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

**FROM:** Caroline Seiden, Planner

**DATE:** December 11, 2020

**SUBJECT:** Preliminary Background Report  
Application SDP-8597-2020: 700 N. Frederick Avenue

**APPLICANT/OWNER**

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**TAX MAP REFERENCE:**

Tax Assessment Map # FT32

**TAX ACCOUNT NUMBERS:**

ID # 09-03122980

## **REQUEST**

MFV 700 NFA, LLC and DNIP4 NFA, LLC (“Applicant”) has submitted Schematic Development Plan (SDP) application SDP-8597-2020 (Exhibit #1). This plan is in accordance with Sketch Plan SK-8180-2019, known as 700 North Frederick Avenue, approved by Resolution R-54-19 (Exhibit #60 and #61). The plan proposes 460,600 square feet of commercial development and an infrastructure plan to accommodate future development in accordance with the Sketch Plan.

Multiple reviews of the SDP plan have been completed prior to the joint public hearing, yielding an unwieldy number of exhibits for the public hearing packet. In order to reduce the volume of the public hearing packet, only the most current plan is included. All exhibits included in the Joint Public Hearing packet are highlighted in bold in the Index of Memoranda. A complete set of exhibits, including all previous iterations of the plan can be viewed on the Project Page on the City website.

## **LOCATION**

The subject area of the application (“Site” or “Property”) is located at 700 North Frederick Avenue and is currently improved with approximately 500,000 square foot, two and three story office complex, surface parking facilities, bio-retention ponds, a walking trail, and open grass areas. The Property is bounded by Interstate 270 to the southwest, Montgomery Village Avenue (MD 124) to the southeast, North Frederick Avenue (MD 355) to the northeast, and a warehouse located at 800 North Frederick Avenue to the northwest. Primary access to the Site is from North Frederick Avenue.



*Location of Project Area*

## **PROJECT BACKGROUND**

The subject property (“Site” or “Property”) is developed as an office complex, originally developed for IBM and most recently vacated by Leidos. Concurrent with Leidos’ departure, the property was purchased by MFV 700 NFA, LLC and DNIP4 NFA, LLC MDF. The new property owners received a Sketch Plan approval in 2019 for commercial, employment and industrial uses and allows up to 650,000 square feet of development split over two “blocks” equating to an FAR of approximately .34 over 44 acres. More specifically, the sketch plan permits up to 10% of the redeveloped floor area as retail commercial uses and up to 100% of employment/office or other commercial/institutional uses.

The current SDP application, implements the approved sketch plan by replacing outmoded office buildings with a range of flexible commercial uses at a highly visible intersection. The plan provides more specific uses, building footprints, site circulation and open and amenity space in conformance with the requirements of SK-8180-2019.

## **REQUIRED ACTIONS**

Approval of SDP-8597-2020, by the City Council is dependent upon the findings required under § 24-160D.10 (b) of the City Code as follows:

- (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 the application complies with the purpose and intent of the MXD Zone and the master plan. Additionally, evidence must be shown that the application 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.

As part of the application package, the applicant has submitted a project compliance statement letter (Exhibit #2). The letter outlines the project narrative and required findings in compliance with the MXD zone.

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

### Annexation

The Property was annexed into the City of Gaithersburg in 1992 as part of Annexation X-161 and zoned I-3, Industrial and Office Park. Annexation Agreement X-161 included the following key provisions:

- All existing approved development and uses therein on the Property, including but not limited to all structures and parking spaces and areas, shall be grandfathered into Gaithersburg as conforming development.
- Gaithersburg agrees to permit resubdivision of the Subject Property by replatting so long as any lot created complies with the standards and criteria for a record lot as set forth in the Gaithersburg Subdivision Regulations.
- Gaithersburg agrees to permit future additional development or redevelopment of the Subject Property in excess of the Existing Development and Additional Development in compliance with the Gaithersburg I-3 Zone and applicable governmental codes and regulations as such requirements thereof may be modified by the terms and conditions of this Agreement.
- Gaithersburg agrees that additional parking spaces built on the Subject Property for development which occurs subsequent to the annexation of the Subject Property may be sized in accordance with Section 59-E-2.2 of the Montgomery County Code as written on the Effective Date of this Agreement and will not be subject to parking space size requirements of the Gaithersburg Code. All non-traffic generating areas, including but not limited to meeting rooms and corridors, shall not be used by Gaithersburg to determine the number of parking spaces required for future development on the Subject Property.

### Site Plan History

Prior to the Property's annexation, Montgomery County approved over 1 million square feet of development on approximately 125 acres (including the Property) between 1965 and 1986. The Property, at the time of annexation, was developed with two office buildings built in the 1960s, surface parking and green space. Since annexation, numerous amendments to the site plan have been approved allowing modifications to the existing office development. Most notably, AFP-09-004 in 2009 allowed the construction of an enclosed entryway to connect the entrances of the two office buildings. Other site plan amendments provided for parking

lot revisions and landscape improvements as well as a food service area addition which was never built.

### Master Plan

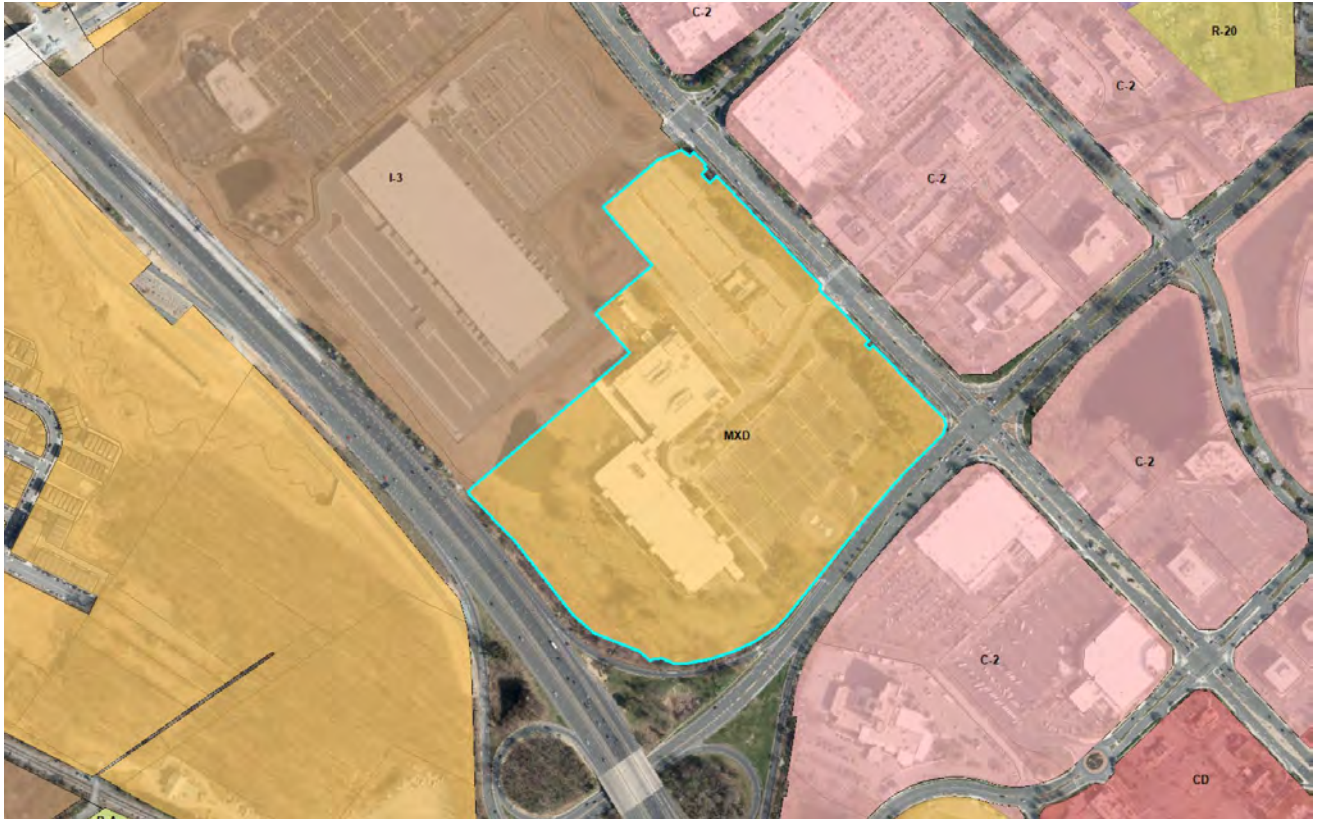
The subject property first appeared in the 1997 Neighborhood Six Land Use Plan (“1997 Plan”) as part of Study Area 3. The 1997 Plan characterized Area 3 as dominated by industrial-research-office uses. The Property was included as map designation 7 in the 1997 Plan. Recommendations for map designation 7 included redesignating it as commercial/industrial-research-office and rezoning it to MXD.

