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REDLAND
520, 530 & 540 Gaither Road, Rockville, Maryland
Statement of Justification
Site Plan Application (Level 2)

I. Introduction

On behalf of FP Redland Technology Center LP and FP 540 Gaither LLC (the "Applicant"), affiliates of First Potomac Realty Trust ("First Potomac"), we are pleased to submit this Level 2 Site Plan application pursuant to Article 7 of the City of Rockville Zoning Ordinance (the "Zoning Ordinance") for the property located at 520, 530 and 540 Gaither Road in Rockville, Maryland (the "Property").¹

The Property is currently one of the City's premier office parks. In order to ensure that the Property is best positioned to address emerging challenges that are affecting the suburban office market, and that it continues to be a premier location for Rockville employers in the future, the Site Plan proposes phased improvements that will: (1) revitalize the campus setting for the existing office buildings in the short term by providing a stand-alone café pavilion amenity (the "Café Pavilion"), meaningful open space for employees and an enhanced building entrance for 540 Gaither Road; and (2) allow for the creation of up to two additional office buildings over time with structured parking and related improvements. The Café Pavilion, the new office buildings, and the associated parking and improvements are collectively referred to herein as the "Project".

As explained in this Statement of Justification, the Project is consistent with all applicable recommendations of the 2002 Approved & Adopted City of Rockville Comprehensive Master Plan (the "Master Plan"), and will conform to all applicable requirements of the Zoning Ordinance for development in the Mixed-Use Employment ("MXE") Zone.

¹ The Property is subject to a Condominium Plat, which establishes three separate land condominium units that are entirely owned by First Potomac or its subsidiaries: (i) Land Unit 1, consisting of approximately 549,369 square feet (Tax Account No. 04-03370002); (ii) Land Unit 2, consisting of approximately 237,916 square feet (Tax Account No. 04-03370013); and (iii) Land Unit 3, consisting of approximately 412,224 square feet (Tax Account No. 04-03370024). See Condominium Plat No. 8123, as recorded in the Land Records of Montgomery County, Maryland, on January 22, 2002. The Condominium Plat may be revised in the future, as necessary, to accommodate the Project proposed with this Site Plan.

II. Property Description & Existing Conditions

A. Site Location & Characteristics

The Property is a 27.54-acre record lot known as Parcel E, Pepco-Rockville Service Center Subdivision, as per the subdivision plat recorded among the Land Records of Montgomery County as Plat No. 21959. The Property is located to the southwest of the intersection of Redland Boulevard and Gaither Road (the "Intersection"), with frontage on and direct access to both streets. The Property is conveniently located in close proximity to I-270, the Shady Grove Metro Station, and two stations for the proposed future Corridor Cities Transitway ("CCT"). The Property is located equidistant between the East Gaither CCT station (to be located approximately 1,800 feet to the northeast at King Farm Boulevard and Pleasant Drive) and the West Gaither CCT Station (to be located approximately 2,000 feet to the northwest at King Farm Boulevard and Piccard Drive). Existing grades on the Property slope generally from east to west, towards an existing stream valley on the west side of the property, which was placed in a forest conservation easement (9.56 acres) in 2000. A large stormwater management (SWM) pond is located on the south portion of the site, and provides stormwater management for the existing development.

The Property is currently improved with three multistory, Class "A" office buildings and related site improvements. The existing office buildings are oriented in a U-shape, resulting in the creation of a centrally-located plaza. The existing office buildings are LEED and/or EnergyStar certified and provide employee amenities including a fitness center, bicycle storage, and an on-site café. Parking spaces for the existing office uses are provided in three surface parking lots (including an east surface lot, south surface lot and courtyard surface parking) and a structured parking garage located internally to the site along the western Property boundary.

An intervening parcel – currently improved with a Shell Gas Station – separates the Property from the southwestern corner of the Intersection and from direct frontage on Gaither Road for a distance of approximately 719 feet. The intervening property, existing onsite landscaping, and landscaped berms all function to buffer the Property from existing buildings across Gaither Road. Views into the site from Redland Boulevard are clear for a width of approximately 267 feet along the northern lot line, but are then obscured by the mature trees in the existing Forest Conservation Easement area.

B. Zoning and Permitted Uses

The Property is zoned MXE ("Mixed-Use Employment"). The Zoning Ordinance permits a variety of uses by right in the MXE zone, including office and amenity restaurant uses (such as the proposed Café Pavilion).

C. Surrounding Land Uses

The Property is surrounded by a variety of land uses. Specific zoning and land uses in the immediate vicinity include the following:

- Immediately adjacent to the Property to the east, fronting on the Intersection, is a gasoline service station. To the west of the Property is the I-270 Industrial Park, which contains office and research and development uses located in the MXE Zone. The PEPCO Rockville Service Center is located directly to the south of the site and is zoned MXE.
- Confronting the Property to the north across Redland Boulevard is the Irvington Centre – the office portion of the King Farm Comprehensive Planned Development ("CPD") – located in the PD-KF Zone. Confronting the southern portion of the Property across Gaither Road (a four lane divided arterial street) and the intervening gasoline service station parcel are multi-family and single-family residential uses, which are part of the CPD and zoned PD-KF.

III. **Prior Approvals**

A Final Record Plat (PLT97-0089) was approved by the City Planning Commission (the "Planning Commission") on April 16, 1997, for the purpose of subdividing the former PEPCO Rockville Service Center property (which, at that time, included the subject Property) into two lots. In 2000, Potomac Capital Investment Corporation, a prior owner of the Property, received Use Permit approval (USE2000-00607) from the Planning Commission to construct a three-building, 500,000 square foot office complex in the then-applicable I-3 ("Industrial Park") Zone. Subsequent amendments were approved in 2003, 2007 and 2010 (USE2000-0607A; USE2000-0607B and USE 2000-0607C) to provide for modifications to the hardscape and landscaping, relocation of a service drive and reconfiguration of the parking areas, and the addition of parking control gates (collectively, with USE2000-00607, the "Prior Approvals"). The Prior Approvals allowed for development with a maximum building height of up nine stories (\pm 128 feet) and a floor area ratio ("FAR") of 0.47. A waiver was also approved by the Planning Commission to allow for the installation of three above-ground transformers on-site.

IV. **Project Description**

A. Purpose

Since the Applicant's initial acquisition of 520 and 530 Gaither Road in 2007, the Washington, D.C. Metropolitan Area office market has experienced a significant rise in office vacancies due to poor economic conditions and a decline in Federal leasing.² In this

² The Applicant acquired the 540 Gaither Road portion of the Property at a later date.

environment, many office developments have struggled to adapt to changing economic demands and tenant preferences. Until recently, the Applicant has been able to successfully guide this Property through these difficult economic conditions by attracting or retaining a number of key tenants including BAE Systems Technology, ICF Consulting Group, and Bialek Environments, among others. However, increasing vacancies – including the pending vacancy in 2016 of the 540 Gaither Road building by the Agency for Healthcare Research and Quality of the U.S. Department of Health and Human Services – now make it necessary for the Applicant to explore new strategies for marketing the Property and for retaining existing tenants.

Given the Property's prominent location in close proximity to transit services and the I-270 corridor, as well as various housing options in close proximity, the Applicant believes that the Property will be well positioned for continued success if certain changes are made to provide desired amenities for key tenants and additional floor area for future employers, as described in detail below.³ In summary, the amendments and modifications proposed with the subject Site Plan will accomplish the following: (i) provide the meaningful open space and amenities that office tenants desire; (ii) facilitate the creation of additional commercial office space that is able to be serviced by multiple modes of transit; and (iii) take advantage of the benefits of the Property's location within walking and biking distance of various existing and future commercial, residential, and recreational land uses.

B. Development Program

The Applicant proposes to replace existing surface parking areas, on a phased basis, with the Café Pavilion for employees, the plaza (which will include landscaping and outdoor seating), and up to 300,000 square foot of additional office use with structured parking. Including the three existing Class A office buildings, the development will contain a maximum of 800,000 gross square feet of office use and 2,500 square feet of accessory restaurant use after the completion of three separate phases, as defined below.

1. Phase One

Phase One will primarily include the construction the Café Pavilion (up to 2,500 square feet) and the landscaped plaza, which will provide desired amenities for existing employees and activate and enhance the overall campus setting. These improvements are driven by dramatic shifts in the suburban office market in recent years, where office tenants have been increasingly foregoing secluded office parks, with substantial surface parking and limited amenities, in favor of locations that are in close proximity to residential, retail and restaurant services. While the Property's proximity to the King Farm development ensures that there are a variety of potential housing options for employees in close proximity to the Property, the only food service option

³ These conclusions are also supported by the "Office Market Assessment," dated June 18, 2015, prepared by Partners for Economic Solutions for the Montgomery County Planning Department, which identifies access to transit and enhanced public spaces and amenities as key elements for retaining and attracting quality office tenants.

currently provided on-site for employees is a café located in the ground floor of one of the existing office buildings.

