

MANEKIN

July 28, 1993

VIA FACSIMILE / (301) 495-1307

Mr. Dean Mellander
Zoning Coordinator for
Montgomery County
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Zoning Letter In Support of Construction and Permanent Loan from Zanvyl Krieger Fund, Inc. (the "Lender") In Favor of Creamore Germantown Associates ("Creamore") for Building on Parcel 1 of Cloverleaf Center Germantown in Montgomery County, Maryland

Dear Mr. Mellander:

As we discussed this morning by telephone, I am the general counsel for Creamore. Creamore is in the process of closing a construction and permanent loan for a 30,000 square-foot building that currently is being constructed in the Cloverleaf Center Subdivision located at Crystal Rock and Century Boulevard, Montgomery County, Maryland. This 9.8-acre property is shown on the plat entitled "Subdivision Record Plat, Parcel 1, Cloverleaf Center, Second Election District, Montgomery County, Maryland" recorded among the Land Records of Montgomery County, Maryland on June 1, 1993 as Plat No. 19044 in Plat Book 169.

In order to close this loan, the Lender has asked us to obtain a letter evidencing zoning compliance of the Property. Therefore, please write a letter on your letterhead in the form of the attached document. You can return the original, signed letter to me and I will make sure that the Lender receives its copy.

We are extremely anxious to close this loan within the next 7-10 days. Therefore, I would greatly appreciate your preparing the attached letter and returning it to me by Wednesday, August 4. If you have any questions about the attached letter, or if you believe that you will have difficulty meeting this schedule, please call me at your earliest convenience at (410) 290-1480.

Mr. Dean Mellander
July 28, 1993
Page 2

Thank you very much for your prompt attention to this matter.

Sincerely,



Bonnie S. Gottlieb
General Counsel

/djh

Enclosure

cc: Alton Fryer
Joe Callanan
(both w/enclosure)

260\1-mellander

_____, 1993

The Zanvyl Krieger Fund, Inc.
c/o Howard R. Majev, Esquire
Weinberg and Green
100 South Charles Street
Baltimore, Maryland 21201

**Re: Property Owned by Creamore Germantown Associates Located
In Montgomery County, Maryland and Known As Parcel 1 Of
The Cloverleaf Center Subdivision at Crystal Rock and
Century Boulevard**

Ladies and Gentlemen:

This office has been advised that you intend to extend certain construction financing to the owner of the above-referenced property, and that you have requested this office to provide a letter certifying as to compliance of the property with applicable zoning requirements.

We understand that the improvements to be constructed on the property will contain one floor and a total of approximately 30,000 square feet of space. We also understand that the improvements are located on a site comprising approximately 9.8 acres. A review of our records and the applicable zoning ordinances and regulations of Montgomery County, Maryland indicates that the property is located in an I-3 zoning classification district.

Based upon a review of our records pertaining to the above-referenced property and the applicable zoning ordinances and regulations, we certify that our records presently do not reflect any violations of the applicable zoning ordinances and regulations, with respect to any matters including, but not limited to, the following:

1. the area, width or depth of the land as a building site for said structures;
2. the proposed floor space area of said structure;
3. the proposed setbacks of said structure from the property lines or plans;

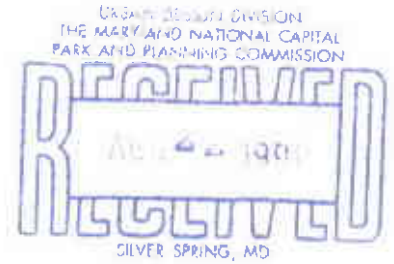
4. the site of said structure; and
5. the required number of parking space.

Sincerely,

Dean Mellander
Zoning Coordinator for
Montgomery County



Richard W. Sherman
Vice President &
General Counsel



August 20, 1991

Mr. Hugo Liem
Maryland-National Capital Park and
Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Site Plan No. 8-90060;
Cloverleaf Center Germantown

Dear Mr. Liem:

The purpose of this letter is to confirm that, as indicated in our letter of January 1991, Fairchild Space and Defense Corporation ("Fairchild") has reviewed and approved of the adjustment to Century Boulevard alignment as shown on the above-referenced site plans. The proposed alignment and relocation of the proposed fifty foot (50') transit easement contiguous to this alignment will affect our existing ballfield and certain parking spaces. Attached please find a drawing identified as Exhibit "A" illustrating the impact of the proposed realignment. Creamore Germantown Associates has agreed to relocate the ballfield and all parking spaces that must be relocated as a result of the alignment change.