The Property was also addressed in the 2001 Frederick Avenue Corridor Land Use Plan (“2001 Plan”). In the 2001 Plan, the Property was included in the Northern Employment District, which extended from Montgomery Village Avenue to Game Preserve Road. The 2001 Plan characterized the district as dominated by car dealerships, retail uses, hotels, and large office complexes. The 2001 Plan reconfirmed all land use designations and zoning recommendations from the 1997 Neighborhood Six Land Use Plan, thus reconfirming the commercial/industrial-research-office designation for the Property. Subsequently, both the 2003 and 2009 Land Use Plans reaffirmed the commercial/industrial-research-office use designation for the Property.

### Zoning

The City, on April 7, 1997 approved Zoning Map Amendment Application Z-285, Ordinance O-12-97, comprehensively rezoning approximately 105 acres, including the subject property from I-3 (Industrial and Office Park) to MXD (Mixed Use Development) in compliance with recommendations from the 1997 Neighborhood Six Land Use Plan. This comprehensive rezoning did not include new sketch plans, nor did it alter any terms of the Annexation Agreement. Vested site plans were retained; only the zoning of the parcel changed.

The property immediately to the northwest is zoned I-3 and improved with a warehouse use. Properties to the northeast across MD 355 and to the southeast across MD 124 are zoned C-2 and improved with various retail and office uses. Residential and commercial uses in the MXD zone to the south and west are separated by I-270.



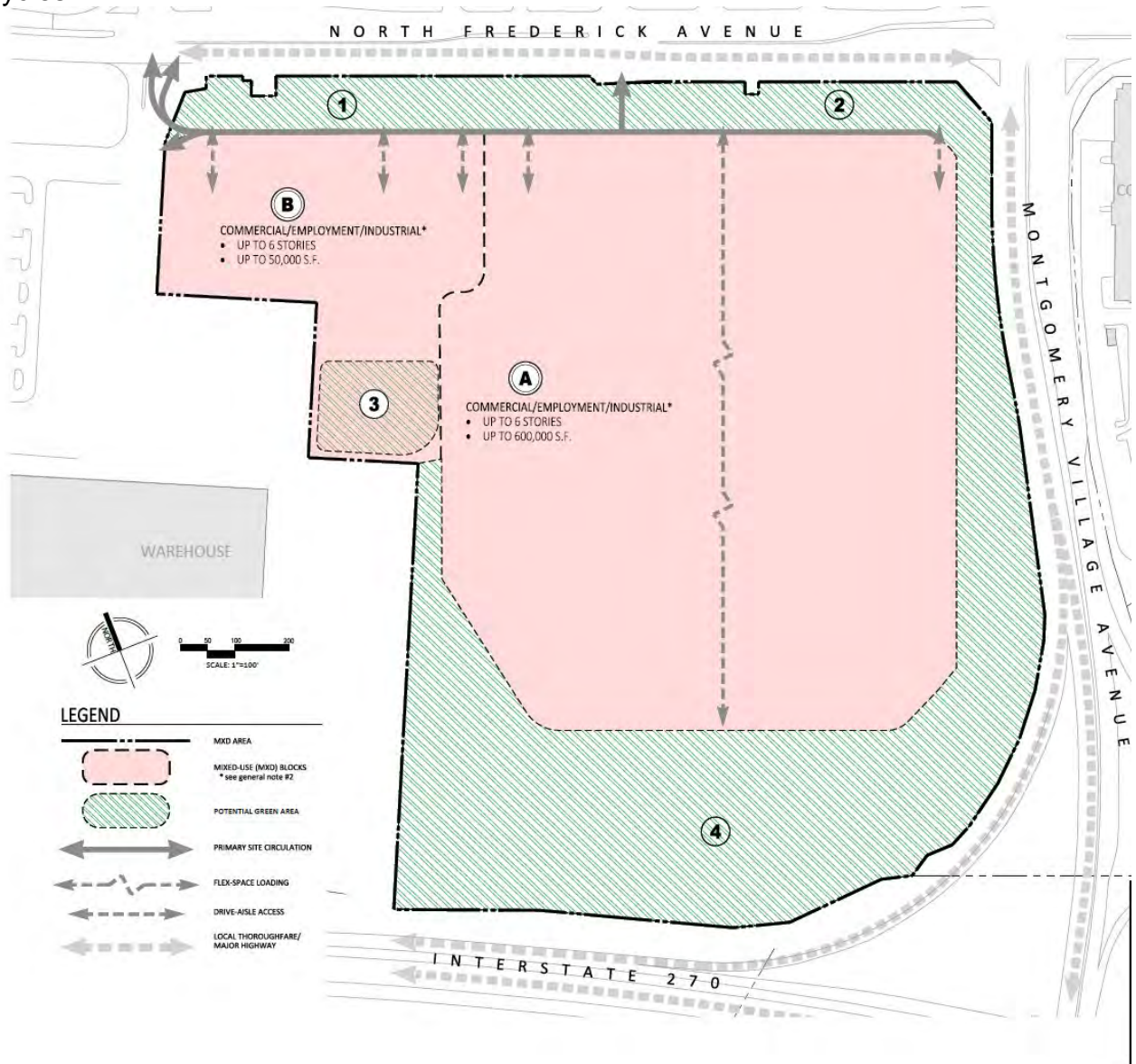
Zoning – 700 N. Frederick Ave. and Surrounding Property

### Sketch Plan SK-8180-2019

On August 19, 2019, the Mayor and City Council approved Sketch Plan SK-8180-2019 for the redevelopment of 700 North Frederick Avenue. The Sketch Plan permits up to 650,000 square feet of commercial/employment/industrial uses, which is a .34 FAR over approximately 44 acres. The uses for the Property include the following:

- Integrated Light Manufacturing
- Repair and Business Services, including but not limited to carpenter, cabinet, plumbing
- Laboratories
- Research, Experimental and Testing Laboratories
- Manufacture, Compounding, Processing, Assembly and Ancillary Retail Sales
- Wholesale businesses
- Distribution/Warehouse, excluding self-storage
- Personal service businesses such as barbershops and drycleaners
- Offices
- Fitness centers, amusement and recreational facilities
- Child and/or adult day care
- Banks
- Retail
- Restaurants, Bars
- Rental of trucks, ancillary to uses listed above (not to exceed rental of 30 trucks)
- Automobile filling stations
- Automatic automobile car wash, ancillary to Automobile Filling Stations

The Sketch Plan divides the property into two “Blocks”. The Plan further envisions appropriately scaled and located proposed open spaces and a circulation system that promotes and enhances connectivity to the surrounding area for vehicles, pedestrians, and bicycles.



