

EVOLUTIONLABS NORTH BETHESDA

SKETCH PLAN NO. 32013001A, SITE PLAN NO. 82015001B AND PRELIMINARY PLAN NO. 12015001B

JUSTIFICATION STATEMENT

I. INTRODUCTION

Stonebridge Acquisitions, LLC (the “Applicant” or “Stonebridge”) is the contract purchaser and developer of the property comprising 5.20 acres of tract area that is bounded by Old Georgetown Road to the west, Banneker Avenue to the north, Grand Park Avenue to the east, and Wall Local Park and the Kennedy Shriver Aquatic Center to the south (the “Property”). The tract area consists of the following components: (a) the underlying Property that consists of approximately 3.17 acres of site area (the “Gables Site”); (b) approximately 0.78 acres of land from the former Executive Boulevard right-of-way that will be conveyed to the Applicant through the abandonment and disposition process; (c) approximately 0.50 acres of land that is part of the Montgomery County Conference Center; (d) 0.06 acres of land transferred from the former VOB dealership property to the east of Grand Park Avenue; and (e) prior dedications of right-of-way for Old Georgetown totaling approximately 0.67 acres. A copy of the detailed tract area calculations are shown on the Preliminary Plan submitted with these applications.

The majority of the Property is zoned CR-3.0, C-1.5, R-2,5, H-70, with a smaller portion of the Property zoned CR-4.0, C-2.0, R-3.5, H-250 pursuant to the White Flint Sector Plan that was approved and adopted in April 2010 (the “Sector Plan”). The Sector Plan classifies the Property within the Metro West District. (Sector Plan, p. 28). The Property is subject to prior CR Zone optional method development approvals that permit up to 521,000 square feet of total development, including a maximum of 490,000 square feet of multi-family residential uses and a maximum of 31,000 square feet of commercial uses as part of Gables Residential prior development proposal for the Property.¹ The Applicant is submitting amendment applications to the approved Sketch Plan (the “Sketch Plan”), the Preliminary Plan of Subdivision (the “Preliminary Plan”), and a Site Plan (the “Site Plan”) application for the first phase of development (collectively, the “Applications”)

¹ The Planning Board approved Sketch Plan No. 320130010 for the prior Gables Residential development on October 24, 2013, and subsequently approve Preliminary Plan No. 120150010 and Site Plan No. 820150010 on April 30, 2015.

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under the optional method of development in the CR Zone for concurrent review by the Montgomery County Planning Board (the “Planning Board”).

The Applicant is seeking approval of the Applications, which would allow for redevelopment of the Property under multiple phases totaling up to 721,516 square feet of Research and Development uses, below and above grade parking for approximately 1,027 vehicles, abundant public and private amenities, and open spaces (the “Project”). In connection with these Applications for the Project, the Applicant is coordinating with Montgomery County to provide structured parking spaces that will serve the adjacent Wall Local Park and Kennedy Shriver Aquatic Center.

The Applicant anticipates review of the proposed Applications by the Planning Board at a public hearing in the spring of 2023 as a speed to market Project that is consistent Montgomery County Strategic Economic Development Plan (2021-2025, the “Economic Development Plan”). The Project will further the Economic Development Plan’s recommendation to “[p]rioritize neighborhood-level land use planning to enhance infrastructure and locations that appeal to life sciences companies,” which in turn will allow the public and private sectors to “[a]ggressively recruit life sciences companies to Montgomery County to increase the density of its biohealth establishments.” (Economic Development Plan, pp. 16-17).

II. THE PROPERTY AND SURROUNDING AREA

As noted above, the Property is located in the Metro West District portion of the Sector Plan, which consists of three different blocks, with the Property including land in two of those blocks: (a) Block 1: Conference Center; and (b) Block 2: Wall Local Park. The Property has immediate access and proximity to a mix of uses, including Pike and Rose to the north, the Montgomery County Conference Center to east, multi-family dwellings to the southeast, and a cluster of employment/office uses across Old Georgetown Road to the west. The Gables Site is within the Wall Local Park Block, which is located within a half mile of the White Flint Metro Station and contains an 11-acre park improved with the Kennedy Shriver Aquatic Center (the “Aquatic Center”) and a surface parking lot with 250 spaces. (Sector Plan, pp. 29, 60). The Sector Plan recommends rezoning the Gables Site to CR-3.0, C-1.5, R-2.5, H-70 “to ensure a transition in height and density” between the block at the White Flint Metro Station and the existing residential development across Old Georgetown Road. (Sector Plan, p. 29). In addition to the Gables Site, a portion of the right-of-way of the former Executive Boulevard and prior right-of-way dedications on Old Georgetown

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Road are zoned CR-3.0, C-1.5, R-2.5, H-70. However, the County land that is located on the western side of the Conference Center Block and the confronting portion of the former Executive Boulevard, is zoned CR-4.0, C-2.0, R-3.5, H-250 Zone. While various components of the Property are zoned differently, the Applications are proposing density and height averaging as allowed for research and development projects pursuant to Zoning Text Amendment No. 22-02, as described in greater detail below.

The Sector Plan also recommends realignment of Old Georgetown Road and Executive Boulevard and the creation of Banneker Avenue (previously identified as Market Street), which will improve traffic circulation in the entire North Bethesda area. (Sector Plan, p. 28). As a result of the future realignment of existing roads and the creation of a new road (Grand Park Avenue), the Property and other surrounding properties “will be reconfigured into rectangular blocks in sizes more conducive to redevelopment” (Sector Plan, p. 29). The Applicant proposes to complete the reconfiguration of the Property to align with the new public street frontages (Banneker Avenue and Grand Park Avenue).

III. THE PROJECT

The Applicant is proposing a transit-oriented development that will allow for an urban cluster of research and development buildings with up to 721,516 square feet of Research and Development uses, delivered across multiple phases. The Applications propose below and above grade parking for approximately 1,027 vehicles, abundant public and private amenities, and open spaces. At full build-out, the Project proposes up to 20,000 square feet of public open space in the form of a pedestrian through-block connection connecting Banneker Avenue to Wall Local Park. The Project also proposes construction of approximately 128 public parking spaces in a shared structured parking facility, which will facilitate public use of Wall Local Park and the Aquatic Center. The first phase of development, which is currently being submitted as part of the Applications, will consist of up to 240,505 square feet of Research and Development uses (“Building A”), up to 700 parking spaces, and approximately 12,000 square feet of public open space.

