

**LINOWES**  
AND **BLOCHER LLP**  
ATTORNEYS AT LAW



June 20, 2016

Scott C. Wallace  
swallace@linowes-law.com  
301.961.5124

**By Hand Delivery**

Mr. Brian Wilson  
Department of Community Planning  
and Development Services  
City of Rockville  
111 Maryland Avenue  
Rockville, Maryland 20850

Mr. Greg Lyons  
Mr. Jeff Ratteree  
Department of Public Works  
City of Rockville  
111 Maryland Avenue  
Rockville, Maryland 20850

Re: EYA - Tower Oaks – Project Plan No. PJT2016-00006 (the “Project Plan”) and Road Code Waiver (the “Waiver”)

Dear Messrs. Wilson, Lyons and Ratteree:

The purpose of this letter is to provide EYA’s response to questions and comments raised at the June 6<sup>th</sup> public hearing on the Project Plan for EYA’s proposed residential development at Tower Oaks (the “Project”) and the June 13<sup>th</sup> public hearing on the associated Road Code Waiver. Please include this letter in the record of the Project Plan and the Waiver.

**Shuttle Service/Ride-On Bus Service** – EYA was asked at the hearing on the Project Plan if it was willing to provide a private shuttle service for residents of the Project if the County does not agree to extend Ride-On Service to the Project. As previously stated, in order to enhance transit accessibility for residents and visitors to the Project, EYA has contacted County Ride-On staff to discuss the feasibility of bringing Ride-On to the Project and has located an area near the Project entrance that could accommodate a bus stop. EYA will follow up with County staff on this issue and will be able to accommodate a bus stop if the County is willing to extend its service to the Project.

If Ride-On is not willing to extend its service, as a condition of approval of the Project Plan, EYA will agree to provide a private shuttle service from the Project to primary destinations such as Rockville Pike and Rockville Town Center.

**Traffic and Transportation Infrastructure** – In response to a question raised at the public hearing on the Project Plan, City Staff confirmed that the traffic and transportation improvements required for the 750,000 square feet (SF) of office space approved for the site have been completed. Moreover, all required transportation improvements for full buildout of over 2,100,000 square feet of development at the Tower Oaks Planned Development, which includes the 750,000 SF approved for the site, have been constructed. As previously stated, EYA’s

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Mr. Brian Wilson  
Mr. Greg Lyons  
Mr. Jeff Ratteree  
June 20, 2016  
Page 2

residential proposal produces 471 total peak hour traffic trips while the office plans produce 2,383 peak hour trips, a reduction of 1912 trips. Further, while office and residential uses a different distribution of peak hour trips, the Project will still generate significantly fewer inbound AM peak hour trips (1,074 trips), fewer inbound and outbound PM peak hour trips (838 combined trips less than the office), and the same number of AM peak hour trips as the approved office density. In summary, existing infrastructure and transportation improvements are more than adequate to accommodate EYA's project, and the reduction in trips achieved by the Project is a significant benefit to the broader community.

**Maintenance of Stormwater Management Facilities** – EYA has worked closely with staff to develop a sustainable stormwater management plan that meets or exceeds the Rockville City Code requirements. The stormwater systems proposed utilize Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP). The Stormwater Concept Plan, which has been conditionally approved, demonstrates that the site can accommodate 100% of the target treatment volume through ESD measures for the on-site areas of development. The proposed stormwater system uses a number of innovative techniques such as micro-bioretenion (rain gardens), bio-swales and infiltration through the use of drywells all of which address stormwater and environmental concerns while also serving as a model for future City projects.

EYA and City Staff have agreed that EYA will provide for the maintenance of all of the stormwater management (SWM) facilities located within the public right-of-way and also all SWM facilities located in the Project outside of the public ROW. EYA will ensure that these maintenance obligations are assumed and accepted by the Homeowners Association ("HOA") that will be created by EYA for the community. HOA's have maintained stormwater facilities in EYA communities throughout the County for many years and EYA is not aware of any HOA's that have not been able to fulfill their maintenance obligations. The governing documents for the HOA, which will be prepared by EYA, will require that adequate funds be maintained by the HOA to cover all community-wide maintenance obligations, including the maintenance of SWM facilities. Further, the governing documents will state that the HOA cannot request any financial assistance from the City for any of its obligations.

