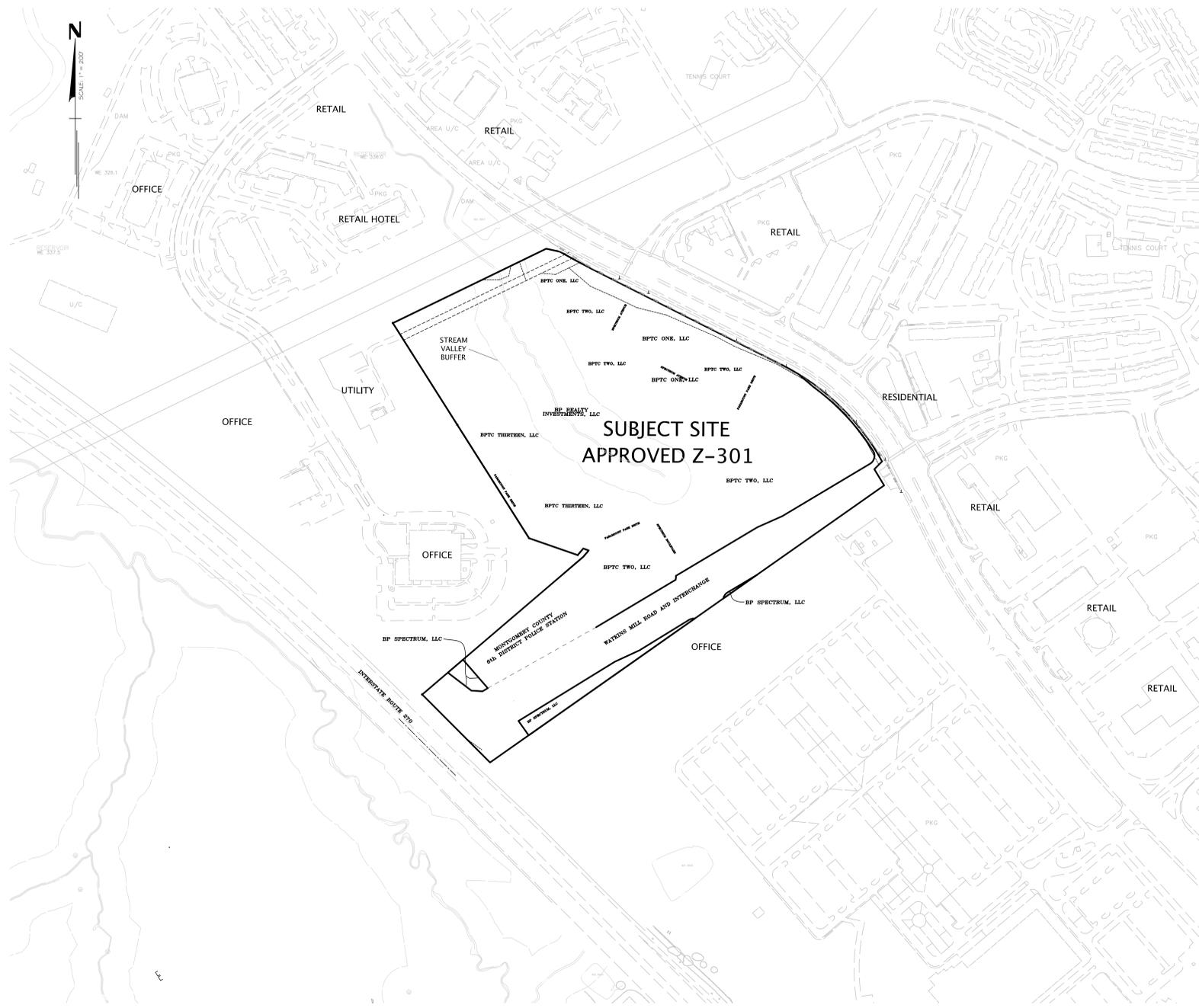
THE SPECTRUM AT WATKINS MILL

GAITHERSBURG, MARYLAND

AMENDED MXD - ZONING APPLICATION



Vicinity Map
1" = 2000'



SKETCH PLAN SHEET INDEX

TITLE	SHEET NO.
COVER SHEET AND LAND USE PLAN	1
SKETCH PLAN	2
PHASING PLAN	3
APPROVED NRI/FSD	4
BOUNDARY SURVEY	5
FINAL FOREST CONSERVATION PLAN	6

Joint Hearing - MCC & PC
Z-301(A)
17

CITY OF GAITHERSBURG PLANNING COMMISSION
31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877
MXD SKETCH
PLAN APPROVAL
AT THE REGULARLY SCHEDULED MEETING OF THE MAYOR AND
CITY COUNCIL HELD ON _____
APPLICATION NO. Z-301A WAS GRANTED
BY RESOLUTION _____ WITH _____ () CONDITIONS.
DATE _____ BY _____
NOTE • ANY REVISIONS TO SIGNED PLANS MUST BE
• REAPPROVED BY THE PLANNING COMMISSION

Z-301A



BP Realty Investments, LLC
10000 Falls Road, Suite 100
Potomac, Maryland 20854
Ph.: (301) 299-2099
Fax: (301) 299-2033

COVER SHEET
AND
LAND USE PLAN

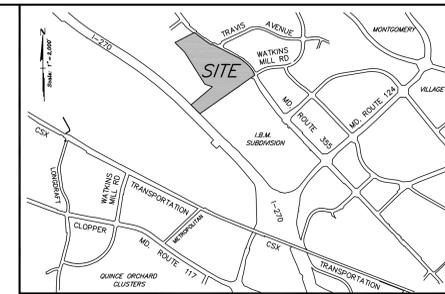
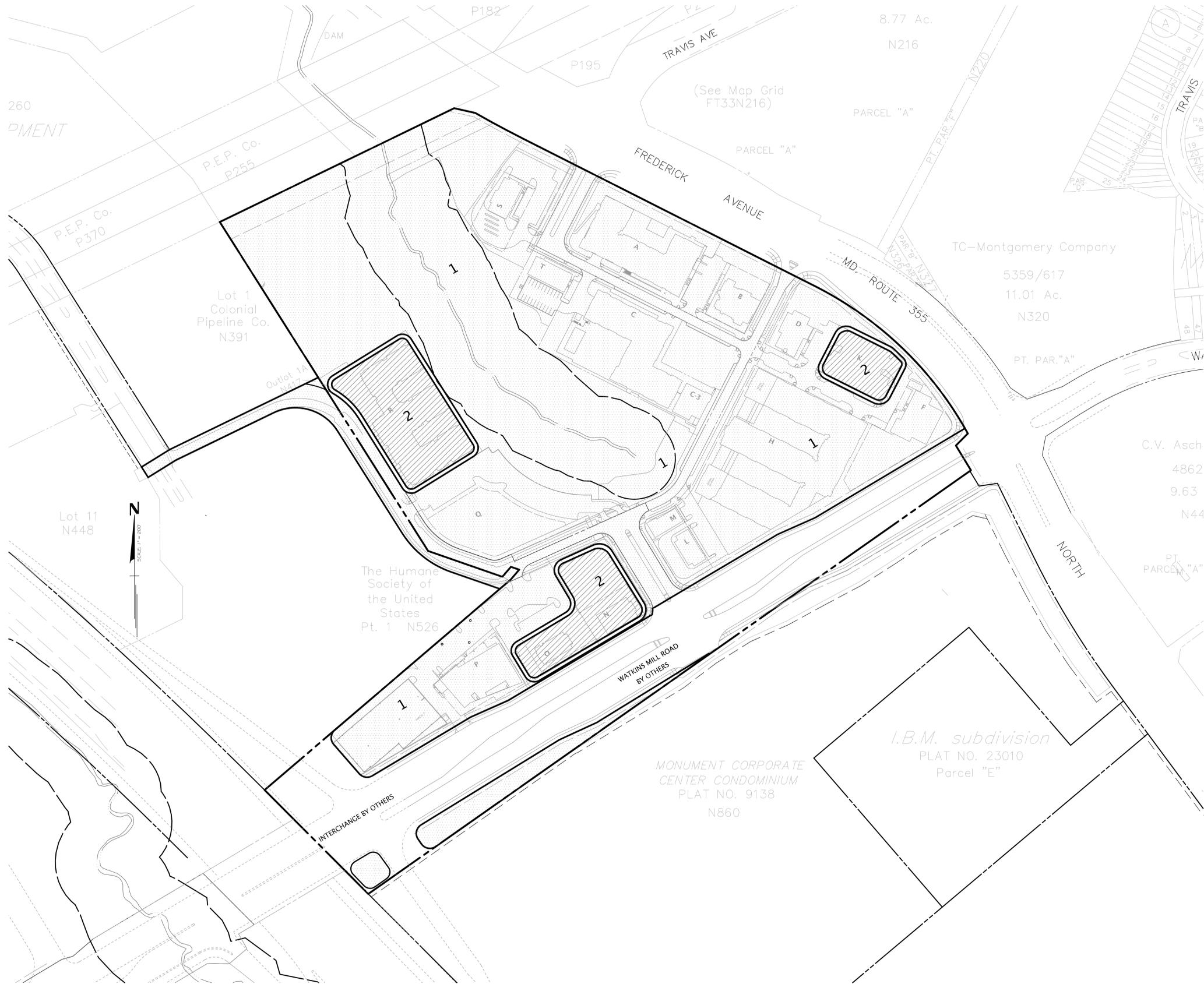
REVISION	DATE

THE SPECTRUM AT WATKINS MILL

City of Gaithersburg
9th election district
Montgomery County, Maryland

SCALE: 1"=200'
Drawn By: LFG
DATE: Sept. 2011
SHEET No. 1 of 6

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Vicinity Map
1" = 2000'

Project Phasing

The Project is to be developed in two phases, as follows:

Phase 1: Commencement at Approval of the Final Site Plan

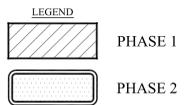
- 61,710 sf Mixed Use (retail/restaurant) - Buildings A (retail), B, C (retail and restaurant), D, F, H (retail), M, and T
- 8,000 sf Mixed Use (office/bank) - Buildings L and S
- 29,200 sf Montgomery County Police Station - Building P
- 30,000 sf City Senior Center - Building Q
- 523 ea Multi-family units - Buildings A, C and H

Phase 2: Commencement at commencement of Watkins Mill Road Interchange

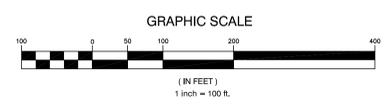
- 17,000 sf Mixed Use (retail/restaurant) - Building K (retail/restaurant) and R (retail)
- 64,100 sf Mixed Use (office/bank) - Buildings K and O
- 4,800 sf Mixed Use (service station) - Building N
- 158 ea Multi-family units - Building R

Proposed Development Areas:
 33.17 AC ± Mixed Use: Retail/Office/Restaurant/Industrial/Research/Service Station/Residential/Public/Senior
 6.92 AC ± Watkins Mill Rd., I-270 Interchange & MD 355 R/W dedication.

Joint Hearing - MCC & PC
 Z-301(A)
 19



CITY OF GAITHERSBURG PLANNING COMMISSION
 31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877
**MXD SKETCH
 PLAN APPROVAL**
 AT THE REGULARLY SCHEDULED MEETING OF THE MAYOR AND
 CITY COUNCIL HELD ON _____
 APPLICATION NO. Z-301A WAS GRANTED
 BY RESOLUTION _____ WITH _____ () CONDITIONS.
 DATE _____ BY _____
NOTE - ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE PLANNING COMMISSION



Z-301A

The Spectrum at
WATKINS MILL

BP Realty Investments, LLC
 10000 Falls Road, Suite 100
 Potomac, Maryland 20854
 Ph.: (301) 299-2099
 Fax: (301) 299-2033

PHASING PLAN

REVISION	DATE

THE SPECTRUM AT WATKINS MILL

City of Gaithersburg
 9th election district
 Montgomery County, Maryland

SCALE:
 1"=100'
 Drawn By:
 IFG
 DATE:
 Sept. 2011
 SHEET No.
 3 of 6

Z:\Civ\Casey East\Site Plans\Majestic\cad working plan set\MXD Sheets\03-Phasing-MXD-Majestic.dwg Sheet03 Dec 15, 2011, 10:57am

Property Summary

	Floodplain	Wetland	Forest	Stream Valley Buffer	Total Tract
Casey West	15.29	3.6	76.33	57.91 28.01*	125.23
Casey East	3.46	0	20.47	40.09 5.86*	40.12
Total Areas	18.75	3.6	96.8	68 33.87*	165.35

* Revised March 10, 2005

Forests

Symbol	Forest Stand Description	Size
①	Mixed Growth Hedgerow	3.50 Ac.
②	Mature Oak/Poplar Forest	51.82 Ac.
③	Mature Oak Forest	0.69 Ac.
④	Mature Bottomland Forest	20.32 Ac.
⑤	Mature Oak/Poplar Forest	20.47 Ac.

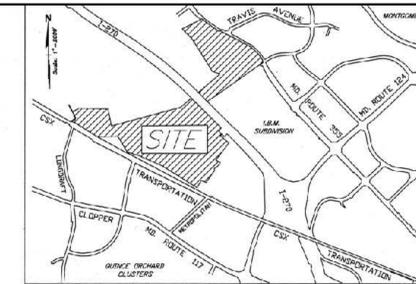
Soils

Symbol	Soil name	Comments (Per Soil Survey)
1 B	Gailla silt loam, 3-8% slopes	
1 C	Gailla silt loam, 8-15% slopes	
2 B	Glencel silt loam, 3-8% slopes	
6 A	Baile silt loam, 0-3% slopes	hydric
1 2 C	Brinklow-Blocktown channery silt loam, 8-15% slopes	
1 6 D	Brinklow-Blocktown channery silt loam, 15-25% slopes	highly erodible (See Note 3)
1 2 E	Occoquan loam, 3-8% slopes	
1 7 C	Occoquan loam, 8-15% slopes	
6 4 A	Harboro silt loam, 0-3% slopes	hydric
1 1 6 D	Blocktown channery silt loam, 15-25% slopes	
1 1 6 E	Blocktown channery silt loam, 25-45% slopes	very rocky, highly erodible

Wetlands

Symbol	Wetland Type	Size
△	PSS1C/E	0.04 ac.
△	PEM2C	0.03 ac.
△	PFO1C/E	0.08 ac.
△	PSS1C	0.02 ac.
△	PEM1C/E	0.02 ac.
△	PFO1A/E (off site)	0.46 ac.
△	PEM2C	1.75 ac.
△	PEM1A	0.56 ac.
△	PFO1A	0.23 ac.
△	PEM1A	0.41 ac.

CITY OF GAITHERSBURG PLANNING COMMISSION
 31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877
 MIXED SKETCH
 PLAN APPROVAL
 AT THE REGULARLY SCHEDULED MEETING OF THE MAYOR AND CITY COUNCIL HELD ON _____
 APPLICATION NO. Z-301A WAS GRANTED
 BY RESOLUTION _____ WITH _____ () CONDITIONS.
 DATE _____ BY _____
NOTE: ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE PLANNING COMMISSION



VICINITY MAP
 The Casey Property
 Gaithersburg, MD
 1" = 2000'

Casey Property
 Natural Resource Inventory/
 Forest Stand Delineation

- The subject property is 165.34 Acres ± and is comprised of Parcels P910, P980, P933, P211 and PN 455 of tax map pages FT 22, FT 23, and FT 13. The subject property is bisected by Interstate 270 creating two areas hereafter referred to as the western area and the eastern area.
- Boundary information was taken from tax map data July, 1997.
- Soils information is taken from Montgomery County Soils Survey, July 1995 issue, Maps 7 & 8. A geo-technical study was conducted for the soils mapped as 16D to determine erodibility. The locations of these test pits are indicated on this plan. The result of this study determined that the 16D soils in this area are not to be considered highly erodible. Please see the geo-technical report dated July 30, 2002 as issued by Hillis-Carnes Engineering Associates, Inc. for additional information.
- Wetland delineation provided as part of the I-270 multi-modal corridor study, Environmental Impact Statement. Wetland delineation was confirmed by representatives of Rodgers Consulting, Inc. for use on this map.
- The ultimate 100 year flood plain is taken from FEMA Flood Insurance Rate Maps for the City of Gaithersburg (FEMA, 1982). The subject property contains 6.98 acres of floodplain.
- The topography shown is from an aerial topographic survey completed in 2001 and is shown in 2' contour intervals.
- The location of individual specimen trees is by field survey utilizing a Global Positioning System with sub-meter accuracy.
- Streams on the site are Use Class I-P and are part of Great Seneca Creek and its tributaries.
- Existing forest cover = 96.80 Acres ±.
- Site visits for purposes of conducting this inventory occurred in fall of 2000, Feb. of 2002, and Summer 2004.
- The Stream Valley Buffer depicted on this plan is based on the best available information at this time. Since the limits of the parameters used to define the Stream Valley Buffer are by their very nature dynamic, the buffer is subject to further refinement as additional data becomes available.
- Per the City of Gaithersburg's Environmental Standards for Development Regulation, as part of the site plan application, the applicant will conduct a wildlife management plan.
- Existing and adjacent sources of noise includes vehicle traffic traveling on I-270 and rail traffic on the railroad line to the west of the property. Per the Environmental Standards for Development Regulation, as part of the site plan application, the applicant will conduct a noise study to determine existing and potential sources of noise and noise abatement recommendations.

Legend

- Stream Valley Buffer
- Floodplain Delineation
- Floodplain BRL
- Wetlands delineation
- Wetland Buffer (50' City)
- Wetland Area Reference Number
- Forest Stand and Reference Number
- Specimen Tree w/ Critical Root Zone
- Spring/Seed Location
- Soils Lines
- Soil Text Type
- Existing Tree Line
- 15-25% Slopes
- Slopes 25% and greater
- Existing Perennial/Intermittent Stream
- Locations of Test Pits for soil erodibility study TP-4

Joint Hearing - MCC & PC
 Z-301(A)
 20

Approval with the following conditions:

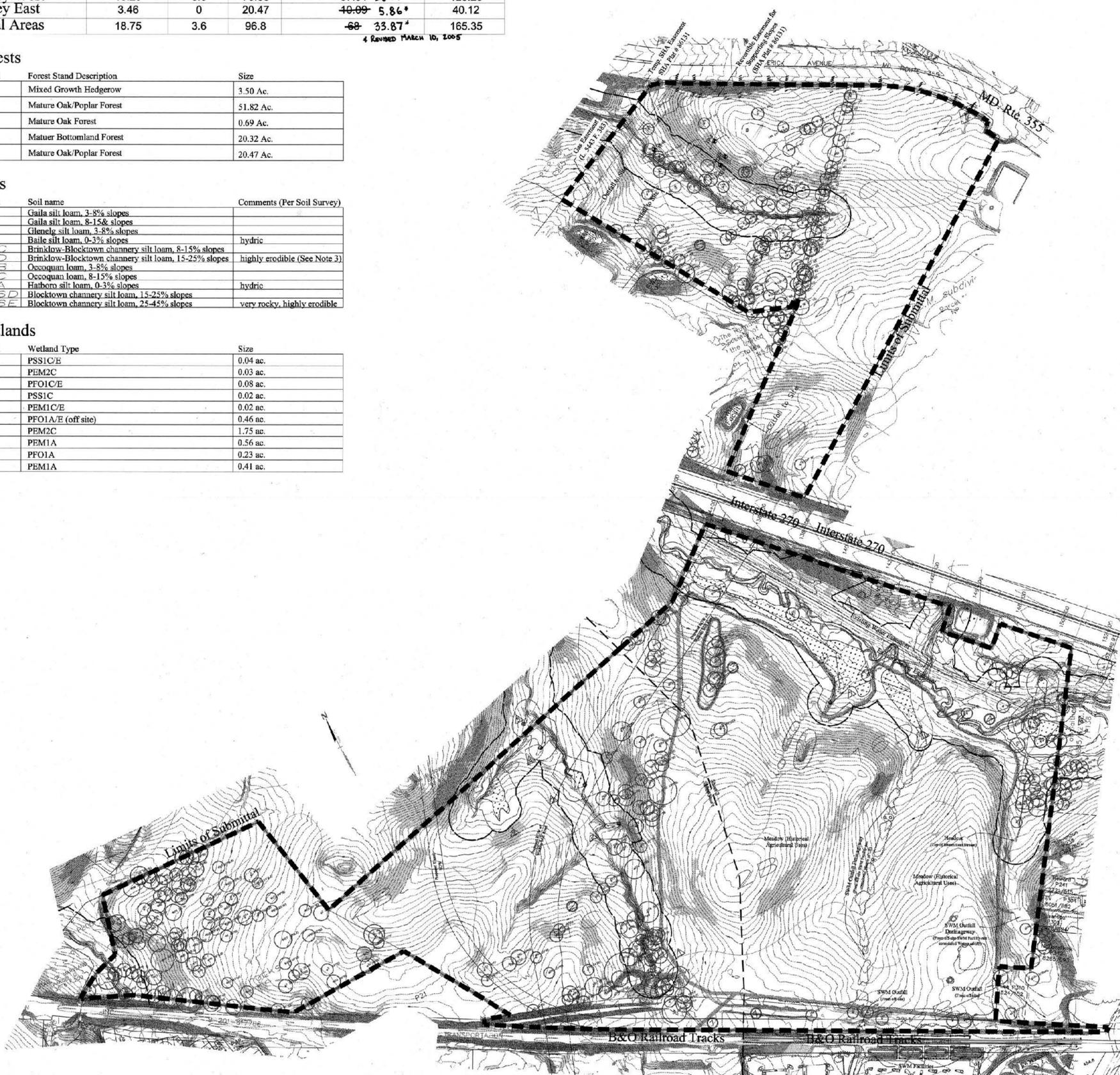
- A noise study is required per Section 34 of the Environmental Standards for Development Regulation.
- A wildlife management plan is required per Section 31 of the Environmental Standards for Development Regulation.
- A Danger Reach/burn break analysis is required per Section 29 of the Environmental Standards for Development Regulation.
- Wetland boundaries and associated buffers to be constructed by the U.S. Army Corps of Engineers; a jurisdiction determination (J.D.) request is pending review.

Z-301A

Qualified Professional Certification

I hereby certify that this plan was prepared to the best of my knowledge and belief in accordance with the Maryland Forest Conservation Law and the City of Gaithersburg's approved and adopted Environmental Standards.
 Date: 12/10/09
 M. D. [Signature]
 Rusty Road
 CUNAR 021906.01
 Geo-Data, Inc. Professional

CITY OF GAITHERSBURG
PLANNING COMMISSION
APPROVED APPROVAL
 [Stamp with date and signature]



The Spectrum at WATKINS MILL

BP Realty Investments, LLC
 10000 Falls Road, Suite 100
 Potomac, Maryland 20854
 Ph.: (301) 299-2099
 Fax: (301) 299-2033

**NATURAL RESOURCES INVENTORY/
 FOREST STAND DELINEATION**

REVISION	DATE

THE SPECTRUM AT WATKINS MILL

City of Gaithersburg
 9th election district
 Montgomery County, Maryland

SCALE: 1"=200'
 Drawn By: [Signature]
 DATE: Sept. 2011
 SHEET No. 4 of 6



December 21, 2011

Mark Johnson, Legal Advertising Manager
The Gazette Newspaper
2-A North Market Street
Frederick, Maryland 21701

Dear Mr. Johnson:

Please publish the following legal advertisement in the **December 28, 2011** and **January 4, 2012** issues of the Gaithersburg Gazette.

