

**JUSTIFICATION STATEMENT
FOR PRELIMINARY PLAN AMENDMENT NO. 11986186A**

Hanover Shady Grove

The following narrative and justification statement is submitted in support of the Preliminary Plan application (the "Application") for a CR (Commercial/Residential) Zone optional method of development project on the undeveloped pad sites at the Shady Grove Executive Center office park in the Shady Grove area (the "Executive Center"). As described in further detail below and shown on the preliminary plan submitted with the Application (the "Preliminary Plan"), the Application proposes development of the subject property with approximately 367 multi-family dwelling units, including 13.5% Moderately Priced Dwelling Units ("MPDUs"), in two buildings, with structured parking (to be provided in a new structure, as well as through shared use of an existing parking garage located in the Executive Center), resident amenities, and public open spaces (the "Project").

I. INTRODUCTION

The subject property consists of two parcels located in the northeast quadrant of the intersection of Omega Drive and Research Boulevard in Rockville. Parcel "R-R" contains approximately 3.32 acres and is shown on a plat entitled "Discoverly Hall" recorded among the Land Records of Montgomery County (the "Land Records") at Plat No. 20811. Parcel "R-R" has frontage on Research Boulevard. Parcel "T-T" contains approximately 3.6 acres and is shown on a plat entitled "Discoverly Hall" recorded among the Land Records at Plat No. 22312. Parcel "T-T" has frontage on Omega Drive. Collectively, Parcel "R-R" and Parcel "T-T" contain approximately 6.92 acres and are referred to as the "Property."

II. BACKGROUND AND PRIOR APPROVALS

Sketch Plan No. 320120010 was approved for the Project by Resolution dated May 22, 2012 (the "Sketch Plan"); This approval provided for up to 452,152 square feet ("SF") of residential development as permitted under the CR Zone and in accordance with the recommendations of the Great Seneca Science Corridor Master Plan, approved June 2010 (the "Master Plan").

Parcels "R-R" and "T-T" are the last pad sites in the Executive Center, which was approved in 1987 under the C-2 Zone for the development of approximately 920,000 square feet (SF) of commercial uses in multiple buildings with structured and surface parking, a comprehensive pedestrian and vehicular circulation network, and shared amenity spaces.¹ To

¹ The office development is approved pursuant to Preliminary Plan No. 19861860R and Site Plan No. 819877011, as amended.

date, approximately 710,000 SF of office uses in six buildings and a hotel, with associated infrastructure and amenities, have been constructed at the Executive Center. Existing buildings at the Executive Center range in height from 50 to 60 feet. Parcel "T-T" is currently approved for an approximately 132,000 SF office building and Parcel "R-R" is approved for an approximately 77,000 SF office building.

The neighborhood that includes the Property extends to Shady Grove Road to the east, Key West Avenue (MD 28) to the south, Great Seneca Highway and Sam Eig Highway to the west, and I-270 to the north. This neighborhood includes the Washingtonian Center, located to the north approximately one-half mile (a 10- to 15-minute walk) from the Property, and the Crown Farm is located across Omega Drive only approximately 100 feet from the Property. (The area of Crown Farm immediately adjacent to the Property is proposed to be developed for use as a public high school.) Washingtonian Center provides a wide variety of retail, restaurant, and entertainment opportunities in close proximity to the Property, and residents of the Project will have easy, walkable access to these uses. Crown Farm is under development for a mixed-use project, including residential and retail uses.

As noted above, the Property is included in the Great Seneca Science Corridor Master Plan, approved and adopted in June 2010 (previously referred to herein as the "Master Plan"), and specifically within the Master Plan's LSC (Life Sciences Center) North District. The primary objective of the Master Plan is to "[t]ransform the LSC into a dynamic live/work community while ensuring growth opportunities for research, medical, and bioscience interests." *Master Plan* at 9. The Master Plan recommends the development of new housing options in the Master Plan area to support the existing and envisioned new employment centers, to accommodate the "[n]ew residents – many from highly skilled backgrounds – [who] will augment an extraordinary talent pool," and to "encourage younger residents and recruits to stay in the area" by providing new and expanded opportunities and a "quality of place." *Id.* at 12.

The LSC North District, in which the Property is located, is directly across Key West Avenue from the LSC Central District, which is the Master Plan's "Medical and Biotech Center," including such uses as Shady Grove Adventist Hospital, the Johns Hopkins University-Montgomery County Campus, an assortment of medical and office uses, and other medical and research institutions. *Id.* at 35. As such, the LSC North District is well-positioned to serve as a location for the envisioned new housing options that are within a walkable distance from the LSC Central District.