**Parking Along Public Streets** – A question was raised at the public hearing on the Waiver application regarding the number of on-street parking spaces that would be impacted by the reduced pavement width in a few locations in the Project. Most sections of the public roads in the Project will provide for parking along one side of the street, with two through travel lanes. In a few locations, to promote safe pedestrian circulation and to allow adequate space for tree planting and SWM facilities, the pavement will be narrowed by approximately six (6) feet and no parking spaces will be provided in these sections. These sections of the road total approximately

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Mr. Brian Wilson  
Mr. Greg Lyons  
Mr. Jeff Ratteree  
June 20, 2016  
Page 3

750 linear feet and would have allowed for 36 parking spaces. These spaces are not necessary for the Project to meet the City's parking requirements. As previously stated by EYA, the townhomes will provide a minimum of two dedicated parking spaces in garages and the single-family homes will provide 3-4 parking spaces in garages and driveways, providing resident and visitor parking. In addition there are 167 visitor parking spaces on the streets throughout the Project, including 35 parking spaces surrounding the Community Center and Central Park to ensure adequate parking for those amenities. Including the single-family home visitor parking, the project provides well over 200 visitor parking spaces. Even with the elimination of spaces in certain locations as detailed above, EYA has provided sufficient parking for the homes, for visitors, and for the amenities, consistent with the City's requirements and consistent with similar projects in the City and County. Further, we have worked closely with Staff to develop a balance of tree preservation, stormwater management, MPDU's, and parking that meets the needs of the new project while furthering the City's environmental and affordable housing goals.

**Affordable Housing** – EYA has agreed with City Housing Programs Staff to provide some additional MPDUs above the 12.5% requirement applicable to for-sale projects under City law. If the Project Plan is approved as proposed, and the Site Plan as approved is materially consistent with the Project Plan, EYA will commit to providing 13.5% of the units as MPDUs. This approach is consistent with EYA's discussions with Staff and the Mayor and Council regarding the provision of MPDUs above the required 12.5%. While the exact final number of MPDUs provided will be determined at the time of Site Plan review and approval, the Project will provide the largest amount of new, for-sale affordable housing units in the City in several years. As important, the new homes will be integrated throughout the market rate townhomes and will be designed with the same level of care and quality. Unlike affordable apartments and condominiums, the size and configuration of these homes are suitable for families, who typically exhibit high demand for MPDU's. The affordable homes will also have access to the many amenities that the Project offers, thereby ensuring both high-quality homes and a vibrant new community for all residents, affordable and market rate.

**Sidewalk on Preserve Parkway – Bike Trail Connections** – At the public hearing on the Project Plan, EYA confirmed that there are existing sidewalks on Preserve Parkway along frontage of the site. The Project will connect to the City's Millennium Bike Trail on Wootton Parkway via these existing sidewalks on Preserve Parkway. In order to promote bicycle use and enhance the transportation options for residents and visitors, EYA has located an area on the north side of the Project at the shared driveway with the existing office building at 1 Preserve Parkway that could accommodate a Bike-Share Station. EYA will also install signage within the Project that directs bicyclists to the Millennium Trail.

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Mr. Brian Wilson  
Mr. Greg Lyons  
Mr. Jeff Ratteree  
June 20, 2016  
Page 4

**Tree Preservation** – In response to a comment made at the public hearing on the Project Plan, no champion trees have been identified on the property. While there will be clearing of forested areas on the property, the Project provides 14.2 acres (34%) of tree preserve on the 41.7-acre site, in keeping with the overall forest conservation plan for Tower Oaks.

Please let us know if you have any questions on this information or if you need anything else from the EYA team. Thank you for your continued assistance on this Project.

Very truly yours,

**LINOWES AND BLOCHER LLP**



Scott C. Wallace

cc: Aakash Thakkar  
Jack McLaurin  
Ken Jonmaire  
Mark Morelock  
Josh Sloan  
Chanda Beaufort

**3202 LLC  
3206 TOWER OAKS BOULEVARD – 4<sup>TH</sup> FLOOR  
ROCKVILLE, MARYLAND 20850  
(240) 283-6898**

2016 JUN 20 PM 1:10  
RECEIVED  
CITY OF ROCKVILLE

June 16, 2016

Mayor and City Council  
111 Maryland Avenue  
Rockville Maryland 20850

Re: Rezoning Application for the Project Planning Application PJT20016-00006, an amendment of the Tower Oaks Comprehensive Planned Development (CPD1985-00001, as amended), to allow for up to 375 residential units instead of 755,000 square feet of office development on the east side of Preserve Parkway; EYA Development, LLC, applicant.