Specifically, the Applicant will replace the existing surface parking located in the central courtyard formed by the three existing buildings with the Café Pavilion and the plaza, which will be centrally situated and connected to the existing office buildings by broad pedestrian paths. The Café Pavilion will operate Monday through Friday between the hours of 7:00 AM and 7:00 PM, and will provide indoor seating. Additionally, to provide a unique and inviting experience, portions of the exterior walls of the pavilion will be constructed with glass panels to allow visual access to the adjacent landscaped plaza. The proposed glass wall system will provide free access to the surrounding outdoor deck adjacent to the Café Pavilion as well as allow for natural light to infiltrate the space. The plaza will be a pedestrian friendly environment for office users, including both hardscape and softscape areas, pathways, a variety of seating types, site lighting enhancements and attractive bio-retention areas. No separate loading is required for the Café Pavilion because loading will be accommodated during off-hours.

Parking will be reduced in the central plaza area in Phase One to accommodate increased pedestrian activity. However, a limited number of parallel parking spaces (including approximately two (2) accessible parking spaces) will be constructed near the office buildings and along the access drive to allow for reasonable access to both the office and Café Pavilion uses. A vehicular access loop will also be provided around the plaza, with a new bus shuttle shelter and bicycle area access and storage improvements provided to encourage the use of alternative transportation options.

The plaza will also act as the core of a new pedestrian friendly trail that will navigate throughout the campus to encourage recreational use of the Property. This new trail system will be approximately 2,000 feet in length and will connect a series of nodes that will greatly elevate the quality of life within this office park setting and offer a temporary escape for the office population. These nodes may include artwork, focal landscape zones, fitness stations, seating areas, forest conservation viewsheds, and other attractive measures to entice people to walk from point to point.

After completion of the Phase One development, the Property will provide approximately 720,000 square feet of open space (or 60% of the net lot area). The open space provided will greatly exceed the 20% required by the MXE Zone. Within the open space on-site, a total of 231,000 square feet (or 19%) will be devoted to public use space.⁴ Additionally, because Phase One proposes to replace an existing surface parking lot with a landscaped plaza and new stormwater facilities (*i.e.*, micro-bioretenion), the improvements will result in an approximately 1.1% reduction in the impervious area on-site.

⁴ In accordance with Section 25.17.01.b, because the Project consists largely of office uses, the Project may provide open area for the purpose of satisfying the public use space requirement.

As mentioned above, in 2016, a significant portion of the 540 Gaither Road building will become vacant after the relocation of the Agency for Healthcare Research and Quality of the U.S. Department of Health and Human Services. Accordingly, in connection with the efforts to rebrand the site, the Applicant proposes improvements to the existing building façade on the 540 Gaither Road building. The proposed façade improvement will not result in any additional gross floor area and is merely intended to enhance the building entrance and improve the experience of tenants when accessing the building.

2. Phase Two and Phase Three

The Applicant proposes to replace portions of the remaining surface parking located near the Property's eastern boundary with two architecturally pleasing, Class A office buildings with up to 300,000 square feet of office use and supporting structured parking. The landscaping along the eastern Property boundary will be retained and will continue to screen views of the proposed development from Gaither Road.

The office building will be completed in two phases, as market conditions allow. Phase Two will include the construction of an 11-story, Class A office building with a maximum of 150,000 square feet and a semi-concealed structured parking. The remaining 150,000 square feet of Class A office space will be developed in Phase Three as a second 11-story office building with structured parking that will mirror the building constructed in Phase Two. The Applicant's original plans called for constructing the southernmost building along Gaither Road first, as Phase Two, and the northern most building in Phase Three. However, in response to comments received from the community, the Applicant was able to modify the building and site design to allow for the construction of the northern most building first, as Phase Two, to lessen any near term impacts of construction on the confronting single-family neighborhood. The proposed office buildings will be interconnected by the semi-concealed parking garage and a central shared lobby. The lobby will act as a focal point and create a visual bridge at the ground plane between the two building volumes.

The architectural design of the proposed future office buildings will complement the existing, Class A office buildings while elevating the overall architectural character of the development. The design will maintain the contemporary feel of the campus while providing completion of the intended building massing clustered around the plaza. The architectural palette for the new buildings will be similar to existing materials and is anticipated to include aluminum frames, with a larger expanse of glazing and precast concrete. The building incorporates a layback slope, as measured from the property lines of the nearest residentially zoned lots across Gaither Road, to provide an appropriate transition to the confronting residential development. Furthermore, the parking structures have been designed to have substantially the same appearance as the office building above.

The new parking structures will be both above grade (in five levels) and partially below grade (for one level). The parking structure will be clad with the same palette of materials found within the office buildings, so as to mask the parking structure and create the illusion of a continuous office building. The top level of the parking structure will allow for an amenity rich environment for office users and a green roof, providing both a visual focal point for office tenants above and an outdoor area for relaxation and work. This level is anticipated to include a rooftop terrace with landscaping, multiple seating options (both open air and protected), and possible activity zones and artwork.

The Project, in its entirety, will comply with applicable development standards. With respect to building heights, the office buildings will respect both the 120 foot height limitation of the MXE Zone and a thirty degree layback slope measured from the closest residential properties across Gaither Road. In this way, the massing of the proposed buildings will provide an appropriate transition to the confronting residential development across the street from the Redland campus.

C. Parking and Loading

1. *Automobile Parking*

The following table provides a summary of the parking required and provided for each of the phases:

	<i>Required Parking</i>	<i>Provided Parking</i>	<i>Δ</i>	<i>Notes</i>
<i>Phase One</i>	1,698 spaces	1,635 spaces	-63 (or 3.7% percent of the Phase One parking requirement and 2.3% overall required parking)	Phase One does not propose any additional office use. However, the Café Pavilion will require 31 additional parking spaces (calculated based on the standard of one space per 50 square feet of patron use area, one space per 80 square feet of outdoor patron use area, and one space per two employees). This yields a total parking requirement of 1,698 spaces for Phase One. 71 existing parking spaces will be displaced by construction of the Café Pavilion and the plaza, and 40 new spaces will be installed.
<i>Phase Two</i>	2,198 spaces	2,194 spaces	-4 (or less than 1% percent of the required parking)	A total of 500 parking spaces will be required for the 150,000 square feet of additional office development proposed (calculated based on the standard of one space per 300 gross square feet of office spaces). 134 existing parking spaces will be displaced by construction of the Phase Two building and 733 new spaces will be installed.
<i>Phase Three</i>	2,698 spaces	2,671 spaces	-27 (or 1% of the overall parking requirement)	A total of 500 parking spaces will be required for the 150,000 square feet of additional office development proposed (calculated based on the standard of one space per 300 gross square feet of office spaces). 86 existing parking spaces will be displaced by construction of the Phase Two building and 563 new spaces will be installed.

As the table above illustrates, the Project will result in a maximum deficit of 63 parking spaces in Phase One⁵ and an ultimate deficit of 27 spaces after completion of all phases of development. As such, Applicant is requesting a parking deferral under Section 25.16.03.1 of the Zoning Ordinance in connection with this Site Plan application (the "Parking Deferral"). The justification for the Parking Deferral is summarized in the request submitted concurrently with this Statement and attached as Exhibit "A".

Access to all parking spaces will continue to be provided internally to the site to minimize potential traffic impacts on the adjacent arterial streets.

2. Bicycle Parking

With respect to bicycle parking, the Zoning Ordinance requires the provision of two short term bicycle spaces per 5,000 square feet of gross floor area devoted to a restaurant use and two long-term bicycle spaces for each 12,000 gross square feet. Accordingly, Phase One is only required to provide one short term bicycle parking space and one long term space for the proposed 2,500 square foot restaurant use. For office uses, a total of two short-term bicycle spaces must be provided per each 40,000 square feet of gross floor area, with an additional two long-term spaces per each 10,000 square feet of gross floor area. Accordingly, Phases Two and Three must incorporate 75 bicycle parking spaces, including 15 short-term spaces and 60 long-term spaces. Adequate bicycle parking spaces will be provided to accommodate the proposed development in each of the three phases, in accordance with the aforementioned requirements.

3. Loading

An existing loading facility is located behind 530 Gaither Road, with two 70' x 14' loading spaces. New internal loading facilities will be provided for each of the Phase Two and Phase Three buildings.

