

February 2, 2021

Mr. Joe Caloggero, P.E., PTOE, PTP  
The Traffic Group, Inc.  
9990 Franklin Square Drive, Suite H  
Baltimore, MD 21236

Dear Mr. Joe Caloggero:

Thank you for the opportunity to review the **Trip Generation** letter prepared by The Traffic Group, dated January 7, 2021 for the **700 North Frederick Avenue Site – 20APMO014XX** in Montgomery County, Maryland. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has completed their review and are pleased to respond.

- The proposed Phase 1 of the development is to provide for a 6,100 square foot super convenience store with gasoline sales, 5,000 square feet of Fast Food Restaurant with Drive-Thru, and 450,000 square feet of industrial park.
- Access to the property is proposed at two locations along MD 355 as per the circulation and site plan. For Phase 1, access to the site is proposed from the existing signalized entrance and a proposed right in/right out along MD 355. Based on the information provided, please address the following comments in a point-by-point response:

**Travel Forecasting & Analysis Division (TFAD) Comments (Provided by Scott Holcomb):**

1. TFAD is in agreement with the trip generation for the Parcels 1, 4, 5, and 6.
2. Reiterating from our last comments offered in response to the October submission for the proposed “Last Mile Delivery Station” at the same parcel, TFAD assumes that the approval of the proposed access points, if needed, will be the subject of a separate submittal and will include the final proposed land use. And, similar to the most recent submittal, there are no proposed uses for the other Phase 2 lots. If those lots are part of the same project and will be forwarded for review at a later time, we recommend that their added trips be added to the trips from Lots 1 and 4-6 for determining if a TIS needs to be submitted now for the overall development.

**District 3 Traffic Comments (Provided by Jack Goode):**

1. We have no further comments at this time.

Mr. Joe Caloggero  
SHA Tracking No: 20APMO014XX  
Page 2 of 2  
02/02/2021

The SHA concurs with the report findings for this project as currently proposed and will not require the submission of any additional traffic analyses. However, an access permit will be required for all construction within the SHA right of way. Please provide an Electronic Submission containing the proposed improvement plans (including a set of hydraulic plans and computations) and all supporting documentation to the Access Management Division. For electronic submissions create an account with our online system <https://mdotsha.force.com/accesspermit>. Please reference the SHA tracking number on any future submissions. Please keep in mind that you can view the reviewer and project status via SHA Access Management Division web page at <https://www.roads.maryland.gov/mdotsha/pages/amd.aspx>. Please note, if this project has not obtained an SHA access permit and begun construction of the required improvements within five (5) years of this approval, extension of the permit shall be subject to the submission of an updated traffic impact analysis in order for SHA to determine whether the proposed improvements remain valid or if additional improvements will be required of the development. If you have any questions, or require additional information, please contact Mr. Kwesi Woodroffe at 301-513-7347, by using our toll free number (in Maryland only) at 1-800-749-0737 (x7347), or via email at [kwoodroffe@mdot.maryland.gov](mailto:kwoodroffe@mdot.maryland.gov) or [shaamdpermits@mdot.maryland.gov](mailto:shaamdpermits@mdot.maryland.gov).

Sincerely,



for Erica Rigby  
Acting District Engineer

ER/cmh

cc:

Ms. Rola Daher, MDOT SHA – TFAD  
Mr. Jack Goode, MODT SHA – District 3 Traffic  
Mr. Derek Gunn, MDOT SHA – District 3 Traffic  
Mr. Scott Holcomb, MDOT SHA – TFAD  
Mr. Robert Owolabi, MDOT SHA – District 3 Traffic  
Mr. Rob Robinson, City of Gaithersburg  
Mr. Kwesi Woodroffe, MDOT SHA – District 3 Regional Engineer

**COMMUNICATION: PLANNING COMMISSION**

---

**MEMORANDUM TO:** Mayor and City Council

**FROM:** Planning Commission

**DATE:** February 4, 2021

**SUBJECT:** SDP-8597-2020 - Brian Morris, for  
MFV 700 NFA, LLC and DNIP4 NFA, LLC  
461,100-Sq.Ft. of Commercial Development at  
700 North Frederick Avenue

At its regular meeting on February 3, 2021, the Planning Commission made the following motion:

Phillip Wessell moved, seconded by Lloyd Kaufman, to recommend to the Mayor and City Council APPROVAL of Schematic Development Plan SDP-8597-2020, based on the evidence and testimony submitted to the record and the findings in the Final Staff Analysis, with the following conditions:

1. Applicant must submit a revised Schematic Development Plan, as required, to satisfy all City staff comments prior to signing of plans by Planning staff;
2. Applicant is to receive final approval for the proposed access and lane revisions to North Frederick Avenue from Maryland State Highway Administration prior to Final Site Plan review by the Planning Commission.