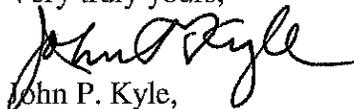
Dear Mayor Newton and Council Members Carr, Feinberg, Onley and Pierzchala,

On June 6<sup>th</sup> I spoke at your meeting advocating the above referenced rezoning application. The speaker who followed me, Sam Shiftowitz, attempted to develop an argument that merited rebuttal. Specifically he posited that the owners and developers of the Tower Oaks commercial property had not recognized office demand that should have enabled development. In truth the demand for office space has ebbed so low that Boston Properties REIT, among the most successful developers in the country, has realized that after having owned this property for over twenty years, that another twenty years might lapse before office demand could revive to justify building the office buildings planned there. As a close friend and fellow former employee of Ray Ritchie who heads up development for Boston Properties, I know that if demand had existed, he would have exploited it. If deals were there to be had, Ray would have made them. Tower Oaks constitutes Boston Properties' single worst development in its entire portfolio, and consequently Boston Properties has decided to deploy this asset for a residential market that does exist with a sale to EYA, a high quality residential developer.

I also know from personal experience as an owner of Tower Oaks Professional Park that the tepid demand has shoved rentals below what the market allowed when 3202 LLC purchased the property six years ago. Tower Oaks Professional Park would have sustained devastating vacancies but for the medical profession which the overabundance of parking together with easy vehicular access has attracted. The large vacancies along Rockville Pike and Executive Boulevard have contributed to an oversupply of standard office space and uneconomically low rentals throughout Rockville.

I reiterate my hope that you will approve the EYA application.

Very truly yours,



John P. Kyle,  
Member, 3202 LLC

2016 JUN

June 1, 2016

Ms. Bridget Newton  
Mayor  
City of Rockville  
Rockville City Hall  
111 Maryland Avenue  
Rockville, MD 20850

Dear Mayor Newton,



I am writing to ask your support for EYA's plans for its new housing development in Tower Oaks.

As a full-time realtor in Montgomery County specializing in relocation clients, I understand the reasons people decide to set roots in Rockville. The city has wonderful amenities and a strong economic base. I believe the Tower Oaks plan proposed by EYA will be an asset to Rockville, a model new-home community and will, at the same time, accommodate more than 40 homes for families of lower incomes.

I am a Green Building Specialist and Green Certified, so the environment and smart growth are important issues to me. This property includes 14 acres of wooded preserve and substantial open space. I also believe that the proposal to add Ride-On or a private shuttle to promote public transportation is an important nod to the commitment to environmental well-being.

This is a plan that adds the right housing stock to a growing community. It incorporates good planning, good design and a good quality product from EYA. I encourage you to approve this proposal.

Sincerely,

Lisa Abrams  
The Abrams Group of Re/Max Town Center@Park Potomac  
301-437-6742

**Sara Taylor-Ferrell**

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**From:** Sara Taylor-Ferrell  
**Sent:** Wednesday, June 15, 2016 11:02 AM  
**To:** bigblusea; mayorcouncil  
**Subject:** RE: EYA proposed Tower Oaks development traffic study

Ms. Laurson,

On behalf of the Mayor and Council, thank you for your comments regarding the PJT2016-00006 EYA Tower Oaks. Your comments will be placed in the official record and considered by the Mayor and Council as they deliberate all aspects of the plan. The public record will remain open until June 20, 2016.

The Mayor and Council very much appreciate your feedback.

Thank you for contacting the City of Rockville.

Sincerely

Sara Taylor-Ferrell  
Acting Deputy City Clerk

City of Rockville  
111 Maryland Avenue  
Rockville, Maryland 20850  
Office 240-314-8282  
Fax 240-314-8289

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**From:** bigblusea [mailto:bigblusea@verizon.net]  
**Sent:** Wednesday, June 15, 2016 10:22 AM  
**To:** mayorcouncil <mayorcouncil@rockvillemd.gov>  
**Subject:** EYA proposed Tower Oaks development traffic study

Mayor Bridget Donnell Newton and City Council Members

I am a City of Rockville resident and live on Wooton Oaks Court. I writing to inquire if a traffic study is planned for the EYA development proposed at Tower Oaks? If not, could you please require it? I understand from the Planning Commission that the last traffic study they know of for the area was done in 1987.