D. Traffic & Vehicular Circulation

Access to the Property is currently provided from two driveways, one on Redland Boulevard and the other on Gaither Road. The existing access to Redland Boulevard is located at a distance of approximately 400 feet from the Intersection and the access point along Gaither Road is located approximately 800 feet from the Intersection. The location of the existing access points will remain unchanged by this Application. After completion of Phase Three, before accounting for any Transportation Demand Management ("TDM") reductions, the Project in its

⁵ The parking for the Café Pavilion was calculated using the parking standard for a "full service restaurant" use of one space per 50 square feet of patron use area, one space per 80 square feet of outdoor patron use area, and one space per two employees. However, the Café Pavilion use is not a typical restaurant and, as designed, would not be able to be leased to a full service restaurant operator. The Café Pavilion is intended to primarily serve the office tenants during the day and it will not generate the same parking demand as a typical stand alone full service restaurant use.

entirety will generate approximately 515 net additional AM peak hour and 436 net additional PM peak hour trips when compared to the existing approvals for the site.

E. Public Use & Amenities

Under the MXE Zone, the Applicant is required to provide a total of 20% of the net lot area as open area, within which at least 5% must be devoted to public use space. The Project provides a significant amount of open area and public use space on-site. After completion of Phase One, the Property will provide a total of 720,000 square feet (or 60%) of the net lot area as open area, within which 231,000 square feet (or 19%) will be public use space. The open area provided by the Project is "front loaded" (i.e. occurring in Phase One) and will remain largely unchanged after completion of all phases.

The landscaped plaza proposed as part of Phase One will serve as a central open space for users of the site. A core concept of the landscaped plaza is integration of stormwater management and user experience. A concrete ramp arcs across the landscape creating areas of terraced lawns and fully planted bioretention cells, with a linear walkway and steps cutting a direct path through. Both walkways terminate at a restaurant pavilion that opens three sides onto lawn and plaza space. High quality specialty pavers and unique benches enhance the custom look and feel. Broad crossings with accented paving at building centers support the pedestrian friendly approach.

The arcs of the central quad area are repeated at the development entrances through plantings of ornamental trees, shrubs and perennials. New street trees extend the elevated experience beyond the entrances.

Exiting the central quad between the 540 and 530 buildings, a walkway provides access to additional gathering spaces and activity lawn overlooking the woods. From here a trail leads around the existing detention pond and parking garage, connecting to the entrance sidewalk to provide a loop for exercise and outdoor refreshment.

F. Civil Engineering

1. Natural Resources Inventory/Forest Stand Delineation

The Property is subject to the City's Forest and Tree Preservation Ordinance. Pursuant to the existing, approved Forest Conservation Plan, approximately 35% (or \pm 9.56 acres) of the Property is preserved as forest in a conservation easement. The City Department of Recreation and Parks has confirmed that a Natural Resource Inventory/ Forest Stand Delineation ("NRI/FSD") is not required for this Site Plan. An amended Forest Conservation Plan will be submitted in connection with the Project, depicting the required conservation measures and how they will be achieved.

2. Stormwater Management and Sediment & Erosion Control

The Project will comply with the requirements of Chapter 19 of the City Code. As previously mentioned, the Project will result in an overall net decrease in the impervious area on-site by approximately 1.1%. Additionally, the Project will provide on-site quality and quantity stormwater measures, including seven (7) micro-bioretenion facilities and partial green roofs on the Café Pavilion and Phase Two and Three buildings. The Applicant will submit a Sediment and Erosion Control Plan to the Department of Public Works ("DPW") for their approval prior to commencement of construction.

3. Utilities

Existing dry utilities that serve the Property are buried below-grade. Any new utilities required for Phases Two and Three will be buried below-grade along with any transformers.

V. Comprehensive Plan Conformance

The Property is located in Planning Area 15 ("Research/Piccard Area"), as identified in the Master Plan. One of the underlying planning principles of the Master Plan applicable to the Research/Piccard Area is to encourage a strong and diverse local economy. The Research/Piccard Area reflects this underlying principle, as it is built out with a variety of office, industrial and research and development uses.

The Master Plan also recognizes that the relatively low density of development and expansive siting of buildings in the Research/Piccard Area provides an important opportunity, as office demand increases, for in-fill redevelopment on properties that were built substantially below the maximum allowable FAR. The 2010 Approved and Adopted City of Rockville Municipal Growth Element of the Comprehensive Master Plan specifically identifies the Property as a potential growth area. The Municipal Growth Element States that Research/Piccard Area is well-suited for higher density office development, given its prominent location near the I-270 corridor.

The proposed Project, which is designed to ensure the continued success of the existing Class A office buildings on the Property in the short term and to provide additional employment opportunities in this designated growth area in the long-term, is entirely consistent with these Master Plan objectives. The Project, located in close proximity to I-270, the Shady Grove Metro Station, and proposed future CCT Station, will provide a true growth opportunity: greater density, in-fill commercial development that is conducive to the use of multiple modes of transportation (i.e. mixed-mode commuting) and that promotes the efficient use of land by providing potential ridership for existing and future transit services. The Property is conveniently located within 5,000 feet of the Shady Grove Metro Station and within 2,000 feet of the proposed future West Gaither Corridor Cities Transitway Station. To encourage users of

the site to utilize alternative modes of transit, the Applicant will continue to provide a shuttle service to the Shady Grove Metro Station (with two trips to and from the Property provided per hour during weekday business hours). Given the Property's proximity to transit services, it is anticipated that a significant number of users of the Property will use transit to access the site. Additionally, the Property's close proximity to the large residential planned development of King Farm provides an opportunity for users of the Property to live in close proximity to work. The Project will also incorporate bicycle amenities, potentially including Redland branded bikes for use by tenants during the day as a convenience for those employees who choose to leave their cars at home.

VI. Zoning Ordinance Conformance

A. Purposes

Section 25.13.02 of the Zoning Ordinance states that the MXE Zone is "[i]ntended for areas that are either currently developed or recommended for development primarily for office, light industrial, and industrial park uses." The MXE Zone allows for medium density development of office and retail uses and promotes the following general purposes:

- 1. To create high-quality neighborhoods and zones that are attractive and pedestrian-oriented;*
- 2. To allow for a mix of different types of land uses in a compatible manner, both vertically and horizontally;*
- 3. Consistent with the Environmental Guidelines, to ensure the provision of public spaces that enhance the built environment;*
- 4. To minimize automobile use and maximize the use of public transportation, bicycle, and pedestrian access within the City;*
- 5. To promote a variety of uses in close proximity to each other in compliance with the Master Plan's recommendations;*
- 6. To establish performance standards to ensure that allowed uses will not create a nuisance for other uses within the same development;*
- 7. To provide standards and guidelines for assuring that the appearance and design of buildings, structures, and neighborhoods are compatible with existing nearby buildings and structures, and/or complies with any adopted design guidelines in the relevant Plan for the area in which the building or structure is to be located;*

8. *To provide for a variety of residential uses and diverse styles of housing which are compatible with the intent of each of the Mixed-Use Zones; and*
9. *To provide for more efficient land use, particularly a development pattern more flexible in adjusting to market conditions and local growth fluctuations.*

As discussed above, the Project implements various recommendations of the Comprehensive Plan. The Project also responds to the objectives of the Zoning Ordinance for the MXE Zone by facilitating the revitalization and long-term success of an existing office park, which is located in close proximity to public transit. The proposed Project will replace existing surface parking with a landscaped plaza, the Café Pavilion and architecturally pleasing Class A office buildings. The improvements will reduce impervious surfaces and result in the installation of stormwater management quality and quantity technology that will further important environmental objectives, while retaining a significant amount of property as a forest conservation area. The Project will promote the use of alternative modes of transportation for work-trips by providing additional office uses in close proximity to transit services and, by locating additional office development within walking distance of the surrounding residential communities, employees will have the potential opportunity to live in close proximity to their work. In approving the Use Permit for the existing office park development, the Planning Commission has previously determined that the office use of this Property is compatible with the surrounding developments. The Project has been carefully designed to maintain this compatibility, with a particular sensitivity and emphasis on addressing impacts to nearby residential uses. Significantly, as mentioned above, in response to a comment received from the community the Applicant has redesigned the building and site layout to re-order the construction of the Phase Two and Phase Three office buildings.

B. Development Standards

For the MXE Zone, the density of development is determined by compliance with the various development standards set forth in Section 25.13.05, the additional design guidelines of Section 25.13.06, and special design regulations of Section 25.13.07 for mixed use zones. The Project complies with the applicable provisions of the Zoning Ordinance, as described herein below.

i. Section 25.13.05 – Development Standards

Section 25.13.05.a requires compliance with any build-to lines established by the relevant Master Plan (by placing at least 70% of the length of the building wall facing that line at the build-to line), or any building restriction lines established by the Zoning Ordinance in Section 25.17.08. In this case, the Master Plan does not establish any build-to lines applicable to the Property, and the Zoning Ordinance does not establish any building restriction lines that would be applicable. The Project therefore complies with Section 25.13.05.a.