Furthermore, that portion of the Century Boulevard right-of-way on the Fairchild Property will be dedicated by Deed or Plat, as required, to Montgomery County pursuant to an agreement with Creamore Germantown Associates. This letter will also confirm our understanding that such a conveyance would be considered an exemption to subdivision platting requirements under the Subdivision Regulations, Section 50-9(c).

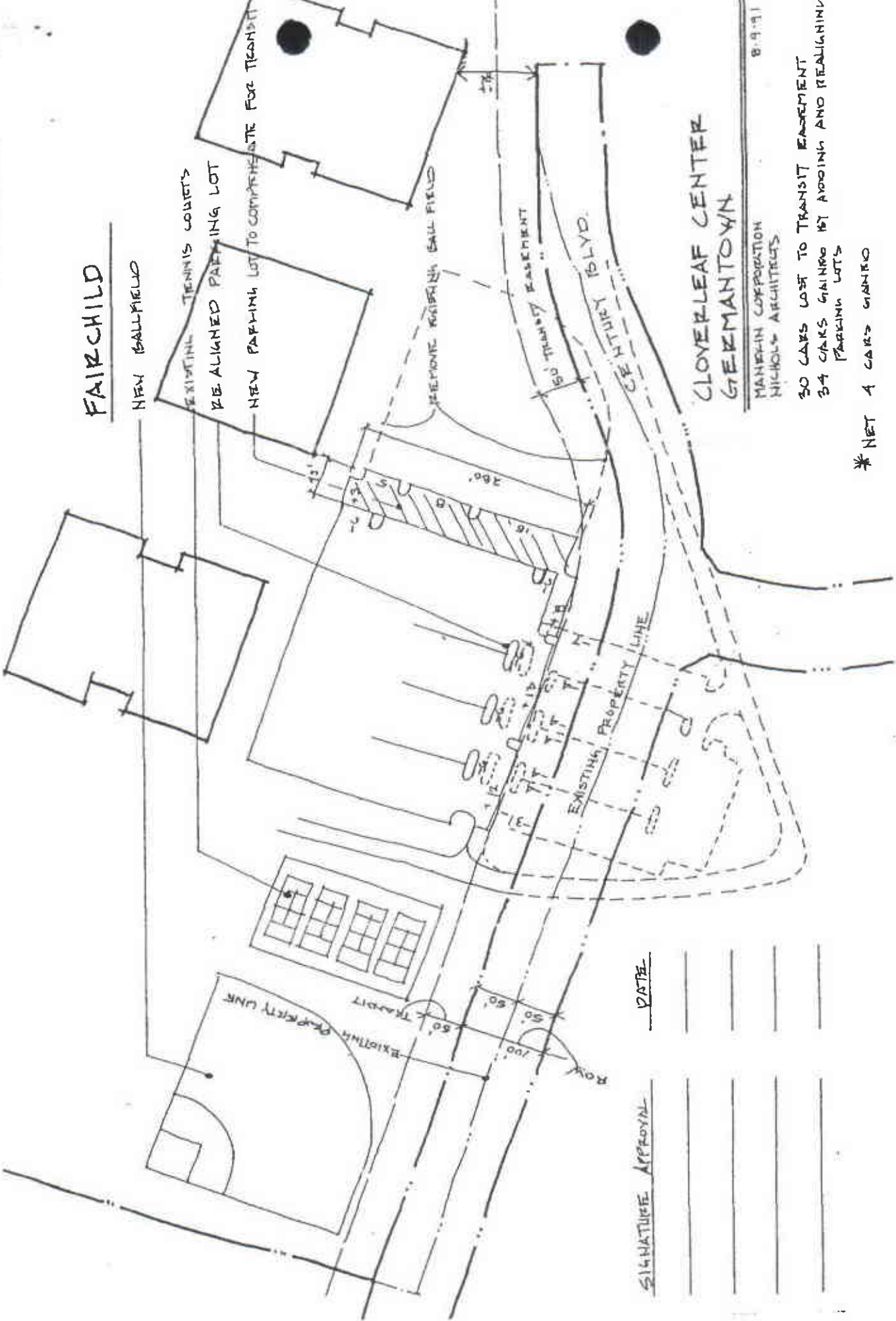
Sincerely,



Richard W. Sherman

Attachment

cc: Ms. Brooke Farquhar
Creamore Germantown Associates



**CLOVERLEAF CENTER
GERMANTOWN**

MANHEIM CORPORATION
NICHOLS ARCHITECTS

8.9.91

30 CARS LOST TO TRANSIT EASEMENT
34 CARS GAINING BY ADDING AND REALIGNING
PARKING LOTS

* NET 4 CARS GAINED

SIGNATURE APPROVAL	DATE
_____	_____
_____	_____
_____	_____
_____	_____

FAIRCHILD

Richard W Sherman
Vice President &
General Counsel

June 17, 1991

Mr. Gus Bauman
Chairman of Montgomery County Park & Planning
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Cloverleaf Center Germantown

Dear Mr. Bauman:

Fairchild Space and Defense Corporation is in favor of and encourages the preliminary plan approval of Cloverleaf Center Germantown.

Consistent with the Master Plan process, there has been and continues to be an effort to increase the jobs to housing ratio in Germantown so that the community can have more balance and the residents can work closer to where they live. We, as neighbors of Manekin, believe that Manekin can develop the kind of project that will be an asset to Montgomery county as well as attract the types of companies that will be assets to Germantown.