Sincerely,

Lauren Pruss, Planning Director
Planning & Code Administration

ASSIGN CODE: Z-301(A)/SDP-11-002 Acct.#

NOTICE OF JOINT PUBLIC HEARING

The Mayor and City Council and the Planning Commission of the City of Gaithersburg, Maryland, will conduct a joint public hearing on Map Amendment **Z-301(A)** and Schematic Development Plan **SDP-11-002**, filed by BP Realty Investments, LLC as applicant and owner, on

**TUESDAY
JANUARY 17, 2011
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.

Application **Z301A/SDP-11-002** has been filed requesting approval of an amendment to both sketch plan Z-301 and schematic development plan SDP-07-001, known as the Spectrum at Watkins Mill in Gaithersburg, Maryland. The sketch plan proposes 214,810 square feet of mixed office, restaurant, commercial, service station, senior center/public uses, including 678 multi-family residential units to be built in two phases on approximately 40.1 acres of land. The amended schematic development plan proposes to incorporate an additional 296 multi-family residential units within Phase One and reduce the proposed commercial and retail square footage within the allowances provided under the proposed sketch plan. The subject property is bordered by North Frederick Avenue, Watkins Mill Road, and Interstate 270.

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098
301-258-6300 • FAX 301-258-6149 • TTY 301-258-6430 • cityhall@gaitersburgmd.gov • www.gaitersburgmd.gov

MAYOR
Sidney A. Katz

CITY COUNCIL MEMBERS
Jud Ashman
Cathy C. Drzyzgula
Henry F. Marraffa, Jr.
Michael A. Sesma
Ryan Spiegel

CITY MANAGER
Angel L. Jones

Joint Hearing - MCC & PC
SDP-11-002
Exhibit #80



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.

Lauren Pruss, Planning Director
Planning and Code Administration

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098
301-258-6300 • FAX 301-258-6149 • TTY 301-258-6430 • cityhall@gaitersburgmd.gov • www.gaithersburgmd.gov

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Ryan Spiegel

CITY MANAGER
Angel L. Jones



CITY OF GAITHERSBURG
31 South Summit Avenue
Gaithersburg, Maryland 20877
Telephone: 301-258-6330

NOTICE OF JOINT PUBLIC HEARING

The City of Gaithersburg Mayor and Council and Planning Commission will conduct a public hearing at the time and place noted below.

Meeting: **MAYOR AND CITY COUNCIL**
Application Type: **SCHEMATIC DEVELOPMENT PLAN**
File Numbers: **Z-301A/SDP-11-002**
Location: **NORTHWEST CORNER OF WATKINS MILL ROAD AND
NORTH FREDERICK AVENUE**
Applicant/Owner: **BP REALTY INVESTMENTS, LLC**
Development: **MIXED USE DEVELOPMENT**
Day/ Date/Time: **TUESDAY, JANUARY 17, 2012**
Place: **COUNCIL CHAMBERS, GAITHERSBURG CITY HALL
31 SOUTH SUMMIT AVENUE**

*****IMPORTANT*****

Application **Z301A/SDP-11-002** has been filed requesting approval of an amendment to both sketch plan Z-301 and schematic development plan SDP-07-001, known as the Spectrum at Watkins Mill (Parcels N668, N633, N565, P360, P356, P457, N561, P450, N455, N613, N686), and N572) in Gaithersburg, Maryland. The sketch plan proposes 214,810 square feet of mixed office, restaurant, commercial, service station, senior center/public uses, including 678 multi-family residential units to be built in two phases on approximately 40.1 acres of land. The amended schematic development plan proposes to modify the previously approved plan to incorporate an additional 296 multi-family residential units within Phase One and reduce the proposed commercial and retail square footage within the allowances provided under the proposed sketch plan. The subject property is bordered by North Frederick Avenue, Watkins Mill Road, and Interstate 270. Additional details regarding this project are available at www.gaithersburgmd.gov. This is an opportunity to publicly participate, other than providing written testimony which must be submitted before the public hearing record closes. Contact the Planning and Code Administration City Planner (listed below) at (301) 258-6330 if you should have any questions and/or to learn more about this process and your ability to offer testimony and input.

View Mayor and City Council and Planning Commission meetings live on Gaithersburg Television, Comcast Channel 13, RCN Channel 13, and Verizon FiOS Channel 25 within the City limits and County wide on Comcast Channel 190. Please check the City's website at www.gaithersburgmd.gov/tv to watch live or click on archived meetings. Meetings are rebroadcast for two weeks on television, and are archived within 24 hours for viewing at any time on the City's website.

SEE LOCATION MAP ON REVERSE SIDE

Joint Hearing - MCC & PC
SDP-11-002
Exhibit #81

CITY OF GAITHERSBURG



By: _____
Lauren Pruss, Planning Director
Planning and Code Administration

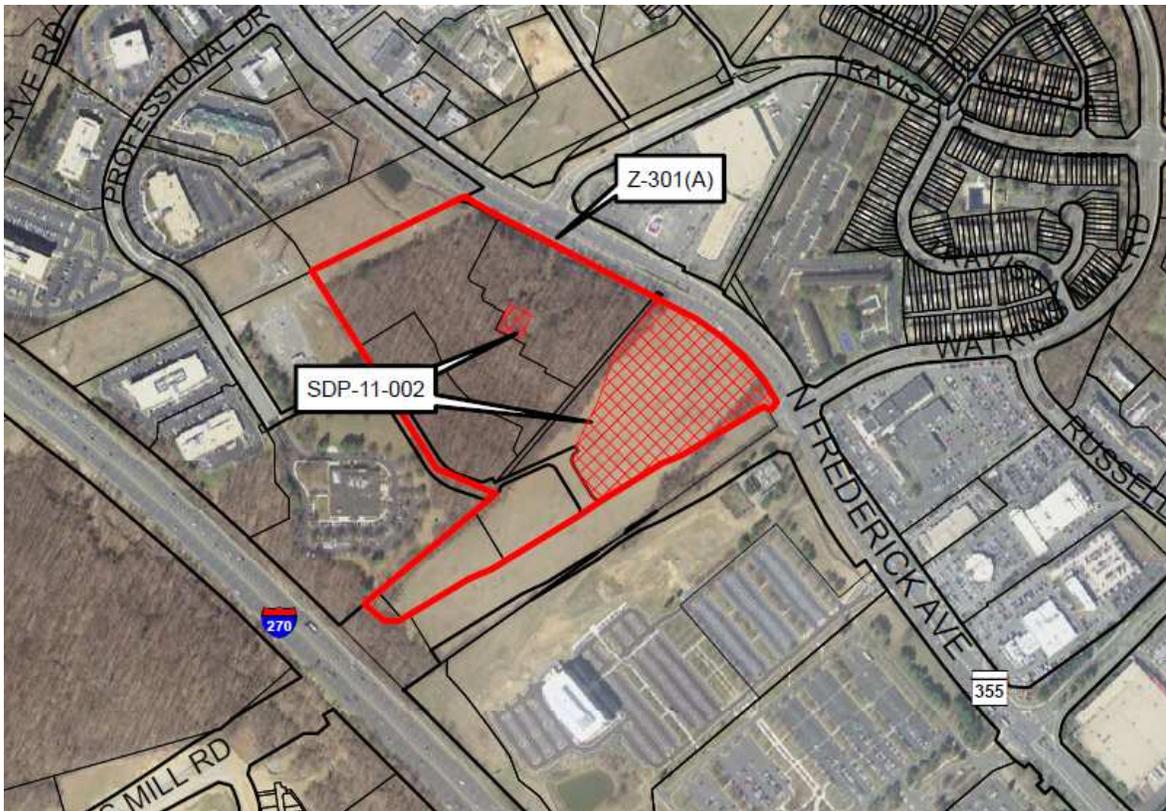
**NOTICES SENT THIS 28th DAY OF DECEMBER, 2011 PER § 24-196(g), TO:
APPLICANT AND INTERESTED PARTIES**

(A list of interested parties and agencies is available in the file in the Planning and Code Administration.)

CITY STAFF

Doris Stokes, Municipal Clerk
Jeff Baldwin, City Web Administrator (via email)

LOCATION MAP



WATKINS MILL REAL ESTATE LLC
C/O KING LINC-MERC-MERKUR
953 N FREDERICK AVE # 7540
GAITHERSBURG MD 20879

MCCORMICK REALTY LTD PTNSHP
C/O KIMCO REALTY CORP
3333 NEW HYDE PARK RD #100
NEW HYDE PARK NY 11042

POTOMAC ELECTRIC POWER CO
C/O CORP TAX DEPT STE 5617
701 9TH ST NW
WASHINGTON DC 20068

COLONIAL PIPELINE CO
PO BOX 1624
ALPHARETTA GA 30009

HUMANE SOCIETY OF THE
UNITED STATES
2100 L ST NW
WASHINGTON DC 20037

BP REALTY INVESTMENTS LLC
10000 FALLS RD STE 100
POTOMAC MD 20854

BP REALTY INVESTMENTS LLC
10000 FALLS RD STE 100
POTOMAC MD 20854

KAISER FOUNDATION HEALTH PLAN OF
THE MID-ATLANTIC STATES INC
2101 E JEFFERSON ST
ROCKVILLE MD 20852

MONTGOMERY COUNTY
101 MONROE ST
ROCKVILLE MD 20850

KAISER FOUNDATION HEALTH PLAN OF
THE MID-ATLANTIC STATES INC
2101 E JEFFERSON ST
ROCKVILLE MD 20852

BPTC TWO LLC
BP REALTY INVESTMENTS LLC
10000 FALLS RD STE 100
POTOMAC MD 20854

MONUMENT CORPORATE CENTER #3 LLC
1700 K ST NW STE 600
WASHINGTON DC 20006

MAGAZINE WATKINS STATION LLC
C/O SAWYER REALTY HOLDINGS LLC
75 2ND AVE STE 200
NEEDHAM MA 02494

POTOMAC ELECTRIC POWER CO
C/O CORP TAX DEPT STE 5617
701 9TH ST NW
WASHINGTON DC 20068

CITY OF GAITHERSBURG
31 S SUMMIT AVE
GAITHERSBURG MD 20877

POTOMAC ELECTRIC POWER CO
C/O CORP TAX DEPT STE 5617
701 9TH ST NW
WASHINGTON DC 20068

POTOMAC ELECTRIC POWER CO
C/O CORP TAX DEPT STE 5617
701 9TH ST NW
WASHINGTON DC 20068

MAGAZINE WATKINS STATION LLC
C/O SAWYER REALTY HOLDINGS LLC
75 2ND AVE STE 200
NEEDHAM MA 02494

MAGAZINE WATKINS STATION LLC
C/O SAWYER REALTY HOLDINGS LLC
75 2ND AVE STE 200
NEEDHAM MA 02494

MONUMENTAL CORPORATION
25 SOUTH CHARLES ST
BALTIMORE MD 21201

OLDE CARRIAGE HILL HOA
PO BOX 2305
GAITHERSBURG MD 20886

OLDE CARRIAGE HILL HOA
PO BOX 2305
GAITHERSBURG MD 20886

THE HUMANE SOCIETY OF THE
UNITED STATES
2100 L STREET NW
WASHINGTON DC 20037

BPTC THIRTEEN LLC
C/O ACCOUNTING DEPT
10000 FALLS RD STE 100
POTOMAC MD 20854

BP REALTY INVESTMENTS LLC
10000 FALLS RD STE 100
POTOMAC MD 20854

BP REALTY INVESTMENTS LLC
C/O ACCOUNTING DEPT
10000 FALLS RD STE 100
POTOMAC MD 20854

BPTC THIRTEEN LLC
C/O ACCOUNTING DEPT
10000 FALLS RD STE 100
POTOMAC MD 20854

BPTC ONE LLC
C/O ACCOUNTING DEPT
10000 FALLS RD STE 100
POTOMAC MD 20854

BPTC TWO LLC
C/O ACCOUNTING DEPT
10000 FALLS RD STE 100
POTOMAC MD 20854

CITY OF GAITHERSBURG
31 S SUMMIT AVE
GAITHERSBURG MD 20877

MONTGOMERY COUNTY MARYLAND
101 MONROE ST
ROCKVILLE MD 20850

BP REALTY INVESTMENTS LLC
10000 FALLS RD STE 100
POTOMAC MD 20854

MONTGOMERY COUNTY MARYLAND
101 MONROE ST
ROCKVILLE MD 20850

AN ORDINANCE TO REZONE 40.10 ACRES OF LAND,
CURRENTLY KNOWN AS PARCELS 360, 563 AND N455,
LOCATED EAST OF INTERSTATE 270 AND NORTHWEST OF THE
MARYLAND ROUTE 355/WATKINS MILL ROAD INTERSECTION
IN THE CITY OF GAITHERSBURG, MARYLAND,
FROM THE EXISTING I-3 (INDUSTRIAL OFFICE PARK) ZONE,
TO THE MXD (MIXED USE DEVELOPMENT) ZONE,
IN ACCORDANCE WITH §24-196 (MAP AMENDMENTS)
AND §24-10A (FLOATING ZONES) OF THE CITY CODE

Z-301

BE IT ORDAINED, by the Mayor and Council of the City of Gaithersburg, in public meeting assembled, that they find the following facts from the evidence of record in Zoning Map Amendment Application Z-301:

A. The application Z-301, filed by Gary Unterberg, of Rodgers Consulting, Inc. requests rezoning of Parcels 360, 563 and N455 from the I-3 (Industrial Office Park) Zone to the MXD (Mixed Use Development) Zone. The subject lots consist of 18.91 acres, 20.78 acres, and .43 acres, respectively.

B. The Sketch Plan submitted as part of Z-301, proposes a mix of uses, including 382 residential units and 230,800 square feet of commercial, office, restaurant, service station, senior and public uses.

C. The Project is proposed to be developed in two phases, as follows:

Phase 1: Commencement at Approval of the Final Site Plan

- 112,100 Square feet mixed use (retail, restaurant, commercial) – Buildings B, D, E, F, G, H, L, M, and S
- 29,200 Square feet County Police Station – Building P
- 10,000 Square Feet City Senior Center – Building Q
- 140 Condominium units over retail with parking deck (age restricted) – Building C
- 85 Condominium units over retail with parking deck – Building A

Phase 2: Commencement of Watkins Mill Road Interchange

- 8,900 Square feet mixed use (bank/service) – Buildings O and N
- 10,300 Square feet mixed use (retail/restaurant) – Buildings I and J
- 60,000 Square feet office – Building K
- 157 Condominium units with parking deck – Building R

D. The Mayor and City Council and the Planning Commission conducted a joint public hearing on June 20, 2005. In conjunction with this application and public hearing, the Mayor and City Council and the Planning Commission also reviewed schematic development plan application, SDP-05-003. At the public hearing, in addition to the testimony of the applicant and his project team, testimony was received from Daniel Reeder, 11520 Game Preserve Road, who testified in favor of the rezoning. Based on Mayor and City Council and Planning Commission guidance, the plan was revised to include a greater mix of uses. These revisions were reviewed during a joint work session on January 9, 2006. During the course of this work session, the Mayor and City Council and Planning Commission raised a number of concerns about the revised plan, including access to the 6th District Police Station, insufficient green space, overall residential density, incompatible housing types, lack of meaningful affordable housing component, too few restaurants, the inclusion of a hotel, and traffic impacts, particularly at the intersection of North Frederick Avenue (MD 355) and Montgomery Village Avenue (MD 124). Two additional meetings were held regarding this application, a discussion item at the March 20, 2006 regularly scheduled meeting of the Mayor and City Council, and another work session on April 24, 2006, during which time the applicant was given further guidance regarding the planned development.

E. The Planning Commission's record closed on May 10, 2006. The Commission made its recommendation on June 7, 2006, and forwarded their recommendation of approval to the Mayor and City Council for Z-301. The Mayor and City Council closed their record on June 14, 2006.

F. During their policy discussion meeting on June 19, 2006, the City Council carefully reviewed the evidence of record, including 89 exhibits, and considered all submitted testimony, documents and correspondence presented, including the Planning Commission's recommendation for approval, and made the following findings with respect to Application Z-301.

1. A rezoning to a floating zone can be made without reference to change or mistake. The City of Gaithersburg Zoning Ordinance, Section 24-10A establishes the MXD zone as a floating zone, and states that approval and placement of floating zones may only occur upon a finding by the City Council that the application therefore:

a. Complies with the purposes and intent of the zone as stated in the zoning ordinance; and

b. As applied will be compatible and harmonious with existing and planned land uses in the surrounding area.

2. The application complies with the purposes and intent of the MXD zone as stated in the zoning ordinance and as applied will be compatible and harmonious with existing and planned land uses in the surrounding area in the following manner:

- a. The change from the I-3 Euclidian zone to the City's MXD floating zone will provide the Staff, Planning Commission, Mayor and City Council and the Applicant the ability to craft a higher quality, mixed-use product.
- b. The development application processed under the MXD zone provides the City with tools to address important master planning issues, both existing and currently under discussion, such as traffic mitigation requirements and affordable housing, which are not available under the I-3 Euclidian Zone.
- c. The development application processed under the MXD zone provides the City an opportunity to review and approve development for this property. Under I-3 zone, a much less rigorous review process would be in place.
- d. The development application processed under the MXD zone provides the City with both greater controls and more flexibility (including mixing of uses and setbacks) to produce a better-finished product than would be available under the I-3 Euclidian Zone.
- e. The superior environment of a properly designed mixed use project can be seen in the many mixed-use communities developed in the City using the MXD zone, as opposed to the more isolated and sterile environment of a business park provided under the I-3 zone. The proposed development integrates residential, commercial and public uses in a manner that could not be accomplished under the I-3 zone.
- f. The site is surrounded by properties developed under a variety of zones, including the MXD zone, and the use of the MXD zone will best permit the development of a plan that maximizes both the external and internal compatibility. Through the review and approval of design guidelines, required as part of this application, a superior quality of development is ensured.
- g. The development application processed under the MXD zone allows for a mix of residential, retail offices, and institutional uses located in a manner convenient to each other on a pedestrian level, will provide better linkages, and will provide the opportunity for more open space to be preserved.
- h. The development application processed under the MXD zone will provide the opportunity for more open space to be preserved. Under the MXD zone, building heights beyond what would be permitted under the I-3 zone have made it possible to preserve the stream valley buffer, additional active and passive open space, and to provide all reforestation requirements on-site.

i. As noted earlier, the development application processed under the MXD zone provides the City with phasing tools not available under the I-3 Euclidian Zone. Phasing of this application will be coordinated with the development of the Watkins Mill Road interchange.

j. The Property is also compatible with and complementary to the existing and proposed development of the area. The site has office and industrial uses to the west, power lines to the north, office uses to the south, and a mix of a shopping center, attached housing and an auto dealer to the east across Route 355.

G. Based upon the evidence of record, the City Council further finds, in accordance with § 24-160D.10.(a), the following:

1. The application meets or accomplishes the purposes, objectives, and minimum standards of the zone, as stated in § F.2.a. through § F.2.i. above. In addition, the application meets the ten (10) acre minimum area requirement of the MXD Zone by containing 40.1 acres and the zoning ordinance locational requirements being adjacent to Md. Route 355 and Watkins Mill Road extended, which is proposed as part of the application. The access is adequate based upon accepted sketch plan traffic studies. Public water and sewer service presently serves adjacent development and is available to this site. No inadequacy or other concerns with respect to the provision of these facilities has been identified in the record.

2. The application is in accord with recommendations in the applicable master plan for the area and is consistent with any special conditions or requirements contained in said master plan. The Property is located within *Special Study Area 6, Frederick Avenue North*, of the 2003 Land Use Element of the City of Gaithersburg Master Plan. This special study area has not yet been completed. Zoning for the property remains unchanged from the 1997 Master Plan, at which time it was part of *Neighborhood Six, Study Area 3, Map Designation 6*. The 1997 Master Plan adopted a "commercial/industrial-research-office" land use designation, while retaining the I-3 (Industrial Office Park) zone already in place. The Property is also located within the Northern Employment District of the *Frederick Avenue Corridor Land Use Master Plan*, a portion of which was adopted as a Special Study Area to the Master Plan for the City of Gaithersburg in 2001. The Corridor Master Plan identified the property as a "future mixed-use development parcel. Uses should include commercial, residential and retail." Buildings are intended to be placed along the edges of the site with parking located behind the buildings. Recommendations in the Corridor Plan for development within 600 feet of Frederick Avenue, including design, building placement, additional landscaping, screening and buffering along Route 355, pedestrian orientation, open space, and proposed uses (residential and retail) have been incorporated into the proposed Casey East development.

3. The application and sketch plan will be internally and externally compatible and harmonious with existing and planned land uses in the MXD zoned areas and adjacent areas. The site has a full range of uses existing and proposed in the surrounding area including office and industrial uses to the west, power lines to the north, office uses to the south, and a mix of a shopping center, attached housing and an auto dealer to the east across Md. Route 355. The proposed development will provide commercial and residential opportunities for these surrounding uses.

For the reasons stated above, application Z-301 is granted with the following conditions:

1. The project shall be phased as follows:

Phase 1 commences at approval of the final site plan and shall permit the following:

Buildings and associated infrastructure: Building S (Office/ Bank); Building A (office and residential condos above deck), Building B (restaurant), Building C (residential condo, required to be age restricted, with retail above deck including associated clubhouse, pool and tennis court), Building D (restaurant), Building E (retail), Building F (retail), Building G (retail), Building H (restaurant), Building L (restaurant), Building M (retail), Building P (Police facility and associated future parking deck), Building Q (city senior center), parking decks under future Building K and all other parking and related facilities for the above, as required. Provided that the number of available parking spaces provided never falls below the required number of parking spaces, parking may be initially constructed as surface parking to City standards and then replaced with buildings and structured decks as shown on the SDP.

Phase 2 commences at beginning of construction of the Watkins Mill Road Interchange and shall permit the following:

Buildings: I (restaurant), J (retail), K (Office above deck); N (service station), and O (bank), and R (residential condos above deck) and parking and related infrastructure for the above, as required. Provided that the number of available parking spaces provided never falls below the required

number of parking spaces, parking may be initially constructed as surface parking to City standards and then replaced with buildings and structured decks as shown on the SDP.

The property included in the Second Phase is intended to be fully developed and not held as open space (except as shown on the submitted SDP), and such development density noted above is intended to commence construction concurrent with the commencement of construction of the Watkins Mill Interchange. If the Watkins Mill Interchange project has not commenced on or before March 1, 2015, or is abandoned by the Maryland State Highway Administration (SHA), the Developer may apply to the City for an amendment to the Sketch Plan.

2. Memorandum of Understanding (MOU) between the City of Gaithersburg, Montgomery County and the applicant must be executed prior to submission of final site plan. This MOU must provide for the complete build out of Watkins Mill Road Extended from MD 355 to the proposed interchange on the east side of I-270, and complete build out of Watkins Mill Road from MD 117 to the proposed interchange on the west side of I-270;
3. Prior to submission of the final site plan, the applicant shall enter into an Agreement of Dedication requiring the Applicant to dedicate that portion of the Property as shown on the SDP for (i) the Watkins Mill Interchange, (ii) the 6-9 lanes for Watkins Mill Road Extended, (iii) the Montgomery County 6th District Police Station, and (iv) the City of Gaithersburg's Senior Center. Applicant shall then, upon request by the appropriate entity, dedicate at no cost that portion of the property for construction of (i) the Watkins Mill Interchange to the State of Maryland or its affiliate, (ii) the 6-9 lanes for Watkins Mill Road Extended to the State of Maryland (or its affiliate), Montgomery County or the City of Gaithersburg, as they ultimately agree, (iii) the Montgomery County 6th District Police Station to Montgomery County, and (iv) the Senior Center to the City of Gaithersburg;
4. The applicant will be obligated to construct as part of the approved development two lanes of Watkins Mill Road Extended;

5. The applicant shall place all environmentally sensitive areas, as identified on the schematic development plan, under a permanent conservation easement to be recorded on a plat. The applicant and its successors and assigns shall own and be responsible for maintaining all areas within the conservation easement and shall be entitled to reimbursement from the other owners and tenants within the project under terms of the leases and other agreements;
6. The applicant shall, as part of the Agreement of Dedication, provide the following for each residential building under the City's Affordable Workforce Housing Program as part of the proposed residential component within the development: 6.25 percent MPDU's, 6.25 percent Workforce Housing, and 5 percent Workforce Housing for income-qualified City employees, public safety workers or teachers. The applicant has agreed that the work force housing units must be priced to be affordable to families and households earning 80 percent of the Washington Area Median Income, and the MPDU units must be priced to be affordable to families or household earning 60 percent of the Washington Area Median Income.
7. Applicant is to work with City and Montgomery County Transportation staff to develop, fund in the amount of \$500,000 and implement a Transportation Demand Management Plan to mitigate the effects of the proposed development on surrounding intersections. As an alternative, the applicant, the City Manager, and Montgomery County could reach an agreement whereby the Montgomery County Department of Transportation would administer and manage the TDM Plan. The applicant must escrow \$500,000 or an equivalent bond or letter of credit with the City to fund the TDM Plan prior to applying for final site plan approval. Applicant is to provide a preliminary plan at final site plan. A Transportation Demand Management Plan shall be operational at the time that the first certificate of occupancy is issued; and

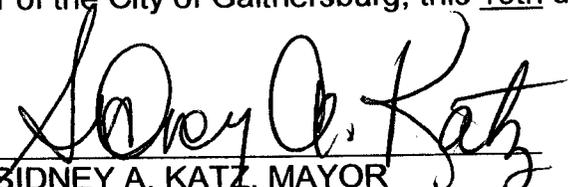
8. Applicant is to record a Declaration of Restrictions, Covenants and Easements prior to the issuance of any site development permits.