As part of its review of the site plan, the Planning Commission expressed its support for the revised preliminary architecture for the Flex Buildings on Lots 5 and 6. The Commission agreed that the scale, massing, proportions and proposed materials of the building was generally acceptable at this stage of approval and specified that the base material for the buildings should not be split face concrete block. The commission was also complimentary of the applicant's efforts to recycle a significant amount of the existing structures.

Vote: 5-0



**MINUTES**  
**Regular Session**  
Monday, December 21, 2020, 7:30 PM

**1. CALL TO ORDER**

The Regular Session of the Mayor and City Council was called to order at 7:30 PM with Mayor Jud Ashman presiding.

Attendee Name	Title	Status	Arrived
Jud Ashman	Mayor	Present	
Michael Sesma	Council Vice President	Present	
Neil Harris	Council Member	Present	
Laurie-Anne Sayles	Council Member	Present	
Ryan Spiegel	Council Member	Present	
Robert Wu	Council Member	Present	

Staff present: City Manager Briley, City Attorney Board, Deputy City Manager Enslinger, Assistant City Manager Lonergan, Community Planning Manager Mann, Planner Seiden, and Municipal Clerk Stokes.

Planning Commission present for joint public hearing: Bauer, Cantrell, Hopkins, Kaufman, and Wessell.

**2. PLEDGE OF ALLEGIANCE**

The Pledge was led by Council Member Harris.

**3. REFLECTION**

The Mayor, joined by the City Council and City staff in their festive attire during the last meeting of 2020, he asked all to take a moment to reflect.

**4. APPROVAL OF MINUTES**

**A. Regular Session held November 2, 2020**

*Motion was made to approve the above minutes.*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Sesma, Council Vice President
<b>SECONDER:</b>	Laurie-Anne Sayles, Council Member
<b>FOR:</b>	Ashman, Sesma, Harris, Sayles, Spiegel, Wu

**B. Regular Session held November 16, 2020**

*Motion was made to approve the above minutes.*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Laurie-Anne Sayles, Council Member
<b>SECONDER:</b>	Michael Sesma, Council Vice President
<b>FOR:</b>	Ashman, Sesma, Harris, Sayles, Spiegel, Wu

**5. APPOINTMENTS**

**A. Resolution of the City Council Confirming an Appointment Made by the Mayor to the Gaithersburg Parks, Arts and Recreation Corporation**

This resolution confirmed the following appointment to the Gaithersburg Parks, Arts and Recreation Corporation, Denise Kayser, 8000 Warfield Road, Gaithersburg, Maryland 20882, three-year term. It was noted that Denise Kayser was the former division chief of the City's Arts and Events division for over 20 years.

*Motion was made to approve the above resolution.*

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Neil Harris, Council Member
<b>SECONDER:</b>	Ryan Spiegel, Council Member
<b>FOR:</b>	Ashman, Sesma, Harris, Sayles, Spiegel, Wu

**6. PUBLIC COMMENTS**

There were no speakers from the public.

**7. JOINT PUBLIC HEARINGS**

**A. SDP-8597-2020: Request for Schematic Development Plan for Development of 460,600 Square Feet of Commercial Space in Multiple Buildings and Associated Surface Parking and Infrastructure Plan at 700 N. Frederick Avenue, Zoned MXD (Mixed Use Development)**

Planner Seiden presented for the above subject joint public hearing that was advertised on December 3 and 10, 2020 in *The Washington Post* and on the City's website. In addition, the property was properly posted. An application was submitted by Brian Morris of MFV 700 NFA, LLC and DNIP4 NFA, LLC, requesting approval of Schematic Development Plan SDP-8597-2020. The plan is in accordance with Sketch Plan SK-8180-2019, known as 700 N. Frederick Avenue, approved by Resolution R-54-19. The plan proposed 460,600 square feet of commercial development and an infrastructure plan to accommodate future development in accordance with the Sketch Plan. Staff added that multiple reviews of the SDP plan had been completed prior to the joint public hearing. The property is bounded by I-270 to the southwest, Montgomery Village Avenue (MD 124) to the southeast, North of 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. The site is approximately 500,000 square foot, consisting of two and three story office complex, surface parking facilities, bio-retention ponds, a walking trail, and open grass areas.