I am very concerned about the potential volume of traffic caused by this proposed new neighborhood, and in particular, the safety and ability to get on to, and across Wooton Parkway during rush hour from my development.

There is no light at Wooton Oaks Court and Wooton Parkway. We have to navigate across 2 lanes to turn left towards Rockville Pike to get to work in the morning. This is risky already and can be a long wait. An increase in traffic will make it worse.

I am not sure that it would be any safer if I am forced to turn right and make a U turn at Preserve Parkway once the development is completed.

I ask that you please take traffic into consideration before allowing the density of this development. I also ask that a traffic study be completed before any final decisions are made.

Thank you for your attention and consideration.

Sincerely,

Nancy Laurson  
141 Wooton Oaks Court

Sent from my Verizon, Samsung Galaxy smartphone



ideas that work

*Attorneys at Law*

3 Bethesda Metro Center, Suite 460

Bethesda, MD 20814

www.lerchearly.com

**William Kominers**

Tel. (301) 841-3829

Fax (301) 347-1783

wkominers@lerchearly.com

Exhibit No. 8  
PJT0006-2016  
EYA Tower Oaks

Attachment C

2016 JUN -9 PM 1:44

Testimony of Tower-Dawson, LLC

Project Plan Application PJT 2016-00006

(June 6, 2016)

Good evening Mayor Newton and Members of the Council. My name is Bill Kominers. I am an attorney with the firm of Lerch Early and Brewer. I have had the honor of representing Tower-Dawson, LLC (“Tower”) for over 25 years. As many of you know, Tower-Dawson is the original developer of “Tower Oaks,” located on Wootton Parkway, along I-270. Tower remains the owner of a substantial portion of Tower Oaks, and moved its headquarters to their building at 2000 Tower Oaks Boulevard in 2008. Boston Properties acquired a large portion of the Tower Oaks development in 1996. Tower has had a very cooperative relationship with Boston Properties since that time, as each has sought development approvals.

This continuing spirit of cooperation is what brings me to appear before you tonight. Tower asked me to speak, and to personally acknowledge Tower’s support for the revisions to the Tower Oaks Concept Plan that are being requested by EYA. EYA is a contract purchaser for a portion of Tower Oaks that is currently owned by Boston Properties. Tower’s support for the plan revision is based primarily on two factors.

First, Tower Oaks, as currently developed with only commercial office uses, needs to evolve into a more mixed use environment. When originally planned, Tower Oaks was an example of the best of suburban planning—signature buildings in a peaceful, natural setting. Office uses in a campus setting were a very desirable location for businesses, particularly for top corporations. As a premier quality office park in Rockville, and the County at large, Tower Oaks was a formidable draw. But market desires change. Single use office parks outside of the CBDs or town centers are not as competitive in today’s office market.

Perhaps one of the best examples of this phenomenon of change is Rock Spring Park in Bethesda. Rock Spring houses several million square feet of office-space for corporations like IBM, Lockheed Martin, and Marriott, but over the past ten years, Rock Spring has experienced a high percentage of vacancy. The last remaining vacant parcel in the park was rezoned in 2014 to convert from office to residential use. And, it was none other than EYA that is now in the process of developing that last vacant site.

This brings me to the second reason for Tower’s support; the fact that EYA is working with Boston Properties to effectuate this change within Tower Oaks. (As a matter of full disclosure, I would note that our firm has represented EYA in several projects in the County, including the Rock Spring Park project.) Tower is aware of EYA’s excellent reputation in the County and in other area jurisdictions. Tower believes that EYA is a first rate, high quality company. In the same way that Tower was pleased to share development with Boston

Properties, Tower is pleased that it will be EYA bringing this new housing component to the project.

Tower believes that for 2016 and beyond, a variety of housing types, ownerships, and mixed use is an essential component of success for office uses and users.

Addition of this new use at Tower Oaks must be done sensitively, with attention to the character of the existing components of the office park. Tower believes that the EYA project takes this integrative approach. EYA proposes a design that can be successful as to itself, as well as fit into the larger whole—mindful of the design, planning, quality, and attention to detail that characterize Tower Oaks. Both residential and office users can enjoy the abundant green space that is unique to Tower Oaks.