In accordance with Section 59-4.5.4.B.5 of the Zoning Ordinance, the Applications propose to use additional building height through height averaging, and reallocate mapped residential FAR to nonresidential FAR for research and development uses. The Applicant is eligible for additional building height through the use of height averaging because the Property: (i) is located in a red

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policy area; (ii) fronts on three (3) public streets that are classified as an Area Collector or higher roadway designation; (iii) does not abut or confront a property in an Agricultural, Rural Residential, Residential Detached, or Residential Townhouse zone that is vacant or improved with an agricultural or residential use; and (iv) achieves public benefit points for Adaptive Buildings under Section 4.7.3.D.1. *See* Page 11 for further analysis on public benefit points for Adaptive Buildings.

Additional building height for the proposed research and development uses is permitted because the development site includes a property with a mapped height of 100 feet or less. As delineated on Sheet No. PP-05, the averaged building height allowed for the Property's split zoning is 111.4', which is permitted to be increased by 1.5 times in accordance with Section 59-4.5.4.B.5.b. of the Zoning Ordinance for a total building height allowed of 222.8', which is in excess of the maximum building height allowed under Section 59-4.5.4.B.5.b.i. As a result, the Applications propose a maximum of 150 feet of building height, as permitted by Section 59-4.5.4.B.5.b.i of the Zoning Ordinance. Additionally, the Applicant is proposing to re-allocate a portion of the Property's mapped residential FAR to nonresidential FAR pursuant to Section 59-4.5.4.B.5.c such that a total of 721,516 square feet of research and development uses can be developed.

The Project will create a continuous flow of activity along its frontages through a pocket park at the intersection of Banneker Avenue and Grand Park Avenue and a through-block connection that bisects the Property in a north/south fashion running from Banneker Avenue to Wall Local Park, which will be activated by lobbies and interior building amenity space serving the various research and development buildings in the Project. The Applications inclusion of additional public open space with connectivity to the White Flint Metro Station, adjacent residential and commercial uses, and Wall Local Park will help to realize the Sector Plan vision for new civic greens and public use spaces. Moreover, the Project is in substantial conformance with the Sector Plan vision that "[t]here are few locations remaining in Montgomery County where excellent transit service and redevelopment potential coincide," and that "[i]n the last 30 years the [MD 355/I-270] corridor has emerged as a prime location for advanced technology and biotechnology industries with regional shopping and cultural destinations." The Project will also allow for redevelopment of an underutilized site with a vibrant mix of commercial uses and associated public infrastructure improvements. Significantly, the Project is necessary to implement critical public infrastructure in the form of frontage improvements along Grand Park Avenue and Banneker Avenue.

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Architectural Concept

The three lab towers and parking garage that compose the Project have been shaped in plan to enhance the pedestrian experience moving both north-south from Banneker Avenue to Wall Local Park along the through-block connection and east-west along the internal roadway connecting Grand Park Avenue to Old Georgetown Road, which provides both vehicular and pedestrian access to the Property. These buildings have been sculpted to include angular geometries at the corners for dynamic architectural moments at key locations, facing both the surrounding streets and internal spaces, coordinating with podium elements that follow the curving geometry of Banneker Avenue.

For Building A, the building façade will be composed of horizontally oriented rainscreen panels alternating at each floor with glazing that extends from the height of the lab benches to the ceiling, hiding both the services above the ceiling and the lab equipment at the base of the casework. The pattern of the rainscreen creates a gradient from light gray to light blue to bold dark blues, wrapping the corners and continuing along the building length. These horizontal stripes are dramatically sliced at the southeast corner creating a moment of expanded glazing where the building can announce the arrival of increased density in the urban core of North Bethesda. Projecting horizontal aluminum mullions continue the lines of the rainscreen across the glassy corner and tie the building enclosure together.

The articulated podium of the building creates a pedestrian scale both in height and in the cadence of vertical elements along its length. A horizontal cornice is created with an aluminum element above the second floor of the building that remains a constant height. This cornice appears to be supported by an expression of the building columns and the podium is further composed of alternating vertical rainscreen and glazed panels. Louvers and openings are included where needed for building services while the remainder of the frontage includes ample glazing for the occupants within to view out to the street and for the public to see into the laboratory spaces from the public sidewalk. The top of the building comprises another use of horizontal aluminum elements with louvers obscuring the view of the lab equipment on the roof, acting as a veil, revealing some of the mechanics that support the lab function of research and development uses.

The pedestrian scaled elements continue across the base of the precast concrete parking garage with vertical elements concealing the vehicles within while maintaining the airflow required of a naturally ventilated garage. The northwest corner of the lab building is composed with an expanse

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of glass, denoting the location of the lobby entry and positioned directly across from the glass corner of the garage where a prominent stair is visible through a glazed wall through the height of the building. These two elements create a moment of connective activity along the through-block connection to Wall Park and a moment of arrival for visitors to the Project.

The architectural techniques being utilized on Building A are envisioned to be utilized on the future phases of the Project, however variations are contemplated such that each building will have a unique character to create variety within the urban landscape.

Access and Circulation

As described above, the Applications will allow for streetscape improvements along the Property's Banneker Avenue, Grand Park Avenue, and Old Georgetown Road frontages. Pedestrian improvements are proposed along all three frontages, with Old Georgetown Road accommodating a bicycle path. The Project proposes vehicular access points along Grand Park Avenue and Old Georgetown Road to allow for an internal private street, which will provide vehicular access to the structured parking garage and loading bays to several buildings. In addition to these two curb cuts, the Applications include one curb cut on Grand Park Avenue and one curb cut on Banneker Avenue for loading bays serving the Project. The Applicant has coordinated with M-NCPPC staff to provide for an access concept that prioritizes safe and efficient pedestrian and bicycle movements along Banneker Avenue, including north/south bound circulation in the public open space that leads to Wall Local Park.