The Project fully complies with the applicable development standards for the MXE Zone set forth in Section 25.13.05.b:

	REQUIRED/PERMITTED	PROPOSED
Maximum Height (in feet)	120'	120'
Total Open Area Required	20% (or 239,902 square feet)	60% (or 720,000 square feet)
Minimum width at front lot line (in feet)	10 feet	270 feet (minimum)
Setbacks Abutting Public Right-of-Way	None required. 10' minimum if provided.	95 feet (minimum)
Side Setback: <ul style="list-style-type: none"> • Abutting Residential • Abutting Non-Residential 	<ul style="list-style-type: none"> • 25' or ½ height of building, whichever is greater • None; 10' min. if provided 	<ul style="list-style-type: none"> • N/A • 265 feet (minimum)
Rear Setback: <ul style="list-style-type: none"> • Abutting Residential • Abutting Non-Residential 	<ul style="list-style-type: none"> • 25' or ½ height of building, whichever is greater • None; 10' min. if provided 	<ul style="list-style-type: none"> • N/A • 293 feet (minimum)

In addition to the height standards established for the MXE Zone, the Zoning Ordinance states that buildings cannot penetrate a layback slope line of 30 degrees, beginning from the closest ground point of the lot line of any property in any residential zone where single unit detached, semi-detached, attached, or townhouse development exists or such development is recommended in the Plan, without regard to intervening roads or other transportation facilities. Because the Property does not abut or confront any residentially zoned properties, it is not subject to the layback slope requirement.⁶ Nonetheless, to promote compatibility with the confronting residential uses, the Project fully satisfies the 30 degree layback slope as measured from the nearest lot line of the confronting PD Zoned property across Gaither Road.

ii. Section 25.13.06 – Additional Design Guidelines

To ensure high quality development in the Mixed-Use Zones, the Zoning Ordinance provides additional design guidelines for the MXE Zone. The Project will be consistent with the intent and purpose of all applicable guidelines:

⁶ The single-unit detached residential development located across Gaither Road from the Property is located in the PD-KF Zone, which the Zoning Ordinance defines as principally a mixed-use residential and commercial development zone. The layback slope requirement does not apply to areas within a PD Zone.

	SUMMARY OF REQUIREMENT	PROPOSED
<u>Aesthetic and Visual Characteristics for All Zones</u>		
<p>Facades and Exterior Walls Including Sides & Backs [Section 25.13.06.b.1]</p>	<p>Avoid massive scale and uniform and impersonal appearance. Building walls greater than 100 feet should include projections, recessions and other treatments.</p>	<p>The proposed Café Pavilion will be at an intimate scale to cater to the intended pedestrian activity within the new plaza. The Café Pavilion building consists of a single story building designed to attract tenants to utilize its interior seating area. Dominant materials are anticipated to include glazed walls with operable large openings and aluminum metal panels, contrasted with wood finish accent materials both inside and out. A proposed green roof will be visually attractive as viewed from the taller adjacent office buildings looking down upon this new structure.</p> <p>The Phase Two and Phase Three office buildings have been designed to provide an interesting architectural expression both within the site and from adjacent streets, while avoiding massive scale. The ground level design will be kept at a pedestrian scale to allow both visual access and interest (for example, through the use of a two-story arcade at the base of the Phase Two and Three buildings to respond to the design of the central plaza). Additionally, the buildings have been designed as a sculpted mass to provide visual interest from all perspectives, so there is no perceived "back door." The massing will step down towards the streets as the building gets closer to the property lines.</p> <p>The exterior design includes recessed and projecting elements, as recommended in the guidelines.</p>
	<p>a. Occupy at least 60% of street frontage with windows, arcades and awnings. Architectural treatment similar to front façade must be provided to the sides and rear.</p>	<p>The proposed office buildings do not directly front on Gaither Road due to the intervening commercial parcel, nor Redland Boulevard due to the orientation of the existing campus buildings. Nonetheless, the Project will utilize varied architectural materials to add visual interest for the passerby on adjacent streets. The primary materials for the Phase Two and Three buildings are anticipated to include large glass openings with contrasting precast concrete. The garage</p>

		elevations on the east side of the Phase Two and Three buildings will be encapsulated with artistic architectural banding and grilles.
	b. Provide architectural features that contribute to the visual interest at the pedestrian scale.	<p>Phase One is focused on developing a more pedestrian-friendly environment than what exists today on the campus. The proposed Café Pavilion will be at an intimate scale to cater to the intended pedestrian activity within the new plaza. It will be a single story building designed to invite use of its interior seating area.</p> <p>The Phase Two and Three street level design will utilize a pedestrian scale to allow both visual access and interest to the passerby. Facing the internal street, the Phase Two and Three buildings will utilize a two story arcade at their base to respond to the design of the central plaza being developed within Phase One.</p>
Roofs [Section 25.13.06.b.2]	Provide variations in rooflines. Roof features should complement the architectural and visual character of adjoining neighborhoods. Roof design should also include a light color surface or be planted with vegetation.	<p>From the one-story Café Pavilion to the new Phase Two and Three office buildings, the Project will provide varied rooflines on the campus and will complement the visual character of adjoining neighborhoods. In particular, the Phase Two and Three building mass has been designed with primary roof levels at both the 5 story and 11 story levels. The 5 story roof level will be celebrated as an outdoor amenity space with a variety of activities. This level will contain plantings and outdoor terrace areas and act as an overlook to the central plaza activities of Phase 1.</p> <p>The 11 story roofs will have contemporary cornice lines expressed as extended roof lines of varied depth. In addition, the massing at this level will be disrupted with projecting architectural features to unite the two proposed office buildings and create visual interest for the campus and for the community.</p>
Materials & Colors [Section 25.13.06.b.3]	a. Utilize building materials and colors compatible with those in adjoining neighborhoods.	The building material palette will be derived from the existing office campus architecture and the adjacent King Farm commercial development directly across Redland Boulevard. The Phase Two and Phase Three buildings will fit comfortably within this context. The exposed

		dominant materials for the office buildings are anticipated to be glass, precast concrete and wood material accents. This is in keeping with the flavor of local commercial sector development.
	b. Unless the exterior surface is covered, avoid tilt-up concrete, smooth-faced concrete block, prefabricated steel panels, and other similar materials.	No materials of this type are proposed for this project.
Items Allowed Not Facing A Public Street [Section 25.13.06.b.4]	The following items are allowed either on sides not facing a public street or in the rear yard: (a) window and wall air conditioners; (b) electric utility meters; (c) air conditioning compressors; and (d) irrigation and pool pumps.	The Project does not include any of these enumerated items facing a public street.
Entryways [Section 25.13.06.b.5]	Provide highly visible entryways.	As this is a campus plan development, all entries are internal to the site and relate to the internal vehicular circulation system. Each office building will provide a strong visual cue to direct visitors to the desired building entry. Each building entry relates to the central plaza and creates a series of visual cues to the pedestrian, each playing off of each other in an architectural fashion.
Screening of Mechanical Equipment [Section 25.13.06.b.6]	Screen mechanical equipment to mitigate noise and views.	All mechanical equipment will be adequately screened to mitigate noise and views in all directions.
<u>Site Design and Relationship to Surrounding Community</u>		
Vehicular Access [Section 25.13.06.c.1]	Provide vehicular access from arterial, major or business district roads.	Vehicular access to the Property will continue to be provided from the existing curb cuts along Gaither Road and Redland Boulevard. Both Gaither Road and Redland Boulevard are classified as arterial streets. Vehicular access to the Property will remain unchanged by the proposed Project.
Buffers [Section 25.13.06.c.2]	Provide visual and noise buffers to nearby residential uses.	Due to the intervening gasoline service station, the Property only confronts single-family residential uses along a small portion of the Property's frontage along Gaither Road (a four-lane divided road). There is currently a