Tower supports the EYA project because it is time that Tower Oaks begins to introduce residential uses into the project and because EYA is known for its quality of work. Tower encourages you to approve the amendment to the approved Concept Plan for the EYA property. Thank you.



ideas that work

*Attorneys at Law*

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**William Kominers**

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wkominers@lerchearly.com

June 7, 2016

Ms. Kathleen A. Conway  
City Clerk  
City of Rockville  
111 Maryland Avenue  
Rockville, Maryland 20850

Re: Mayor and Council Public Hearing on Project Plan Application No. PJT 2016-00006

Dear Ms. Conway:

Enclosed please find a copy of the testimony that I presented on behalf of Tower-Dawson, LLC, at the June 6 Mayor and Council public hearing on the above-referenced Project Plan Application No. PJT 2016-00006. Please place this letter in the Record of that public hearing.

Thank you for your assistance in this matter.

Very truly yours,

LERCH, EARLY & BREWER, CHARTERED

William Kominers

WK/paj

Enclosures

cc: The Honorable Bridget Newton  
Mr. Sri Velamati  
Mr. Eric Posner  
Ms. Susan Swift  
Mr. Brian Wilson  
Mr. Aakash Thakkar  
Scott C. Wallace, Esquire

**Sara Taylor-Ferrell**

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**From:** Jeff Robertson <jrobertson@fcpdc.com>  
**Sent:** Wednesday, June 08, 2016 6:27 PM  
**To:** mayorcouncil  
**Cc:** Krista Brick  
**Subject:** 6/7 - FCP Testimony re: EYA Tower Oaks

Hello,

My name is Jeff Robertson, and I testified on behalf of FCP this past Monday, June 7, 2016 regarding the proposed EYA Tower Oaks development. Below is a brief summary, for the record:

*Hello, my name is Jeff Robertson, and I am here on behalf of Federal Capital Partners ("FCP"). FCP is the owner of One Preserve Parkway, the office building adjacent to the proposed EYA Tower Oaks development. We wholeheartedly support the EYA Tower Oaks project. The residential development will add a welcome diversification of uses to the Preserve at Tower Oaks. The unit mix, including affordable units, will attract a variety of residents to the project. Additionally, it will provide employees of the tenants in neighboring office buildings housing options within walking distance of their jobs. This will help reduce congestion on nearby roadways. Additionally, we believe that EYA has taken several other steps to benefit the community, including the proposed public transit shuttle and large amount of open space within the project. Finally, we believe that the increase in city taxes, real estate taxes, and impact taxes will benefit all residents and property owners within the City of Rockville. For all of these reasons, we support the development.*

Best,

Jeff

**Jeff Robertson**  
Asset Management  
Federal Capital Partners  
5425 Wisconsin Avenue, Suite 202  
Chevy Chase, MD 20815  
Direct: 240-395-2030 || Cell: 571-331-5159  
[jrobertson@fcpdc.com](mailto:jrobertson@fcpdc.com) || [www.fcpdc.com](http://www.fcpdc.com)



**Sara Taylor-Ferrell**

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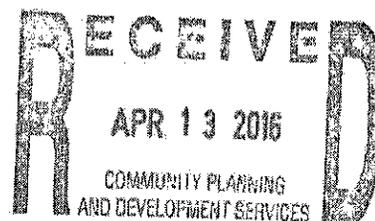
**From:** Brian Wilson  
**Sent:** Monday, June 06, 2016 10:10 AM  
**To:** Sara Taylor-Ferrell  
**Subject:** Tower Oaks Public Input  
**Attachments:** Exhibit 6.1 Tower Oaks Public Comments.pdf

As requested

*Brian R. Wilson, AICP  
Principal Planner  
Department of Community Planning & Development Services  
City of Rockville, Maryland  
phone: 240.314.8227  
fax: 240.314.8210  
email: [bwilson@rockvillemd.gov](mailto:bwilson@rockvillemd.gov)  
web: [www.rockvillemd.gov](http://www.rockvillemd.gov)*



Rose G. Krasnow  
5 Don Mills Court  
Rockville, MD 20850



April 8, 2016

Mr. Charles Littlefield  
Chair, Rockville Planning Commission  
City of Rockville  
111 Maryland Avenue  
Rockville, Maryland 20850

Dear Mr. Littlefield,

I had hoped to appear before you in person to speak in support of the EYA project in Tower Oaks. However, as it turns out, I am leaving town on the morning of April 13<sup>th</sup> to attend my son's wedding! Therefore, I am writing to share with you my strong hope that you will vote in favor of this project, which will be so advantageous to our city.