The Project also proposes a total of 100 bicycle parking spaces for the three (3) research and development buildings (with 85 long-term spaces) at full build-out. A total of 41 long-term bicycle parking spaces will be provided as part of the initial phase of development in accordance with all applicable design standards. In connection with the long-term bicycle parking spaces provided for Building A, changing facilities with showers and lockers will be provided in a common amenity area of the Project located within Building A for employees. A total of 15 short-term bicycle parking spaces are also proposed for the Project at full build-out.

Proposed Public Use Space and Streetscape and Landscape Concept

As noted above, the Project contains a large pocket park at the intersection of Banneker Avenue and Grand Park Avenue and a through-block connection to bring pedestrians from Banneker Avenue to

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Wall Local Park. While the public open space required for the Applications at full build-out is 17,986 square feet, the Applicant is proposing a total of 20,000 square feet of public open space. The Applicant anticipates that the pocket park and through-block connection will be activated by the Project's future users and the adjacent mix of residential, employment and retail uses that will circulate through the Property. Additionally, the research and development building lobbies will be designed to further promote ground-level activity by using building materials and programming that encourage interaction with the public realm. The combination of these uses creates a dynamic and active streetscape along the Old Georgetown Road, Banneker Avenue and Grand Park Avenue frontages, which is totally lacking today. The following key public amenity and green elements are described in greater detail.

Northeast Pocket Park

The Northeast Pocket Park is situated at the intersection of two major streets, Banneker Avenue and Grand Park Avenue. The main goal of the design is to activate this important street corner by creating a pocket park that is welcoming, comfortable and easily accessible. The flush condition at the crosswalk is being used to extend the paving into the park to create a seamless transition. Trees within the hardscape provide shade without blocking views to the architecture. The design also takes advantage of the grade change to create seating opportunities along the streets looking in and out of the park. A tenant amenity area is located adjacent to the pocket park, providing further activation of this space.

Through-Block Connection

The through-block connection provides a convenient pedestrian connection through the site, from the Pinnacle senior housing development (also known as the Grand Park Development Phase I) on the north side of Banneker Avenue to Wall Local Park. A mid-block crossing is being proposed to enforce this connectivity between the Project and the Grand Park Development. This heavily landscaped and activated pathway connects both the active residential and retail uses of Grand Park and Pike and Rose to the tranquil amenity of Wall Local Park. The transition from active to passive is carried through the design of the separate sections of the through-block connection, further described below.

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North – Central Through Block Connection

The central plaza along Banneker Avenue serves as a gateway to the mixed-use development to the north and is intended for more active use. This plaza design has an amphitheater and serves as a space for gathering, performing, casual seating and relaxing. The edge of the plaza will have stairs, seat walls, movable tables and chairs, which will provide a variety of seating opportunities. The 12' grade change also serves as an opportunity to showcase the stormwater management practices on site via stepped walls and scuppers. The flexible design of this plaza area allows for a variety of programming to occur, such as seasonal markets and other outdoor events.

Woonerf

The central portion of the through-block connection, the woonerf, or shared street, is at the heart of the development with all the building entrances at this intersection. The design goal is to provide a welcoming plaza that is open and pedestrian friendly. The woonerf is designed with lighted bollards, planters, pavers, and pole lights to separate pedestrian and vehicular traffic. This raised vehicle area is designed to slow through traffic, to prioritize the pedestrian movements in this zone. To the north of the woonerf is another flexible seating area with trees and plants for casual seating, outdoor working, lunch, and other social interactions, and provides for the transition to the more passive zone of the through-block connection to the south.

South – Central Through Block Connection

The south portion of the through-block connection provides the connection from Wall Local Park to the rest of the Property. It has a large open lawn with sculptural seating and potential for artwork on the north side. The lawn serves as a flexible open space for picnics, games, and other small events. There is a pollinator garden on the south side of the development, which will serve as an educational garden for children and grownups alike. Various seating opportunities are scattered throughout the lawn and gardens and provide a direct ADA connection from Wall Local Park to the parking garage. It is intended that this area is experienced as an extension of Wall Local Park, pulling the Park amenities into the site to further enhance the space.

Green Features and Stormwater Management

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The Project is subject to the Maryland Stormwater Management Act of 2007 and Montgomery County Bill No. 40-10, which requires managing stormwater runoff by using Environmental Site Design” (ESD) to the “Maximum Extent Practicable” (MEP). ESD utilizes small-scale stormwater management practices, non-structural techniques, and better site planning to mimic natural hydrologic runoff characteristics and minimize the impact of development on water resources. The Project has been designed with these considerations in mind and will be reviewed by Montgomery County Department of Permitting Services for approval. Pursuant to Chapter 19 of the Montgomery County Code, the Applicant will provide sediment and erosion control and treatment for stormwater in accordance with applicable laws. It is anticipated the site will implement micro-bioretenion structures to the maximum extent practicable, to meet the stormwater requirements. Beyond this, the Applicant will work with the County at each Phase through the Stage 3 process, to ensure ESD to MEP implementation. The site design will showcase the stormwater management process by using various stormwater features such as stepped walls, scuppers, and native and adaptive plantings which will be visible to the public.

IV. THE PROJECT SATISFIES THE REQUIREMENTS FOR APPROVAL OF A SKETCH PLAN UNDER THE OPTIONAL METHOD OF DEVELOPMENT IN THE CR ZONE

The Application satisfies all the requirements for approval of a Sketch Plan under the optional method of development in the CR Zone, as provided in Section 59.7.3.3 of the Zoning Ordinance and discussed fully below.

(1) The Sketch Plan meets the objectives, general requirements, and standards of this Chapter.

Intent Statement of the CR Zones

Section 59.4.5.1.A of the Zoning Ordinance lists the intents of the CR Zones. The Sketch Plan meets all these intents, as follows:

- (a) *Implements the recommendations of the Master Plan.*

As noted above, the Property is located within the area identified by the Sector Plan as the Metro West District. More specifically, the Property consists of a portion of the areas identified as Block 1: Conference Center and Block 2: Wall Local Park. (Sector Plan, p. 28).