The Master Plan specifically recommends residential uses for the Property. *Id.* at 48. Pursuant to the Master Plan recommendations, the Executive Center, including the Property, was rezoned by sectional map amendment to CR 1.5: C 1.5, R 1.5, H 100. Accordingly, maximum commercial or residential density of up to 1.5 FAR (floor area ratio) and maximum building height of 100 feet are permitted to be developed on the Property. *Id.* The Master Plan encourages public benefits that improve connectivity and mobility or add to the diversity of uses and activity

in the area, and recommends a Corridor Cities Transitway ("CCT") station within approximately one-half mile from the Property on the east side of the DANAC property at the intersection of Key West Avenue and Broschart Road. *Id.* The Master Plan also calls for Omega Drive to accommodate, in the public right-of-way on the west side, the LSC Loop, a 3.5-mile multi-use path connecting the various districts and destinations within the overall Master Plan area, with extensions from the core loop that link to the surrounding communities, including the City of Gaithersburg and the City of Rockville. *Id.* at 32, 48.

III. PROPOSED PRELIMINARY PLAN

In conformance with the zoning and Master Plan recommendations, the Application proposes to redevelop the Property with multi-family residential uses necessary to support the existing and proposed research, medical, bioscience, and office employment centers within the Master Plan area. The Application proposes two multi-family residential buildings that will combine to provide up to 370 dwelling units including 13.5% MPDUs (with final unit count and unit mix to be determined at Site Plan). In total, the Project proposes a maximum FAR of up to 1.5, maximum building height of up to 70 feet, and gross floor area of up to approximately 452,000 SF. No changes to the existing lot lines for Parcel "T-T" or Parcel "R-R" are required or proposed to accommodate the Project.

The Project includes dedicated, high-quality residential amenity space and will provide approximately 20% public use space. The public use space will include a civic green containing approximately 15,000 SF of public, outdoor amenity space on the south side of Corporate Boulevard, which is an internal road running east/west within the Executive Center. This civic green area will feature specialty paving and hardscape, outdoor seating areas, flowering and ornamental trees, and an open lawn, all of which will combine to make the space inviting and attractive to residents, employees of the Executive Center, and visitors to the community. In addition, the civic green will be adjacent to an existing 1.2-acre forested area (that includes a delineated forest conservation area within it) that will be preserved as part of the Project. An additional forested area adjacent to the building proposed on Parcel "T-T" will also be retained as public use space.

The Project will provide vehicular and pedestrian through-block connections, with vehicular access to the Project via both Research Boulevard and Omega Drive, and Corporate Boulevard. The Preliminary Plan also shows the Master Plan location of the LSC Loop on the west side of Omega Drive across from Parcel "R-R". Existing connections will be improved with landscape and streetscaping so that pedestrians and bicyclists feel comfortable and are encouraged to utilize these streets to access the nearby CCT station on the DANAC property, the LSC Loop along Omega Drive, Crown Farm across Omega Drive, and the employment centers of the LSC Central District. In addition, the Project also includes landscape and streetscaping along the portions of Corporate Boulevard, Omega Drive and Research Boulevard adjacent to the Property.

The Project includes structured parking to be built in connection with the residential building on Parcel "R-R" (proposed to contain approximately 344 total parking spaces in three levels). Parking for the residential building on Parcel "T-T" will be provided in an existing parking garage located on Parcel "S-S" (at 9216 Corporate Boulevard), directly adjacent to Parcel "T-T". Pursuant to a recorded easement agreement, the owner of Parcel "T-T" has rights to 362 designated automobile parking spaces on three levels of the existing garage on Parcel "S-S". The Project proposes a "skybridge" open to Project residents only to be constructed on the second and third floors of the existing garage, connecting the garage directly to the residential building on Parcel "T-T".²

The Project's public benefits, provided pursuant to the CR Zone optional method of development requirements, include transit proximity to the CCT station, transit access improvements, structured parking, enhanced accessibility units, affordable housing, provision of a mix of dwelling units, provision of public use space, exceptional design, and use of a Building Lot Termination easement ("BLT").

In addition, attractive and well-planned public use spaces, landscaping and streetscaping will integrate the Project with existing office uses in the Executive Center. At completion, the Project will transform the remaining office pads in the Executive Center into a vibrant, high-quality, multi-family residential community within walking distance, or a short transit ride, from the LSC's busiest employment destinations. Accordingly, the Project will play an important role in furthering the housing and walkability objectives of the Master Plan, and will contribute to a more dense, walkable, and vibrant live/work center envisioned by the Master Plan.