SK-8180-2019 (Exhibit #61)

## GENERAL INFORMATION

### SURROUNDING LAND USE/PHYSICAL CHARACTERISTICS:

The subject property is comprised of Part of Parcel C of the IBM Subdivision as depicted on Plat No. 19929. The area of the property included in the project contains approximately 44 acres and is improved with commercial structures, surface parking facilities, bio-retention ponds, a walking trail, and open grass areas. The property is bounded by Interstate 270 to

the southwest, Montgomery Village Avenue (MD route 124) to the southeast, North Frederick Avenue (MD Route 355) to the northeast and a warehouse located at 800 North Frederick Avenue.

The property is close to a diverse range of commercial uses located on highly visible corridors along North Frederick Avenue, Montgomery Village Avenue and Interstate 270. These uses include offices, business parks, grocery stores, wholesale clubs, banks, car dealerships, hotels, restaurants, and other services. The Property is also convenient to a wide array of retail uses at the Lakeforest Mall, the Gaithersburg Square shopping center, Spectrum Town Center, the Diamond Square shopping center and the Quince Orchard shopping center. The subject property is currently constrained by numerous access, landscape and utility easements. The applicant has submitted a series of easement plan exhibits reflecting all existing and proposed easements, easements to be abandoned, and the ultimate conditions easements for the project area (Exhibit #46).

### **NATURAL RESOURCES INVENTORY AND FOREST STAND DELINEATION**

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) reflecting current conditions was approved May 1, 2019 (Exhibit #41b). The Property, as discussed, is developed with a large office complex and surface parking lots, as well as a stormwater management facility surrounded by a grass area, landscaping and a walking trail. The Property is within the Great Seneca Creek watershed. A perennial stream and associated 100-year floodplain runs through the property near the southwestern boundary. Wetlands occupy land on either side of the stream, with a .5 acre riparian forest on the western side and landscaping, mowed turf and planted trees maintaining a riparian buffer on the eastern side. There is a pond with an area of 0.13 acres in between the walking path and the stream. There are 16 specimen trees on site, consisting of red maple (*Acer rubrum*), tulip poplar (*Liriodendron tulipifera*), pin oak (*Quercus palustris*), weeping willow (*Salix babylonica*), white pine (*Pinus strobus*), and American sycamore (*Platanus occidentalis*). The existing forest composition is early successional red maple/ Sycamore riparian forest.

No rare, threatened, or endangered species were located on site, and the Property is not identified as a historic or cultural site in the Maryland Inventory of Historic Properties, the National Register of Historic Places, or within the City. Stream valley and wetland buffers, based on City standards, are demarcated on the plans along with the location of the 100-year floodplain. A flood plain study was required as a condition of approval for the NRI/FSD, and was approved by the City Department of Public Works in April 2020.

### **GREEN SPACE**

The applicant has submitted a green space plan (Exhibit #43) pursuant to the requirements of § 24-160D.9.(b). Section 24-160D.6(a) states,

*“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, except that comparable amenities and/or facilities may be provided in lieu of green area if the city council determines that such amenities 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.”*

Multiple green spaces are provided, including a 1.87-acre linear park, two employee amenity areas and 9.77 acres of passive open space. The overall greenspace for the project area will be 43%, which represents an additional seven (7) acres of green space above the requirement. All surface parking lots meet the minimum 10% green area, as required by Section 24-220(e).



**ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO):**

In accordance with § 24-244, “Applicability,” this plan is subject to the APFO requirements because it is proposing additional development that is not part of a current schematic development plan.

**Traffic Impacts (§ 24-245)**

The applicant has included a Traffic Statement (Exhibit #8), performed by The Traffic Group. The Statement confirms that the proposed redevelopment will not generate an additional 30 peak hour trips. City staff has, therefore, confirmed that a Traffic Impact Study is not required for this plan (Exhibit #9) and therefore the application complies with the City’s Adequate Public Facilities requirements for § 24-245.

### **Schools (§ 24-246)**

SDP-8597-2020 does not propose any residential development; therefore the schools test does not apply

### **Water and Sewer Services and Public Utilities (§ 24-247)**

The subject SDP area is located within water category W-1 (public water available) and sewer category S-1 (public sewer available), and thus satisfies the requirements of § 24-247 for water and sewer.

### **Fire and Emergency Services (§ 24-248)**

The City's Adequate Public Facilities Ordinance (APFO) requires that any development project be served by at least two fire stations within a ten-minute response time. The Site is located within a ten-minute response time of three fire stations:

- Station 8 (Gaithersburg)
- Station 31 (Rockville/Darnestown)
- Station 34 (Germantown/Milestone)

Therefore, adequate fire and emergency services are provided.

## **STORMWATER MANAGEMENT AND SEDIMENT & EROSION CONTROL**

In accordance with the requirement for the submission of a Schematic Development Plan, Section 24-160D.9(b), the Applicant has submitted a preliminary stormwater management plan and sediment erosion control plan applications SWM-8599-2020 and SEC-8598-2020 (Exhibits #3 and #4). The Department of Public Works staff is currently reviewing both plans. The Applicant is anticipated to have the preliminary plans approved prior to the closing of the record for the Planning Commission.

## **TREE REMOVAL VARIANCE REQUEST AND FOREST CONSERVATION**

As part of the proposed Project, Applicant seeks a variance for impacts to the Critical Root Zone ("CRZ") or removal of nine (9) specimen trees on the Property (Exhibit #30). This variance request complies with City of Gaithersburg Code (Chapter 22 Trees and Forest Conservation) and Maryland state law, which require an Applicant to file a variance request to remove or impact any tree 30" or greater in Diameter at Breast Height (DBH). Seven of the trees listed in the table below seek the variance for removal. Two of the trees listed below seek the variance for impacts to the critical root zone as proposed in the site development plan. The Applicant has submitted a required request and justification statement including the required findings.