ADOPTED by the City Council this 19th day of June, 2006.



SIDNEY A. KATZ, MAYOR and
President of the Council

DELIVERED to the Mayor of the City of Gaithersburg, Maryland, this 19th day of June, 2006. APPROVED by the Mayor of the City of Gaithersburg, this 19th day of June, 2006.



SIDNEY A. KATZ, MAYOR

THIS IS TO CERTIFY that the foregoing Ordinance was adopted by the Mayor and Council of the City of Gaithersburg, in public meeting assembled, on the 19th day of June, 2006, and that the same was approved by the Mayor of the City of Gaithersburg on the 19th day of June, 2006. This Ordinance will become effective on the 10th day of July, 2006.



David B. Humpton, City Manager

The Spectrum at Watkins Mill

Z-301(A)/SDP-11-002



MD State Plane
HPGN NAD 83/91

Aerial orthophoto is courtesy of the USGS National Map program. <http://nationalmap.gov/>
Property boundaries and planimetric base map ©2011 M-NCPPC and City of Gaithersburg.
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City of Gaithersburg

Planning and Code Ad.
31 S Summit Ave
Gaithersburg, MD 20878
(301) 258-6330
www.gaithersburgmd.gov



MEMORANDUM TO: Mayor and City Council and the Planning Commission

FROM: Lauren Pruss, Planning Director

DATE: January 17, 2012

SUBJECT: Preliminary Background Report
Z-301(A)/SDP-11-002: The Spectrum at Watkins Mill

APPLICANT/OWNER:

BP Realty Investments, LLC
10000 Falls Road
Suite 100
Potomac, Maryland 20854

TAX MAP REFERENCE:

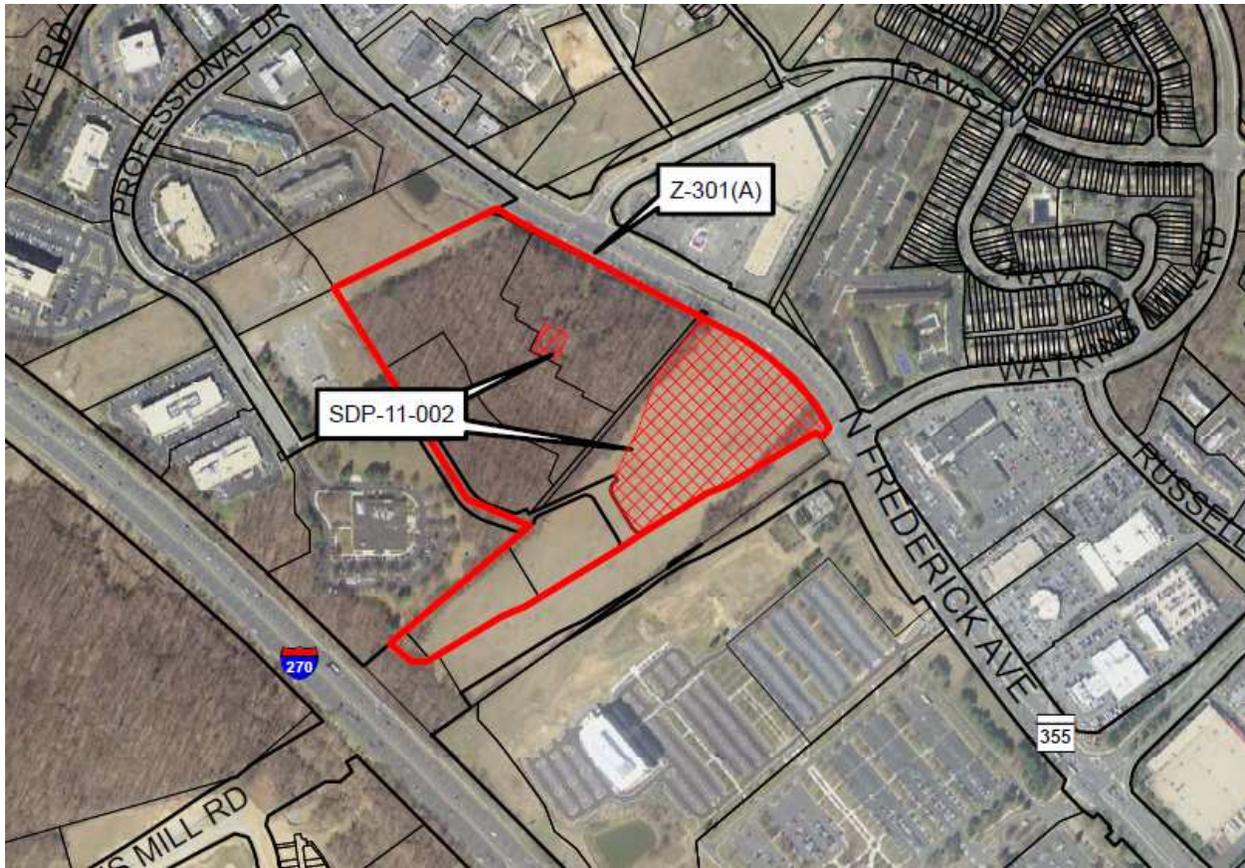
N668 - 09-03664972	N561 - 09-03665010
N633 - 09-03664994	P450 - 09-03501283
N565 - 09-03664983	N455 - 09-02214641
P360 - 09-03501283	N686 - 09-03665008
P356 - 09-03501283	N572 - 09-03664950
P457 - 09-03501476	N613 - 09-03664961

REQUEST:

Application Z301(A)/SDP-11-002 has been filed requesting approval of an amendment to the sketch plan Z-301 and schematic development plan SDP-07-001, known as the Spectrum at Watkins Mill (formerly “Casey East”). The sketch plan proposes 214,810 square feet of mixed office, restaurant, commercial, service station, senior center/public uses, including 678 multi-family residential units to be built in two phases on approximately 40.1 acres of land. The schematic development plan (SDP) proposes to modify the previously approved SDP to incorporate an additional 296 multi-family residential units in Phase One and reduce the proposed commercial and retail square footage within the allowances provided under the proposed sketch plan. The property is located within the Mixed Use Development (MXD) Zone.

LOCATION:

The subject property (“Property”) is located east of Interstate 270 and west of Route 355, and is bounded on the west by Route 355, to the north by P 370 & P 182 (Potomac Electric Power Co.), and to the east by parcel N391 (Colonial Pipeline Co.), Parcels N526 and N417 (Humane Society of the United States), and Interstate 270. The Property is currently bounded on the south by Watkins Mill Road which has been recently completed.



PROJECT BACKGROUND AND ZONING HISTORY:

In June 2006, the Mayor and City Council approved rezoning application Z-301 and schematic development plan SDP-05-003 with 29 conditions, as listed in Resolution R-65-06 (Exhibits 83 and 84). The approved sketch plan allows a mix of uses to be developed in two phases, and includes 382 residential units and 250,500 square feet of office, restaurant, retail, service station, and public uses on approximately 40.10 acres of land.

SDP-07-001 was approved via Resolution R-92-07 by the Mayor and City Council in August 2007. The approved SDP differed somewhat from the Sketch Plan, by shifting some commercial density from Phase One to Phase Two, and increased the area of the proposed Senior Center from 10,000 square feet to 30,000 square feet (Exhibit 85).

In 2007, the first final site plan application, SP-07-017 was filed for the development, which split Phase One of the development into two sub-phases, Phase 1A and 1B. Phase 1A and associated infrastructure was filed as application SP-07-017, and provided for the construction of the 6th District Police Station and Watkins Mill Road. This plan was approved on July 15, 2009 and included infrastructure for Watkins Mill Road, Spectrum Boulevard (the entrance to the subdivision), Spectrum Avenue, and final site plan approval for the 6th District Police Station. The roads approved under this plan have been constructed, although construction has not begun on the 6th District Police Station (Exhibit 86). The Planning Commission approved a modification to this plan on December 2, 2009 in application AFP-09-021.

On June 2, 2010, the Planning Commission granted approval of SP-09-004, Phase 1B of the Spectrum at Watkins Mill with eight conditions. This approval provided the remaining infrastructure for Phase One, and final site plan approval for mixed use/multi-family buildings A and C, and one restaurant building C-1 (Exhibit 87).

In September 2011, Mr. Pete Henry of BP Realty Investments filed an application requesting approval of an amendment to both the approved sketch and schematic development plans. The current application, Z-301(A)/SDP-11-002, requests approval to increase the number of dwelling units to be constructed within Phase One by adding a new mixed use residential building, while reducing the overall commercial square footage distributed among the two phases. There is no change to the police station site or the future senior center site. A more detailed description of the application and changes from SDP-07-001 can be found beginning on page 5 of this report.

REQUIRED ACTIONS

Approval of Z-301(A)/SDP-11-002, by the City Council is dependent upon the findings required under § 24-160D.10 of the City Code as follows:

(a) *The city council shall approve MXD zoning and the accompanying sketch plan only upon finding that:*

(1) *The application meets or accomplishes the purposes, objectives, and minimum standards and requirements of the zone; and*

(2) *The application is in accord with recommendations in the applicable master plan for the area and is consistent with any special conditions or requirements contained in said master plan; and*

(3) *The application and sketch plan will be internally and externally compatible and harmonious with existing and planned land uses in the MXD zoned areas and adjacent areas.*

(b) *The city council shall approve a schematic development plan only upon the finding that:*

(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*

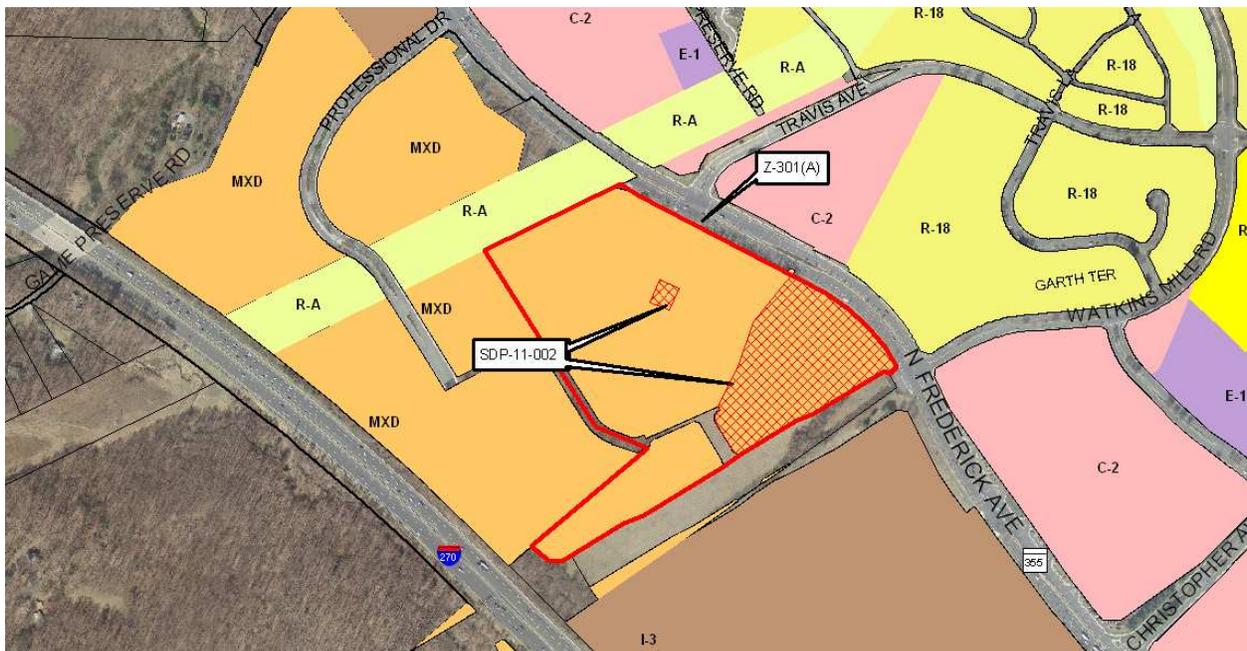
(6) *That the development staging or phasing program is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and*

(7) *That the plan, if approved, would be in the public interest.*

Therefore, the applicant has the burden of showing that this application for amendment continues to comply with the purpose and intent of the MXD Zone as it did in the first application and also complies with the master plan. Additionally, evidence must show that the revised sketch plan will be compatible and harmonious with the surrounding planned and existing land uses and will accomplish the objectives, minimum standards and requirements of the zone.

SURROUNDING LAND USE/PHYSICAL CHARACTERISTICS:

The Property is irregular in shape and is bounded on the east by a North Frederick Avenue, to the south by Watkins Mill Road, the north by a public utility line, and to the west by the Humane Society of the United States (HSUS) property. Currently, the 40.12± acre Property is mostly undeveloped and contains a combination of open land and forested area. Portions of the site have been developed with roadways approved as part of Phase 1A. The 20.47 acre forested area found on site has been categorized “Mature Oak/Poplar Forest,” with no rare or threatened species of plant or trees found on the site.



Pre-development slopes on-site range from 0-25% with moderate slopes dominating and steep slopes concentrated near the stream valleys and the associated buffers. The Property drains into the main stem of Great Seneca Creek and its tributaries through a stream that originates on the site and drains primarily to the north. The Natural Resource Inventory (NRI) has established a 5.86 acre stream valley buffer which is comprised of stream setbacks, steep slopes and floodplains setback. Approximately 3.46 acres of FEMA mapped 100-year floodplain are located within the stream valley buffer. The NRI/FSD provides further detail regarding Streams and Floodplains, Soils, Wetlands, Forests & Trees, Rare, Threatened, or Endangered Species, Existing Wildlife, Stream Quality, Significant Views or Vistas and Historical Significance, and is incorporated as sheet 15 of 21 of the proposed Schematic Development Plan (Exhibit 71).

As part of the Final Site Plan approval for Phase 1B, a Forest Conservation Plan (FCP) was approved in December 2009 and is included within the proposed Schematic Development Plan as sheet 16 of 21 (Exhibit 72). The FCP provides for the retention of 6.12 acres of forest, and 1.17 acres of reforestation. Additionally, 6.94 acres of existing forest and planted forest were preserved within a Category 1 Forest Conservation Easement. This application does not propose any changes to the approved forest conservation plan.

MASTER PLAN AND ZONING:

The Property is located within the Northern Employment District of the *Frederick Avenue Corridor Land Use Master Plan*, a portion of which was adopted as a Special Study Area to the Master Plan for the City of Gaithersburg in 2001. The Corridor Master Plan identified the property as a “future mixed-use development parcel. Uses should include commercial, residential and retail.” Buildings are intended to be placed along the edges of the site with parking located behind the buildings. Recommendations in the Corridor Plan for development within 600 feet of Frederick Avenue, including design, building placement, landscaping, pedestrian orientation, open space, and proposed uses (residential and retail) have been incorporated into the proposed Casey East development. There are no additional recommendations for the property in either the 2003 Land Use Element or the draft 2009 Land Use Element.

Z-301(A) SKETCH PLAN:

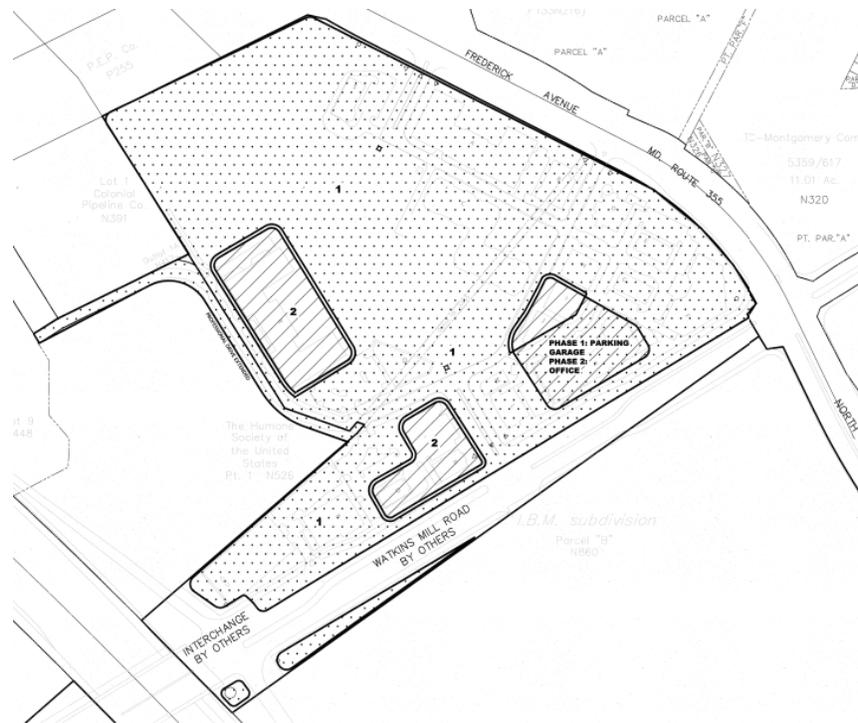
The approved sketch plan Z-301 (below) provided for a mix of uses including 382 residential units and 230,800 square feet of commercial, office, restaurant, service station, senior, and public uses to be developed in two phases as shown below:

Phase 1: Commencement at Approval of the Final Site Plan

105,400	Square feet mixed use (retail, restaurant, commercial) – Buildings B, D, F, G, H, L, M, and S
29,200	Square feet County Police Station – Building P
10,000	Square Feet City Senior Center – Building Q
224	Condominium units over retail with parking deck – Buildings A and C

Phase 2: Commencement of Watkins Mill Road Interchange

8,900	Square feet mixed use (bank/service) – Buildings O and N
17,000	Square feet mixed use (retail/restaurant) – Buildings E, I J, and R
60,000	Square feet office – Building K
158	Condominium units (age-restricted) with parking deck – Building R



Z-301 Phasing Exhibit

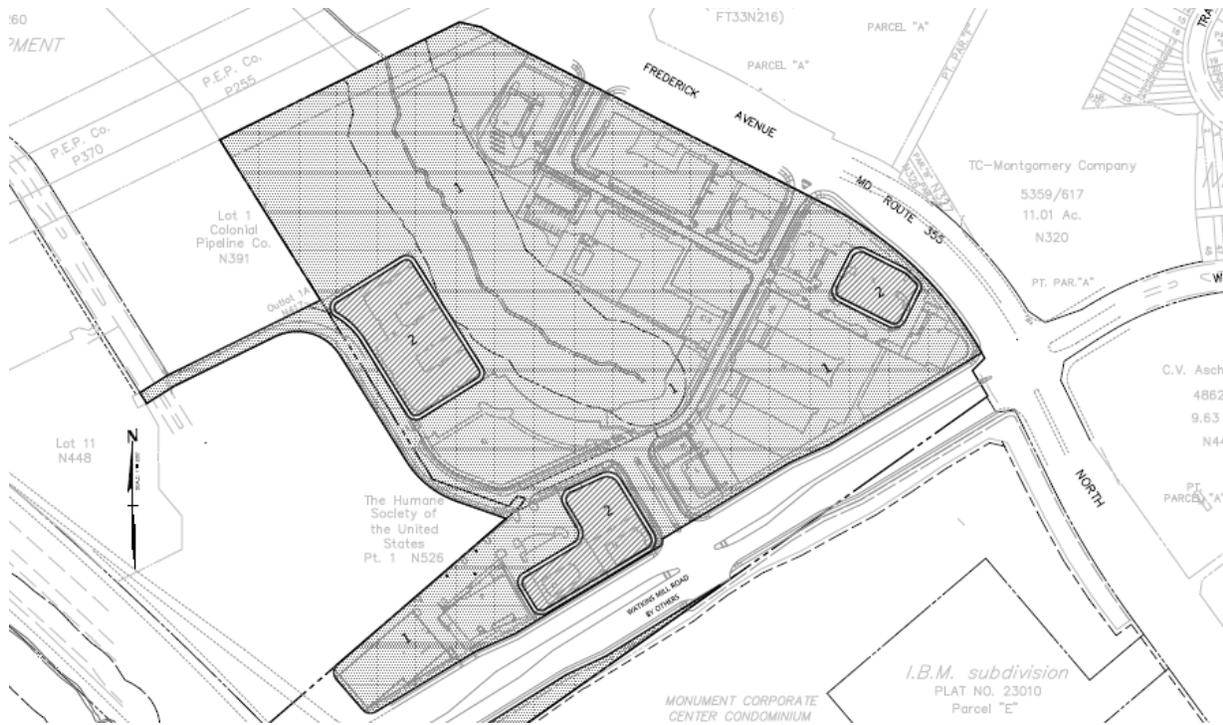
The proposed sketch plan Z-301(A) (below) also provides for a similar mix of uses, but requests approval for an increase in the total allowable residential units from 382 condominium units to 678 multi-family units, and a decrease in overall commercial floor area to 214,810 square feet. In addition, the phasing of the sketch plan has been modified as follows:

Phase 1: Commencement at Approval of the Final Site Plan

- 61,710 sf Mixed Use (retail/restaurant) - Buildings A (retail), B, C (retail and restaurant), D, F, H (retail), M, and T
- 8,000 sf Mixed Use (office/bank) - Buildings L and S
- 29,200 sf Montgomery County Police Station - Building P
- 30,000 sf City Senior Center - Building Q
- 523 ea Multi-family units - Buildings A, C and H

Phase 2: Commencement at commencement of Watkins Mill Road Interchange

- 17,000 sf Mixed Use (retail/restaurant) - Building K (retail/restaurant) and R (retail)
- 64,100 sf Mixed Use (office/bank) - Buildings K and O
- 4,800 sf Mixed Use (service station) - Building N
- 158 ea Multi-family units - Building R



Proposed Z-301(A) Phasing Exhibit

SDP-11-002 SCHEMATIC DEVELOPMENT PLAN:

The proposed amendment, SDP-11-002, provides, as did the original application, a detailed breakdown of uses, including a mix of restaurants, offices, retail and condominium units, a county police station, a City senior center, a service station and banking facilities, collectively served by a combination of surface and structured parking to be developed as part of an integrated mixed use development. The following exhibit provides detailed building by building comparison of changes to square footage and residential units from the approved SDP-07-001 to the proposed amendment SDP-11-002 is presented by phase in the following chart:

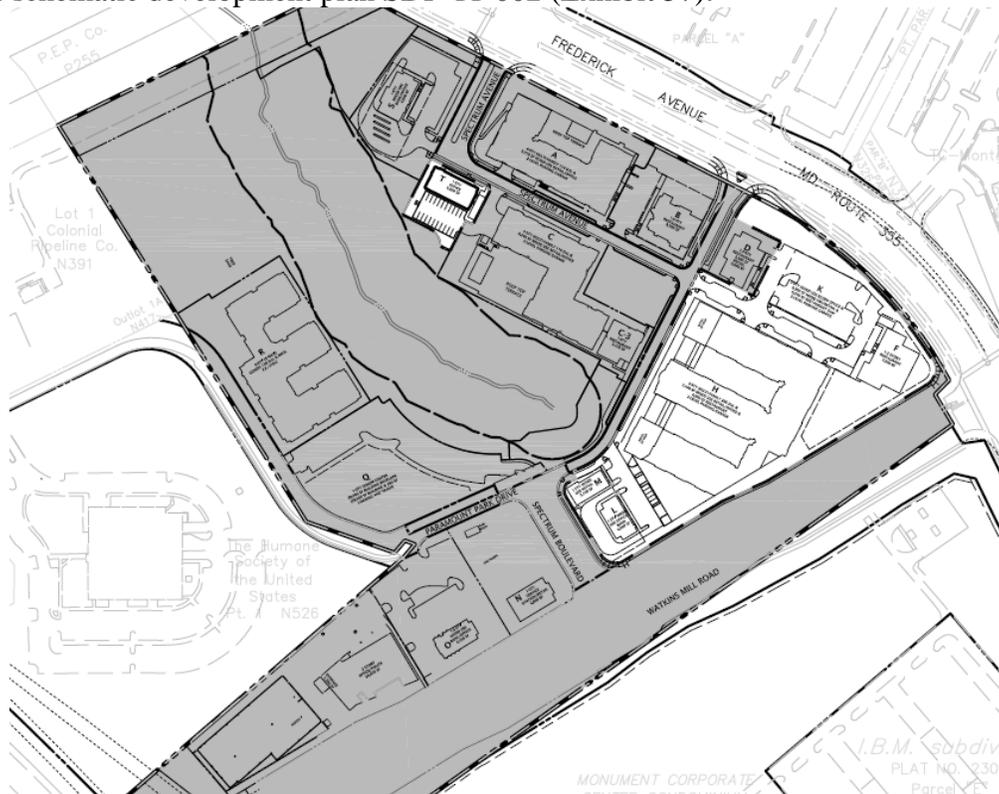
Spectrum At Watkins Mill

		<u>Existing Approval</u>	<u>Proposed Revision</u>	<u>Proposed Modification</u>
<u>Phase 1</u>				
<u>Office/Police</u>	P	28,000 SF	28,000 SF	
<u>Warehouse/Police</u>	P	1,200 SF	1,200 SF	
<u>Senior Center</u>	Q	30,000 SF	30,000 SF	
<u>Multifamily</u>	A	114 DU	114 DU	
	C	110 DU	110 DU	
	H	—	<u>296 DU</u>	
		224 DU	520 DU	+ 296 DU
<u>Mixed Use/Retail:</u>	A	3,770 SF	3,770 SF	
	C	9,240 SF	9,240 SF	
	C-3	5,100 SF	—	
	F	41,690 SF	—	
	G	6,500 SF	—	
	H	—	4,000 SF	
	M	2,700 SF	3,100 SF	
	T	—	<u>5,000 SF</u>	
		69,000 SF	25,110 SF	- 43,890 SF
<u>Restaurants:</u>	B	9,500 SF	9,500 SF	
	C-3	—	5,100 SF	
	D	6,500 SF	6,500 SF	
	F	—	7,500 SF	
	H	7,000 SF	8,000 SF	
	L	<u>7,400 SF</u>	—	
		30,400 SF	36,600 SF	+ 6,200 SF
<u>Mixed Use Office/Bank</u>	L	—	4,000 SF	
	S	<u>6,000 SF</u>	<u>4,000 SF</u>	
		6,000 SF	8,000 SF	+ 2,000 SF
<u>Phase 2</u>				
<u>Multifamily</u>	R	158 DU	158 DU	
<u>Mixed Use/Retail:</u>	E	5,000 SF	—	
	J	4,300 SF	—	
	K	—	9,300 SF	
	R	<u>1,500 SF</u>	<u>1,500 SF</u>	
		10,800 SF	10,800 SF	
<u>Restaurants:</u>	I	6,200 SF	—	
	K	—	<u>6,200 SF</u>	
		6,200 SF	6,200 SF	
<u>Mixed Use Office/Bank:</u>	O	4,100 SF	4,100 SF	
	K	<u>60,000 SF</u>	<u>60,000 SF</u>	
		64,100 SF	64,100 SF	
<u>Service Station/Retail:</u>	N	4,800 SF	4,800 SF	

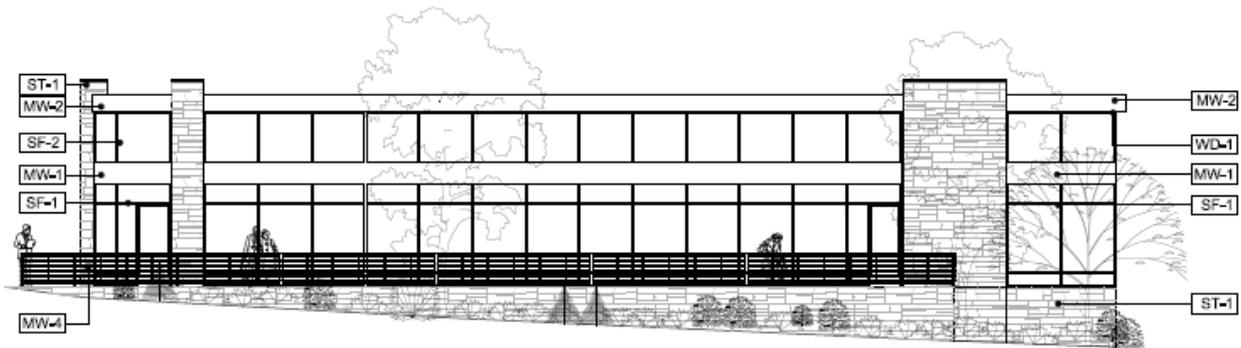
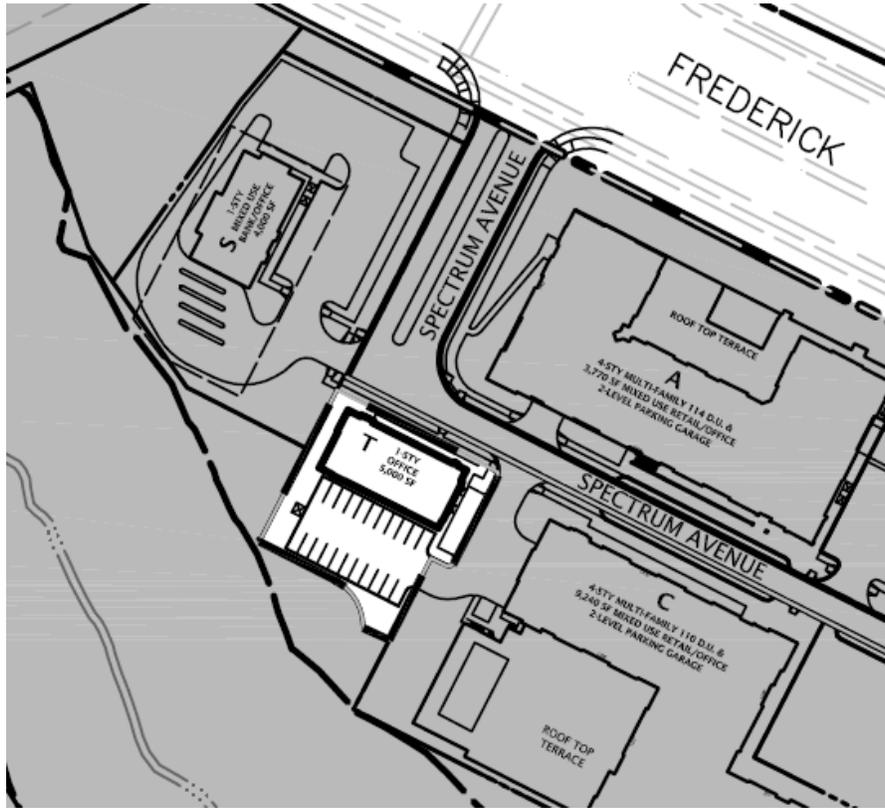
The following exhibit shows the approved schematic development plan SDP-07-001:



Proposed schematic development plan SDP-11-002 (Exhibit 57):



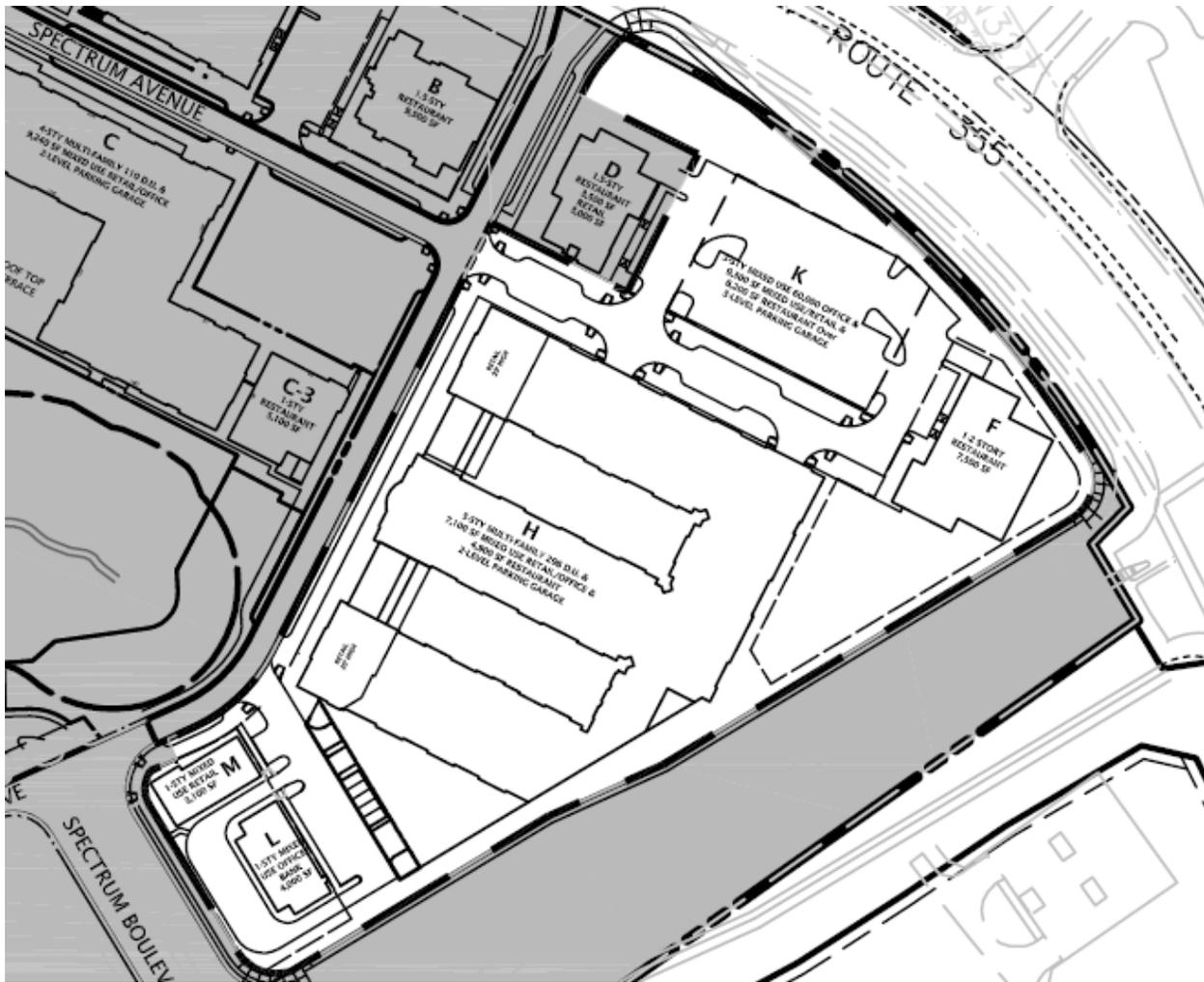
Final Site Plan SP-07-017 provided for the relocation of the tennis courts and pool from the area where building T is currently proposed (circled in red, p. 9). A roof top terrace tucked behind building C adjoining the stream valley buffer will now house the pool and other recreational space, thereby creating a new lot for development which is the current location for proposed building T, a one-story, 5,000 square foot office building (below, Exhibit 57).



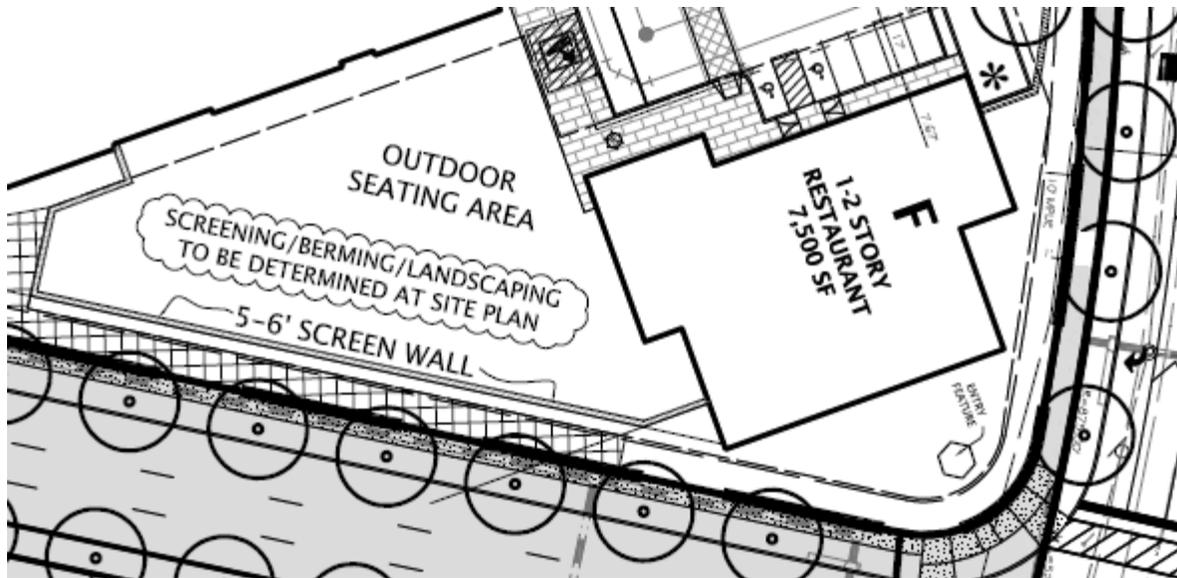
NORTH ELEVATION

Conceptual Elevation for Building T (Exhibits 58 and 75)

In addition to the new building T, the proposed SDP-11-002 plan (below), modifies the previously approved layout for most of the “triangle” lot located at the corner of Watkins Mill Road and North Frederick Avenue.

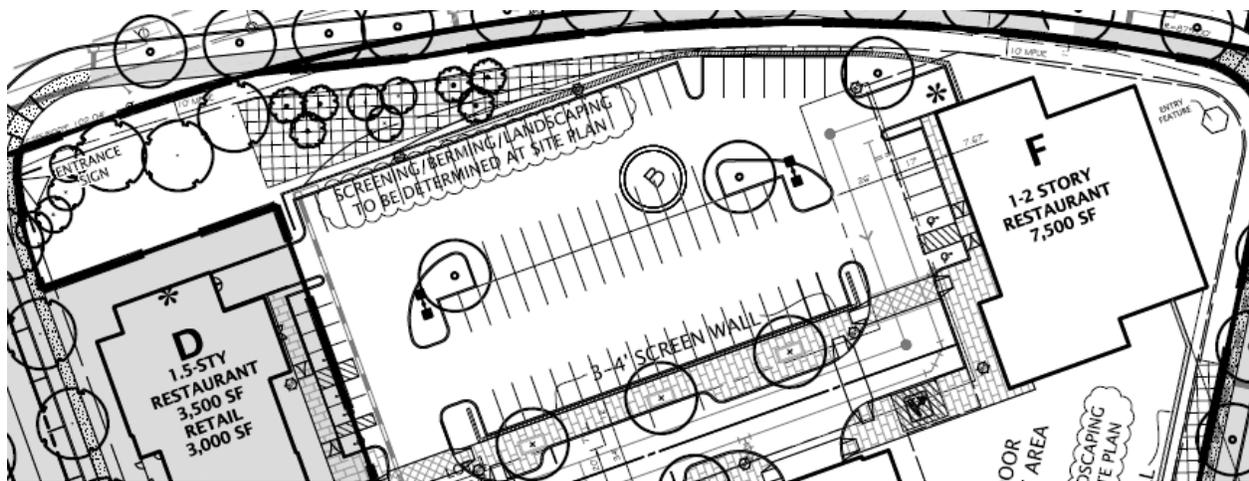


To discuss the proposed modifications within the triangle, we will begin with describing the corners of the proposed plan. Building D is carved out from the proposed amendment, and remains unchanged as a 6,500 square foot restaurant. Building M remains a one-story mixed use retail building, but increases from 2,700 square feet to 3,100 square feet of floor area. Building L, previously a 7,500 square foot restaurant is now a proposed 4,000 square foot “mixed use” bank/office. Building F is proposed as a one-two story restaurant building. This 7,500 square foot building replaces the previous 41,690 square foot mixed use retail building that had originally been intended to be a large signature building anchoring the site. The applicant proposes to create a large outdoor gathering space in the area between Watkins Mill Road and building H that would be screened by a five to six foot landscaping wall (next page).



Detail for Building F and Outdoor Seating Area (Exhibit 69)

Building H and K represent the most significant changes to the approved plan. Building K is a six story mixed use building proposed for Phase Two of the project. A surface parking lot that would serve the restaurant building F is proposed for the interim/Phase One condition. The Spectrum Avenue frontage of the surface parking lot would have a decorative wall to buffer the parking lot from the pedestrian way along Spectrum Avenue. A combination of both timber and block walls are proposed along the North Frederick Avenue frontage along with landscaping for a buffer treatment (below).



Interim Condition Showing Surface Parking Lot (Exhibit 69)

The following exhibit provides a more detailed explanation for how the proposed surface parking lot would relate to North Frederick Avenue:

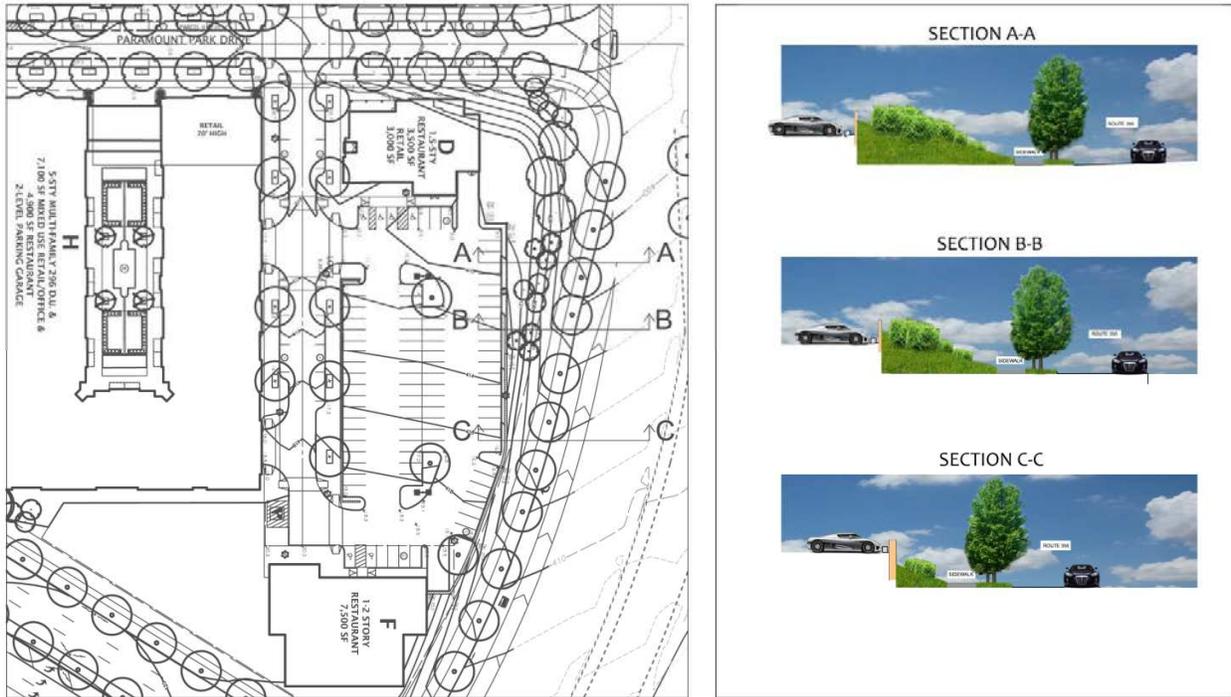
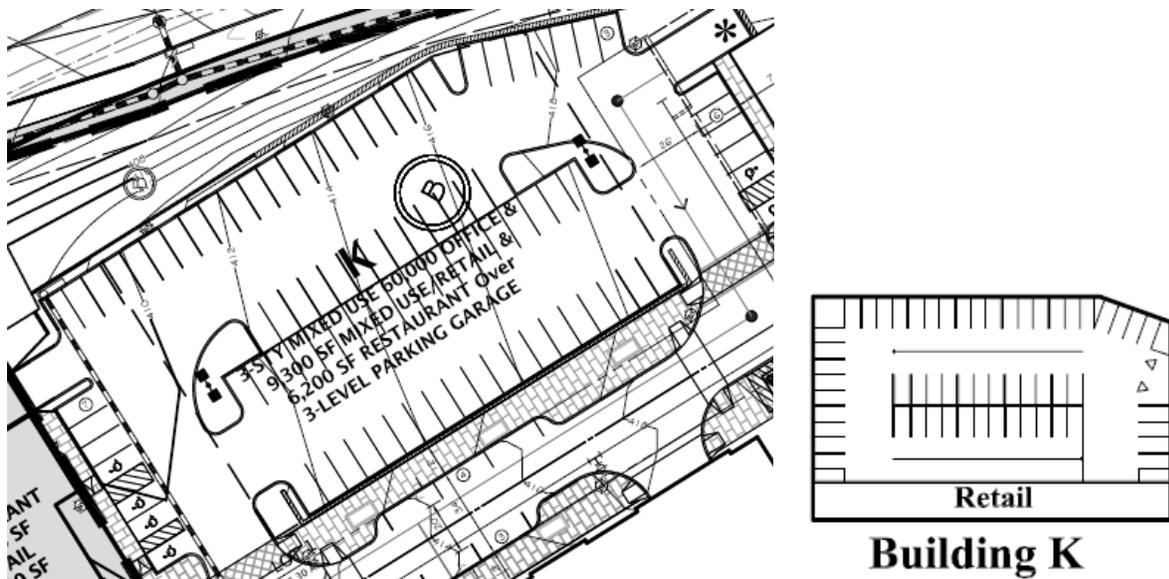


Exhibit 79

The Phase Two condition for building K would have 9,300 square feet of mixed retail uses lining the Spectrum Avenue frontage of the first floor of a three story parking garage. A three-story 60,000 square foot office building would be located atop the parking garage (below).