*Owner Mark Matan* stated that the vision for 700 N. Frederick Avenue is to develop a mixed-use project that will provide the flexibility and amenities to attract multiple users and provide opportunities for local businesses to prosper. The team is seeking to market the bio tech industry. The applicant's goal is to build both buildings without a secured tenant with demolition to begin in January, 2021.

*Owner Brian Morris* introduced the entire team, owner Karl Morris, Civil Engineer Vika, Land Use Counsel is Miles & Stockbridge and the architect is Powers Brown Architecture. He reviewed the existing site, provided a location overview and further shared the vision to develop the commercial property. Stated the vision will result in diverse job growth and services for the City of Gaithersburg that will ultimately enhance the quality of life for its residents. He stated that the property location strengthens the position as an employment hub in the area and mentioned the newly constructed Watkins Mill Interchange. The Master Plan recommendations calls for Commercial/Industrial Office. The plan is consistent with the City's Master Plan, Corridor Plan, and open space requirements (linear park, employee amenity areas and the naturalized space along Montgomery Village Avenue and I-270. The proposed SDP is Phase I which is approximately 39 acres of the entire 44 acre site. He noted that Parcels H and J are not part of said application, but will be part of Phase 2.

Lot 1 of the plan is a proposed retail/fueling station, up to 5,600 square feet, proposed building height of 26 ft., and provides 81 parking spaces. Said lot is integrated with the Linear Park, pedestrian and bicycle connections from North Frederick Avenue and provides adequate vehicular circulation. Stated that Parcel A is a proposed right in and out and Parcel D is a full movement intersection. The applicant has worked closely with Maryland State Highway for approvals to ensure safe vehicular movement.

Lot 4 on the corner of North Frederick Avenue and Montgomery Village Avenue, is proposed to be a restaurant/retail building with up to 5,000 sq. ft. and a building height of 26 ft. Said lot will provide 52 parking spaces and two seating areas of indoor and outdoor dining and food pick up. The lot does have a drive through that follows the City's guidelines for best practices and allows for appropriate car stacking, access points, and is pedestrian friendly.

The majority of the plan, Lots 5 and 6 are flex buildings, each approximately 225,000 sq. ft. with a proposed height of 50 ft. The proposed uses includes but are not limited to light manufacturing laboratories, wholesale businesses, and offices. The applicant has worked with staff to develop a hybrid parking ratio to accommodate the flexibility for future tenants. The Design Guidelines call for articulation on all buildings, a minimum 30% glazing at tenant entrances, water tables and high quality materials. Mr. Morris mentioned that there is a full commercial service road that is interior to the site, running parallel to MD 355. Said road separates the retail uses from the flex buildings and assists with distributing traffic between the various lots. He noted that there are four pedestrian access points from North Frederick Avenue that allows for access to each individual lot. There are safe pedestrian movements with sidewalks and crosswalks between all the lots. In addition, there is linear park that runs along North Frederick Avenue, multiple employee amenity spaces, and naturalized area that abuts I-270 and Montgomery Village Avenue. He stated the proposed plan provides 50% more of green naturalized area than what is required. Along I-270 and a portion of Montgomery Village Avenue, the area will be enhanced with numerous plantings to allow the area to be preserved as a conservation area. Reported that the applicant did submit a variance for the removal of nine (9) specimen trees located throughout the property that fall within the limits of disturbance. Also, a variance request was submitted for permanent and temporary impacts to the stream valley buffer and floodplain. The linear park will incorporate an eight (8) foot shared use path, numerous plantings with shade trees and pockets of seating areas. The mixed use nature of the project, promotes a more urban form and supports the economic viability of the redevelopment.

The proposed right in and right out was questioned which the applicant responded that the ingress and egress onto MD 355 currently functions as such. Several members expressed understanding about the proposed project to meet the needs of potential tenants, but was not excited about the architectural renderings.

The applicant responded to Parcel H and J not being developed fully, stating it is tenant driven. There were concerns with leaving areas not further developed at this SDP stage, lacking continuity between the buildings and circulations. Some members of the Council and Commission questioned the style of the rendering for the flex buildings, the different elements of the retail buildings, and the square footage of the warehouse.