The following table lists the nine (9) specimen trees for which Applicant seeks a variance to remove or impact the CRZ: TREE NO.	BOTANICAL NAME	COMMON NAME	D.B.H. (in.)*	CONDITION	RECOMMENDATION
16	<i>Pinus strobus</i>	White Pine	36	Good-Fair	SAVE: 12% CRZ impact.
22	<i>Quercus palustris</i>	Pin Oak	31	Good	REMOVE: 100% CRZ impact.
31	<i>Pinus strobus</i>	White Pine	36	Good	REMOVE: 100% CRZ impact.
50	<i>Quercus palustris</i>	Pin Oak	30.5	Good	REMOVE: 100% CRZ impact.
51	<i>Quercus palustris</i>	Pin Oak	40.5	Good	REMOVE: 100% CRZ impact.
59	<i>Pinus strobus</i>	White Pine	30	Good	REMOVE: 100% CRZ impact.
63	<i>Salix babylonica</i>	Weeping Willow	34	Fair	SAVE: 13% CRZ impact.
64	<i>Salix babylonica</i>	Weeping Willow	41	Poor	REMOVE: 35%+ CRZ impact; TREE IS NEARLY DEAD.
77	<i>Quercus palustris</i>	Pin Oak	35	Good	REMOVE: 100% CRZ impact.

In addition to the variance request, a preliminary forest conservation plan demonstrates mitigation of impacts to existing forests and proposes additional afforestation in compliance with Chapter 22 of the City Code (Exhibit #52). The Applicant has proposed expanding the riparian buffer with additional plantings and placing the area under a Category I forest conservation easement. The balance of the required forest conservation will be met through two Category II easements created as part of the linear parks fronting the property

### **ENVIRONMENTAL WAIVERS**

The applicant has submitted a request for environmental waivers in association with the 700 North Frederick Avenue application in accordance with Section 38. *Waivers from Environmental Regulations* of the Environmental Standards for Development Regulation (REGULATION NO. 01-01) (Exhibit #5). The Applicant is requesting to allow permanent impacts to approximately 1,644 square feet of stream buffer for a necessary storm drain outfall, 197 square feet of impacts to stream buffer due to adjacent grading, and 1,423 square feet of temporary impact to 100-Year Floodplain and stream buffer, and 1,400 square feet of temporary impact to City of Gaithersburg's 50-foot wetland buffer for the purpose of removal of the existing paved pedestrian pathway. The 100-Year Floodplain temporary impacts are for the required removal of an existing pathway that could not be feasibly connected to another path to the site due to grade restrictions. The proposed permanent impacts to City

of Gaithersburg stream buffer from the storm drain outfall and a small amount of grading were minimized. The path removal area, the entire stream buffer outside of the storm drain outfall, and a significant area immediately outside of the stream buffer will be planted where it is currently not forested and placed into a Category I Forest Conservation easement. The Applicant has submitted a request and justification statement including the required findings and exhibit defining the requests.

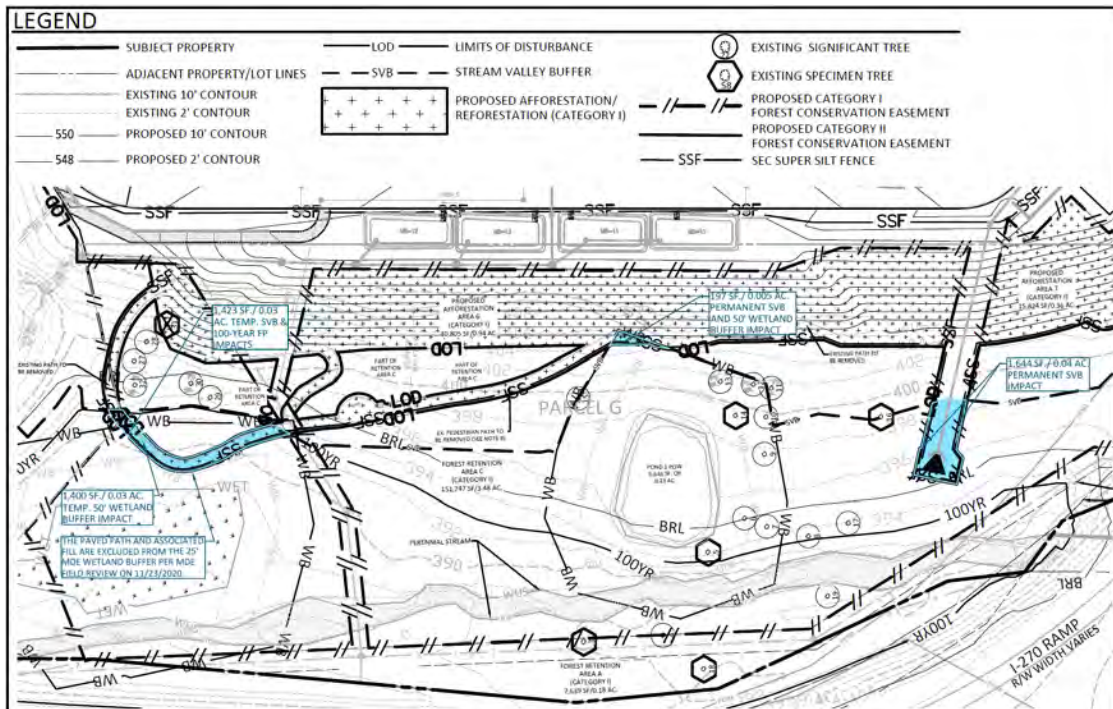


Exhibit #5

## DESIGN GUIDELINES

The Applicant has submitted Design Guidelines (Exhibit #56) as part of this SDP application. The Guidelines will apply to both the current application and future development of additional lots within the 44-acre property. The Guidelines present an overall goal of transforming a large office complex into a multi-building, multi-use development that caters to a wide variety of employers and retail customers. The stated goal of the design guidelines is to “create and ensure the longevity of the neighborhood’s quality of life and image through clearly articulated goals, policies, guidelines and standards” and to “promote long-term sustainable economic and environmental vitality through design standards that encourage and reward high quality development, while discouraging less enduring alternatives.”

The Design Guidelines discuss, define, and establish standards for the following:

- Urban Design
- Architecture
- Site Design

To provide further clarity, the Guidelines also include sample diagrams and representative pictures of existing buildings that embody the spirit of the design criteria.

## **PHASING**

The Applicant anticipates development of Lots 1, 4, 5 and 6, along with associated parking and the linear park, as part of Phase I, with development of additional lots at a later phase, under separate SDP application. A preliminary Lotting Plan (Exhibit #48) identifies Parcels H and J for a future Phase 2 schematic development plan, noting that existing improvements on those parcels will be demolished and the area stabilized with lawn. The applicant will be required to record a final record plat prior to the issuance of a site development permit.

## **SCHEMATIC DEVELOPMENT PLAN PROPOSAL:**

### Site Plan

The application, SDP-8597-2020 proposes to demolish existing office buildings, remove the existing surface parking lots, and construct two 225,000 square foot flex buildings and associated parking, plus 10,000 square feet of retail in two pad sites flanking Frederick Avenue (Exhibit #41). The plan also proposes to continue the Frederick Avenue linear park across the entire length of Frederick Avenue frontage. The list of permitted commercial uses and the permitted square footage of each use is consistent with the approved Sketch SK-8180-2019.



In its presentation, the applicant has provided an aerial photo simulation of the property that highlights all four proposed buildings, the primary entrance to the site, the linear park and the natural areas flanking I-270.