A little history is in order. In 1980, I moved to New Mark Commons, which is immediately adjacent to the Tower Oaks property. At that time, all of the land in Tower Oaks was zoned residential, and our community was quite upset when, in 1985, the City decided to change the zoning from residential to office. While the Tower Oaks land has been developed in an attractive manner over the years, the pace of such development has been slow. More than thirty years later, there is still significant developable land remaining, largely because both the economy and the office market have been weak. I think it is fair to say that we are simply not going to see the currently approved plan for 755,000 square feet of office space in 125 foot tall buildings happen anytime soon. Therefore, developing the 40 acres in question as quality residential units with a diversity of housing types makes much more sense and will have numerous benefits, as I discuss below.

EYA is proposing to build a maximum of 375 dwelling units (182 townhomes, 30 single-family homes and 120 apartments) over a period of ten years. In other words, we will not see a large influx of new units appearing all at once, so impacts on schools and other infrastructure will be minimized. The additional residential units will help support nearby businesses and restaurants, particularly in Town Center, where we are still missing an adequate critical mass to ensure that the heart of our city can grow and thrive. These residential units will also contribute significant tax revenue to the city's general fund to help pay for our wonderful city services, including parks, roads, recreational programming and public safety services. The project should generate \$1 million in new taxes for the city and an additional \$2.5 million in property tax revenue for the county, annually.

The development will have many other benefits for the city as well. 12.5% of the residential units will be affordable, including townhouse units with at least three bedrooms and 1500 square feet. Increasing the supply of affordable housing is an important goal of the city, and this project will help by being such a desirable place to live and having larger units that exceed the city's

minimum requirements. From an environmental standpoint, the development will include over 65 percent open space, including 14 acres set aside as a wooded preserve. More than 900 new trees will also be planted on site. The proposal also recommends adding Ride-On or a private shuttle to promote the use of public transportation. Moreover, from a traffic standpoint, this project will produce significantly fewer peak hour trips than the office development that was previously approved.

Finally, I want to point out that you could not ask for a better developer than EYA. When I was Mayor, we were delighted to have EYA as one of the key players in the development of Falls Grove, a community that has turned into one of the city's jewels. In my current role at the County Planning Department, I have worked with EYA on communities such as Grosvenor Heights and Little Falls Place in Bethesda, and Park Potomac, which is located just outside of the city, and should, in truth, be part of Rockville since the land sits within our urban growth limits. In every instance, we are talking about very high quality development which has earned EYA a very strong, national reputation. We should be delighted that EYA wants to develop in our city, turning a desirable piece of property that has sat vacant for many years into a wonderful new community in Rockville.

Again, I strongly urge you to vote in favor of the EYA project.

Sincerely,

A handwritten signature in cursive script that reads "Rose G. Krasnow". The signature is written in dark ink and is positioned above the printed name.

Rose G. Krasnow



301-294-3000  
104 S. Washington Street  
Rockville MD 20850

[www.HillstromHomes.com](http://www.HillstromHomes.com)

April 10, 2016

Mr. Charles Littlefield  
Chairman  
Planning Commission  
Rockville City Hall  
111 Maryland Avenue  
Rockville, MD 20850

Dear Chairman Littlefield,

As the owner of a long-time Rockville business, I am writing to you to encourage you and your fellow commissioners to approve EYA's plans for its new housing development in Tower Oaks.

I am supporting this application for multiple reasons: I believe this new development is the type of high-quality development that Rockville should encourage for continued growth, for sound economic development and as a reliable source of annual tax revenues. The new homeowners will make substantial tax contributions to the county. They will also be the residents who will be spending their money locally on the businesses that are the fabric of this City,

As a veteran Realtor in Rockville, I am also familiar with the excellent product that EYA creates and the positive reputation that follows them. We can look to their work in Falls Grove, Symphony Park and Park Potomac for good examples of what they would build in Tower Oaks.