		landscaped berm and additional on-site landscaping that provide a buffer to the confronting residential uses. The proposed Project will retain the landscaped berm and provide additional plantings along Gaither Road that will serve as both a visual and noise buffer to the nearby residential uses.
Outdoor Sales & Storage [Section 25.13.06.c.3]	a. Areas for outdoor sales of products may be permitted if they extend the sales floor into which patrons are allowed free access.	The Café Pavilion will be constructed with operable glass panels, which will allow the building to have an "open air" character at times. To the extent that this may be interpreted as allowing for the outdoor sale of products, please note that there would be no outdoor sales occurring in areas where patrons are not allowed free access.
	b. Outdoor storage of products in an area where customers are not permitted is prohibited.	There will be no outdoor storage of products on the Property.
Trash Recycling, Waste Oil/Grease Collection Area [Section 25.13.06.c.4]	a. Locate areas for trash, recycling, and waste oil/grease collection at least 50 feet from any residential use, zone, or property, or any street, unless such areas are enclosed.	All proposed trash, recycling and grease collection areas are internal to the buildings and site and well away from adjacent street access points.
	b. Screen all trash, recycling, and waste/oil grease collection areas that are not enclosed or underground.	See above.
Parking Lots & Structures [Section 25.13.06.c.5]	a. Provide safe, convenient and efficient access.	Parking for Phase One will continue to be provided through the existing conditions (<i>i.e.</i> surface parking lots and the structured parking garage), with a limited number of replacement parking spaces provided around the plaza and internal drive aisle to provide convenient access to the Café Pavilion and office buildings. The surface parking is distributed around the site to provide safe and convenient access to the existing Class A office buildings. Access to all parking will continue to be provided internal to the site.
	b. Façades should be treated to achieve the same appearances as associated buildings.	Parking for Phase Two and Phase Three will be provided through architecturally screened parking structures. The garage will have substantially the same appearance and exterior materials as the office buildings above. Garage entry will be

		located internal to the site.
Pedestrian & Bicycle Flows [Section 25.13.06.c.6]	Provide for pedestrian accessibility, safety, and convenience.	There are currently sidewalks that provide direct pedestrian access to the main entrances of the existing office buildings from both Gaither Road and Redland Boulevard. The project provides the opportunity to improve the pedestrian connections internal to the site. Specifically, Phase One will provide improved pedestrian connections between the three existing Class A office buildings, as well as the future Phase Two and Three office buildings.
Central Features & Community Spaces [Section 25.13.06.b.7]	Provide attractive and inviting pedestrian scale features, spaces, and amenities.	Phase One of the Project will provide a campus amenity for the users of the existing and future Class A office buildings. The proposed Café Pavilion will provide on-site food options for employees with an indoor seating area, etc. Similar to the existing office buildings, Phase Two and Phase Three will include tenant amenities such as rooftop terrace and activity areas, fitness centers and bicycle storage.
Delivery & Loading Spaces, Hours of Operation [Section 25.13.06.b.8]	a. Design delivery and loading operations in accordance with Article 16, and locate so as to mitigate visual and noise impacts to adjoin residential neighborhoods.	All proposed delivery and loading areas are internal to the buildings. All are internal to the site and well away from adjacent street access points.
	b. Park delivery vehicles at least 50 feet from residential property.	Delivery vehicles will be internal to the site and well away from the adjacent street access points.
	c. Screen or enclose delivery and loading areas.	All proposed delivery and loading areas are internal to the buildings. All are internal to the site and well away from adjacent street access points.
Ancillary Uses [Section 25.13.06.b.9]	Any ancillary uses must not have negative impacts on adjacent residential uses, residentially zoned properties, or adjacent properties. Any ancillary use should be oriented to face away from any residential use or residentially zoned property that is adjacent to the site.	The accessory restaurant use proposed in Phase One will not have any negative impacts on the nearby residential uses. The Café Pavilion will be screened from view by the intervening parcel and the existing landscaped berm and on-site landscaping. And, after completion of Phase Two and Phase Three, the Café Pavilion will be further screened by the future office buildings. Although the Café Pavilion will also be available to serve other nearby off-site employees or residents, it is primarily provided as an amenity

		for on-site employees.
Noise Abatement [Section 25.13.06.b.10]	Provide a noise mitigation plan indicating compliance with applicable noise regulations.	This provision is not applicable to the proposed office development.
Outdoor Lighting [Section 25.13.06.b.11]	Provide outdoor lighting in conformance with the City's Landscaping, Screening and Lighting Manual.	All proposed vehicular and pedestrian lighting will provide full cutoff where light output amounts require. Uplights for signage and landscape or architectural accents will be shielded with directional controls, so as to light only the intended feature and avoid unsafe glare or night sky pollution.
Landscaping [Section 25.13.06.b.12]	Provide landscaping in conformance with the City's Landscaping, Screening and Lighting Manual.	Landscaping will be provided throughout the site in the form of street trees, augmented buffer plantings along the property's eastern and southern edges, bioretention plantings for stormwater filtration, enhanced planting areas at the entrances, and new building foundation plantings. The plantings will include native and adaptive, non-invasive species suited to the climate and growing conditions of the site and will follow the guidelines for safety though environmental design.

iii. Section 25.13.07 – Special Design Regulations

The Zoning Ordinance establishes the following additional requirements for properties in the MXE Zone:

1. *Building Location – Where recommended by the Plan, buildings in the MXE Zone should be located close to the front property line or at a build-to line (vis-à-vis, a service drive) where established by the Plan.*

As previously discussed, the Master Plan does not establish a build-to line applicable to the Property. However, in compliance with the Zoning Ordinance and the recognition in the Master Plan that large setbacks are not conducive to transit service, the proposed office buildings will be located closer to the Property's frontage on Gaither Road (while maintaining compatibility with nearby residential through satisfaction of 30 degree layback slope).

2. *Uses by Floor – The ground floor may contain retail and other commercial uses along those streets designated in the Master Plan as major pedestrian spines. The upper floors may be additional retail, office, residential, or a combination of uses.*

The Comprehensive Plan, applicable to the Property, does not classify Redland Road or Gaither Road as "major pedestrian spines." As such, this provision is not applicable.

3. *Façade – Along the front lot line, the building façade is normally a minimum of 20 feet high. Building facades taller than 35 feet should generally include an expression line at the first floor level, and a defined cornice line at the top of the façade wall.*

The proposed office buildings do not front directly on Gaither Road due to the intervening commercial parcel, nor do they front on Redland Boulevard due to the orientation of the existing campus buildings. However, the roofs of the Phase Two and Three buildings will have contemporary cornice lines expressed as extended roof lines of varied depth. In addition, the massing of the office buildings at roof level will be disrupted with projecting architectural features to unite the two proposed office buildings and create visual interest for the campus and for the community.

4. *Sidewalks – Where sidewalks must be built new or rebuilt as part of redevelopment, they should comply with the provisions of Section 25.17.05.*

This provision is not applicable to the proposed Project. The existing sidewalks along Redland Boulevard and Gaither Road will remain unchanged by this Application.

5. *Parking – On-site parking must comply with the standards and requirements of Article 16. Most parking should be located to the side or in the rear of the buildings. Structured parking, either above or below grade, is preferred. Any parking structure facades visible from the street or a transitway must be treated in a similar manner as the primary building facades. All parking must be screened to prevent vehicle headlights from shining into adjoining residential properties.*

The majority of the existing surface parking will remain as part of Phase One with a limited number of replacement parallel parking spaces provided around the Plaza and along the drive aisle to provide convenient access to the Café Pavilion and office buildings. Phase Two and Phase Three will eliminate a significant portion of the surface parking area and will replace it with architecturally pleasing, Class A office buildings. The surface parking to remain will be located internal to the site and thus, predominately screened from view from the right-of-way. Parking for Phase Two and Phase Three will be provided through structured parking located below the future office building. The garages will have substantially the same appearance and exterior materials as the office building above, but will be encapsulated on the eastern façade with artistic architectural banding and grilles.

6. *Special Regulations for Residential Development in the MXE Zone.*

The requirements of Section 25.13.07.c are not applicable. The Project is entirely non-residential.

C. Landscaping and Screening

The Project will comply with the requirements of the Landscaping, Screening and Lighting Manual (the "Manual"). All proposed landscaping and screening is in accordance with the provisions of the Forest and Tree Preservation Ordinance.

The proposed Project will eliminate a significant portion of the existing surface parking and replace it with the 2,500 square foot Café Pavilion (Phase One) and a 300,000 square foot Class A office building (Phases Two and Three). The Project will comply with all applicable requirements of Section 4.d.2 of the Manual. The residual surface parking (i.e. the parking areas not affected by this Project) will remain largely unchanged by this Application, although a limited number of replacement parking spaces are proposed around the Plaza and internal drive aisle.

A portion of the existing surface parking lot will be replaced with a significant amount of new landscape in the form of street trees, new building foundation plantings, enhanced buffer plantings, and new entrance plantings. Native and adaptive species well suited to the specific project site conditions and climate will be used. Plants will be appropriately located and spaced for anticipated mature size, lines of sight and solar orientation.

D. Signage

The Project will utilize the existing monument signs located at the driveway entrances on Redland Boulevard and Gaither Road. All necessary signage will comply with applicable requirements of Article 18 of the Zoning Ordinance.

E. Green Building Requirements

The Project will comply with the City's Green Building Standards by minimizing the development's impact on the environment, and meeting the new 2015 International Green Construction Code (as applicable).