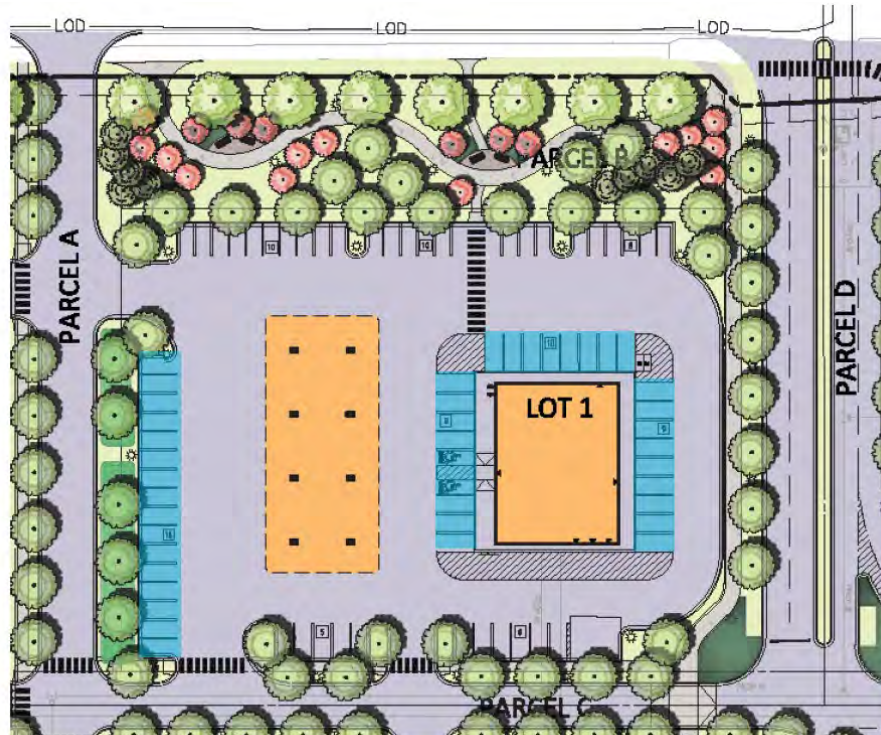


Applicant's Presentation

As seen on the rendered plan, above, the vast majority of the proposed square footage for this project is contained in two centrally located "flex" buildings each expected to contain approximately 225,000 square feet of gross floor area. These buildings are designed to accommodate a wide potential range of commercial/employment/industrial uses, as approved in the Sketch Plan, including integrated light manufacturing, research and development, laboratories, office, distribution/warehousing and several other uses. The flex buildings are oriented around an interior loading area which will be shielded from view by decorative walls on both ends of each building.

The Project also proposes two retail/commercial buildings along the Property's North Frederick Avenue frontage. These commercial buildings are intended to serve as a convenient and attractive amenity for the employers and employees in the Project's two "flex" buildings, as well as for nearby residents. Access between Lots 1 and 4 and the adjacent linear park are designed to promote pedestrian activity and connectivity among the uses.

A 5,600 square foot retail building, with associated automobile filling station is proposed on Lot 1, as permitted for Block "B" under the Sketch Plan.



A 5,000 square foot restaurant use is proposed for Lot 4. The plan for this lot includes a drive-through, designed in accordance with the City's Best Practices for Drive-Throughs memo (Exhibit #66).



## Parking

A total of 753 surface parking spaces are provided throughout the site, including 20 ADA spaces. Additionally, the project provides 34 bicycle spaces and 18 motorcycle spaces, more than the required number for each vehicle type.

<b>Vehicular Parking <sup>1</sup></b>									
<i>Lot</i>	<i>GFA</i>	<i>Use</i>	<i>Fraction Rate</i>	<i>Required</i>	<i>Provided</i>	<i>ADA Required</i>	<i>ADA Provided including Van</i>	<i>ADA Van Required</i>	<i>ADA Van Provided</i>
lot 1, ph1	5,600	Retail	1/225	25	81	4	4	1	4
lot 4, ph1	5,000	Restaurant	1/225	23	54	3	3	1	2
lots 5 & 6, ph1	450,000	see note 21	1/728	618	618	13	13	4	6
<b>Total</b>	<b>460,600</b>			<b>666</b>	<b>753</b>	<b>20</b>	<b>20</b>	<b>6</b>	<b>12</b>
<sup>1</sup> See General Notes 21 and 22 for parking calculations and permitted uses.									

As previously discussed, the buildings on Lots 5 and 6 are designed for flexibility and as speculative buildings, the specific end users are undetermined at this time. Because the mix of tenants has not yet been determined for the flex buildings, and because it will also change over time, it is problematic to assign specific parking ratios from the City's parking ordinance for those buildings at this stage. The parking needs for various end users may be vastly different from one another, leading the site to be potentially over- or under-parked, depending on the final mix of users. Therefore, at the request of planning staff, the applicant has proposed a hybrid parking ratio of 1 parking space per 728 square feet for the two flex buildings on Lots 5 and 6. The proposed ratio would accommodate a mix of both more intensive (retail and office) users and less intensive (warehouse, lab, or R&D) users without the requirement to create potentially unnecessary surface parking. In support of the proposed parking ratio, the applicant has provided a Parking Justification Letter (Exhibit #59), which highlights parking ratios for similar projects in its portfolio with tenant mixes similar to what would be expected at the subject site. As described in the Parking Justification Letter, the applicant also has the flexibility to add additional parking spaces in the loading area between Lots 5 and 6, as needed, without the need of additional impervious surface. Additional parking in this location would be established at the time of a final site plan or amendment to final site plan review.

Finally, should demand for parking on Lots 5 and 6 exceed the number of provided spaces, a surplus of 87 parking spaces on Lots 1 and 4 can also be accessed. The applicant has submitted a draft Declaration of Shared Ingress, Egress, Parking and Utility Easements and Maintenance Covenants (Exhibit #29) that will ensure that parking may be shared across lots even if the lots ever come under separate ownership.

## Proposed Roads and Circulation

The applicant has submitted a circulation plan to demonstrate adequate pedestrian and vehicular circulation throughout the site (Exhibit #45).