*Architect Chelsea Serrano-Piche* responded that the color scheme will be branded to the owner and can differ from what is shown on the renderings. Added that the Design Guidelines will also regulate the cohesiveness for all the buildings.

The applicant was asked to look into the public's environmental concerns and prepare to have a more detailed design discussion with the Planning Commission and asked to use sustainable practices such as a green roof. In addition, the applicant was directed to provide numbers regarding green roof and other sustainable environmental amenities.

The applicant responded that much of the space is undecided, appealing to certain tenants. The proposed plan will incorporate electric car charging stations and solar panels and roofs. The applicant added that there are plans for glass panels, but what has been presented is versatile to meet the needs of future tenants. The applicant was asked to create more of a mixed use path along the Montgomery Village Avenue side. The Council and Commission were ensured by the applicant that they are looking to attract high quality tenants and provide a first class project. It was reiterated that at this time the plan is preliminary and asked for flexibility to attract a tenant.

Speakers from the public:

1. *David Belgard, Washingtonian Woods resident*, extended his appreciation for the hard work that has gone into the updated plan. Expressed concern with the concrete renderings due to the fact that they look like large boxes. Stated that the maximum height is six-stories but the renderings only show three stories. Hopes that the architect will work that into the plan.
2. *Deby Sarabia, Saybrooke resident and Seneca Creek Watershed Partners President*, spoke on behalf of the group and stated that the proposed development does not protect the watersheds. Does not believe that the City's environmental requirements are too strict and the City should deny the waiver requested.

There were no other speakers from the public.

Owner Matan concluded stating that the project location is important and the plan is a work in progress. At the final site plan stage, there will be a thorough and detailed discussion about the architecture, elevations and materials. The next presentation will be enhanced and reflect what is being proposed. He added that the demand is great for tenants and the proposed plan is not looking to compromise quality.

*Motion was made to hold the Planning Commission record open until 5 p.m. on January 27, 2021 (37 days), with anticipated recommendation on February 3, 2021.*

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Philip Wessell
<b>SECONDER:</b>	Lloyd Kaufman
<b>FOR:</b>	Bauer, Wessell, Kaufman, Hopkins, Cantrell

*Motion was made to hold the Mayor and City Council record open until 5 p.m. on February 12, 2021 (53 days), with anticipated policy discussion and final action on March 15, 2021.*

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Sesma, Council Vice President
<b>SECONDER:</b>	Robert Wu, Council Member
<b>FOR:</b>	Sesma, Harris, Sayles, Spiegel, Wu

**8. FROM MAYOR AND CITY COUNCIL**

Robert Wu

- 1. Wished everyone happy holidays and new year.

Michael Sesma

- 1. Noted that today is the actual solstice, shortest day of the year.
- 2. Mentioned the great conjunction of Jupiter and Saturn.
- 3. Echoed happy holidays and new year.
- 4. Reminded everyone to be safe and healthy and to take proper precautions to lower the spread.

Laurie-Anne Sayles

- 1. Thanked front line workers during the pandemic.
- 2. Wished everyone happy holidays and new year.

Neil Harris

- 1. Mentioned the Solstice and stated that he is looking forward to longer and brighter days.
- 2. Attended the Metropolitan Washingtonian Council of Governments (MWCOG) Annual Meeting.
- 3. Mentioned that the Board of Supervisors of Elections (BOSE) conducted a public forum to discuss the process for the 2021 City Election. Stated that there was a lot of public input.

4. Mentioned the launch of the Montgomery Better Buses Campaign where they will discuss ways to improve bus travel in Montgomery County.
5. Attended the monthly Transportation Planning Board meeting.
6. Facilitated two panel discussions with the Leadership Montgomery group to discuss various way to improve transportation in the region.
7. Wished everyone happy holidays and new year, and expressed best wishes for a better 2021.

Ryan Spiegel

1. Mentioned the poem “The Shortest Day” by Susan Cooper which talks about the solstice and seeing the light even in darkness. Encouraged everyone to remain hopeful during these times. Stated that there is a lot of work still to be done regarding a vaccine but things are headed in the right direction.
2. Urged those in the position to give to do so and to volunteer your time and service to local charities and businesses. Encouraged residents to reach out if help is needed.
3. Expressed happy holidays and new year, a safe and joyful season, and to stay full of hope for a better year ahead.