- *Rezone the rest of the block to CR 3: C 1.5, R 2.5, and H 70 to ensure a transition in height and density between Block 1 at the Metro station and the existing residential development across Old Georgetown Road. (Sector Plan, p. 29)*

The Project’s proposal for three (3) research and development buildings with up to 150 feet of building height through the use of height averaging will allow for a transition in building height between the Conference Center and Metro Station, and the single-family residential community on the west side of Old Georgetown Road.

- *Properties zoned C-2 and TS-R fronting Rockville Pike should be rezoned to CR 4: C 3.5, R 3.5, and H 300 with the remainder of the block CR 4: C 2.0, R 3.5, and H 250. The lower height in the block’s interior will be consistent with residential development across Marinelli Road, which is 200 feet or greater. The Conference Center property is split zoned to accommodate taller buildings along Rockville Pike and lower buildings on the west. (Sector Plan, p. 28).*

The portion of the Property that is located in the Conference Center Block allows for up to 250 feet of building height, which allows for the use of height averaging in accordance with Section 59-4.5.4.B.5 of the Zoning Ordinance. Consistent with the Sector Plan vision for the Metro West District, the Project will allow for a compatible transition between taller buildings on Rockville Pike and the single-family community to the west of Old Georgetown Road.

- *The land area remaining after the intersection realignment of Old Georgetown Road and Executive Boulevard will be reconfigured into rectangular blocks in sizes more conducive to redevelopment. (Sector Plan, p. 29)*

The Project allows for consolidation of the former Executive Boulevard right-of-way and a portion of the Conference Center’s surplus land through the disposition and abandonment processes to create a reconfigured lot that will accommodate a cluster of urban research and development buildings.

- *The Plan recommends public investment in the Market Street Civic Green promenade, and outdoor recreational facilities at Wall Local Park. Assembly or combined development would best create the proposed street grid, especially in Blocks 1 and 2. (Sector Plan, p. 28)*

The Applicant is proposing significant investment in public infrastructure and open space as part of the Project. In addition to streetscape improvements along Banneker Avenue, Grand Park Avenue and Old Georgetown Road, the Applications propose a total of 20,000 square feet of public open space in the form of a pocket park at the intersection of Banneker Avenue and Grand Park Avenue,

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and a through-block connection between Wall Park and Banneker Avenue. As a result, the Project is providing more than the minimum amount of public open space, which will enhance the existing recreational facilities at Wall Park and the Aquatic Center. Furthermore, the Applicant is coordinating with Montgomery County to provide additional parking capacity on site to accommodate the needs of Wall Local Park and the Kennedy Shriver Aquatics Center, which will allow for the revitalization of Wall Local Park by the County.

- *This Plan envisions a public/private partnership with adjacent properties to relocate the surface parking within a parking structure built in conjunction with new residential development. This would help redirect public sector funds from building structured parking on-site to improving Wall Local Park. (Sector Plan, p. 60)*

The Project incorporates a parking garage with up to 128 public parking spaces, which will allow for re-location of the surface spaces serving Wall Park and focus public funding toward park improvements at Wall Park.

- *There are few locations remaining in Montgomery County where excellent transit service and redevelopment potential coincide. The MD 355/I-270 Corridor (Map 1) is a historic travel and trade route that links communities in Montgomery County to those in Frederick County. In the last 30 years the corridor has emerged as a prime location for advanced technology and biotechnology industries with regional shopping and cultural destinations. (Sector Plan, p. 6)*

While the Sector Plan expressly acknowledges and supports locating research and development uses in the Sector Plan boundaries, the more recently adopted Economic Development Plan recommends recruiting “life sciences companies to Montgomery County to increase the density of its bio-health establishments.” The Project’s inclusion of a cluster of research and development buildings is in keeping with this recommendation.

- (b) *Targets opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses.*

The Project allows for infill redevelopment of an underutilized Property to create a cluster of life science uses that will realize the Sector Plan vision for a reconfigured block with streetscape improvements, public open space, and public benefits.

- (c) *Encourages development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The Applications will introduce a new commercial use to the Sector Plan area in the form of urban life science buildings, which will complement the existing mix of residential, retail, and employment uses in the vicinity of the Property. The redevelopment will revitalize this portion of the Metro West District through the construction of streetscape improvements along Banneker Avenue, Grand Park Avenue, and Old Georgetown Road, while also delivering a pocket park and through-block connection that activate and enhance Wall Park. All parking is proposed in a structured parking facility; therefore, parking will be prohibited between the street frontages and buildings.

- (d) *Allows a mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.*

The Project includes three (3) research and development buildings with up to 150 feet of average building height across the Property. The additional density and height proposed as part of the Applications are designed in manner that is context-sensitive to the adjacent single-family community to the west and that will create a transition to Pike and Rose and the Conference Center.

- (e) *Integrates an appropriate balance of employment and housing opportunities.*

While there is an abundant supply of housing options in the Sector Plan area (including several approved, but unbuilt residential projects in the pipeline), the Project proposes to enhance the County's commercial tax base through development of up to 721,516 square feet of research and development uses.

- (f) *Standardizes optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

The Application demonstrates that the Project will satisfy the CR Zone requirements for an optional method project. More specifically, the Project will provide more than the minimum required public benefit points (100 points) from six (6) different benefit categories, as described in the Public Benefits Table included with this Application and further delineated below.

General Requirements for Optional Method Development in the CR Zone

Section 59.4.5.4.A of the Zoning Ordinance lists the general requirements for development under the optional method in the CR Zone. The Sketch Plan meets all these general requirements, as follows:

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(a) *Procedure for approval.*

The submittal of this Sketch Plan and Site Plan for Building A and accompanying materials satisfy this requirement. The public benefit points will be refined and delivered in a phased manner through the filing of future Site Plan applications.