VII. Findings for Approval

In connection with its review and approval of previous Use Permits for the Property, the Planning Commission has determined that the use of the Property for office development is appropriate for the location and satisfies applicable requirements of the Zoning Ordinance. With implementation of the Project, the Property will continue to support the Planning Commission's

previous findings of compliance. More specifically, the Project satisfies the required findings for Site Plan approval set forth in Section 25.07.01.3.a of the Zoning Ordinance for a Site Plan application that does not implement a project plan or special exception. As required, the Project will not:

- i. Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed development;*

As the Master Plan recognizes, the Property is ideally situated for in-fill office redevelopment and will not adversely affect the health or safety of persons residing or working in the neighborhood. Because of the size of the Property, the office campus is largely self-contained. Additionally, the Property is predominately screened from view from the surrounding properties as a result of the mature plantings along Gaither Road and the forest conservation area along Redland Road. The uses surrounding the campus are primarily other office, industrial or retail/service uses. The architectural design displays particular sensitivity to and ensures that the Project is compatible with residential uses that confront the Property across Gaither Road. As previously mentioned, the phasing of the additional office development has been modified to minimize the potential near-term impacts of construction on the confronting residential community. Additionally, the landscaped berm and additional on-site landscaping will ensure that the confronting residential neighborhood will be adequately screened from the development. The Project will be an asset to the nearby residential development – the location of office development in close proximity to Metro and existing residential developments, the Applicant's operation of a shuttle service, and the provision of bicycle amenities, including covered and secure storage facilities, will promote the use of alternative modes of transportation for purposes of commuting to work.

- ii. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood;*

The proposed Project will in no way be detrimental to the public welfare or injurious to the property or improvements in the neighborhood. Rather, the Project will provide numerous benefits to the neighborhood and the City as a whole, including:

- Promoting the City's economic development objectives by providing new commercial floor area for existing and future employers within a designated growth area;
- Promoting use of alternative forms of transportation to help alleviate transportation congestion. The Project will increase Metro ridership by virtue of locating additional office development in close proximity to transit. The shuttle service provided by the Applicant will further incentivize users of the site to utilize Metro for purposes of commuting to work;

- Providing additional bicycle facilities, including covered and secure storage; and
 - Converting existing impervious surface parking lots into attractive, office and accessory restaurant use and meaningful open amenities space; and
 - Decreased imperviousness on-site.
- iii. *Overburden existing and programmed public facilities as set forth in Article 20 of [the Zoning Ordinance] and as provided in the adopted adequate public facilities standards;*

The Applicant's preliminary analysis indicates that there are adequate public facilities with respect to transportation, fire and rescue, water and sewer capacity to accommodate the proposed Project. Because the Project is entirely non-residential, there is no impact on school capacity.

A Comprehensive Transportation Review ("CTR") Scoping Intake form has been submitted to City Staff, and the formal requirements for the CTR study have been established through the scoping process, as detailed in the scoping letter prepared by the City. Based on the proposed development plan, before accounting for any TDM reductions, the project will generate approximately 515 net additional AM peak hour and 436 net additional PM peak hour trips when compared to the existing approvals for the site. Thus, the CTR requirements dictate that a minimum of 12 intersections be included in the study. As identified through the scoping process, the Redland CTR study will include 14 off-site study intersections and two (2) site driveways in order to provide a comprehensive assessment of the area road network and any impacts that would be realized as a result of the proposed phased development.

The results of the study and any recommendations will be detailed in the Comprehensive Transportation Review Report that will be submitted to the City for review and comment. Any mitigation found to be necessary will be implemented in proportion to each phase of development.

According to the Adequate Public Facilities Standards, dated June 1, 2015, the Property is served by 3-7 fire stations, thereby ensuring a prompt response time in the event of an emergency. The water and sewer for the Project will be provided by the DPW. A water and sewer authorization application has been submitted to DPW for review.

- iv. *Adversely affect the natural resources or environment of the City of surrounding areas;*

The Project will not adversely affect the natural resources or environment of the City or the surrounding areas. The existing Forest Conservation Area will not be impacted by the

proposed development. As discussed above, the Project will provide on-site quality and quantity stormwater measures. The proximity of the Class A office space to the Shady Grove Metro station and future CCT station will promote the utilization of alternative forms of transportation for work trips, which will benefit the environment of the City as well as the surrounding area.

v. *Be in conflict with the Plan;*

As discussed in detail in Section V of this Statement, the Project is consistent with the Comprehensive Plan and the Municipal Growth Element. The Project will promote economic development and additional office development in a designated area of future growth.

vi. *Constitute a violation of any provision of [the Zoning Ordinance] or other applicable law; or*

The Project will satisfy the City's laws and regulations that govern development of the Property. As discussed in Section VI of this Statement, the Project complies with all of the development standards for the MXE Zone, the Landscape Manual, and the City's Green Building Standards.

The Project also satisfies the City's Art in Private Development Ordinance. In accordance with the City's Publicly Accessible Art requirement, the Applicant anticipates that a context sensitive art piece will be installed on-site.⁷

vii. *Be incompatible with the surrounding uses or properties.*

The Project will be entirely compatible with the surrounding uses which consist of office and industrial uses to the north, south and west, and residential and retail/service uses to the east. As discussed in detail above, the Project will promote this compatibility by retaining significant landscaping and providing new landscaping, which will enhance the buffers to the confronting uses. Additionally, to further promote compatibility, the office building proposed in Phase Two and Phase Three will step back from Gaither Road and meet a 30% layback slope from the residential uses in the King Farm Planned Development across Gaither Road.

VIII. Community Outreach

The Applicant held the required pre-submission community meeting on October 15, 2015, at 530 Gaither Road in Rockville, Maryland. Details regarding this meeting, including minutes, have been submitted with this Application in accordance with the standards set forth in the Zoning Ordinance and the City's Development Review Manual. The Applicant also met with the External Affairs Committee of the King Farm Citizens' Association on September 21, 2015.

⁷ Existing publicly accessible art provided for the current commercial office buildings will be relocated elsewhere on-site to accommodate construction of the Café Pavilion.

IX. Conclusion

As discussed herein, the Project represents an important economic development opportunity that will revitalize one of the City's premier office parks by adding new office space, restaurant and open space amenities, landscaping, walking trails, alternative transportation options, bike amenities, and other improvements. The Project is consistent with the recommendations of the Master Plan and furthers its goals and objectives. The Project also complies with all applicable requirements of the Zoning Ordinance that govern development in the MXE Zone. For the reasons expressed throughout this Statement, we respectfully request that the Planning Commission approve the Site Plan and Parking Deferral as proposed.

Exhibit "A"

REDLAND PARKING DEFERRAL REQUEST

On behalf of FP Redland Technology Center LP and FP 540 Gaither LLC (the "Applicant"), affiliates of First Potomac Realty Trust ("First Potomac"), we are submitting this request for a parking deferral for Redland Corporate Center (hereafter referred to as "Redland"), located at 520, 530 and 540 Gaither Road (collectively, the "Property"), pursuant to Zoning Ordinance Section 25.16.03(i). This parking deferral is requested in connection with a Site Plan Amendment that proposes a phased redevelopment of the existing surface parking areas on the Property with a stand-alone café pavilion amenity (up to 2,500 square feet) and up to 300,000 square feet of additional office use with associated structured parking (collectively, the "Project"). The Project will be implemented in three phases with a maximum deficit of 63 parking spaces occurring in Phase One (or 3.7% percent of the Phase One parking requirement and 2.3% overall required parking) and an ultimate deficit of 27 spaces after completion of all phases of development (or 1% of the overall parking requirement). Because there is more than sufficient parking provided on-site to accommodate the existing and anticipated demand, the Applicant is seeking to defer the construction of these spaces. As will be discussed in detail below, there is adequate space on-site to accommodate all required parking if it is determined to be necessary in the future.

I. Background and Proposal

The Property is a 27.54 acre record lot, presently improved with three multi-story, Class "A" office buildings and related site improvements. The existing development is comprised of approximately 500,000 square feet of office use, as approved by Site Plan No. USE2000-00607. The Property currently provides a total of 1,666 parking spaces, through both structured and surface parking. The Property is located in the MXE Zone, approximately 0.9 miles from the Shady Grove Metro Station and less than 0.4 miles from the future East Gaither and West Gaither Corridor Cities Transitway ("CCT") Stations.