IV. FINDINGS REQUIRED FOR PRELIMINARY PLAN APPROVAL

A. The Preliminary Plan substantially confirms to the Great Seneca Science Corridor Master Plan

As noted above, the Master Plan specifically recommends residential infill development for the Executive Center. *Master Plan* at 48. Pursuant to the Master Plan recommendations, the Property was rezoned by sectional map amendment to CR 1.5: C 1.5, R 1.5, H 100. Accordingly, maximum commercial or residential density of up 1.5 FAR (floor area ratio) and maximum building height of 100 feet are permitted to be developed on the Property. *Id.* The Master Plan encourages public benefits that improve connectivity and mobility or add to the diversity of uses and activity in the area, and also recommends a CCT station within approximately one-half mile from the Property on the east side of the DANAC property at the intersection of Key West Avenue and Broschart Road. *Id.*

² Also, existing surface spaces on Parcel "T-T", currently utilized by an adjacent office building, will be incorporated into the new structured garage that will serve the residential building on Parcel "T-T". This layout promotes the compact and efficient redevelopment of the site.

The Preliminary Plan furthers the property-specific Master Plan recommendations by proposing up to 370 multi-family residential dwelling units in two buildings that will be constructed within the permitted density of 1.5 FAR with a maximum height of 70 feet. (Final unit count, unit mix, and building height will be determined at the time of Site Plan.) This residential infill development creates an efficient and thoughtful use of the last two remaining pad sites in the Executive Center by locating a housing resource adjacent to existing employment uses. This land use exemplifies the Master Plan goals of improving the jobs/housing balance in the planning area by providing residents the option of living within walking distance of their offices.

Moreover, the Project proposes public benefits recommended in the Master Plan locating residential uses near transit and enhanced pedestrian and transit connections, including landscape and streetscape improvements to Corporate Boulevard that runs west to east through the Property. The Project also shows connections to the LSC Loop along Omega Drive, as well as sidewalks throughout to encourage pedestrian connections to the CCT station at the nearby DANAC property.

In addition, the Project implements the applicable general recommendations for the Master Plan area and the LSC North District as follows:

- *Transform the LSC into a dynamic live/work community while ensuring growth opportunities for research, medical, and bioscience interests. Master Plan at 9.*

The Project furthers this objective by providing a significant multi-family residential resource within walking and transit distance of both existing employment centers and the future new employment hubs envisioned for the LSC. The Project's introduction of much-needed housing into the Master Plan area is necessary to redevelop the existing employment-dense environment into the envisioned dynamic live/work community.

- *Concentrate density, building height, and civic green spaces at the CCT stations. Id. at 9.*

The Project complies with this objective by concentrating density and building height within approximately one-half mile of the proposed CCT station on the DANAC property. The Project redevelops the existing vacant pad sites into a lively, multi-family development built up to 1.5 FAR and up to 70 feet in building height. The Project will also provide approximately 20% public use space (exceeding the required minimum of 10%), including a 1.2-acre forested area and an approximately 15,000 SF open civic green that will offer Project residents, employees at the Executive Center, and visitors the opportunity to gather, socialize, and relax.

- *Create a grid pattern of new streets that improve local circulation and connectivity among the LSC districts, promote alternatives to car use, and enhance access to the future transit stations. Id. at 9.*

The Project satisfies this recommendation by improving the existing connections into the Property from Omega Drive and Research Boulevard, as well as Corporate Boulevard, with landscaping and streetscaping in conformance with applicable Master Plan Design Guidelines. In addition, the Project incorporates the LSC Loop on Omega Drive. All of these improvements will improve connectivity between the Project, Omega Drive and Research Boulevard, thereby encouraging residents to walk or take bicycles to the LSC Loop along Omega Drive, Crown Farm across Omega Drive, or the nearby CCT station located on the DANAC property.

- *Create the LSC Loop as the organizing element of the open space plan to connect districts and destinations, incorporate natural features, and provide opportunities for recreation and non-motorized transportation. Id. at 10.*

The LSC Loop is proposed to be located on the west side of Omega Drive. The LSC Loop furthers the Master Plan's vision of a programmed multi-use trail that will provide recreational opportunities for residents of the Projects and employees working in the Master Plan area.