(b) *Public benefit points and categories.*

The Sketch Plan and Site Plan contain Incentive Density Calculations outlining how this optional method development Project will provide the following significant public benefits to realize the maximum permitted density on the Property through the CR Zone. The Project is anticipated to provide in excess of the minimum 100 public benefit points required. All public benefits will comply with the specifications prescribed by the CR Zone Incentive Density Implementation Guidelines.²

(i) *Major Public Facilities*

The Applications include the delivery of public parking spaces in a shared structured parking facility, which will include 128 public spaces serving Wall Park. As delineated on Sketch Plan File No. 11-PBENEFITS-30213001A the Project is eligible for 70 public benefit points in this category.

(ii) *Transit proximity.*

The Application is entitled to receive approximately 20 public benefit points for transit proximity because portions of the Property are located within ¼ mile and ½ mile of the White Flint Metro Station entrance (i.e., a level one transit station). Sketch Plan File No. 11-PBENEFITS-30213001A contains detailed calculations to support a finding that the Project is eligible for approximately 20 public benefit points in this category.

(iii) *Connectivity and mobility.*

The Application is entitled to receive public benefit points for connectivity and mobility (approximately 23 points) as noted:

- *Minimum parking.* The Property is located in a Reduced Parking Area pursuant to Section 59-1.4.2 of the Zoning

² The Incentive Density Calculations included with the Application contain in detail the methodology used in calculating each public benefit point category.

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Ordinance because the Property is not located in a Parking Lot District but is zoned CR. As a result, the Project is eligible for public benefit points on account of providing fewer than the maximum allowable parking spaces specified by the Zoning Ordinance. The Project will provide fewer than the maximum number of parking spaces under the Zoning Ordinance. A maximum of 2,165 parking spaces are permitted for the Project and the minimum required is 722 spaces. The Applicant is proposing approximately 899 parking spaces (not including the 128 public parking space provided for Wall Park), which yields approximately 8.77 public benefit points ($[(2,165-899)/(2,165-722)]*10=8.77$ points). Therefore, the Applicant anticipates achieving 8.77 points in this category.

- *Through-block connection.* The Project includes a north/south through-block connection between Banneker Avenue and Wall Local Park, in accordance with the Sector Plan vision for enhanced public amenities in the Metro West District. The Applicant is requesting 10 public benefit points in this category as the through-block connection will be: (a) open to air; (b) at least 15' wide; and (c) open to the public between 8 am and 9 pm.

- *Wayfinding.* Given the Project's inclusion of significant streetscape improvements and public open space to better connect the Property with Wall Local Park, Josiah Henson and the White Flint Metro Station, the Applicant is proposing to install wayfinding signage to enhance pedestrian and bicycle circulation patterns. As delineated on Sketch Plan File No. 11-PBENEFITS-30213001A, the Project is eligible for 5 public benefit points in this category

(iv) *Diversity of Uses and Activities*

The Applications are entitled to receive public benefit points for diversity of uses and activities (approximately 7.5 points) as noted:

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- *Adaptive buildings.* The life science buildings are designed with minimum floor-to-floor heights of at least 15 feet on all floors. Further, internal structural systems are robust and able to accommodate various types of uses with only minor modifications. The lobby and vertical circulation are arranged such that the building can accommodate reconfiguration into office or residential units in lieu of the lab space, with the research and development uses continuing to be the primary use at the Project. As a result, the Applicant is requesting 7.5 public benefit points in this category.

(v) *Quality building and site design.*

The Applications are entitled to receive public benefit points for quality building and site design (approximately 21.25 points) as noted:

- *Exceptional design.* As described below, the Project is eligible for incorporating building and site design whose visual and functional impacts exceptionally enhance the character of the Metro West District. The Project will be constructed of high-quality materials, with aluminum window systems glazed in Low-E insulated windows extending from the lab bench height to the ceiling. A horizontally oriented rain-screen will include both a scale and pattern to bring richness to the façade and a scale that reads both at the pedestrian and the larger scale of the building. Painted aluminum detailing and projections at glazed areas of the façade will enhance the horizontal movement in the building and further articulate the surface of the building in a color and finish that will reflect light throughout the day. The base of the building will be scaled to the pedestrian with a low cornice and articulated vertical columns and piers to create a rhythm across the building façade. The through-block connection contains educational opportunities through pollinator garden and plantings. The design of the Project also showcases stormwater management by using various elements like stepped walls and

scuppers that highlight the stormwater management process at various stages. Based upon the foregoing, the Applicant is requesting 10 public benefit points for exceptional design.

- *Public open space.* The Project includes a total of 20,000 square feet of public open space, which exceeds the minimum requirement of 17,986 square feet. The detailed calculations contained on Sketch Plan File No. 11-PBENEFITS-30213001A support the granting of 1.12 public benefit points for the Project.

- *Structured parking.* The Project will include structured parking, with approximately 128 below-grade spaces and 899 above-grade spaces provided in parking garages. Based upon the formula provided in the CR Zone Incentive Density Implementation Guidelines ($[(899 \text{ spaces}/1,027 \text{ spaces}) * 10] + [(128 \text{ spaces}/1,027 \text{ spaces})] * 20 = 11.25 \text{ points}$), the Project is entitled to 11.25 points in this public benefit category.

(iv) *Protection and enhancement of the natural environment.*

The Application is entitled to receive public benefit points for protection and enhancement of the natural environment (approximately 13 points) as noted:

- *Building lot termination (BLT) easements.* The Project proposes 608.094 square feet of incentive density, which will require 1.4478 BLT easements at full build-out as delineated on Sketch Plan File No. 11-PBENEFITS-30213001A support the granting 13.03 public benefit points for the Project. However, as part of this initial phase of development for Building A, 0.3025 BLT easements are required. The Applicant proposes to phase the required BLT easements such that a partial BLT easement will be provided for Building A, with the remaining BLT easements satisfied during future phases of development.

(c) *Building type.*

The Project proposes three (3) general buildings (e.g., research and development uses). Section 59.4.5.4.A.3 of the Zoning Ordinance notes that all building types allowed under Section 59.4.1.6

are allowed in the CR Zone under optional method development, and Section 59.4.1.6 permits general buildings.