As described below, the Applicant proposes to replace existing surface parking areas on the Property, on a phased basis, with a 2,500 square foot café pavilion for employees (with landscaping and outdoor seating) (Phase One) and up to 300,000 square feet of additional office use with structured parking (Phases Two and Three):

1. Phase One. In order to retain and attract quality tenants, the Applicant proposes to replace the existing surface parking located in the central courtyard formed by the three existing buildings with a café pavilion and landscaped plaza. Parking will be reduced in the central parking area in Phase One to accommodate this proposed tenant amenity and provide for increased pedestrian activity. In total, 71 existing parking spaces will be displaced by the construction of the café pavilion and plaza, and 40 new parking spaces will be constructed (along the internal drive aisle and adjacent to the outdoor plaza) to

allow for reasonable access to both the office and café pavilion uses. After completion of Phase One, given the uses and square footage proposed on-site, a total of 1,635 parking spaces will be provided. 1,698 parking spaces will be required for Phase One, resulting in a 63 space deficit (or less than four percent of the parking required for Phase One). The parking for the Café Pavilion was calculated using the parking standard for a "full service restaurant" use. However, the Café Pavilion use is not a typical restaurant and, as designed, would not be able to be leased to a full service restaurant operator. The Café Pavilion is an accessory structure that is intended to primarily serve the office tenants during the day. In practice, it will not generate the same parking demand as a typical stand-alone full service restaurant use.⁸

2. Phases Two and Three. The Applicant proposes to replace portions of the remaining surface parking located near the Property's eastern boundary with two Class A office buildings with up to 300,000 square feet of office use and supporting structured parking. The office buildings will be completed in two phases, as market conditions allow. Phase Two will include the construction of an 11-story, Class A office building with a maximum of 150,000 square feet and a semi-concealed structured parking. Based on the requirements of Section 25.16.03(d), Phase Two will require an additional 500 parking spaces, bringing the total number of parking spaces required on-site to 2,198. The construction of the Phase Two office building will displace 134 existing surface parking spaces and will provide an additional 733 spaces in a semi-concealed above-grade parking structure. After completion of Phase Two, the Project will have a deficit of only four spaces (*i.e.* 2,198 spaces required, as compared to 2,194 spaces provided), or less than one percent.

Phase Three will include the construction of the remaining 150,000 square feet of Class A office space, which will mirror the building constructed in Phase Two and also require an additional 500 parking spaces. The construction of the Phase Three office building will displace 86 existing surface parking spaces but will provide an additional 563 spaces in a semi-concealed parking structure. Following completion of Phase Three, a total of 2,671 spaces will be provided on-site, as compared to 2,698 spaces required. Thus, after completion of all phases of development, the Project will have a deficit of 27 parking spaces (or one percent of the overall required parking).

⁸Based on the proposed operations, the most analogous use would be either an Ancillary Restaurant or an Accessory Restaurant within an Office Building, both of which require the provision of one parking space per 300 square feet of gross floor area and one space per two employees. However, because the café pavilion has a separate outside entrance and is not located within the office building, it does not fall within the definitions for these uses. If classified as an ancillary or accessory restaurant use, the Café Pavilion would only require 10 parking spaces (as compared to the 31 spaces required for a Full Service Restaurant).

II. The Proposal Satisfies the Standards of Section 25.16.03(i), Allowing the Planning Commission to Grant a Parking Deferral

Section 25.16.03(i) of the Zoning Ordinance provides that the Planning Commission has the authority to grant a deferral of providing the number of parking space required, provided the Property satisfies one or more of the specified criteria. Specifically, the Planning Commission may grant a parking deferral where it can be demonstrated that the use served does not need the number of spaces otherwise required due to the proximity to a transit station (Section 25.16.03(i)(1)(c)), or where necessary to enhance or preserve the environment (Section 25.16.03(i)(2)). As discussed below, the minor parking deferral satisfies the requirements of Section 25.16.03(i) and is justified for several reasons:

First, the Property is located within 0.9 miles of the Shady Grove Metro Station and less than 0.4 miles from the future East Gaither and West Gaither CCT Stations. The Property's proximity to public transit allows for a percentage of the office employees rely on public transportation to commute to work, thus eliminating the need for a parking space for such individuals. To encourage employees to utilize alternative modes of transit, shuttle service is also provided between the Property and the Shady Grove Metro Station (with two trips to and from the Property provided per hour during weekday business hours). As a condition of Site Plan approval, it is anticipated that the applicant will be required to participate in the Transportation Demand Management (TDM) Program, which is intended to reduce the number of single-occupant vehicle trips to the site. As such, participation in the TDM will result in less demand for parking on-site. Additionally, the Applicant proposes to provide bicycle amenities such as Redland branded bikes for use by tenants during the day as convenience for those employees who chose to leave their cars at home.

Second, the Property's proximity to residential uses in the King Farm development provides an opportunity for employees to live within walking distance of their place of employment. For those employees living nearby who choose to walk to the Property rather than drive, the need for an otherwise required parking space is eliminated.

Third, although the Property provides a significant amount of undeveloped land area, the Property is encumbered by a 9.56 acre forest conservation easement. The forest conservation easement makes up approximately 35% of the Property's land area and as such, creates a significant constraint on where parking can be located on-site (this is particularly true for Phase One, which does not provide non-structured parking). The proposed deferral therefore allows the Applicant to avoid disturbing land currently encompassed by the forest conservation easement, as well as other environmentally sensitive features on-site.

Where a parking deferral is granted, it typically must be demonstrated that there is sufficient useable land area available to provide the total number of spaces that would otherwise

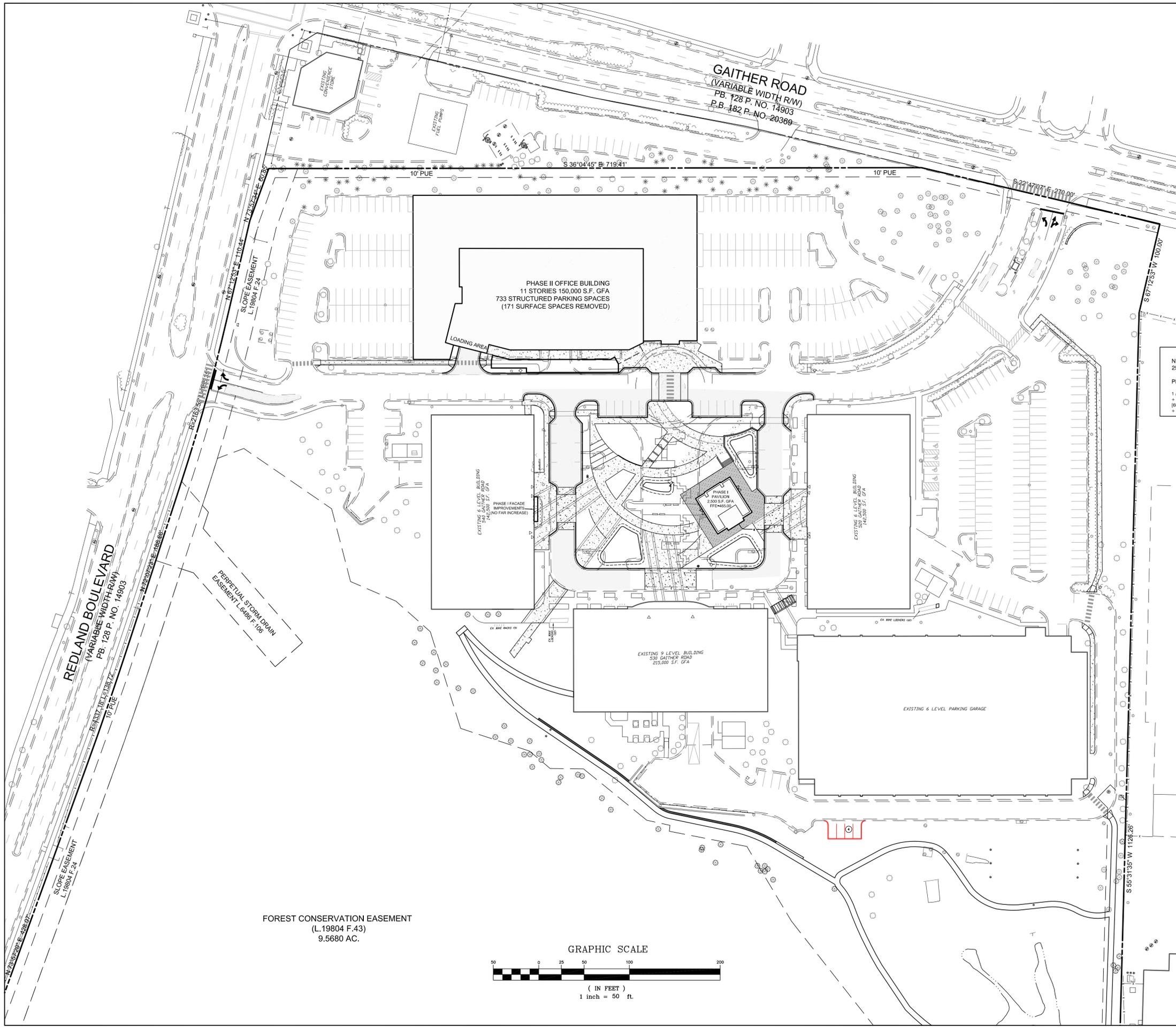
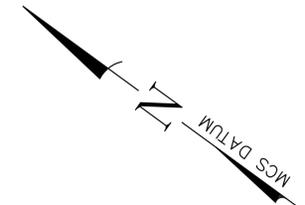
be required. As illustrated by the attached Parking Deferral Plan (Attachment "A"), should the deferred parking spaces prove to be needed in the future, sufficient useable land area exists on-site to provide the total number of parking spaces that would otherwise be required. Alternatively, a shared parking agreement to provide parking at a nearby location could be utilized in accordance with Section 25.16.03(j).