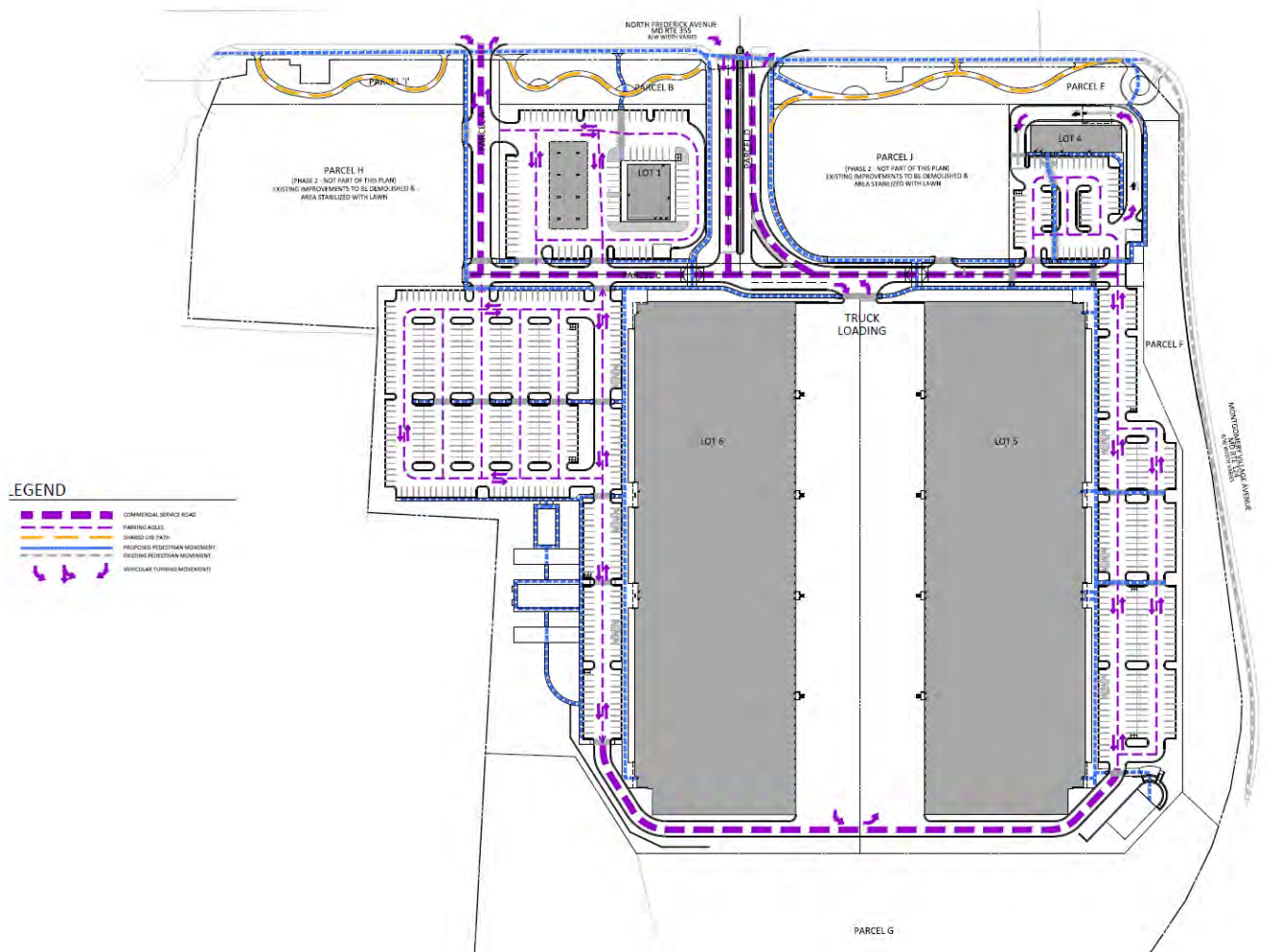


Exhibit #45

In accordance with the approved sketch plan, the primary site access is at North Frederick Avenue in the same location as an existing full movement signalized intersection (identified as Parcel "D"). A secondary right-in/right-out access at Parcel "A" is provided as well. Truck movements are anticipated to occur at both the primary and secondary entrances. The applicant has provided a series of truck turning exhibits (Exhibit #47) to demonstrate the adequacy of the circulation plan to accommodate the multiple sized trucks anticipated to service this site. The Applicant is also been working with Maryland State Highway Administration to ensure safe vehicular movements into and out of the site from MD 355. Confirmation that all State Highway Administration comments have been satisfied will be included in the record prior to the close of the Planning Commission record. In total, there are four pedestrian access point from the North Frederick Avenue into the site.

In addition to the two entrance road, the Applicant has provided a north/south interior roadway designed to both separate the retail uses from the flex buildings and also to distribute vehicular and pedestrian traffic between the various lots. Although all roads will remain private, the site utilizes the City's Commercial Service Road typology for the primary access point (Parcel D), including eight-foot sidewalks, 12-foot planting strips and a median. The secondary access point (Parcel A) and the interior road that laterally bisects the project (Parcel C) are also proposed to be built to various configurations of the Commercial Service Road standard, each providing six-foot sidewalks and planting strips. No road code waivers are required.

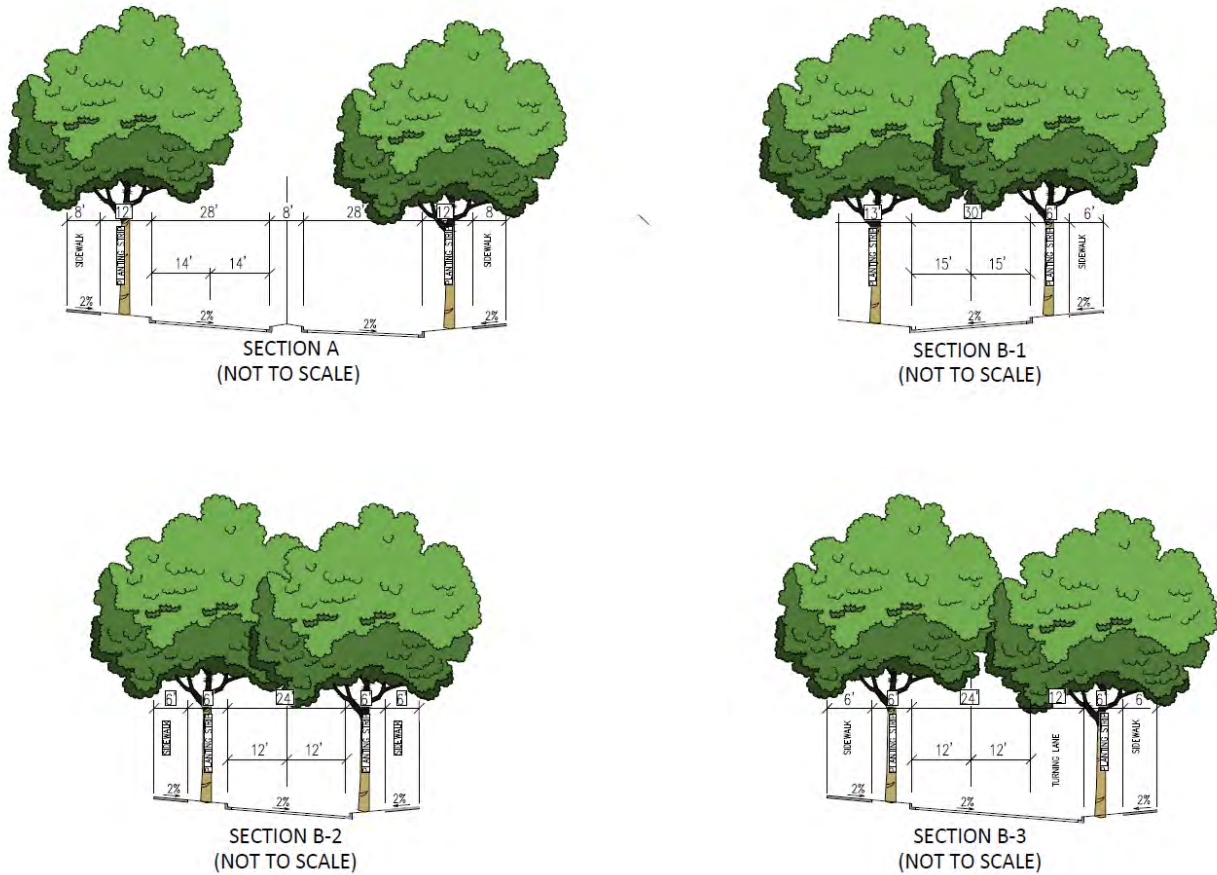


Exhibit #56

### Amenities and Landscape Plan

The applicant has included multiple amenity spaces and green areas throughout the project. Consistent with the Sketch Plan and the Frederick Avenue Corridor Master Plan, the project provides for the continuation of the planned Frederick Avenue linear park.