(d) Compatibility standards.

Section 59.4.1.8.A of the Zoning Ordinance identifies setback compatibility standards for properties in the CR Zone, and Section 59-4.1.8.B of the Zoning Ordinance controls the height compatibility standards for properties in the CR Zone. Since the Property does not abut or confront³ any property in an Agricultural, Rural Residential, Residential Detached, or Residential Townhouse zone, neither the setback or height compatibility standards apply to the Project. Notwithstanding the foregoing and as explained in this document, the Project is designed to ensure compatibility with the surrounding as-built environment.

Development Standards for Optional Method Development in the CRT Zone

Section 59.4.5.4.B of the Zoning Ordinance lists the development standards for development under the optional method in the CR Zone. The Applications meet all these general requirements, as described and delineated in the development standards chart below:

(a) Open space.

The Property has frontage on Old Georgetown Road, Banneker Avenue, and Grand Park Avenue, and a tract area of 5.20 acres. The Project is required to provide a minimum of 10% of the site area (i.e., 179,864 square feet), equal to 17,986 square feet, as public open space. The Project proposes to exceed this requirement by providing approximately 20,000 square feet of public open space in the form of a pocket park at the corner of Banneker Avenue and Grand Park Avenue, and a through-block connection between Banneker Avenue and Wall Park.

(b) Lot, density, and height.

The Project proposes an optional method of development under the CR Zone with up to 721,516 square feet of research and development uses with a maximum building height of 150 feet. As described above and pursuant to Section 59-4.5.4.B.5, the Applications propose to re-allocate mapped residential FAR to nonresidential FAR, and to allow for up to 150 feet of building height through allowable height averaging for research and development uses.

³ Since Old Georgetown Road has a right-of-way width greater than 80', the Property does not confront the single-family detached dwellings to the west.

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(c) *Placement.*

Section 59.4.5.4.B.3 provides that setbacks for principal buildings, accessory structures, and parking are established by the site plan approval process. The proposed setbacks for the Project are 0 feet along all three (3) right-of-way frontages and the south boundary adjacent to Wall Park.

(d) *Form.*

Section 59.4.5.4.B.4 provides that form standards are established at the time of Site Plan approval, but that the Project must address, at a minimum, transparency, blank walls, and active entrances. The Project is designed with active entrances and articulation on all three (3) right-of-way frontages.

Development Standard	Permitted/Required per the Zoning Ordinance	Proposed for Sketch Plan, Preliminary Plan and Site Plan Approval
Gross Tract Area (GTA)	N/A	5.20 acres
Maximum Density (CR) Maximum Non-Residential Density (C) Maximum Residential Density (R)	3.0/4.0 FAR (721,516 SF) 1.5/2.0 FAR (349,013 SF) 2.5/3.5 FAR (584,604 SF)	Up to 3.18 FAR (721,526 SF) Up to 3.18 FAR (721,526 SF) (research and development averaging) Up to 0.00 FAR (0 SF) <i>Note: Phase I Site Plan proposes up to 240,505 square feet</i>
Maximum Building Height (H)	70/250 feet	150 feet (research and development averaging)
Open Space	10% of site area	11.11% (20,000 sf)
Vehicle Parking Research and Development Medical Clinic	Min. 1 sp./1,000 SF GFA, Max. 3 sp./1,000 SF GFA	1,027 parking spaces at full build out
Bicycle Parking Research and Development	Min. 1 sp./5,000 SF GFA, Max. 100 spaces	100 parking spaces at full build out

(2) The Sketch Plan substantially conforms with the recommendations of the Sector Plan.

As delineated in Section IV.(1) of this Justification Statement, the Applications comply with the Sector Plan’s recommendations for the Property and Metro West District.

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(3) The Sketch Plan satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.

This requirement is inapplicable as there is no development plan or schematic development plan for the Property.

(4) For a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment, the Sketch Plan satisfies any green area requirement in effect on October 29, 2014; any green area under this provision includes and is not in addition to any open space requirement of the property's zoning on October 30, 2014.

This requirement is inapplicable as the Property's zoning classification prior to October 29, 2014 was not the result of a Local Map Amendment.

(5) The Sketch Plan achieves compatible internal and external relationships between existing and pending nearby development.

The Project will be both internally and externally compatible with existing and pending nearby development. The building massing, open space, and circulation systems are designed to allow for a compatible transition from the urban core of the Sector Plan to Wall Park and the single-family residential community to the west of Old Georgetown Road. The Project incorporates a pocket park at the intersection of Banneker Avenue and Grand Park Avenue, and a through-public connection between Banneker Avenue and Wall Park, to create the Sector Plan envisioned civic and recreational amenities. The Project will allow for delivery of significant employment opportunities in close proximity to the White Flint Metro Station and a variety of retail and residential uses, to further the Sector Plan vision for "improving the jobs-housing balance in the I-270/MD 355 corridor." (Sector Plan, p. 24).

(6) The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.

The Project includes satisfactory general vehicular, pedestrian and bicycle access to the Property through public streetscape improvements along Old Georgetown Road, Banneker Avenue, and Grand Park Avenue, and development of a private internal street for service and loading. The Applicant's proposal improves upon the prior access concept approved for the Gables mixed-use project in that it minimizes interruptions to the pedestrian streetscape along Banneker Avenue.

While the Applications propose one loading bay on Banneker Avenue and Grand Park Avenue, the

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use of the private internal street is intended to accommodate the majority of vehicular movements arriving at the Property (including access to the structured parking garage). In addition to safe and efficient vehicular access to the Project, the Applications include substantial pedestrian connectivity improvements in the form of public sidewalks and public open space that will be activated by the research and development buildings and Wall Park visitors. The Project also includes public parking spaces in the structured parking garage, which will allow for relocation of surface parking spaces serving Wall Local Park so that M-NCPPC and the County can better allocate public resources

toward upgrades to Wall Park. The Applications propose sufficient parking to accommodate the Project and public use of Wall Local Park. Last, the Applications include an abundant supply of bicycle

parking spaces, including a specific area of the parking garage dedicated toward bikeshare and scooters.