Jud Ashman

1. Recognized the donations through the CAREhub by some very large stakeholders in the community. Expressed that it takes a lot of time and effort of many from the community to help those in need get through this past year.
2. Announced that the Mayor and City Council will not conduct a work session on Monday, December 28.
3. Announced that the next regular session of the Mayor and City Council will be held on Monday, January 4, 2021.

**9. FROM THE CITY MANAGER**

City Manager Briley

1. Thanked staff publicly for their efforts to create such a magical moment at Winter Lights. Drove through with her husband and dogs.
2. Mentioned that she experienced her first winter weather here in the City last week. Commended City staff on their snow removal efforts.

**10. ECONOMIC DEVELOPMENT UPDATE**

Assistant City Manager Tom Lonergan

1. Stated that between now and the promise of mass immunizations lay several months of economic hardship for those in Gaithersburg and beyond.
2. Reported that Governor Hogan announced an additional \$180 million in emergency State economic relief; including more help for hotels, entertainment venues, bars, and restaurants. Stated that the funds would need to be expended by March 31.
3. Announced that with the latest COVID stimulus package, the Paycheck Protection Program (PPP) will reopen. Staff will monitor this program and provide information as it becomes available.

4. Encouraged everyone to support local businesses.
5. Wished everyone happy holidays and new year.

#### 11. FROM CITY ATTORNEY / OTHER STAFF

City Attorney Lynn Board

1. Reminded the public about the Board of Supervisor of Elections survey available on the City's website until December 31. Stated that the Board is seeking public input on how to improve their process.
2. Wished everyone happy holidays and new year.

City Manager Tanisha Briley and Deputy City Manager Dennis Enslinger, provided the following update on the Racial Equity Cohort:

- Reported that trainings were completed in October. Stated that the cohort continues to meet and discuss a City-wide approach to training opportunities, strategic plan initiatives, and future data collection efforts. Mentioned that hiring practices are being reviewed.
- Reported on the vendor tracking project with the City's Procurement Division Chief Melayne Richards. Stated that a form was developed and sent out to gather information on the City's list of current vendors. Reported that 79 out of about 120 responses have been received. Staff is currently working on reaching out to the other vendors for their responses. Reported that about 50% of the responses received stated that they are a small business (defined as having under 500 employees). Mentioned that staff will be looking at FY20 spending and how it relates to the vendor list.
- Mentioned that City Manager Briley has been working with the Kettering Foundation and the International City/County Management Association (ICMA) to develop an Institute on Race Equity and Inclusion. Mentioned that the National Civic League (NCL) and the National League of Cities (NLC) are also participating in that effort.
- Stated that staff is looking at both the national and regional levels in regards to training resources. Stated that there have been several conversations with Takoma Park to work together and share training resources.
- Reported that Deputy City Manager has been working with the Racial Equity Workgroup from MWCOC. Mentioned that the work group will transition into a standing committee after the first of the year: Chief Equity Officers Committee. Stated that the work group has created a list of possible trainers and companies that could assist with data collection. Mentioned that the County currently does have some contracts that the City may be able to piggyback on. Announced that MWCOC has issued a RFP for training and data collection. The work group plans to review the RFP in January.
- Announced that the Cohort will continue to meet as an internal core group. Stated that there will be a more in-depth conversation during the Planning Retreat in February regarding next steps.

Staff was thanked for their continued work and updates. Clarification was requested on the original data collected: was the vendor list used just from this year or back to last year. Staff stated that the form was sent out to the City's entire list of vendors and only 79 responses were received. It was questioned what percentage of those responses meet the City's diversity requirements. Staff responded that no one reported on said data, but ignored the category of ethnicity. Questioned the difference between the one offs and reoccurring vendors and whether

that data was being tracked. Staff responded that it is being currently collected by hand in an Excel spreadsheet, but the goal is the input data into Munis. Staff was questioned about diversifying procurement going forward. Staff responded that the data collected cannot be relied on. Stated that 2020 was a challenging year to collect significant data. Staff mentioned possibly hosting fairs for minority businesses. Noted that procurement is done by solicitation. It was suggested to find ways to engage potential partners, stated that outreach should be intentional, and questioned whether the State had such a vendor list compiled for the City to maybe use.

**12. CORRESPONDENCE**

- A. Staff
- B. Outside

**13. ADJOURNMENT**

There being no further business, the session was adjourned at 9:15 PM

Respectfully submitted,

Doris R. Stokes, Municipal Clerk