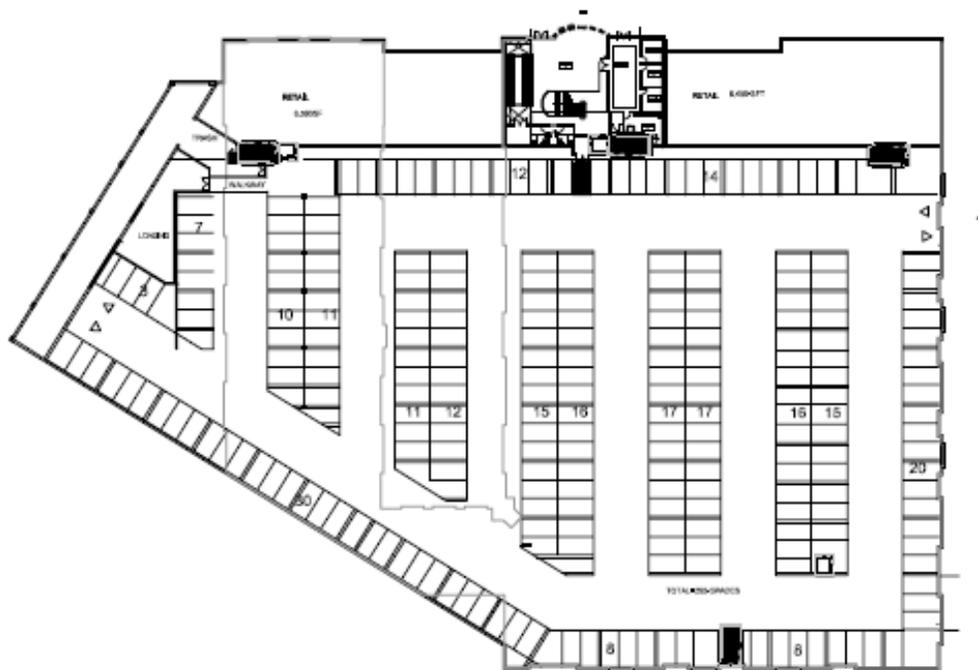


Building K Details (Exhibits 59 and 64)



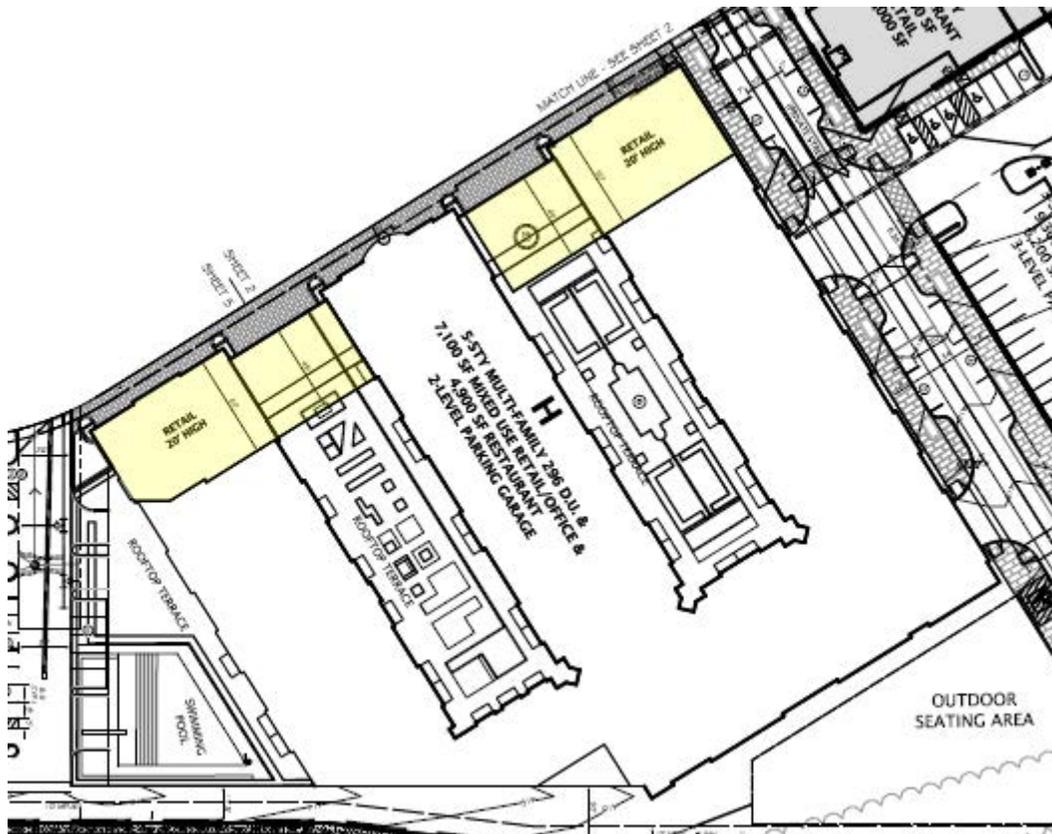
Proposed Building H Conceptual Elevations (Exhibit 78)

Building H will be a mixed use building containing 296 multi-family units. The proposed plan includes a large enclosed parking garage that is lined with 4,000 square feet of retail space and 7,500 square feet of restaurant space that will front directly on a large promenade that extends along Paramount Park Drive and faces Performers Park. The building will include four residential stories above the retail space.



Majestic (Bldg. H)

First Floor Plan for Building H Showing Parking Garage (Exhibit 64)



Building H Detail Showing Retail Floor Area and Rooftop Terraces (Exhibit 59)

The building features three roof top terraces above the first floor. Two large roof top terraces break up the mass of the building, and will overlook Performer’s Park. These terraces would provide passive recreation/amenity space for the residents of the building. The third terrace receives better sun exposure, and is the proposed location for a swimming pool. The building also features interior recreation spaces and balconies located above the retail space which will overlook the stream valley buffer and Performer’s Park.

Transportation and Parking

The transportation network remains unchanged from the approved SDP-07-001 and final site plans. The property has approximately 1500 +/- feet of frontage along North Frederick Avenue and approximately 1600 +/- feet of frontage along Watkins Mill Road. Access to the site is provided from North Frederick Avenue at Spectrum Avenue which aligns with the existing stop light intersection at North Frederick/Travis Avenue, as well as a right in/right out at Performer’s Park Drive locate approximately midway between Travis Road and Watkins Mill Road.

The proposed SDP addresses required parking through a mix of on-street, surface, and garage parking. The on-street parking will be owned and maintained by the developer, with the option to be converted to metered parking in the future. Each residential building has its own garage parking. The parking garages will provide a combination of public parking, and gated parking designated for the residents. Overall, a total of 1,719 parking spaces are required for the

proposed development, and 1,944 parking spaces are provided, representing a 225 space surplus. The following table provides a summary of the required and proposed parking (Exhibit 64):

Building Sizes & Parking Requirements									
Parking Summary - Phase 1	Public/Bldg. P		Residential		Shared		Total		Surplus
	Provided	Req'd	Provided	Req'd	Provided*	Req'd	Provided	Req'd	
<i>Surface parking</i>									
Permanent					389	615	389	615	-226
Temporary					71		71	0	71
Deck A			158	153	17		175	153	22
Deck C			148	143	30		178	143	35
Deck H			368	368	126		494	368	126
Restricted Building P	162	94					162	94	68
Phase 1 total:	162	94	674	664	633	615	1469	1373	96
Parking Summary - Phase 2									
	Provided	Req'd	Provided	Req'd	Provided*	Req'd	Provided	Req'd	
<i>Surface parking</i>									
Permanent					476	766	476	766	-290
Deck A			158	153	17		175	153	22
Deck C			148	143	30		178	143	35
Deck H			368	368	126		494	368	126
Deck R			208	195	46		254	195	59
Deck K					205		205	0	205
Restricted Building P	162	94					162	94	68
Phase 2 total:	162	94	882	859	900	766	1944	1719	225
Parking number to be finalized at Final Site Plan									
* This figure does not include 108 spaces allocated for Public Building P.									

PUBLIC FACILITIES:

Water and Sewer Services and Public Utilities

The subject property will be served by water and sewer pursuant to a signed agreement for the extension of utilities with the relevant public utility. As such, the site has W-1 and S-1 categories (areas served by community systems which are either existing or under construction) as verified by the Washington Suburban Sanitary Commission. 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).

Fire and Emergency Services

The subject property is located within a ten-minute response time of three fire stations: the Gaithersburg/Washington Grove Fire Station 8 (Montgomery Village Avenue), Germantown Station 29, and the Germantown East Station 34. Therefore, the site complies with the requirements for the Adequate Public Facilities requirements for Emergency Services.

Adequacy of School Capacity

The proposed development is located within the Watkins Mill cluster of the Montgomery County Public School (MCPS) system. Within this cluster, the schools that currently serve the proposed development are Watkins Mill High School, and `

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 that is forecasted to have a student population that exceeds 110% of Montgomery County Public Schools Program Capacity two (2) years in the future..." 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.

Traffic Impacts

In 2007, the applicant submitted a Traffic Impact Analysis (TIA) in conjunction with SDP-07-001. Based upon the amount of traffic generated by the previous SDP, a finding of adequacy was made for Phase One of the development. One major element of the required conditions for approval for SDP-07-001 was completion of the east leg of Watkins Mill Road, which was completed Fall 2011. As a component to the current application, the applicant submitted a Traffic Assessment prepared by The Traffic Group (Exhibit 2). The Traffic Group analyzed the proposed amended SDP to determine if the development would significantly alter the findings of the previous TIA. A review of the previous and proposed plans found that both plans are projected to generate 676 off-site trips during the morning peak hour. During the evening peak hour, the proposed plan is expected to generate 141 fewer trips than the plan that was previously approved. As such, it is expected that the proposed plan would generate the same or significantly less traffic than the previously approved plan. Engineering Services Director Mumpower reviewed the findings of the study, and agreed with the findings detailed in the study (Exhibit 92).

Transportation Demand Management Plan

A condition of approval for SDP-07-001 the applicant was required to Applicant is to work with City and Montgomery County Transportation staff to develop, fund in the amount of \$500,000 and implement a Transportation Demand Management Plan to mitigate the effects of the proposed development on surrounding intersections. As an alternative, the applicant, the City Manager, and Montgomery County could reach an agreement whereby the Montgomery County Department of Transportation would administer and manage the TDM Plan. The applicant must escrow \$500,000 or an equivalent bond or letter of credit with the City to fund the TDM Plan prior to applying for final site plan approval. Staff will continue to work with the applicant regarding this condition.

Watkins Mill Interchange

The City of Gaithersburg is positioned as a major transportation gateway for commuter/pass-through traffic from the surrounding region, placing increasing pressure on the existing transportation infrastructure. One of these important gateways is the intersection of MD 124/MD 355, which acts as the entry and exit point for Interstate I-270 as well as the major east/west connector for the City. The applicant's Traffic Report and draft Transportation Demand Management Plan submitted with SDP-07-001 stated that the Rt. 355/124 intersection is congested and will continue to experience increased congestion due to background traffic primarily from outside of the City's boundaries. Despite the project being phased so as to minimize the development's impact prior to the interchange's construction, the traffic analysis showed that the development of Casey East will increase the CLV congestion by approximately

three percent in the AM and 3.7 percent in the PM rush hour.

To relieve this condition, the Maryland State Highway Administration, along with Montgomery County and the City of Gaithersburg, have targeted the construction of the new interchange at Watkins Mill Road and I-270, which will serve to provide both substantial relief to the Rt. 355/124 intersection as well as providing the City with a much needed additional east/west connector over I-270.

This project has been Montgomery County's top transportation project for more than 5 years and is a critical element to creating a multi-modal hub for the County's technology corridor that will also provide access to the Corridor Cities Transitway (CCT) and the MARC Station at Metropolitan Grove. This year, the State's Blue Ribbon Commission on Transportation Funding has recommended to the Governor and General Assembly to push the issue of transportation funding during the annual legislative session in January 2012 by enacting an increase in the wholesale gasoline tax by 15 cents. There has already been discussion on this topic during the General Assembly's Special Session this past October, and both Senate President Mike Miller, and Speaker Mike Busch have indicated strong support for pushing this approach. Local and county support for this proposed increase in the gas tax will undoubtedly be linked to solid assurances that a portion of the new revenue is dedicated to the Watkins Mill project.

To date, Montgomery County has provided the State \$4.9 Million for:

- 35% of engineering for the entire interchange - will be complete -2012
- 100% engineering plans for the bridge - to be complete -2013

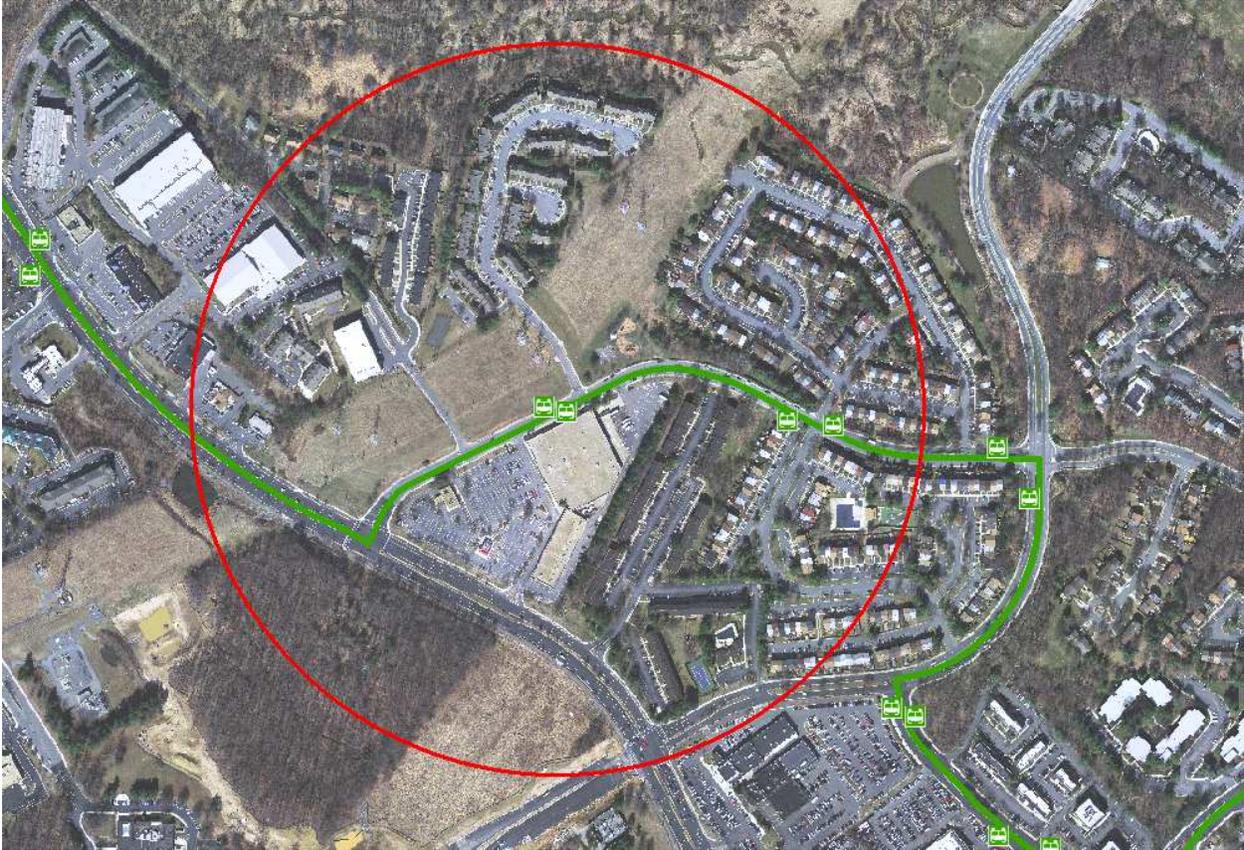
If additional funding becomes available, the State could provide:

- 100% engineering plans for the total project - complete -2014
- Construction could begin - Spring 2015

Commencement of this critical project will allow initiation of Phase Two of the proposed development. However, it should also be noted that a condition of approval for SDP-07-001 states the following: "The property included in the Second Phase is intended to be fully developed and not held as open space (except as shown on the submitted SDP), and such development density noted above is intended to commence construction concurrent with the commencement of the Watkins Mill Interchange. If the Watkins Mill Interchange project has not commenced on or before March 1, 2015, or is abandoned by the Maryland State Highway Administration (SHA), the Developer may apply to the City for an amendment to the Sketch Plan."

Public Transportation

The property is serviced by Montgomery County Ride On Bus Route #55, which has a bus stop on Travis Avenue, just east of its intersection with North Frederick Avenue. A condition of SDP-07-001 required the applicant to provide new bus shelters near the Travis Avenue and Watkins Mill Road entrances to the development. The exhibit on the next page identifies the quarter mile walking radius from the existing stops on Route #55 which are located nearby the development.



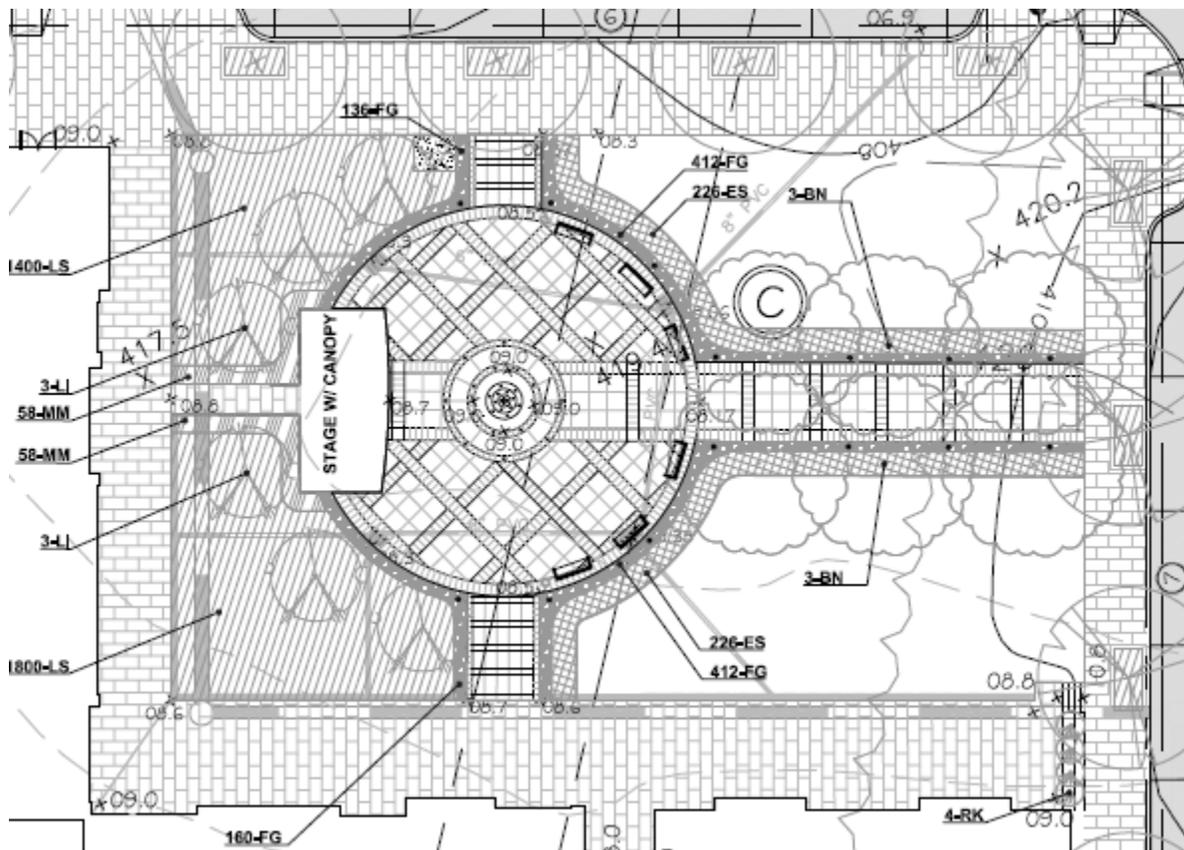
Affordable Housing

Because the development received schematic development plan approval prior to the City’s adoption of an affordable housing ordinance, it is not required to conform to the City’s affordable housing ordinance. However, pursuant to the Agreement of Dedication (Exhibit 91) for Watkins Mill Road and the 6th District Police Station and Senior Center property, affordable and workforce housing must be provided within the development. According to the Agreement, 6.25% MPDU, 6.25% Workforce Housing, and 5% Workforce Housing for income qualified City employees, public safety workers and teachers. Based on the proposed amendment, the applicant would be required to provide 119 Moderately Priced Dwelling Units throughout the development. City Staff will continue to work with the applicant to finalize the details of this plan prior to final site plan approval for Building H.

Planned Amenities

Performer’s Park

A focal point for the development is the roughly one-quarter acre Performer’s Park located at the northwest corner of Spectrum Avenue and Paramount Park Drive. The park, framed and activated by first floor retail and restaurant uses on two sides by Building C, will have both programmed events/performances and will feature a fountain located at the center of the site. The final plan (below) for Performer’s Park was approved as part of SP-09-004.



Senior Center

The previously approved SDP-07-001 provided a site for a 30,000 square foot senior center. The design of this site remains unchanged.

Residential Amenities

Buildings A, C and H will feature a variety of interior and exterior amenities. Each residential building includes at least one rooftop terrace. The terraces will be designed with a mix of natural and man-made plant materials, fountains, paths and active and passive recreation space. Building A features a gym, pet grooming facilities, common area with TV, a catering kitchen, and an outdoor terrace with a barbeque. Building C amenities include a pool and spa, TV, card, and billiards rooms, clubroom with bar, movie theater, and business center. Building H includes business and conference centers, three different outdoor terraces, one with a pool; two outdoor lounges, a movie theater, ballet/yoga room, gym, TV, video gaming, and billiards rooms, and a club room with a lounge.

Stormwater Management

The development received final stormwater management approval for both Phase One and Phase Two in conjunction with Phase 1A and 1B of the final site plan. Additionally, the applicant applied for, and received approval of an Administrative Waiver (Exhibit 51). Under the

provisions of the Administrative Waiver, the developer has until 2017 to fully develop the plan under the previous stormwater management regulations. That being said, staff requested that the applicant include environmental site design elements within the amended portions of the SDP. In response, the applicant has proposed to use permeable pavers between building H and Paramount Park Drive, and along the private extension of Spectrum Avenue located between building H and future building K (Phase Two). Additionally, the applicant proposes to use roof drains on Building H to provide groundwater recharge.

Open Space

The plan exceeds the MXD zone requirement for Open Space. The amount of green area, including designated parks, public and private open space, active and passive recreational areas, required for the residential portion of a mixed use development shall be not less than forty (40) percent of the total area shown for residential use. The minimum green area requirement, which shall include designated parks, public and private open space, active and passive recreational areas, for the commercial/employment/industrial portion of a mixed use development shall be not less than twenty-five (25) percent of the total area devoted to commercial/employment/industrial uses.

The proposed plan provides 25 acres of commercial land area and 7.7 acres of residential land area, requiring a minimum of 6.25 and 3.08 acres of green space, respectively, for a total of 9.33 acres of required green space. In total, the proposed development provides 15.68 acres of green space provided within Performer's Park, the Category 1 Forest Conservation Easement, as well as various other green areas within the development. Within the Forest Conservation Easement, the applicant is preserving the 5.86 acre stream valley buffer as open space and is also preserving forested land (outside of the stream valley buffer or environmental controlled areas) as open space along the northwest portion of the Site.

Architecture/Art in Public Places

Under the conditions of SDP-07-001, the applicant is required to provide an Art in Public Places Program (AIPP) and commit funding to be approved by city staff and the AIPP committee during the final site plan stage. Final Design Guidelines were approved as part of the approved final site plan for Phase 1B, SP-09-004 (Exhibit 87). The design guidelines will be utilized to ensure that the design of future buildings for which architecture has not been identified will be designed in a manner compatible with the surrounding development. All architecture will be reviewed by the Planning Commission as part of final site plan review.