Manekin has worked hard to meet both the needs of their project and also to improve the future for all of Germantown. They typically invest in projects for the long term and have a record of acting as responsible corporate citizens.

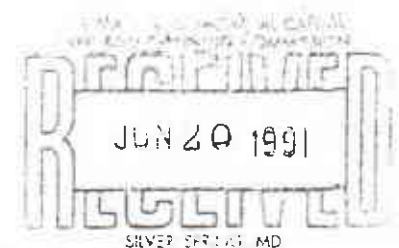
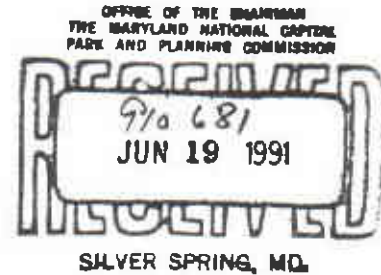
We look forward to Germantown's future growth and support the approval of this project.

Sincerely,


Richard W. Sherman

RWS/ahe

cc: Suzanne Warren
Manekin Corporation





Richard W. Sherman
Vice President &
General Counsel

January 9, 1991

Ms. Brooke Farquhar, Urban Designer
Urban Design Division
Maryland-National Capital Park
and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20907

Re: Site Plan No. 8-90060 Cloverleaf Center Germantown, as
more particularly shown on Exhibit A dated 1/4/91.
RK&K drawings, consisting of 3 pages (Exhibit B, dated
12/21/90.

Dear Ms. Farquhar:

The purpose of this letter is to confirm that Fairchild Space and Defense Corporation ("Fairchild") has reviewed and approves of the adjustment to the Century Boulevard alignment as shown on the above-referenced site plans. Furthermore, that portion of the Century Boulevard right-of-way on the Fairchild property will be dedicated by Deed or Plat, as required, to Montgomery County pursuant to an agreement with Creamore Germantown Associates.

I trust that the information in this letter is sufficient for your purposes, but if you have any questions please advise.