(7) The Sketch Plan proposes an outline of public benefits that supports the requested incentive density and is appropriate for the specific community.

The Project is carefully designed to provide public benefits that are most appropriate for the Property and Metro West District. First, the Project includes major public facilities in the form of 128 public parking spaces, which will achieve the Sector Plan vision for a public/private partnership that allows for allocation of public funding toward improvements to Wall Local Park. The Project also

includes public benefit points for a through-block connection and public open space, which will allow for delivery of the Sector Plan recommended civic and recreational amenities. Significantly, the Project is also designed in accordance with the requirements for adaptive buildings, which will allow for a cluster of urban research and development buildings at this transit-oriented location.

(8) The Sketch Plan establishes a feasible and appropriate phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.

The Applications establish a feasible and appropriate phasing plan for build-out of the three (3)

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research and development buildings. All of the required rights-of-way, sidewalks, dedications, and public open space will be provided with construction of Building A (i.e., Phase I). The Preliminary Plan and Sketch Plan illustrate how public benefit points will be phases through development of Building A, B and C. The Applicant notes that all of the public parking spaces will be provided in the first phase of development.

V. THE PROJECT SATISFIES THE REQUIREMENTS FOR APPROVAL OF A SITE PLAN FOR OPTIONAL METHOD DEVELOPMENT IN THE CR ZONE

Section 59-7.3.4.E.2 of the Zoning Ordinance states the findings that the Planning Board must make in approving a Site Plan application. The following statements analyze how the proposed Project fulfills these findings:

1. *The proposed development satisfies any previous approval that applies to the site.*

The prior development approvals for the Gables mixed-use project apply to the Property. However, the Applications propose to amend and modify the prior development approvals to reflect the proposed cluster of research and development uses.

2. *The proposed development satisfies under Section 59-7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

There is no approved development plan or schematic development plan for the Property, and therefore this requirement is inapplicable.

3. *The proposed development satisfies under Section 59-7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

The zoning of the Property on October 29, 2014 was the result of the comprehensive rezoning undertaken subsequent to the approval of the 2010 White Flint Sector Plan, and was not the result of a Local Map Amendment; therefore this requirement is inapplicable.

4. *The proposed development satisfies applicable use standards, development standards, and general requirements under this Chapter.*

The Project satisfies the applicable use standards, development standards, and general requirements of Chapter 59 of the Zoning Ordinance.

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A. *Use Standards*

Section 59-3.1.6 of the Zoning Ordinance lists the uses that are permitted in the CR Zone. The Project proposes research and development uses, which is permitted in the CR Zone.

B. *Development Standards for Optional Method Development in the CR Zone*

As described in the Sketch Plan findings section above, the Sketch Plan satisfies all of the development standards for an optional method in the CR Zone.

D. *General Development Requirements*

Article 59-6 of the Zoning Ordinance lists general development requirements. The Site Plan meets all of these requirements, as follows:

1. *Site Access (Division 6.1)*

All vehicular access to the Property is proposed through the private internal street connecting Old Georgetown Road and Grand Park Avenue. Access to the loading bay proposed for Building A is from Grand Park Avenue, with loading for future Building B from Banneker Avenue, and future Building C from the internal private street. The Project's through-block connection and pocket park will significantly upgrade pedestrian circulation to the White Flint Metro Station and adjacent mix of commercial and residential uses. The Applications will also enhance bicycle circulation by accommodating a separated bicycle facility along Old Georgetown Road.

2. *Parking, Queuing, and Loading (Division 6.2)*

The Project includes the co-location of public and private parking spaces in a structured parking garage to implement the Sector Plan vision for the Metro West District and create additional public funding for improvements to Wall Park. The structured parking facility includes market-responsive parking for the cluster of research and development uses proposed. The use of a private internal street bisecting the Property in an east-west fashion will minimize conflicts between pedestrians and vehicular movements along the Property's frontages.

3. *Open Space and Recreation (Division 6.3)*

Since the Property's tract area is between 3.01 and 6.00 acres and the Property has three (3) right-of-way frontages, 10% of the site is required to be provided as public open space. As noted above,

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the Applications propose a minimum of 20,000 square feet of public open space as part of the pocket park and through-block connection, which exceeds the minimum requirement. The public open space meets the design standards in Division 6.3 of the Zoning Ordinance.

4. *General Landscaping and Outdoor Lighting (Division 6.4)*

All landscaping and lighting included in the Project is designed to preserve property values, preserve and strengthen the character of the Metro West District, and improve water and air quality as identified in Section 59-6.4.1. The public and private open space proposed by the Applicant includes the through-block connection, pocket park, and streetscape improvements. As detailed in the Site Plan, the public and private open space areas will include landscaping, lighting and amenities that help to activate the Project and adjacent Wall Park.

5. *Screening Requirements (Division 6.5)*

Division 6.5 of the Zoning Ordinance only applies to standard method development, and thus is not applicable to this optional method Project.

6. *Outdoor Display and Storage (Division 6.6)*

This Division is inapplicable because the Project does not propose any outside display or storage.

7. *Signs (Division 6.7)*

The Applicant will obtain all necessary approvals for signage at the Project from MCDPS.

5. *The proposed development satisfies the applicable requirements of: (i) Chapter 19, Erosion, Sediment Control, and Stormwater Management; and (ii) Chapter 22A, Forest Conservation.*

The Project is subject to the Maryland Stormwater Management Act of 2007 and Montgomery County Bill No. 40-10, which requires managing stormwater runoff by using Environmental Site Design” (ESD) to the “Maximum Extent Practicable” (MEP). ESD utilizes small-scale stormwater management practices, non-structural techniques, and better site planning to mimic natural hydrologic runoff characteristics and minimize the impact of development on water resources. The Project has been designed with these considerations in mind and will be reviewed by Montgomery County Department of Permitting Services for approval. Pursuant to Chapter 19 of the Montgomery

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County Code, the Applicant will provide sediment and erosion control and treatment for stormwater in accordance with applicable laws. It is anticipated the Property will implement micro-bioretenion structures to the maximum extent practicable, to meet the stormwater requirements. Beyond this, the Applicant will work with the County at each Phase through the Stage 3 process, to ensure ESD to MEP implementation.