- *Support the County's Agricultural Reserve with zoning that requires acquisition of Building Lot Termination (BLT) easements to achieve maximum densities. Id. at 11.*

The Project proposes to purchase approximately 1.3 BLTs to help achieve the maximum density permitted for the Property under the CR Zone optional method of development.

- *This Plan focuses development around future transit stations in the LSC with bicycle and pedestrian systems that enhance access. The CCT will enable people who work at the LSC to live in nearby communities connected by transit. Id. at 13.*

As discussed above, the Application furthers this objective as the Project is located within approximately one-half mile of the proposed CCT station at the DANAC property and provides enhanced pedestrian circulation around and through the Property. Accordingly, the Project will provide an opportunity for employees to live in close proximity to transit and to employment opportunities in the LSC, including the existing employment uses in the Executive Center.

- *The Plan also recommends new housing in the LSC to create more opportunities to live near work. In addition to promoting a compact form of development, the Plan seeks to promote healthy, active living by fostering walking, creating new*

opportunities for recreation, and providing growth potential for important medical services. The result will be a sustainable form of development and a community where people want to live and work. Id. at 13.

The Project will convert the last remaining office pad sites in the Executive Center to a multi-family development proximate to the existing and proposed employment centers in the LSC. The Project promotes compact, efficient infill development by sharing a structured garage with existing office uses, utilizing and enhancing the existing pedestrian and vehicular network in the Executive Center, and providing amenity spaces for residents' use and outdoor public use space for employees' use throughout the day.

- *This Plan's primary goal is to create a world class life sciences center. A range of housing options and amenities is needed to support this development and help achieve County housing goals, including Moderately Priced Dwelling Units and workforce housing. Id. at 23.*

The Project proposes up to 370 multi-family residential dwelling units, including 13.5% MPDUs, thereby providing a range of housing options to support the needs and desires of employees in the area to live near their work.

B. Public facilities will be adequate to support and service the area of the proposed subdivision.

Public facilities including transportation, water and sewage facilities, police, and fire and health services are adequate to support the proposed development. A Traffic Study dated _____, and prepared by The Traffic Group in accordance with the requirements of the Local Area Transportation Review Guidelines dated July 2011, was filed with the Preliminary Plan Application. The Traffic Study shows that with minor restriping at the Shady Grove Road/Corporate Boulevard/Key West Avenue/Omega Drive/Medical Center Drive intersections, all of the intersections studied operate at adequate levels of service taking into consideration the traffic generated by the Project. In addition, the Traffic Study noted the Policy Area Mobility Review requires a 30% trip reduction for the Project, which will be satisfied by a combination of transportation improvements and/or payment of a mitigation fee in accordance with applicable guidelines.

Other public facilities and services are available and will be adequate to serve the proposed residential and retail uses. Schools, health, police and fire rescue services are currently operating within the standards set by the Subdivision Staging Policy now in effect. Public schools serving the Application are currently operating within program capacity and, therefore, the Application is not subject to a School Facilities Payment based on the current school program capacity projections. The Property is currently served by public water and sewer service, which service will remain adequate to serve the proposed development. As part of the Application, the

Applicant has submitted a draft Transportation Management Agreement, pursuant to Section 50-34(k) of the Subdivision Regulations.

C. **The size, width, shape, and orientation of the proposed lot is appropriate for the location of the subdivision.**

No changes are proposed or required to the existing configuration of Parcels "R-R" or "T-T". The existing lots will meet all the dimensional requirements for size, width, shape, and orientation in the CR Zone. In addition, the Application meets all the other standards and requirements of the CR Zone, pursuant to Section 59-C-15 of the Zoning Ordinance, as demonstrated in the Data Tabulations on the Cover Sheet of the Preliminary Plan.

D. **The Project satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.**

The Project will satisfy the requirements of Chapter 22A as shown on the Preliminary Forest Conservation Plan included in the Application.

E. **The Application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site.**

The Stormwater Management ("SWM") Concept Plan for the Property is included with this Application, as is the Montgomery County Department of Permitting Services letter approving the Concept Plan with conditions. As demonstrated on the SWM Concept Plan, the proposed stormwater management facilities meet all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. Please note that the SWM Concept Plan is subject to minor modifications during final engineering review and approval.

F. **§ 50-34 (g) Staging Schedule (Section 50-34(g) of the Subdivision Regulations).**

The Project will be constructed in two phases, although construction in each stage may overlap.

V. **CONCLUSION**

Accordingly, the Applicant respectfully requests that the Planning Board grant approval of this requested Preliminary Plan for the reasons stated above.