STAFF RECOMMENDATION:

Because this is the initial public hearing and staff continues to complete their analysis of the proposed project, no formal recommendation is provided at this time. A recommendation will be provided by staff prior to Mayor and City Council policy discussion. That being said, staff has identified the following points of interest for the Council's consideration which should be considered in more depth:

1. Staff would prefer that building L be situated closer to the lot line. The current plan for a bank at this location will result in the drive through/teller windows being situated at a prominent entrance to the development. Reconfiguring the site so that the drive through is situated between buildings L and M would provide an improved introduction to the development.
2. Staff has concerns about the pedestrian environment along Spectrum Avenue between building H and building K. This side of building H will house the entrance to the parking garage and lack a retail presence. This results in a pedestrian way entirely flanked by parking uses (a parking lot and a parking garage) during the interim condition for Phase One. If, for some reason, the Phase Two condition is not implemented, the Phase One condition would become permanent. Additionally, it is not clear whether the proposed retail space in Building K is of sufficient depth to ensure viable use in the Phase Two condition.
3. Although staff appreciates the desire to situate a restaurant at the most visible corner of the development (building F), there is a concern that this design does not fulfill the previously expressed preference for a signature building and tenant at this location. Additionally, the combined design with the interim Phase One condition between buildings H and K may not provide a significant draw for pedestrians to wander within this portion of the development.
4. Staff supports the improved retail frontage along Paramount Park Drive and addition of residential units in the development. This change in the plan will provide an improved urban and pedestrian environment for the development, as well as strengthen the 24/7 nature of the neighborhood. The addition of the second floor “amenity overlooks” in building H is a unique urban touch not currently found within Gaithersburg that will increase the opportunity for residents to experience the programming at Performer’s Park. The proposed building H addition moves the plan from what was a much more suburban plan, to a more urban environment that will provide a variety of recreation and shopping opportunities.



The Spectrum at

WATKINS MILL

Reinventing the Urban Village

Z-301 (A)/ SDP-11-002

January 17, 2012 Presentation: Part 1

Joint Hearing - MCC & PC
Z-301(A)
29

Joint Hearing - MCC & PC
SDP-11-002
90



DISCLAIMER: Completion of Watkins Mill Town Center as shown and described in included materials may or may not occur. Improvements designated or referred to as future improvements are proposed but may not be built; and plans are subject to change.

www.watkinsmilltc.com
For more information please contact us at 301.299.2099
or by email at info@watkinsmilltc.com

Watkins Mill / I-270 Interchange





- KEY:
- MIXED USE RETAIL
 - MIXED USE RESTAURANT
 - MIXED USE OFFICE
 - SERVICE STATION
 - PUBLIC
 - ROOFTOP TERRACE
 - PROJECT AMENITIES
 - MULTI FAMILY RESIDENTIAL

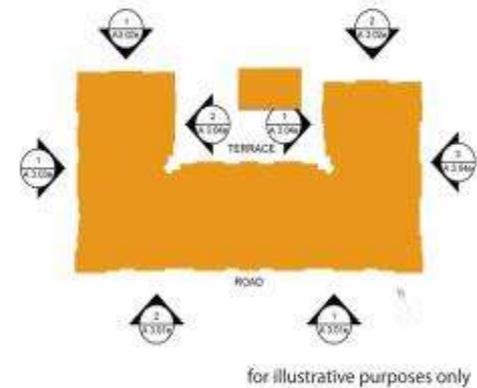


THE SPECTRUM AT WATKINS MILL

LAND USE PLAN

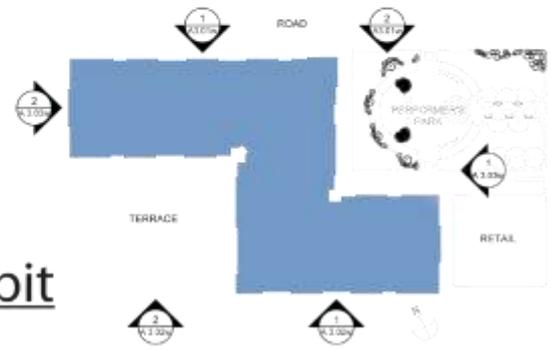
FEBRUARY 24, 2010





Building A Landscape Exhibit
 The Spectrum at Watkins Mill
 Gaithersburg, Maryland

The Spectrum at
WATKINS MILL



Building C Landscape Exhibit
 The Spectrum at Watkins Mill
 Gaithersburg, Maryland

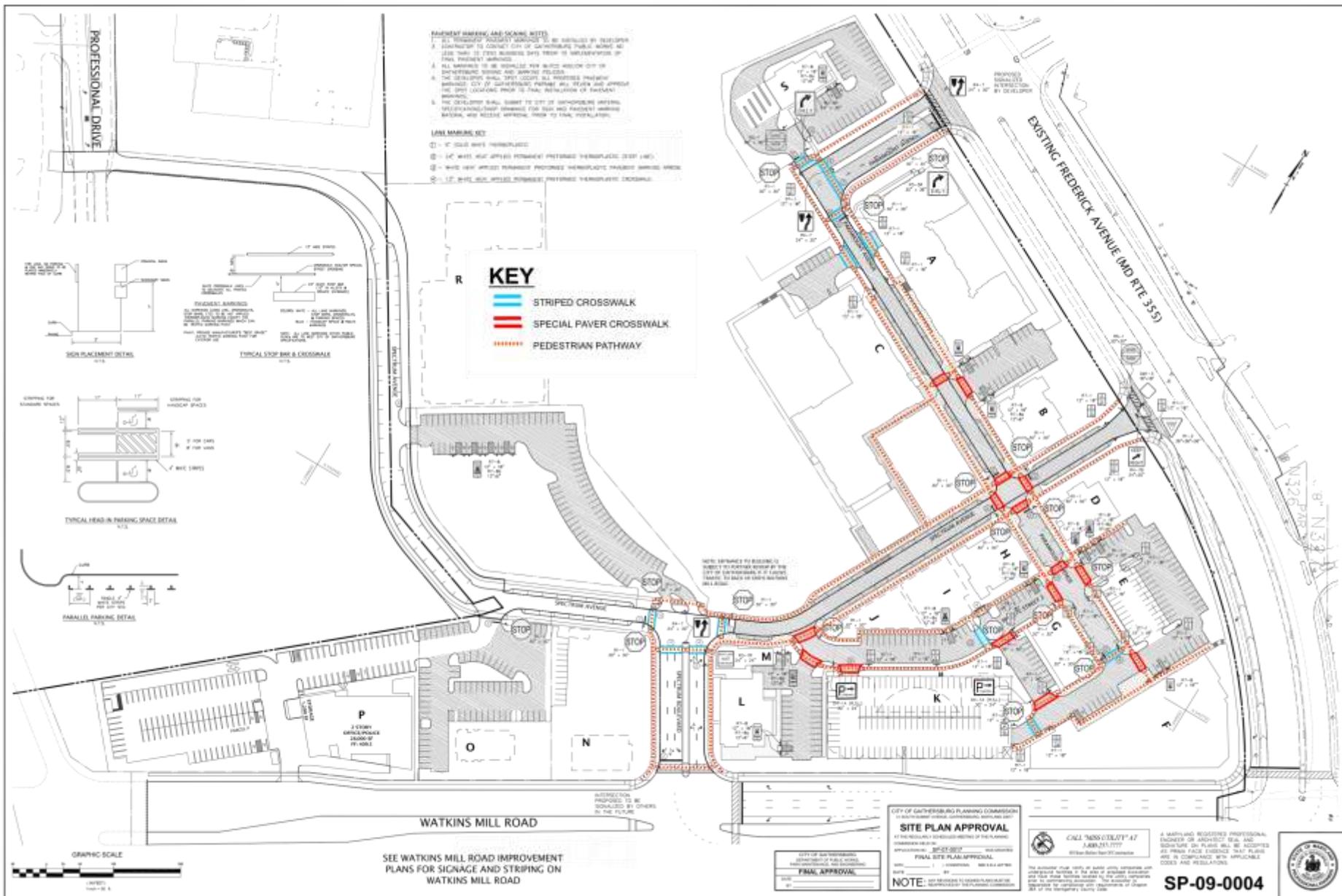
for illustrative purposes only





Performers Park





NO.	DATE	REVISION	BY	CHKD.	APP'D.
1	08/14/2024	ISSUED FOR PERMIT	...	...	...
2	08/14/2024	...	...	...	...
3	08/14/2024	...	...	...	...
4	08/14/2024	...	...	...	...
5	08/14/2024	...	...	...	...
6	08/14/2024	...	...	...	...
7	08/14/2024	...	...	...	...
8	08/14/2024	...	...	...	...
9	08/14/2024	...	...	...	...
10	08/14/2024	...	...	...	...

Owner/Developer:
HP Realty Investments, LLC
 18800 Falls Road, Suite 100
 Potomac, Maryland 20854
 Ph: (301) 298-2888
 Fax: (301) 298-2023
 Contact: Peter J. Henry

PEDESTRIAN PATHWAY AND CROSSWALK EXHIBIT

RODGERS CONSULTANTS

10000 Falls Road, Suite 100
 Potomac, Maryland 20854
 Ph: (301) 298-2888
 Fax: (301) 298-2023
 Contact: Peter J. Henry

THE SPECTRUM AT WATKINS MILL
 PHASE 1B AND INFRASTRUCTURE

City of Caldwell
 98 State Street
 Maryland Heights, Maryland

SP-09-004

9



LEGEND

- PHASE 1A
- PHASE 1B
- PHASE 2

THE SPECTRUM AT WATKINS MILL PHASING EXHIBIT



RODGERS CONSULTING
 10000 Old Branch Road
 Suite 200, Old Branch, MD 21054
 Phone: 410-326-1000
 Fax: 410-326-1001
 www.rodgersconsulting.com





Popular Suburban Land Use: Freestanding Restaurant Pads and Multi-tenant Spec Space





More Urban Expression: Mixed Use Building with First Level Retail





The Spectrum at

WATKINS MILL

*Proposed Amendment:
Reinventing the Urban Village*

Z-301 (A)/ SDP-11-002

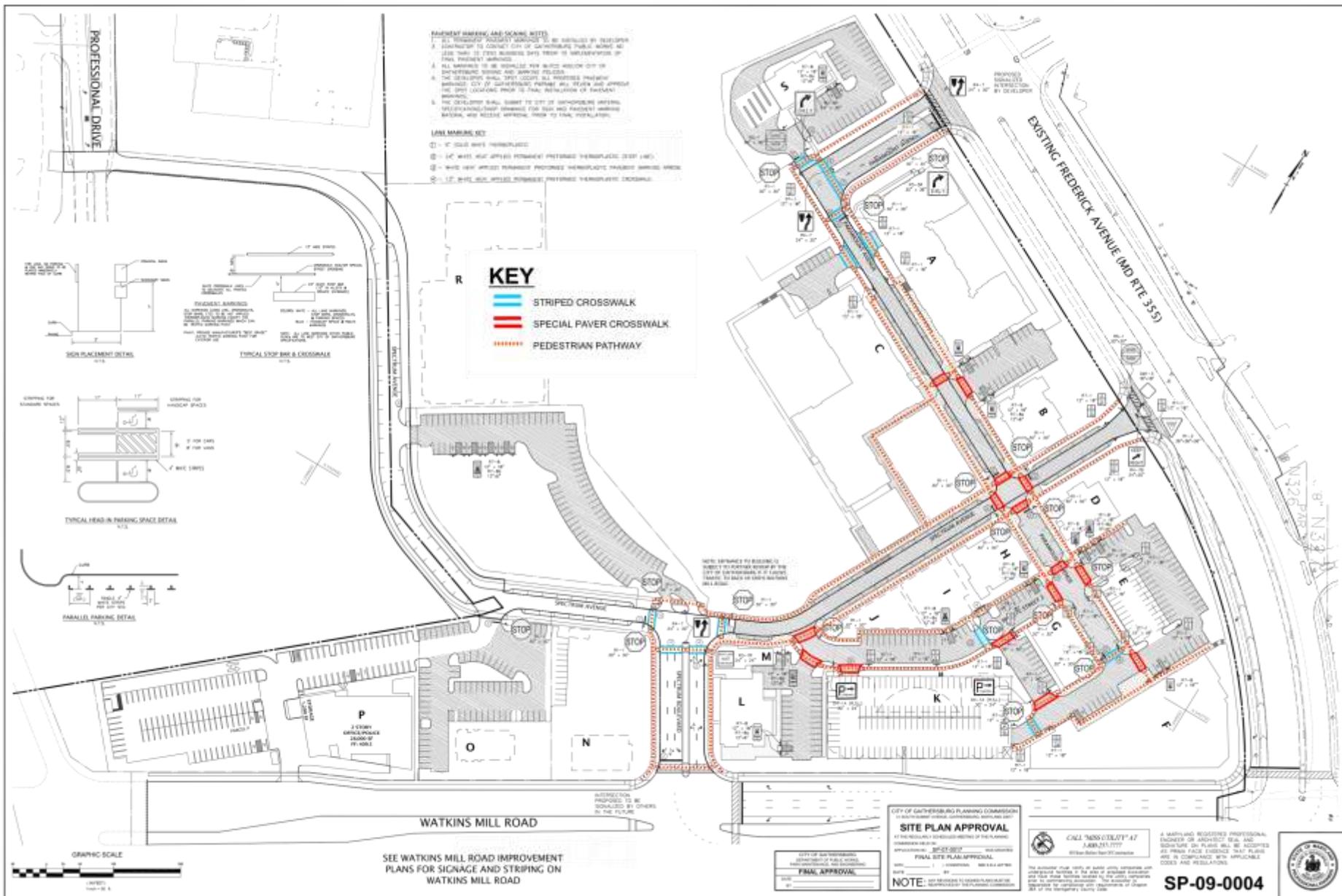
January 17, 2012 Presentation: Part 2



Phase 1B Overall Illustrative Landscape Plan
The Spectrum at Watkins Mill
 Gaithersburg, Maryland


BP Realty Investments, LLC
 1000 Park Road, Suite 100
 Potomac, Maryland 20854
 Ph: (301) 251-2000
 Fax: (301) 251-2000
 Contact: Peter J. Barry

studio
lfg
llc



NO.	DATE	REVISION	BY	CHKD	APP'D
1	08/11/2023	ISSUED FOR PERMITS	...	...	...
2	08/11/2023	...	...	...	...
3	08/11/2023	...	...	...	...
4	08/11/2023	...	...	...	...
5	08/11/2023	...	...	...	...

Owner/Developer:
 HP Realty Investments, LLC
 18800 Falls Road, Suite 100
 Potomac, Maryland 20854
 Ph: (301) 298-2888
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PEDESTRIAN PATHWAY AND CROSSWALK EXHIBIT

RODGERS CONSULTANTS

10000 Falls Road, Suite 100
 Potomac, Maryland 20854
 Ph: (301) 298-2888
 Fax: (301) 298-2023
 Contact: Peter J. Henry

THE SPECTRUM AT WATKINS MILL
 PHASE 1B AND INFRASTRUCTURE

City of Caldwell
 98 State Street
 Maryland Heights, Maryland

SP-09-004

3



Professional Drive
Office Park

Professional Dr



The Spectrum at
WATKINS MILL

Travis Ave

355

N Frederick Dr

355

Il Antonio's Cafe

Mad

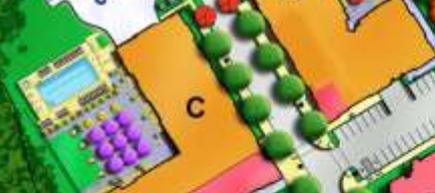
355

N Fred Park

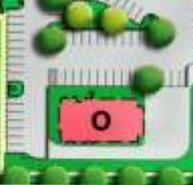
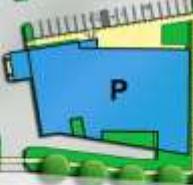
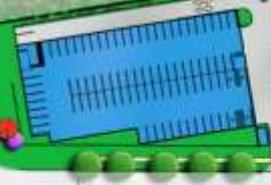
1091

2

Wat
1



Outdoor
Garden/
Patio



Kaiser Permanente
Medical Center

Hilton Garden Hotel



Restaurant Inspiration



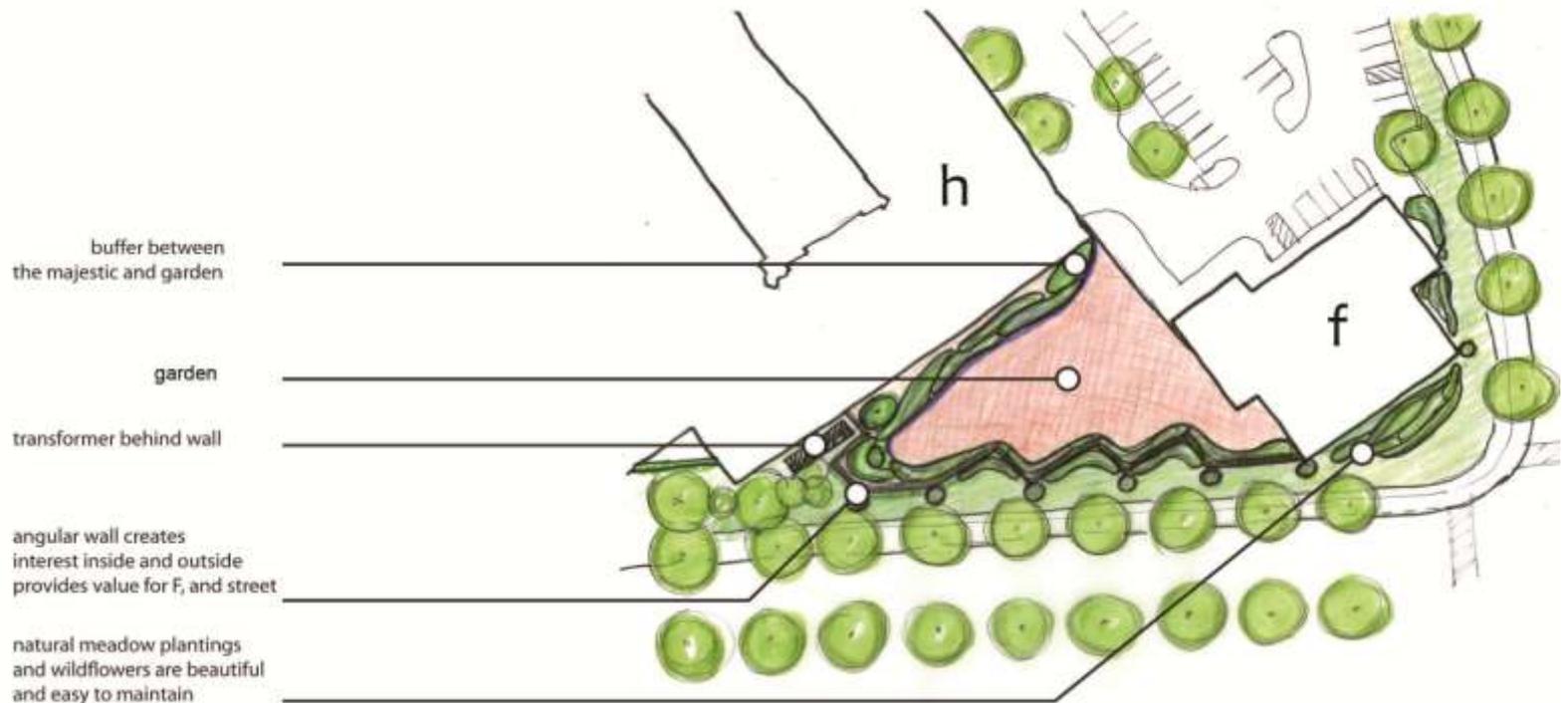
ACCOMMODATES UP TO 350 GUESTS





Restaurant F and Garden

Restaurant to design signature location that reflects dynamic market with high income and restaurant demand.