Sincerely,

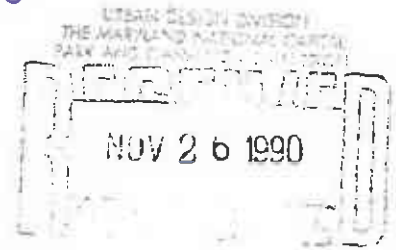
Richard W. Sherman

RWS/ahe

cc: Creamore Germantown Assoc.
c/o Manekin Corporation
25 West Watkins Mill Road, #E
Gaithersburg, MD 20878

Give to Larry ~~the~~ typed letter

November 20, 1990



Maryland-National Capital Park
and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910
ATTN: Subdivision Office,
Development Review Division

Dear Madam or Sir:

RE: N-NCPPC File # 8-90060; Cloverleaf
Center Germantown; PHR&A F # 2327-1-1

I am a confronting landowner with regard to this project and submit my comments for your review. On or about October 11, 1990, I received copies of portions of the Site Plan from PHR&A. On or about October 25, 1990, at my request, I received a copy of the Landscape and Lighting Plan, sheets 7-11 of 17 (September, 1990). My comments are in response to the Landscape and Lighting Plan.

The back yard of my home (12921 Alderleaf Drive) abuts Crystal Rock Drive. I have an uninterrupted view of parcels C, D, E, and H, and buildings 4, 6, and 9. To a lesser extent and because of the upward slope of the land eastward towards I-270, I also have a view of parcels B, F, and G, and buildings 1-3, 7, and 8.

I am not so concerned with the placement of the buildings, assuming they will be limited to a reasonable height, as it appears they will be well spaced from each other, either individually or in clusters. It does not appear that a solid wall of buildings is the intent of the developer, but, rather, a campus is the idea. My major concern is with the landscaping and lighting.

At the outset, let me observe that the plans I have seen show a substantial effort to buffer my neighborhood from the buildings and the parking lots in apparent recognition of the upward slope of the land on which they will rest. I applaud that sensitivity. The problem I see, however, is the lack of landscaping between Crystal Rock Drive and the western edge of the several infiltration basins. While there is landscaping proposed east of these basins (to buffer them from the view from the buildings), there is nothing proposed west of them to buffer them from my view. Although there is currently a line of small pine trees on the east side of Crystal Rock Drive between the Father Hurley Boulevard and Waters Landing Drive intersections, this line of trees is not shown on the Landscape and Lighting Plan, and I must conclude that they are only temporary and will be removed by the time the project is completed.

This problem is exacerbated by the past failure of M-NCPPC to require (a) the developer of my land and/or the Montgomery County Department of Transportation to provide street trees on my side of Crystal Rock Drive, and (b) the Montgomery County Department of Transportation to put landscaping down the middle of the Crystal Rock Drive (as was done on Democracy Boulevard west of Montgomery Mall). Even if Crystal Rock Drive is to be a six lane highway, it should be possible to retain a median strip wide enough to support buffering landscaping.

While lighting is necessary for parking lots and their users, there is nothing on the plans I have seen which sets limits for their use. With street lights on Crystal Rock Drive and lights in the parking lots, it will be a very bright neighborhood unless those parking lot lights have definite operating time periods so they are not in operation 24 hours a day. This was the case before Fairchild Industries moved to Virginia and the lights on their parking lot near the tennis courts were left on all night.

I therefore request that in order to properly buffer my neighborhood from the full impact of this project, M-NCPPC require the following acts be done as a formal requirement of approval of the plan:

1. Require substantial landscaping between the infiltration basins and Crystal Rock Drive using mature trees and plants. Since these basins will catch water and snow runoff, a tree that thrives on water would be ideal. Weeping willows, over time, would provide a most graceful and pleasing buffer.
2. Set definite time limits on the operation of parking lot lighting to prevent all night operation.
3. Require the Montgomery Department of Transportation to immediately establish a median strip in Crystal Rock Drive and plant it with appropriate trees or plants that will grow tall enough to block the view of the northbound lane of Crystal Rock Drive.
4. Require the planting of street trees on the west side of Crystal Rock Drive (my side).
5. Require the buildings be limited to a height that will not create a wall or canyon effect when viewed from the west side of Crystal Rock Drive.

In closing, I request that you provide me with written acknowledgement of receipt of this letter. Thank you for your attention to this matter.

Sincerely,



Edwin R. Hazen
12921 Alderleaf Drive
Germantown, Maryland 20874
(202) 885-2603 (ofc)
(301) 972-9679 (res)

ERH: tbn

cc: Richard E. Travers
Director of Engineering
PHR&A

Brian T. Long
General Manager
Waters Landing Assoc., Inc.