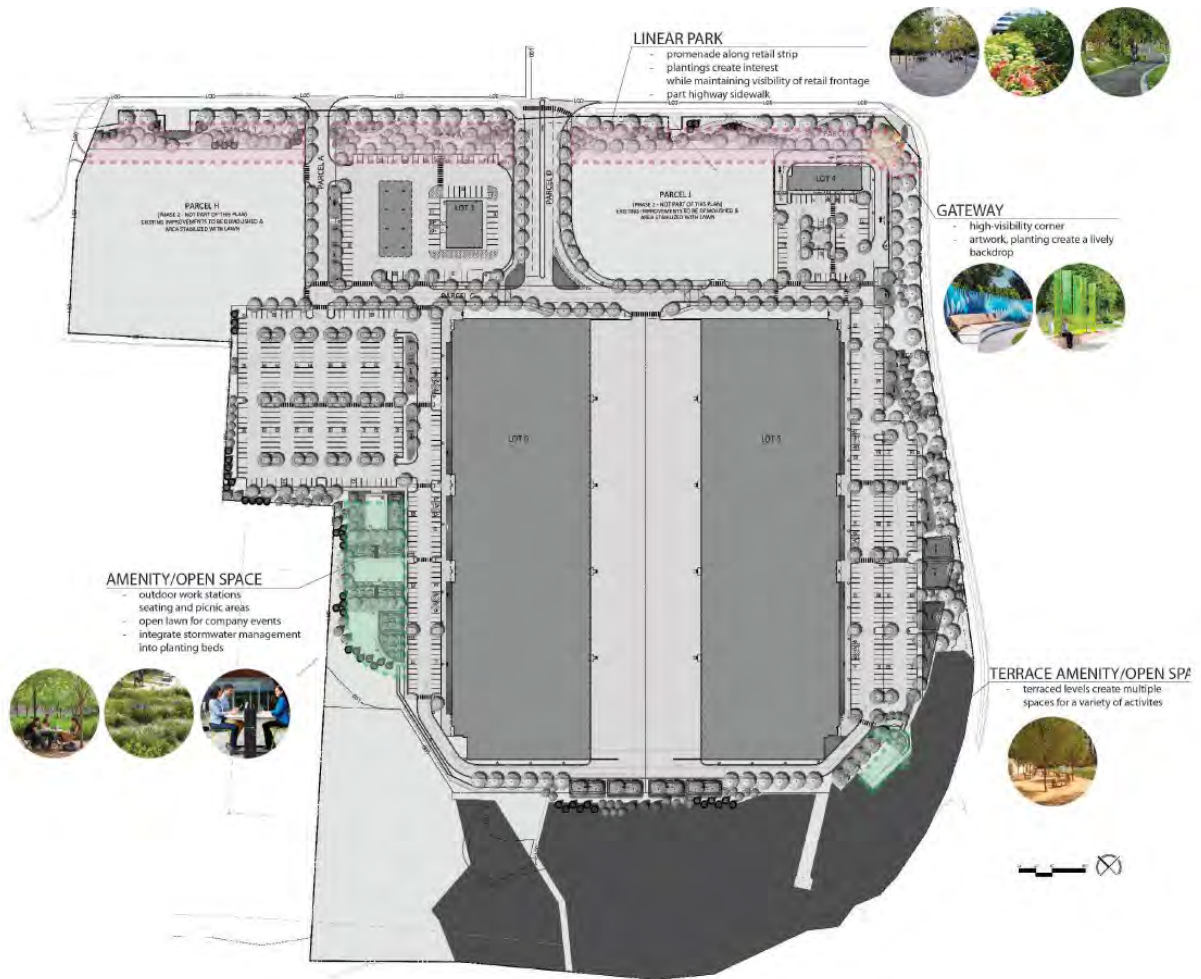


Exhibit #56

The park incorporates an eight foot shared path, numerous plantings along the Property's North Frederick Avenue frontage with shade trees, ornamental trees, and landscaped planting beds to create a linear park and a welcoming presence along an important City commercial corridor.

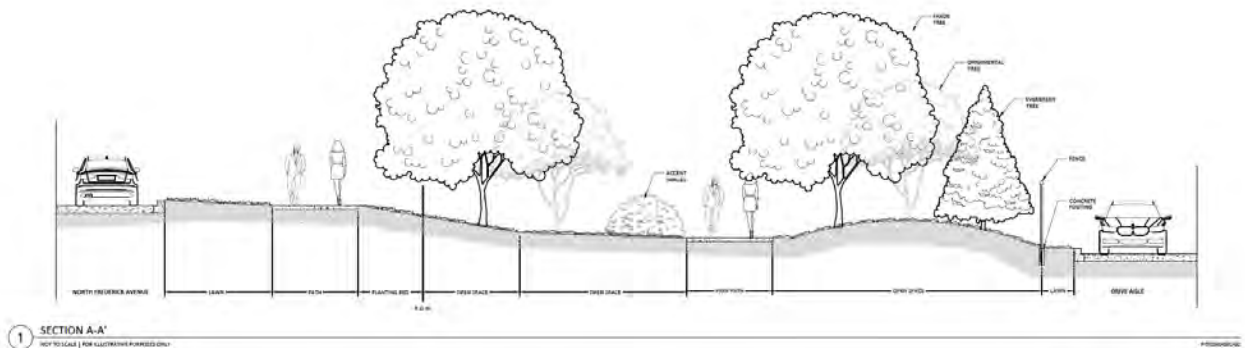


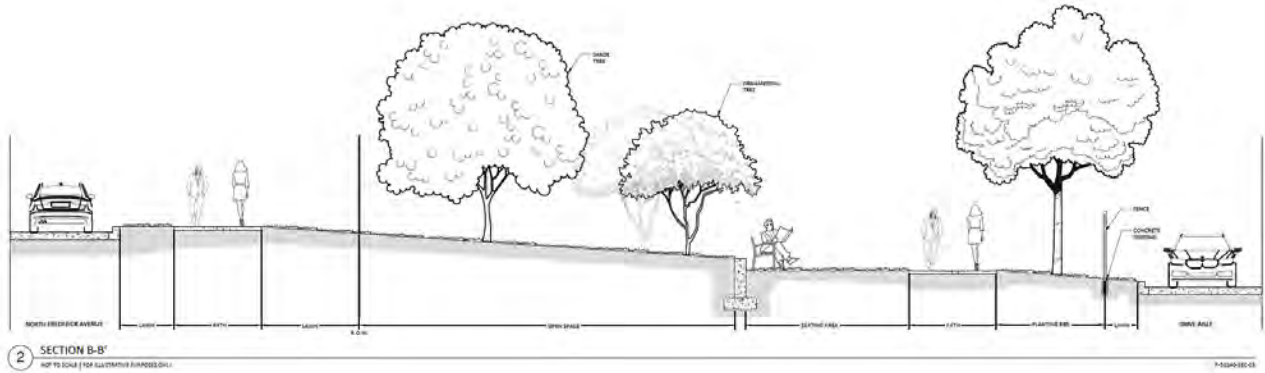
Linear Park Aerial



Gateway / Public Art

The applicant's plan for this extension of the linear park is reduced from a depth of 100 feet (along the FedEx site just north of the subject site) to 70 feet. According to the applicant (Exhibit #58), the reduction in depth is intentional to draw pedestrians into the space, provide multiple links to North Frederick Avenue, and offer opportunities for respite, shade, and beauty. Activation is expected to be promoted by adding visible seating locations designed with Crime Prevention through Environmental Design ("CPTED") principles in mind through several connections to the existing shared-use path. The applicant has emphasized that siting new commercial structures closer to the roadway enhances visibility for new businesses, promotes a more urban form, and supports the economic viability of redevelopment.