6. *The proposed development provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities.*

The Project includes safe, well-integrated parking, and circulation patterns through an on-site public garage with public and private parking spaces, which will be accessible through an internal private street. Access to the parking garage and loading bays serving the research and development uses have been carefully designed and coordinated to balance the need for upgraded pedestrian access to on-site public open space that will better connect the Property to Wall Park and the White Flint Metro Station. The building massing of the three (3) research and development buildings and structured parking garage are designed in a manner that creates a compatible transition from the single-family residential community to the west to the more urban mix of uses at the Conference Center Block and Pike and Rose to the north and east.

7. *The proposed development substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

As delineated in Section IV.(1) of this Justification Statement, the Applications comply with the Sector Plan’s recommendations for the Property and Metro West District.

8. *The proposed development will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage.*

Pursuant to the 2020-2024 Growth and Infrastructure Policy (the “GIP”), the Project is exempt from Local Area Transportation Review (LATR) as the Property is subject to the White Flint Special Taxing District. A traffic impact statement is included with these Applications to satisfy all review requirements under the GIP.

Other public facilities and services are available and will be adequate to serve the Project. Since these Applications do not propose any residential uses, adequacy of public school facilities is not applicable to the Project. The Property is served by public water and sewer and is assigned WSSC categories W-1 and S-1. The existing water and sewer lines will be adequate to serve the additional development proposed by the Project. Dry utilities including electricity, gas, and telephone are also available to the Property. In connection with the Project, utilities will be relocated underground, which will enhance safe and efficient circulation patterns at the Property. Finally, appropriate emergency access measures will be implemented providing adequate facilities for fire and rescue personnel to serve the Project.

9. *On a property in a Rural Residential or Residential zone, the proposed development is compatible with the character of the residential neighborhood.*

This requirement is not applicable, as the Property is not located in a Rural Residential or Residential zone.

10. *On a property in all other zones, the proposed development is compatible with existing and approved or pending adjacent development.*

The Project is compatible with existing and approved or pending adjacent development as it will create a transition in building height and density from the single-family residential community to the west to the urban core in the Conference Center Block and Pike and Rose. The urban design of the Project incorporates significant public open space that is carefully designed to activate the adjacent right-of-way frontages, research and development buildings, and adjacent Wall Park. Redevelopment of the Property with the Sector Plan recommended configured lot will better connect to the properties in and outside of the Metro West District to encourage pedestrian and bicycle movements in this transit-oriented location.

VI. FINDINGS REQUIRED FOR APPROVAL OF THE PRELIMINARY PLAN APPLICATION

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Pursuant to Section 50-4.2.D of the Subdivision Regulations, the Planning Board must make certain findings to approve the Preliminary Plan application. As outlined below, the Preliminary Plan application satisfies all of the findings that the Planning Board is required to make:

1. *The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.*

The Preliminary Plan application will allow for consolidation of the various parcels comprising the development site to allow for one reconfigured lot as envisioned by the Sector Plan. The size, width, shape, orientation, and density of the proposed record lot are all appropriate given the Property's location in the Metro West District of the Sector Plan. The record lot will have frontage on Banneker Avenue, Grand Park Avenue, and Old Georgetown Road, as well as a private internal road, which will allow for safe and efficient multi-modal transportation options. As stated in the required findings for approval of the Sketch Plan and Site Plan, the Preliminary Plan complies with all requirements in the Zoning Ordinance.

2. *The Preliminary Plan substantially conforms to the Sector Plan.*

As described in detail above, Applications comply with the Sector Plan's recommendations for the Property and Metro West District.

3. *Public facilities will be adequate to support and service the area of the subdivision.*

As described above in detail above, all public facilities will be adequate to support and service the Project.

4. *All Forest Conservation Law, Chapter 22A requirements are satisfied.*

In connection with the prior approval of Site Plan 820150010 and its related Final Forest Conservation Plan, Gables secured 0.79 acres of offsite forest banking through purchase as recorded in the Land Records of Montgomery County at Liber 51798 in Folio 461. The remaining proposed fee in lieu payment was to be 0.04 acres, paid prior to building permit. With this new Project, the limits of disturbance (LOD) is smaller than the prior Gables mixed-use project. The prior development had assumed expansion of the LOD to construct a roadway connection to Old Georgetown Road prior to the completion of the County's Western Workaround. As of these Applications, the Western Workaround project has been completed, providing the Property with full

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access to completed roadways. Therefore, the previous offsite banking that was secured through the above-mentioned purchase in the Land Records, covers the requirements, and no further fee in lieu payment will be required.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.*

The Project is subject to the Maryland Stormwater Management Act of 2007 and Montgomery County Bill No. 40-10, which requires managing stormwater runoff by using Environmental Site Design” (ESD) to the “Maximum Extent Practicable” (MEP). ESD utilizes small-scale stormwater management practices, non-structural techniques, and better site planning to mimic natural hydrologic runoff characteristics and minimize the impact of development on water resources. The Project has been designed with these considerations in mind and will be reviewed by Montgomery County Department of Permitting Services for approval. Pursuant to Chapter 19 of the Montgomery County Code, the Applicant will provide sediment and erosion control and treatment for stormwater in accordance with applicable laws. It is anticipated the Property will implement micro-bioretenion structures to the maximum extent practicable, to meet the stormwater requirements. Beyond this, the Applicant will work with the County at each Phase through the Stage 3 process, to ensure ESD to MEP implementation.

VII. CONCLUSION

The Applications comply with all requirements in the Zoning Ordinance and Subdivision Regulations and are designed to bring the Sector Plan vision to fruition by allowing for an urban cluster of active life science uses and public/private structured parking. Further, the Project will deliver important public benefits through exceptional design, increased public open space and connectivity improvements, and major public facilities, all of which are necessary to transform this underutilized Property into a gateway Project in the Metro West District.

Respectfully submitted,

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