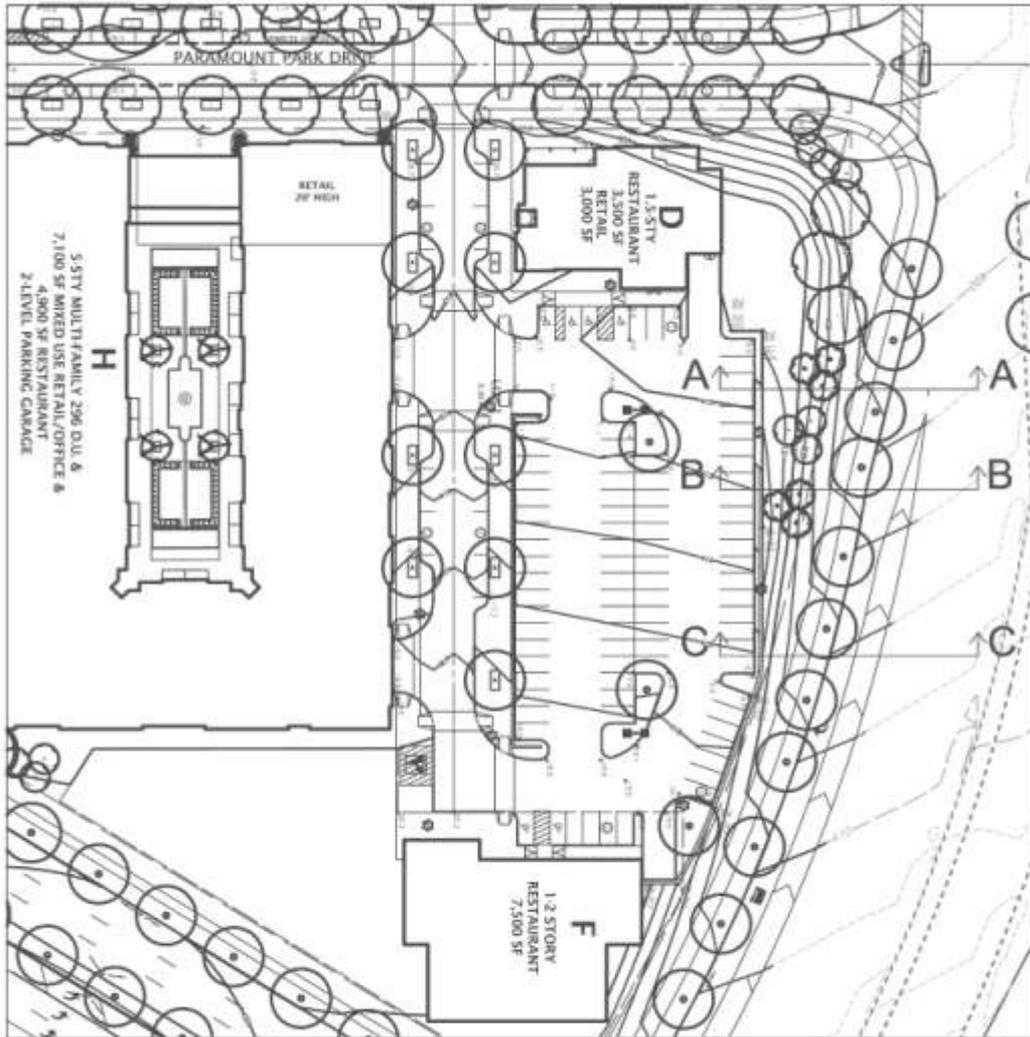




NORTH ELEVATION



EAST-SIDE ELEVATION



SECTION A-A



SECTION B-B



SECTION C-C





SOUTH ELEVATION



WEST ELEVATION

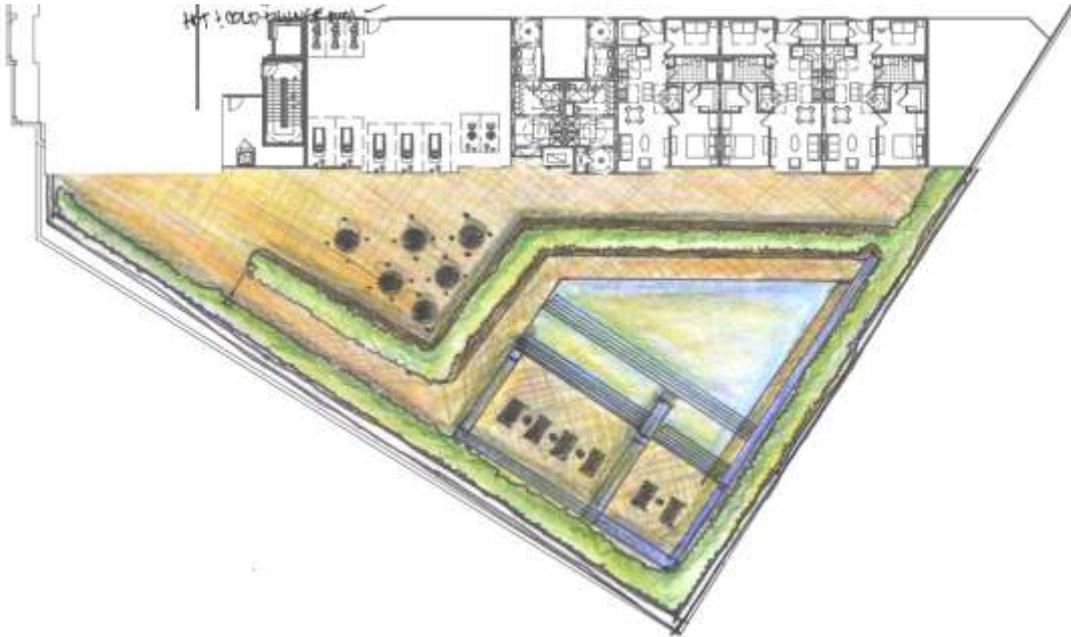


Inspiration



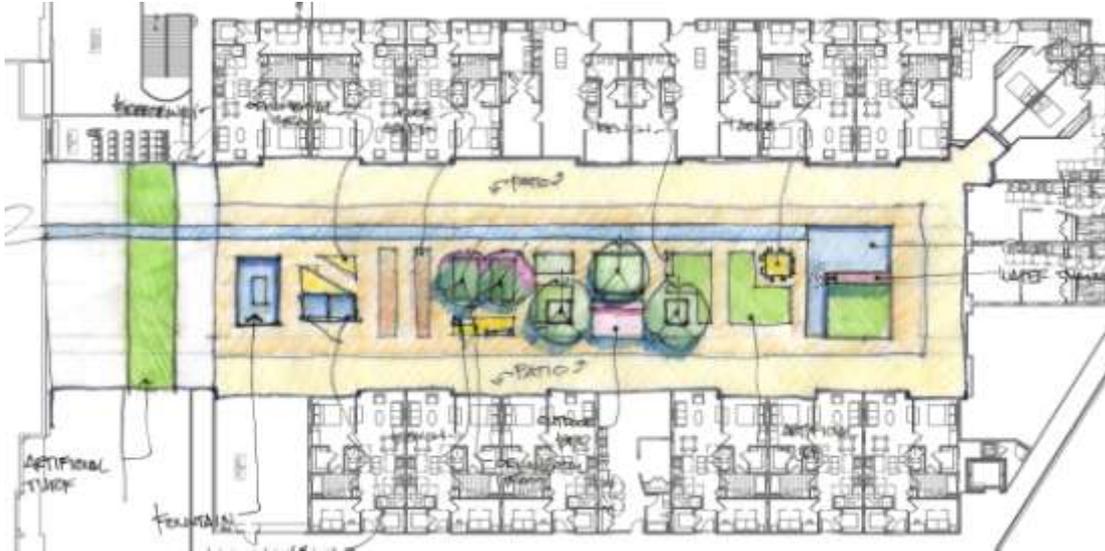


The Poolside Terrace



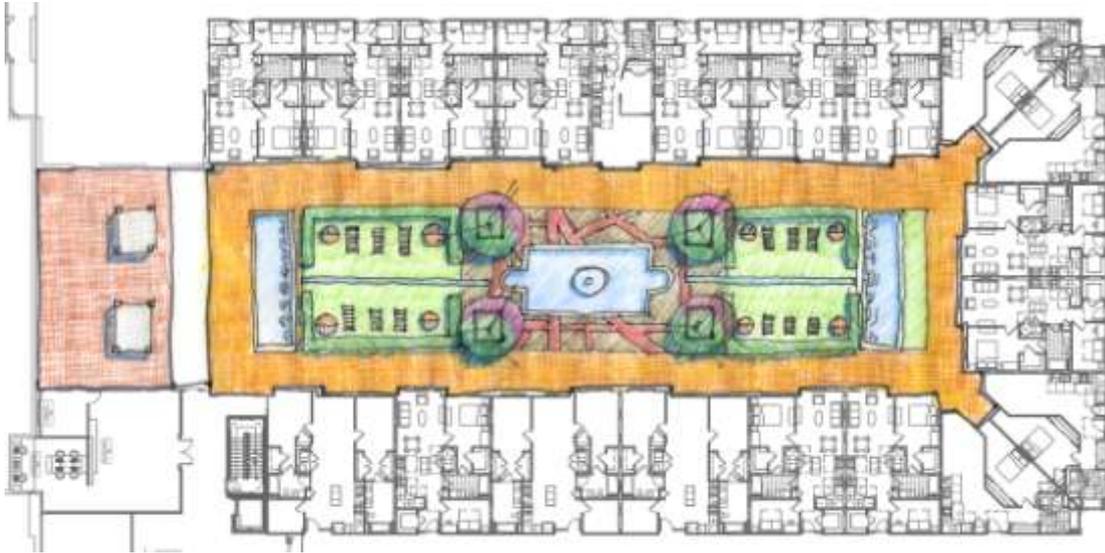


Terrace Two





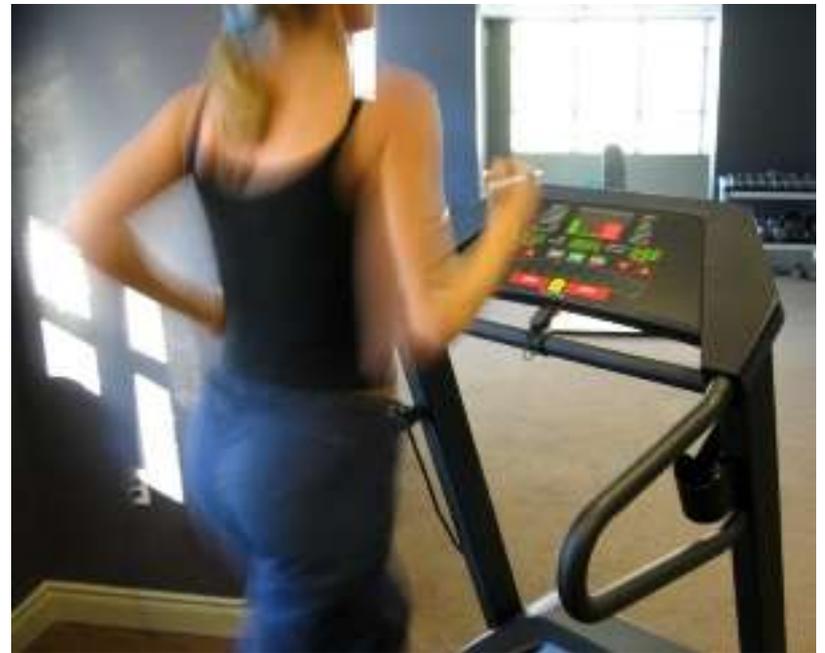
Terrace One





The Majestic: Amenities

- Three Rooftop terraces
- Grand Foyer, Mail Room & Leasing
- Movie Theater
- Leasing Office
- Full Service Business Center and Conference Room;
- Full Service Gym & Aerobics Studio
- Outdoor Pool and Bathhouse;
- Hot and Cold Water Plunge;
- Demonstration Kitchen;
- Billiard Room



Existing Sustainable Urbanism



Existing Sustainable Urbanism Practices

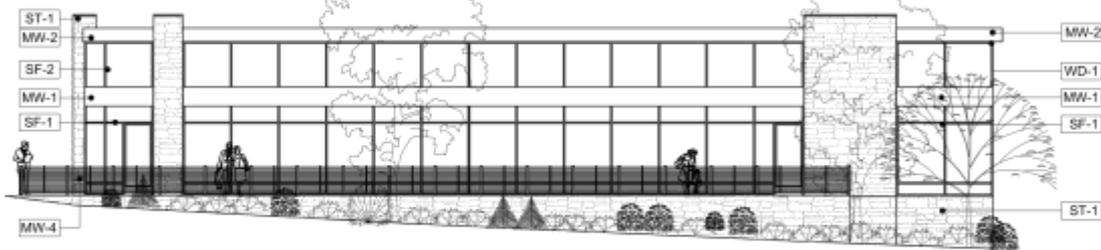
- Wet Stormwater Management Pond
- Dry Stormwater Management Pond
- Infiltration trenches for Paramount East & West roof drains
- Native plant materials for landscaping
- Forest conservation
- Forest reforestation
- Urban forestry
- Ground cover as substitute to lawn
- Shared parking
- Structured parking
- Vegetated rooftop terraces
- Siting amenity space on rooftop terraces vs. on ground
- LED street lighting
- Use of local building materials
- Building to existing topography

Proposed Enhancements

- Flow-through planters on rooftop terraces
- Flow-through planters connected to roof drains on rooftop terraces
- Flow-through planters connected to roof drains on street level
- Permeable pavers between tree wells



BUILDING T: FRONT VIEW FROM SPECTRUM AVE.

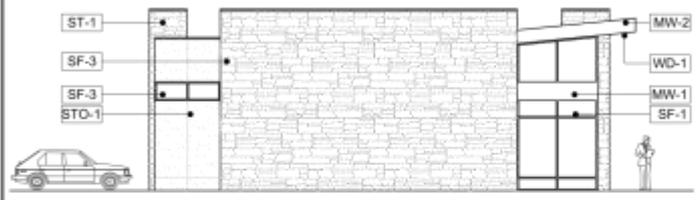


NORTH ELEVATION



WEST ELEVATION

EXTERIOR FINISH/USING MAJESTIC		
with Finishes by Interiors Unlimited, Inc.		
NO-1	Exterior	Stucco
NO-2	Exterior	Stucco
NO-3	Exterior	Stucco
NO-4	Exterior	Stucco
NO-5	Exterior	Stucco
NO-6	Exterior	Stucco
NO-7	Exterior	Stucco
NO-8	Exterior	Stucco
NO-9	Exterior	Stucco
NO-10	Exterior	Stucco
NO-11	Exterior	Stucco
NO-12	Exterior	Stucco
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NO-40	Exterior	Stucco
NO-41	Exterior	Stucco
NO-42	Exterior	Stucco
NO-43	Exterior	Stucco
NO-44	Exterior	Stucco
NO-45	Exterior	Stucco
NO-46	Exterior	Stucco
NO-47	Exterior	Stucco
NO-48	Exterior	Stucco
NO-49	Exterior	Stucco
NO-50	Exterior	Stucco



EAST ELEVATION



SOUTH ELEVATION

studio
PCA

architectural rendering
10000 Falls Road, Suite 300
Pikesville, Maryland 21094
PH: (410) 299-2099
Fax: (410) 299-2003

CITY OF GAITHERSBURG MAYOR & COUNCIL
in accordance with Ordinance 2010-01 and 2011-01
**SCHEMATIC DEVELOPMENT
PLAN APPROVAL**
of the proposed development of the site and
adjacent areas.
APPROVED: SDP 11-002 (11/15/11)
SCHEMATIC DEVELOPMENT PLAN APPROVAL
IN ACCORDANCE WITH ORDINANCE 2010-01 AND 2011-01
DATE: 11/15/11
NOTE: THIS APPROVAL IS VALID FOR 180 DAYS FROM THE DATE OF THIS APPROVAL.

SDP 11-002

The Spectrum of
WATKINS MILL

BP Realty Investments, LLC
18000 Falls Road, Suite 300
Pikesville, Maryland 21094
PH: (410) 299-2099
Fax: (410) 299-2003

BUILDING T ELEVATIONS

NO.	DATE	DESCRIPTION

THE SPECTRUM AT WATKINS MILL

City of Gaithersburg
100 North Street
Montgomery County, Maryland



Adequate Public Facilities

- Utilities are adequate;
- Fire and Police protection are adequate;
- Schools are adequate at all levels to accommodate the proposed additional multi-family units;
- Traffic generated by proposed amendment is the same or less than those trips generated under the currently approved plan.

**BEFORE THE PLANNING COMMISSION AND THE
MAYOR AND CITY COUNCIL OF GAITHERSBURG, MARYLAND**

In the Matter of the Application of **BP REALTY INVESTMENTS, LLC**

Zoning Application Amendment: **No. Z-301A and SDP-11-002 (Spectrum at Watkins Mills)**

For Amending a portion of Approved No. Z-301 and approved SDP-05-003 to develop a more urban development, including incorporating multifamily over restaurants and parking facilities rather than the currently approved ‘strip’ center and separate freestanding deck.

**MEMORANDUM IN SUPPORT OF REZONING REQUEST and SCHEMATIC
DEVELOPMENT PLAN APPROVALS**

BP Realty Investments, LLC (the “Applicant”), applies for the modification a section of property (“Property”) within the planned, mixed-use development known as *The Spectrum at Watkins Mill* (the “Spectrum”). The Spectrum, which is approximately 27 acres after dedication of Watkins Mill Road and the 6th District Police Station, is located in the northwest quadrant of North Frederick Avenue and Watkins Mill Road Extended, and was approved under zoning application Z-301, Schematic Development Plan SDP-05-003, and Final Site Plan SP-09-0004. Of the approximate 27 acre Spectrum development, the Applicant seeks to modify the existing approval for approximately 6 acres of the 32 acres owned within the Spectrum. This Application requests the ability to develop a more urban mix of multifamily over restaurants and parking facilities (rather than the currently approved freestanding pads and separate freestanding deck), replace the “strip center” at the corner of Rt. 355 and Watkins Mill Road with a “signature” high quality restaurant with outdoor seating area, shift the location of future office building density to accommodate this, and shift the density of the small 5,000 sf Building G north to between Building C and Building S (as had been anticipated in the Final Site Plan SP-09-04) to strengthen the urban edge along Spectrum Avenue. The plan, if approved, would be in the public interest.

I. INTRODUCTION

The Property, which is the subject of this Amendment Z-301A (“Sketch Plan Amendment”), is located in the northwest quadrant of Route 355 and Watkins Mill Road Extended. The Property is

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further is identified as a portion of the approximately 9.5 acres of land shown on Plat #24330 in the Montgomery County Land Records, owned by BPTC Two, LLC, an affiliate of BP Realty Investments, LLC, which is contractually authorized to process this Amendment.

Within the area of the approved Spectrum plan that is the subject of this Amendment, there currently are approved several freestanding pads, a freestanding two level parking deck, a “strip” type shopping center at the corner of Watkins Mill Road and Rt. 355, density for a future 60,000 sf office building, and to the north of the Paramount Multifamily project between Building C and Building S, an area reserved for a small future building.

With the completion of the *Watkins Mill Road Extension* and the pending opening of the new *Kaiser Medical Center* across Watkins Mill Road, it has become clear that there is a unique opportunity to increase the quality of the project by combining several of these disparate elements into a higher density, more integrated development, while adding an improved edge to the streetscapes.

This Amendment proposes to: (a) eliminate the ‘strip’ shopping center at the pin corner of the project and replace it with a high quality freestanding restaurant with outdoor garden style dining, (b) integrate several of the freestanding pads and freestanding parking deck into a mixed-use design that has local restaurants along the streetscape, with the parking behind, and adding approximately 296 multifamily with terraced gardens on top of the parking deck for a stronger urban experience. In addition, a small 5,000 freestanding ‘edge’ building that was anticipated in the SP-09-0004 is included between Building C and Building S to increase the ‘edge’ of the project.

Finally, the density reserved by the Applicant for a future office building (which cannot proceed until the interchange is underway) has been shifted from atop the freestanding deck to the surface parking between Building D and Building F. However, since this building is far in the future, the Applicant has agreed that this proposed building (and its related parking deck) would be required to be resubmitted to another SDP process with the Planning Commission, Mayor & City Council in the future before it could proceed.

Pursuant to Sections 24-160D.11 and 24-198(c) of the Zoning Ordinance, the Applicant is submitting this Sketch Plan Amendment and requesting approval of it. Section 24-

160D.10(a) of the Zoning Ordinance requires the following findings for approval of a Sketch Plan Amendment:

1. The application meets or accomplishes the purposes, objectives, and minimum standards and requirements of the MXD Zone;
2. The application is in accord with the recommendations in the applicable master plan for the area and is consistent with any special conditions or requirements contained in said master plan; and
3. The application and sketch plan be internally and externally compatible and harmonious with existing and planned land uses in the MXD zone areas and adjacent areas.

LOCATION:

The subject Property is located east of Interstate 270 and west of Route 355, and is bounded on the west by Route 355, to the north by P 370 & P 182 (Potomac Electric Power Co.), and to the east by parcel N391 (Colonial Pipeline Co.), Parcels N526 and N417 (Humane Society of the United States), and Interstate 270. The Property is currently bounded on the south by the recently constructed Watkins Mill Road extended.

ZONING AND EXISTING APPROVALS

The Subject Property is currently zoned MXD. The Spectrum at Watkins Mill was zoned MXD under application Z-301, and received its Schematic Development Plan Approval under SDP-05-003, as later amended by SDP-07-001, and received Final Site Plan approval under SP-09-004, as subsequently amended by SP-07-0017 and SP-09-0004. There are no special conditions imposed on the Property by the Master Plan.

The Property is located within the Northern Employment District of the Frederick Avenue Corridor plan. The corridor plan states that the Property be developed as mixed-use and “uses should include commercial, residential and retail.” The existing approval and current application incorporates such mix of uses. The Frederick Avenue plan seeks to maintain a significant amount of green space in the development, which was addressed through the combination a heavily landscaping along Route 355, a significant stream valley buffer with reforestation, and additional passive open space being preserved adjoining the existing steam valley buffer.

PROPOSED SKETCH PLAN AMENDMENT

The Sketch Plan Amendment furthers the design effort of the existing Spectrum at Watkins Mill mixed-use development by combining buildings and the parking deck while improving the streetscape experience along Spectrum Avenue and Paramount Park Drive to improve the urban experience. The proposed changes to the approved Sketch Plan, SDP and Final Site Plan are as follows:

1. Mixed-use Building H: The freestanding parking structure (Building K) and freestanding pad Buildings H, I and J have been consolidated into a mixed-use design, where the retail now fronts Paramount Park Drive, with the parking deck placed behind the retail. On top of the parking deck and retail level is now incorporated a four story, 296 multifamily units, broken up with elevated landscaped terraces and a swimming pool and an open loggia overlooking Performers Park.

This configuration allows for the inclusion of better quality, local restaurants with outdoor seating, rather than the national chain restaurants, as well as a superior mix of uses to serve the community and provide additional high quality housing within walking distance to the new Kaiser Medical Center, IBM and Lockheed Martin facilities.

2. “Strip Center” Building F replaced: At present the corner of Rt. 355 and Watkins Mill Road is designed and approved for a strip center. The new plan eliminates this and replaces it with a high quality restaurant with outdoor garden style dining area;
3. Building G shifted: The Amendment shifts the approved 5,000 sf of density allocated to Building G to the north along Spectrum Avenue between Building C (the Paramount multifamily complex) and Building S (the freestanding bank), as had been anticipated in the Final Site Plan SP-09-04. This newly renamed Building T will strengthen the urban edge along Spectrum Avenue;
4. Future Office Density of 60,000 sf: The density for this future office building has been shifted from atop the freestanding pad to surface parking, between Building D and Building F. This building is phased to commence no sooner than the interchange, and the Applicant has agreed to return to the Planning Commission, Mayor and City Council for an additional SDP as relates to this Building K
5. Storm Water: As part of these changes, supplemental storm water management improvement have been included in the area to further improve the water quality of the project.

The Applicant believes that the changes proposed by this Amendment will result in a superior urban experience for the residents, visitors and workers in the area, while making better and more efficient use of the land. This Amendment will result in a better mix of restaurants and services, as well as a much-improved project for the City and those surrounding the Spectrum project.

REQUIRED FINDINGS:

1. THE APPLICATION MEETS OR ACCOMPLISHES THE PURPOSES, OBJECTIVES, AND MINIMUM STANDARDS AND REQUIREMENTS OF THE MXD ZONE:

PURPOSES AND OBJECTIVES OF THE MXD ZONE

(Section 24-160D.1 of the Zoning Ordinance)

It is the objective of this zone to establish procedures and standards for the implementation of master plan use recommendations for comprehensively planned, multi-use projects. It is also intended that this zone provide a more flexible approach to the comprehensive design and development of multi-use projects than the procedures and regulations applicable under the various conventional zoning categories. In so doing, it is intended that this zoning category be utilized to implement existing public plans and pertinent city policies in a manner and to a degree more closely compatible with said city plans and policies than may be possible under other zoning categories. The specific purposes of this zone are: To establish standards and procedures through which the land use objectives and guidelines of approved and adopted master plans can serve as the basis for evaluating an individual development proposal, as well as ensuring that development proposed will implement the adopted master plan and other relevant planning and development policies and guidelines for the area considered for MXD zoning.

The proposed amended Sketch Plan continues to provide for a mixed-use development with a more integrated and comprehensively designed mix of restaurants and multi-family units and their related parking facilities, by incorporating the freestanding parking deck into the building structures. Conversion of the “strip center” at the corner of Watkins Mill/Rt. 355 to a high-profile, high quality freestanding restaurant with adjoining outdoor dining area will provide the City and its residents with a new and unique dining opportunity, while the addition of a 5,000 sf building along the parks will provide the ‘edge’ to strengthen the urban experience. The set aside for the future office building retains the flexibility of the existing approval, while allowing a higher quality of development at present.

To encourage orderly, staged development of large-scale comprehensively planned, multi-use developments by providing procedures for various zoning and plan approvals, including development phasing.

The Applicant will continue to proceed with development in an orderly fashion consistent with market demand. The Project will be developed in multiple phases, as set forth under the current approvals.

To encourage design flexibility and coordination of architectural style building and signage.

Whereas the existing approval promotes separate uses (i.e., freestanding strip center, freestanding parking deck, and freestanding building pads), the proposed plan integrates these divergent elements much more closely placing the multifamily over the parking deck area and lining the frontage facing the Paramount and forest preserve with restaurants. The proposed building will be compliance with the approved Design Guidelines and signage requirements for the Spectrum, to continue the high standards set by the Paramount at Watkins Mill.

To ensure the integration and internal and external compatibility of applicable residential and nonresidential uses by providing a suitable residential environment that is enhanced and complemented by uses such as commercial, recreational, open space, employment and institutional uses and amenities within a multi-use development. A multi-use development is defined as a single parcel or a group of contiguous parcels of land zoned MXD, which, among the various parcels comprising that contiguous area, include residential, commercial, recreational, open space, employment and institutional uses and amenities.

The amended Sketch Plan for the Property, which is contiguous to MXD property with mixed residential uses, will continue to enhance and complement the neighborhood with a mixed-use development, including restaurants, multiple-family, commercial-office-retail uses, open space, and amenities. The Applicant will continue to integrate the Spectrum development with the adjoining MXD neighborhood, the Applicant is still proposing connection of the project to the adjoining neighborhoods utilizing the currently approved roadway and pedestrian connections.

To assure compatibility of the proposed land uses with internal and surrounding uses by incorporating higher standards of land planning and site design than could be accomplished under conventional zoning categories and to provide a superior quality of development exceeding that which could be achieved under conventional zoning regulations and procedures.

The project continues to improve upon the approved mix of residential and commercial/retail uses that would not be allowed by conventional zoning categories. The project also continues to provide a higher standard of development than that of a conventional zone by using enhanced site design, a mix of uses, diverse and high quality architectural elements, structured parking, and well landscaped amenity spaces that are internally and externally linked by pedestrian and roadway connections.