The linear park terminates at a community art feature at the corner of North Frederick Avenue and Montgomery Village Avenue, establishing a sense of place and defining the intersection as the gateway to the Project. Details of the community art feature will be considered at the time of the applicable phased final site plan.

Two employee amenity spaces are also identified on the plan, one adjacent to each of the flex buildings on Lots 5 and 6 respectively.



Employee Amenity Space – Lot 6



Employee Amenity Space – Lot 5

The employee amenity space on Lot 6 seeks to integrate stormwater facilities to define garden rooms for seating and lawn space and pockets for relaxation, outdoor meetings, or dining. The seating areas will be planted with shade trees and provide seating. The lawns are intentionally sized to accommodate company activities and recreation. These areas will be generously landscaped with shade trees, evergreens, ornamental trees, planting areas, and are envisioned to be integrated with the natural areas to the south. The second amenity space on Lot 6 provides a shaded seating area, amphitheater-style seating, and a generous lawn for company activities and recreation.

The naturalized area identified on the Sketch Plan along the Property's boundary abutting Interstate 270 and a portion of Montgomery Village Avenue are enhanced with additional shade trees, evergreens, ornamental trees and planting beds to serve as an effective and visually appealing buffer between the Project and surrounding roadways. Existing facilities

will be removed, allowing this area to be preserved as a conservation area. This open area is intended to protect water quality by buffering the stream, improve air quality through additional plantings, and provide space for habitat.

Architectural Elevations

The applicant has submitted four-sided preliminary architectural elevations for the flex buildings (Exhibit #53) and has also included conceptual architecture in the Design Guidelines (Exhibit #56) for the retail and restaurant buildings on Lots 1 and 4. The Guidelines call for articulation on all buildings, a minimum 30% glazing at tenant entrances, water tables and high quality materials.



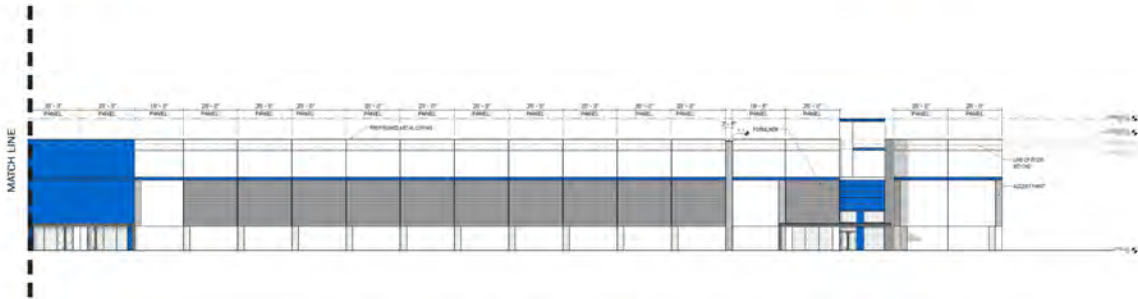
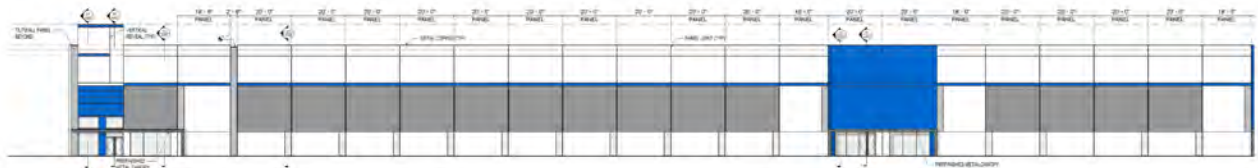
Lot 1 – Conceptual Rendering



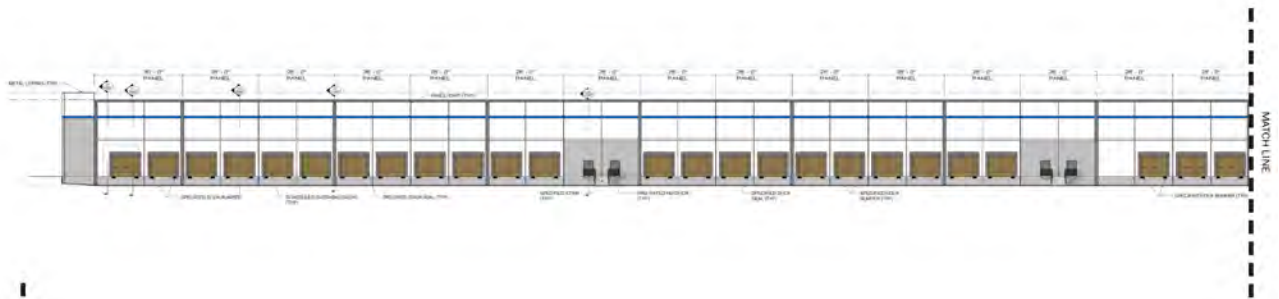
Lot 4 –Preliminary Architecture



Lots 5 and 6 – Conceptual Rendering



Lots 5 and 6 – Preliminary Architecture



SOUTH ELEVATION

Lots 5 and 6 – Preliminary Architecture

**SUMMARY:**

The applicant has submitted for consideration schematic development plan application SDP-8597-2020. This is a complete application as defined by § 24-160D.9.(b), Application for Schematic Development Plan Approval, of the City Code. A joint public hearing with the Mayor and City Council and Planning Commission has been scheduled for December 21, 2020.

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 the Planning Commission's recommendation discussion. Staff has, however, identified the following points of interest for the Council's and Planning Commissions' consideration which should be reviewed in more depth:

1. The depth of the linear park through the proposed site relative to the depth of the linear park recently developed on the adjacent property (FedEx); and
2. Parking ratio for lots 5 and 6

Staff will continue to work with the applicant on refining the plan, in response to comments offered at the public hearing or entered into the record.

For the purpose of concluding the public hearing, staff recommends:

1. The Planning Commission make a motion hold the record open until 5:00 PM on January 27, 2021 (37 days) with a Recommendation to the Mayor and City Council tentatively scheduled for February 3, 2021.
2. The Mayor and City Council make a motion to hold the record open until 5:00 PM on February 12, 2021 (53 days) with a Policy Discussion tentatively scheduled for March 15, 2021.