III. Conclusion

Given the extremely minor nature of this request (*i.e.* a deferral of one percent of the overall parking required after completion of all phases of the Project), the parking deferral, if granted, will not in any way adversely impact the surrounding area. There is more than sufficient parking provided on-site to meet the anticipated demand. Providing a sufficient number of parking spaces is key to the success of the office uses on the Property and the success of the office is, of course, of critical importance to the Applicant and the future plans for the Property. In this way, market forces ensure that the Applicant will provide a sufficient number of parking spaces and that the parking deferral will not in any way jeopardize the viability of the continued and future use of the Property.

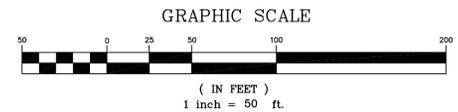
For all of these reasons, we respectfully request approval of the proposed parking deferral. Thank you very much for your favorable consideration.

Attachment "A"



NUMBER OF AUTO SPACES REQUIRED:	REQUIRED	PROVIDED (BASE DESIGN)	PROVIDED HEREIN
25,16.03			
PHASE II	2,198 SPACES	2,194 SPACES	2,198 SPACES
1 / 300 S.F. OFFICE + 1 / 50 S.F. RESTAURANT PATRON AREA + 1 / 2 RESTAURANT EMPLOYEES [650,000 S.F. OFFICE + 1,500 S.F. RESTAURANT PATRON AREA + 2 EMPLOYEES]			

FOREST CONSERVATION EASEMENT
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9.5680 AC.

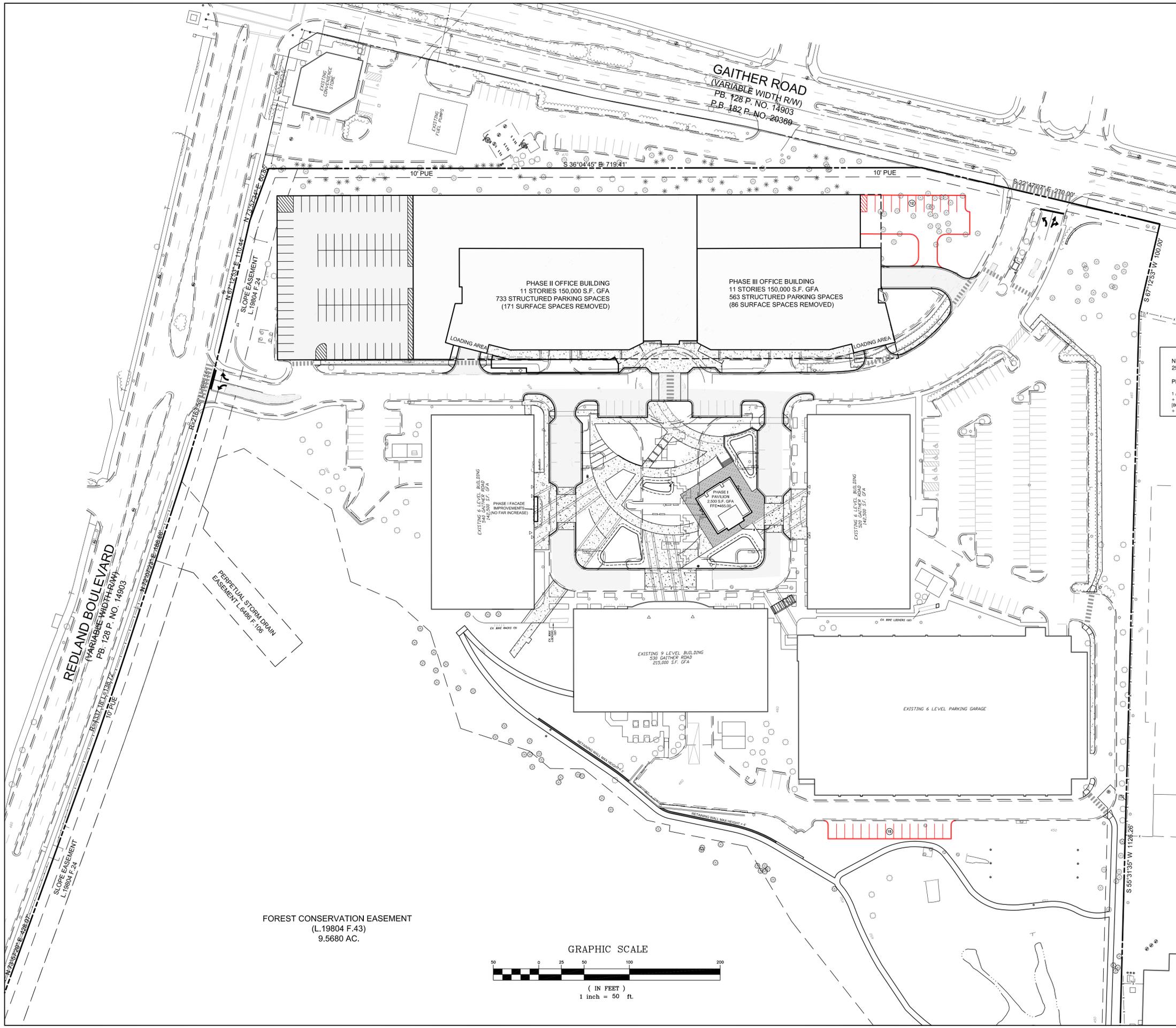
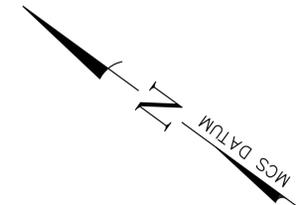


TAX MAP GS121 WSSC 220NW08

PARKING DEFERRAL EXHIBIT – PHASE II
LAND UNITS 1,2 & 3
REDLAND
 PLAT NO. 8123 (REDLAND TECH CENTER)
 4TH ELECTION DISTRICT – MONTGOMERY COUNTY – MARYLAND

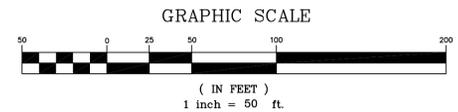
Macris, Hendricks & Glascock, P.A. Engineers ■ Planners Landscape Architects ■ Surveyors 9220 Wightman Road, Suite 120 Montgomery Village, Maryland 20886-1279	Proj. Mgr. PGL	Designer PGL
	Date 02/24/16	Scale 1"=50'
	Project No. 15.142.11	Sheet 1 of 1

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NUMBER OF AUTO SPACES REQUIRED:	REQUIRED	PROVIDED (BASE DESIGN)	PROVIDED HEREIN
25,16.03			
PHASE II	2,698 SPACES	2,671 SPACES	2,698 SPACES
1 / 300 S.F. OFFICE + 1 / 50 S.F. RESTAURANT PATRON AREA + 1 / 2 RESTAURANT EMPLOYEES [800,000 S.F. OFFICE + 1,500 S.F. RESTAURANT PATRON AREA + 2 EMPLOYEES]			

FOREST CONSERVATION EASEMENT
(L.19804 F.43)
9,5680 AC.



TAX MAP GS121 WSSC 220NW08

PARKING DEFERRAL EXHIBIT – PHASE III
LAND UNITS 1,2 & 3
REDLAND
 PLAT NO. 8123 (REDLAND TECH CENTER)
 4TH ELECTION DISTRICT – MONTGOMERY COUNTY – MARYLAND

Macris, Hendricks & Glascock, P.A. Engineers ■ Planners Landscape Architects ■ Surveyors 9220 Wightman Road, Suite 120 Montgomery Village, Maryland 20886-1279	Proj. Mgr. PGL	Designer PGL
	Date 02/24/16	Scale 1"=50'
Phone 301.670.0840 Fax 301.948.0693 www.mhgpa.com	Project No. 15,142.11	Sheet 1 of 1