To encourage the efficient use of land by: locating employment retail uses convenient to residential areas; reducing reliance upon automobile use and encourage pedestrian and other non-vehicular circulation systems; retaining and providing useable open space and active recreation areas close to employment and residential populations; and providing for the development of comprehensive non-vehicular circulation networks, separated from vehicular roadways, which constitute a system of linkages among residential areas, open spaces, recreational areas, commercial and employment areas, and public facilities.

The Spectrum project as approved has been designed to efficiently integrate residential, retail, restaurant and employment. This amendment will further enhance the efficient use of the land by increasing integration between separate uses. The extensive open spaces and pedestrian linkages under the current approval are retained, while improving the overall urban experience for the resident and visitor to the Spectrum project.

To provide superior natural environment by the preservation of trees, natural topographic and geologic features, wetlands, watercourses and open spaces.

The existing Spectrum approval set aside a large forest conservation area and extensive landscaping, as well as extensive water quality controls and features, including infiltration devices at the headwaters of the stream. The proposed project add further enhancements to water quality in the form of additional infiltration and green elevated terraces with open space within the multifamily project. In addition, a large of the ‘strip center’ will be converted to outdoor dining area with additional plantings for the signature restaurant. As a result, the environment will be further enhanced by this proposed amendment.

To allow development only in a phased or staged fashion to ensure the adequacy of the provision of public facilities and the concurrent implementation of community amenities.

The Spectrum project is currently subject to phased development, which this application does not seek to disturb. As demonstrated with prior submissions concerning the Spectrum project and this Amendment specifically, electric, gas, phone lines, public water and sewer remain continue to be available at the site. Fire and Police protection are adequate. Schools are adequate at all levels to accommodate the proposed additional multifamily units, and the traffic generated by this proposed amendment is the same or less than those trips generated under the currently approved plan.

MINIMUM LOCATION AND DEVELOPMENT REQUIREMENTS

(Section 24-160D.2 of the Zoning Ordinance)

- a. Section 24-160D.2(a) provides that a requirement of the MXD zone shall be:

Zoning: No land shall be classified in the Mixed Use Development Zone unless the land is within an area for which there is an approved and adopted master plan which recommends mixed use development for the land which is the subject of the application, or unless the proposed development otherwise satisfies the purposes and objectives of the MXD Zone. Approval of the MXD Zone for land which is not recommended for this zone in an approved master plan shall require the affirmative vote of four (4) members of the city council.

The current City of Gaithersburg Master Plan (the “Master Plan”) for the property continues to call for a mixed-use development as currently is proposed.

Minimum area. No land shall be classified in the Mixed Use Development Zone unless it contains a minimum of ten (10) acres. Parcels or tracts less than the minimum acreage may be permitted if they are contiguous to an existing MXD zoned area and may be harmoniously integrated into the MXD area, consistent with the objectives and purposes of this zone. Such parcels are not required to contain multiple uses but contribute to a multi-use development and are subject to the provisions of 24-160D.9(a)(1).

The Mayor and Council found this requirement satisfied when they approved rezoning of the Property to the MXD Zone under zoning Z-301. The Property is contiguous to the existing MXD zoned area (Spectrum at Watkins Mill) and will be integrated into that development by vehicular and pedestrian connections.

Location. Such land shall be located adjacent to and readily accessible from existing or planned highways that are in an approved construction program and are adequate to service the proposed development. It is intended that adequate access be available to such sites so that traffic does not have an adverse impact on the surrounding area or cause internal circulation or safety problems.

The Property is in close proximity to a well-established transportation network including Route 355 and the newly constructed Watkins Mill Road Extension Access to the Property will continue to be provided through the public roads to be constructed as part of the Spectrum at Watkins Mill approved plans Accordingly, adequate access continues to be available to the Property so that traffic does not have an adverse impact on the surrounding area or cause internal circulation or safety problems.

Public water and sewer. No development shall be permitted unless served by public water and sewer.

The Property is currently served by all utilities, including public water and sewer.

Signage. Signage shall be coordinated between adjoining uses and be thematic in approach, in accord with the purposes of this zone and overall character of the surrounding area.

To ensure full integration of the Project into the Spectrum at Watkins Mill, the Project is utilizing both design criteria the previously approved Comprehensive Sign Package and approved Design Guidelines for the Spectrum.

Frontage on public streets. Anything to the contrary notwithstanding in any regulation in this Code, lots in this zone shall not be required to have direct access to a public street provided that such condition will promote the creation of affordable housing, or will be designed in such a way as to foster the purposes and objectives of this zone, provided that satisfactory access to a public street is provided over private rights-of-way.

The Property will continue to have frontage on public streets, as provided under the existing Spectrum at Watkins Mill approved plan.

MIXED-USE REQUIREMENTS

(Section 24-160D.3 of the Zoning Ordinance)

- a. Section 24-160D.3(a)(4) provides the following within the MXD zone:

Residential uses may be mixed with proposed commercial/industrial/employment uses, rather than located in a separate residential area on the site, upon a finding by the city council that combining residential and nonresidential uses at one location, within a site, will not adversely affect the overall development proposed.

The applicant believes that the application provides for such mixing of uses resulting in a superior environment and planned project.

b. Section 24-160D.3(a)(4) provides the following within the MXD zone:

In order to establish an appropriately mixed character within the entire MXD zoned area, the following percentages of floor area proposed on site as shown on a sketch plan shall not exceed:

- Retail commercial 60%*
- Employment/office 65%*
- Other commercial/institutional . . . 15%*

Individual percentages may be exceeded by approval of the city council upon application by an applicant and for good cause shown; provided, however, the cumulative total of all categories shall not exceed one hundred (100) percent.

The floor areas for: Retail Commercial is less than 60% of the total Floor Area proposed; Office constitutes less than 65% of the total Floor Area proposed, and Other Commercial/Institutional constitutes less than 65% of the total Floor Area proposed.

DENSITY IN CONFORMANCE WITH THE MASTER PLAN.

(Section 24-160D.4 of the Zoning Ordinance)

(a) Residential: The residential density in the MXD Zone shall not exceed the residential density or total number of dwelling units stated in the applicable master plan, if any. The total number of dwelling units and the corresponding overall density, as well as the approximate location of such units, shall be established at the time of sketch plan approval pursuant to section 24-160D.9(a).

(b) Commercial/employment/industrial. The commercial/employment/industrial density in the Mixed Use Development Zone shall be compatible with any gross floor area or floor area ratio recommended in the applicable area master plan or special conditions or requirements, if any are stated therein. The maximum density of commercial/employment/industrial development shall be based on the area shown for commercial/employment/industrial uses on the sketch plan or schematic development plan, and shall not exceed a floor area ratio of 0.75.

The Application meets the requirements of these sections.

COMPATIBILITY STANDARDS

(Section 24-160D.5 of the Zoning Ordinance)

All uses shall conform to the purposes of the Mixed Use Development Zone and shall be compatible with all uses, existing or proposed, in the vicinity of the area covered by the proposed planned development. In order to assist in accomplishing such compatibility, the following requirements shall apply:

All right-of-way requirements, setbacks, height limits, open space or buffer areas recommended in an area master plan or special conditions or requirements stated therein to protect properties adjacent to the MXD zoned areas shall be incorporated into all plans

subject to approval under the zone.

The above requirements have been met under the existing Spectrum at Watkins Mill approved plans, and the proposed Amendment only serves to enhance the compatibility objectives set forth in the Master Plan. Buildings proposed are within the height limits of the zone, and the application continues to provide the significant buffer along Route 355, additional large buffers within the development along the stream valley buffer, and, as well as additional tree save areas, all as approved under the existing SDP and Final Site Plan approval.

Where setback, height limits, open space or buffer areas are not recommended in an area master plan or special conditions or requirements stated therein to protect properties adjacent to the MXD zoned areas, the following requirements shall be incorporated into all plans subject to approval under this zone.

No buildings other than single-family detached dwellings shall be constructed within one hundred (100) feet of adjoining property not zoned MXD or in a residential category that is developed with one-family detached homes unless the city planning commission finds that topographical features permit a lesser setback. In all other situations, setbacks from adjoining properties may be less than 100 feet, with the setback approved by the city planning commission.

No building proposed for commercial/employment/industrial use shall be constructed less than one hundred (100) feet from any adjoining property not zoned MXD recommended for residential zoning and land use on the applicable master plan. The setbacks shall be determined as part of the final site plan approval.

No building shall be constructed to a height greater than its distance from any adjoining property not zoned MXD recommended for residential zoning and land use of the applicable master plan, unless the city planning commission finds that approval of a waiver of this requirement will not adversely affect adjacent property.

No buildings are proposed within 100 feet of an adjoining property not zoned MXD or in a residential category that is developed for one-family detached homes. No building is proposed to be constructed to a height greater than its distance from any adjoining property not zoned MXD. The application meets or exceeds these requirements for processing and approval under the MXD zone.

MINIMUM GREEN AREA

(Section 24-160D.6 of the Zoning Ordinance)

(a) The amount of green area, including designated parks, public and private open space, active and passive recreational areas, required for the residential portion of a mixed use development shall be not less than forty (40) percent of the total area shown for residential use. ... for the commercial/employment/industrial portion of a mixed use development shall be not less than twenty-five (25) percent of the total area devoted to commercial/employment/industrial uses, except that comparable amenities

and/or facilities may be provided in lieu of green area if the city council determines that such amenities or facilities are sufficient to accomplish the purposes of the zone, and would be more beneficial to the proposed development than strict adherence to the specific green area requirement.

The approved Spectrum at Watkins Mill development is in compliance with this provision, and this Amendment increases the area for private open space by incorporating rooftop terraces.

(b) All recreation areas, facilities and amenities, and all open space and landscaped areas shall be reflected on the final site plans for approval by the city planning

All current recreation areas, facilities and amenities, and all open space and landscaped areas are reflected on the existing Spectrum approvals. The enhanced terraces proposed by this Amendment increase these areas and will be reflected on the final site plans for this Amendment.

PROVISION FOR PUBLIC FACILITIES

(Section 24-160D.7(a) of the Zoning Ordinance)

A mixed use development should conform to the facilities recommended for the site by the approved and adopted master plan, including granting such easements or making such dedications to the public as may be shown thereon or as shall be deemed necessary by the city to ensure the compatibility of the development with the surrounding area and to assure the ability of the area to accommodate the uses proposed by the application.

The approved application for the Spectrum at Watkins Mill application, has provides for such easements and dedications, which shall be unaffected by the Amendment.

UNDERGROUND UTILITIES

(Section 24-160D.7(b) of the Zoning Ordinance)

All utility lines in the Mixed Use Development Zone shall be placed underground. The developer or subdivider shall ensure final and proper completion and installation of utility lines. Poles and lamps for street lighting shall be provided by the developer in accordance with the approved site plan.

The approved application for the Spectrum at Watkins Mill provides for all such on site utilities to be placed underground, which shall be unaffected by this Amendment.

DEDICATION OF PUBLIC STREETS

(Section 24-160D.7(c) of the Zoning Ordinance):

All streets to be dedicated to public use shall be shown on the schematic development plan and the final site plan, respectively. All private streets and alleyways shall also be shown on the schematic development plan and the final site plan, but they will only

be allowed where they are found to be more appropriate due to the type and density of development or other applicable factors. All private streets and alleyways are to be constructed to the same width and road code standards as are applicable to public streets unless waivers of any street standard or road code requirement are granted by the council as part of the schematic development plan review or by separate public hearing.

The application delineates the right of ways to be dedicated for public use, consistent with the comments of the County Police and City Staff. The existing approved Spectrum at Watkins Mill plan has, as part of the platting process, set aside the public streets and configured the design of the private streets and drives using TND standards and receiving all required road code waivers. The Applicant proposes to continue to utilize the same street widths as are shown on the approved Final Site Plan for the Spectrum. Additional road code waivers for the road ways altered by this Amendment, if required, would be sought from the City Council as part of the processing.

PUBLIC FACILITIES

(Section 24-160D.7(d) of the Zoning Ordinance):

An applicant for approval under the MXD Zone shall demonstrate at the time of filing a schematic development plan, and at time of site plan approval that all public facilities are either presently adequate to service the development requested for approval or will be provided or in place by the completion of construction of the development reflected in the schematic development plan. It is the intent of this provision that development shall be staged in such a manner as to coordinate development with the provision of public facilities, and that such facilities shall be operational at acceptable service levels and capacities.

The Applicant has provided, as part of this Application, evidence that the public facilities are adequate to support the contemplated development under this proposed amendment, consistent with the recently approved Final Site Plan for the *Spectrum at Watkins Mill* (SP-09-0004). Utilities are adequate for the development proposed by the amendment. Schools are adequate at all levels for the development contemplated under this proposed amendment. An outside Traffic engineering firm has completed a traffic study that confirms that the proposed amendment will have a net decrease in peak hour traffic compared to the currently approved plan.

2. THE APPLICATION IS IN ACCORD WITH THE RECOMMENDATIONS IN THE APPLICABLE MASTER PLAN FOR THE AREA AND IS CONSISTENT WITH ANY SPECIAL CONDITIONS OR REQUIREMENTS CONTAINED IN SAID MASTER PLAN:

As discussed above, the amended Sketch Plan is in accord with the Master Plan recommendations. As previously noted, there were no special conditions or requirements in the Master Plan.

3. THE APPLICATION AND SKETCH PLAN BE INTERNALLY AND EXTERNALLY COMPATIBLE AND HARMONIOUS WITH EXISTING AND PLANNED LAND USES IN THE MXD ZONE AREAS AND

As mentioned above, this amendment to the Sketch Plan will continue to enhance and complement the neighborhood with a multi-use development, including multiple-family residential units, commercial-office-retail uses, open space, and amenities. The amended Sketch Plan continues to create a development that is internally and externally compatible and harmonious with the surrounding MXD zoned neighborhood by creating vehicular and pedestrian connections. The proposed architectural design will be complementary in character of the adjoining Spectrum at Watkins Mill community and be a complementary neighbor to the other buildings in the surrounding area.

For the reasons stated above, the Applicant believes the Sketch Plan Amendment continues:

1. to meet or accomplish the purposes, objectives, and minimum standards and requirements;
2. to be in accord with the Master Plan recommendations for the Property; and
3. to be internally and externally compatible and harmonious with existing and planned land uses in the MXD zone areas and adjacent areas.

Accordingly, the Applicant requests approval of this Sketch Plan Amendment.

Lauren Pruss

From: Lauren Pruss
Sent: Wednesday, January 04, 2012 8:22 AM
To: Ollie Mumpower
Subject: RE: spectrum

Thanks!

-----Original Message-----

From: Ollie Mumpower
Sent: Tuesday, January 03, 2012 3:24 PM
To: Lauren Pruss
Subject: RE: spectrum

Engineering Services Director Mumpower has reviewed the analysis of the Traffic Impacts, the TDM plan, and Watkins Mill Interchange and concur with the information contained in this analysis.

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Army officer from North Bethesda leads charity drop

■ Paratroopers collect toys, leap from planes

BY ALEX RUOFF
STAFF WRITER

In his time in the U.S. Army, Brig. Gen. Alan Stolte has served on peacekeeping missions in Kosovo, and, as a paratrooper, jumped into action in Kuwait.

But this month Stolte, a North Bethesda resident and the deputy commanding general of the U.S. Army's Civil Affairs and Psychological Operations Command, has a new mission. It's one that will require both his

skills as a paratrooper and an officer: Operation Toy Drop.

Operation Toy Drop is a combination toy drive, where service members donate children's toys to social service agencies, and complex non-tactical airborne operation in Fort Bragg, N.C.

Soliders who donate a toy to the drive are entered into a lottery, the winners of which can participate in a 12-plane simulated jump, this year the largest airborne operation ever undertaken, with 1,200 paratroopers, said Lt. Col. Gerald Ostlund of the U.S. Army Reserve at Fort Bragg.

Stolte said although paratroopers can earn their foreign Airborne wings, a medal that many sport for bragging rights, by participating in the operation, there's another reason why the toy drive has continued to expand each year since its inception in 1998.

"Paratroopers like helping people," he said. Foreign Airborne wings are earned when paratroopers take instruction from a non-domestic instructor, Stolte said. The toy drop exercise is done with jump masters — paratrooper instructors — from countries allied with America, such as

England and Turkey. Stolte both will jump and oversee this year's drop, which has gathered about 20,000 toys, almost double last year's total of 11,000, Ostlund said. Toys will be given to social service organizations and foster homes around Fort Bragg as well as to the Fisher House Foundation, which provides housing for families of service members being treated at military medical centers around the country, he said. These toys will be distributed at the end of this month.

aruoff@gazette.net

NOTICE OF JOINT PUBLIC HEARING

The Mayor and City Council and the Planning Commission of the City of Gaithersburg, Maryland, will conduct a joint public hearing on Map Amendment Z-301(A) and Schematic Development Plan **SDP-11-002**, filed by BP Realty Investments, LLC as applicant and owner, on

**TUESDAY
JANUARY 17, 2011
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.

Application **Z301/SDP-11-002** has been filed requesting approval of an amendment to both sketch plan Z-301 and schematic development plan **SDP-07-001**, known as the Spectrum at Watkins Mill in Gaithersburg, Maryland. The sketch plan proposes 214,810 square feet of mixed office, restaurant, commercial, service station, senior center/public uses, including 678 multi-family residential units to be built in two phases on approximately 40.1 acres of land. The amended schematic development plan proposes to incorporate an additional 296 multi-family residential units within Phase One and reduce the proposed commercial and retail square footage within the allowances provided under the proposed sketch plan. The subject property is bordered by North Frederick Avenue, Watkins Mill Road, and Interstate 270.

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Happy Holidays!

Man, 24, killed in White Oak

■ Officers discover body about 10 minutes after reports of gunfire, pedestrian struck

BY AARON KRAUT
STAFF WRITER

Montgomery County Police are investigating the death of a 24-year-old man whose body was found Tuesday morning in White Oak.

As of 11 a.m. Tuesday, police were not providing the man's name, said police spokesman Howard Hersh. The body was found about 6:50 a.m., when officers went to the 11400 block of Stewart Lane after responding to a report of a pedestrian who had been struck by a vehicle.

About 10 minutes earlier, police had received calls reporting the sound of gunshots.

Police said the man suffered trauma to his upper torso and there was evidence of a firearm being discharged. However, Hersh was unable to confirm if the man had been shot.

Detectives from the department's Major Crimes Division were investigating the death as a homicide.

akraut@gazette.net

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Army officer from North Bethesda leads charity drop

■ Paratroopers collect toys, leap from planes

BY ALEX RUOFF
STAFF WRITER

In his time in the U.S. Army, Brig. Gen. Alan Stolte has served on peacekeeping missions in Kosovo, and, as a paratrooper, jumped into action in Kuwait.

But this month Stolte, a North Bethesda resident and the deputy commanding general of the U.S. Army's Civil Affairs and Psychological Operations Command, has a new mission. It's one that will require both his

skills as a paratrooper and an officer: Operation Toy Drop.

Operation Toy Drop is a combination toy drive, where service members donate children's toys to social service agencies, and complex non-tactical airborne operation in Fort Bragg, N.C.

Soliders who donate a toy to the drive are entered into a lottery, the winners of which can participate in a 12-plane simulated jump, this year the largest airborne operation ever undertaken, with 1,200 paratroopers, said Lt. Col. Gerald Ostlund of the U.S. Army Reserve at Fort Bragg.

Stolte said although paratroopers can earn their foreign Airborne wings, a medal that many sport for bragging rights, by participating in the operation, there's another reason why the toy drive has continued to expand each year since its inception in 1998.

"Paratroopers like helping people," he said.

Foreign Airborne wings are earned when paratroopers take instruction from a non-domestic instructor, Stolte said. The toy drop exercise is done with jump masters — paratrooper instructors — from countries allied with America, such as

England and Turkey.

Stolte both will jump and oversee this year's drop, which has gathered about 20,000 toys, almost double last year's total of 11,000, Ostlund said.

Toys will be given to social service organizations and foster homes around Fort Bragg as well as to the Fisher House Foundation, which provides housing for families of service members being treated at military medical centers around the country, he said. These toys will be distributed at the end of this month.

aruoff@gazette.net

NOTICE OF JOINT PUBLIC HEARING

The Mayor and City Council and the Planning Commission of the City of Gaithersburg, Maryland, will conduct a joint public hearing on Map Amendment Z-301(A) and Schematic Development Plan **SDP-11-002**, filed by BP Realty Investments, LLC as applicant and owner, on

**TUESDAY
JANUARY 17, 2011
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.

Application **Z301/SDP-11-002** has been filed requesting approval of an amendment to both sketch plan Z-301 and schematic development plan **SDP-07-001**, known as the Spectrum at Watkins Mill in Gaithersburg, Maryland. The sketch plan proposes 214,810 square feet of mixed office, restaurant, commercial, service station, senior center/public uses, including 678 multi-family residential units to be built in two phases on approximately 40.1 acres of land. The amended schematic development plan proposes to incorporate an additional 296 multi-family residential units within Phase One and reduce the proposed commercial and retail square footage within the allowances provided under the proposed sketch plan. The subject property is bordered by North Frederick Avenue, Watkins Mill Road, and Interstate 270.

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Happy Holidays!

Man, 24, killed in White Oak

■ Officers discover body about 10 minutes after reports of gunfire, pedestrian struck

BY AARON KRAUT
STAFF WRITER

Montgomery County Police are investigating the death of a 24-year-old man whose body was found Tuesday morning in White Oak.

As of 11 a.m. Tuesday, police were not providing the man's name, said police spokesman Howard Hersh. The body was found about 6:50 a.m., when officers went to the 11400 block of Stewart Lane after responding to a report of a pedestrian who had been struck by a vehicle.

About 10 minutes earlier, police had received calls reporting the sound of gunshots.

Police said the man suffered trauma to his upper torso and there was evidence of a firearm being discharged. However, Hersh was unable to confirm if the man had been shot.

Detectives from the department's Major Crimes Division were investigating the death as a homicide.

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WEICHERT, Realtors



October 7, 2011

Mr. David Duncan
BP Realty Investments LLC
10000 Falls Road Suite #100
Potomac, Maryland 20854

RE: Spectrum -Stormwater Management Administrative Waiver Application
SWM AdmW-11-03

Dear Mr. Duncan:

The City of Gaithersburg has reviewed the Stormwater Management (SWM) Administrative Waiver application which included a justification statement and the approved preliminary/final site plan(s), SDP-07-001/SP-07-0017. In accordance with Section 8-20A of the City Code, the City finds that this development has an approved preliminary site plan, granted August 20, 2007. The final site plan, that included infrastructure servicing the entire Spectrum development, was approved on July 15, 2009.

This letter grants a SWM Administrative Waiver to the Spectrum project. This waiver is granted as related to the preliminary/schematic development plan that was approved on August 20, 2007 and the infrastructure currently being constructed as part of the final site plan, approved on July 15, 2009. This waiver shall expire on:

- (a) May 4, 2013; or
- (b) May 4, 2017, if the development has a valid final project (site plan) approval prior to May 4, 2013

In accordance with Section 8-20A of the City of Gaithersburg Code, all construction authorized by this administrative waiver must be completed by May 4, 2017.

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098
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CITY COUNCIL MEMBERS
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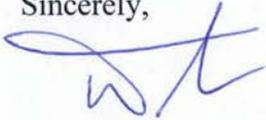
CITY MANAGER
Angel L. Jones

Joint Hearing - MCC & PC
SDP-11-002
Exhibit #51

Mr. Duncan
Page 2
October 7, 2011

If you have any questions, please contact Rob Robinson. He can be reached via phone at 301-258-6330 or email at rrobinson@gaithersburgmd.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tony Tomasello', with a stylized flourish at the end.

Tony Tomasello, Deputy City Manager
City of Gaithersburg

By E-Mail

cc: James Arnoult, Director, DPW
Don Boswell, Engineer, DPW
Greg Ryberg, Site Development Coordinator, P&CA
Maryland Department of the Environment