In my view – and I hope in yours – this is a plan that should be approved. It represents good development, good design, good quality and an excellent addition to the City of Rockville.

Sincerely,

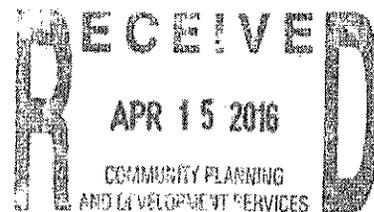
Paul Hillstrom  
Hillstrom Real Estate  
301-294-3000

JAMES E. REID, JR.  
Auto-Life-Health-Home and Business  
131 Rollins Ave., Suite 2A  
Rockville, Maryland 20852

JIMMY.REID.BV02@STATE.FARM.COM  
Phone (301) 881-2253 Fax (301) 881-1237  
Voice Mail (301) 881-4012

April 12, 2016

Mr. Charles Littlefield  
Chairman, Rockville Planning Commission  
Rockville City Hall  
111 Maryland Avenue  
Rockville, Maryland 20850



Dear Mr. Littlefield,

Re: EYA Development @ Tower Oaks

My name is Jimmy Reid, and I have been a Rockville resident for almost 60 years. During that time I have seen a lot of changes in our community. In addition, I am a State Farm Agent, located in Rockville for over 36 years. The one proposed by EYA for the Tower Oaks property is a good one.

I believe the development proposed by EYA on the Tower Oaks site is the right plan for this site. No longer in favor are large suburban office parks like those already approved on this property. The community has enough office space for the current users, and plenty available square footage if a company wants to relocate here in the future. A recent Office Market Assessment by Partners for Economic Solutions (commissioned by Montgomery County) recommended that the area reduce the supply of non-competitive office space by converting to hotels, **housing**, or other uses. Converting the planned office space use here to housing can help support the adjacent Tower Oaks boulevard office complex already in use.

A well planned, environmentally friendly project that has housing types to fit the needs of new residents would be a benefit to the community. This project projects a ten-year build out of the plan that also provides affordable housing options in townhomes, a much-needed housing type in this category.

The proposal also describes homes with one-floor living and bedroom on the main level which is attractive to empty nesters and special needs populations who currently have limited new housing options with these attractive configurations.

I would encourage this planning commission to consider approval of this plan

Sincerely,

Jimmy Reid, Jr.  
Agent for State Farm Insurance  
301-881-2253

April 13, 2016

Mr. Charles Littlefield  
Chairman, Rockville Planning Commission  
Rockville City Hall  
111 Maryland Avenue  
Rockville, Md. 20850

Dear Chairman Littlefield,

I am the owner of The Bean Bag Deli and Catering Co. located off East Gude Drive in Rockville. As a family-owned business in Rockville we take great pride in being a part of this community and serving those residents who live here.

We rely on our residents to support our business and rely on our quality of product to keep them coming back.

We support EYA's plan to develop a new home community in Tower Oaks, a place where infrastructure already exists to support it. We also are encouraged by a new residential options on the west side of I-270 that can help to sustain and grow our small, locally-owned business. Our restaurant and catering business is just three miles from this site and we welcome the opportunity to meet new residents that this mix of housing can bring to the area.

We look forward to your approval of this project.

Sincerely,

Robyn Parks  
The Bean Bag Deli and Catering Co.  
1605 East Gude Drive, Rockville  
301-251-4794



April 13, 2016

Charles Littlefield  
Chairman, Rockville Planning Commission  
111 Maryland Avenue  
Rockville, Md. 20850

Dear Chairman Littlefield,

My name is Ralph Bennett. I am an architect, former Commissioner and Chair of the Housing Opportunities Commission and Vice-Chair of the Affordable Housing Conference of Montgomery County. We would welcome you to our 25 anniversary conference coming up May 16.

My firm acts as the Community Architects for the King Farm. We are committed to mixed use communities and welcome this proposal to put housing near employment in Rockville.

I understand that a current plan for this site consists of three, 125-foot high office buildings and structured parking. I believe that adding housing here as the EYA Tower Oaks plan does will offer a significant start in building communities in this part of Rockville, rather than more, single use development.

I am especially pleased that the moderately-priced-dwelling-units planned for this site are townhomes, a much-needed housing option in this program. New homes and specifically townhomes with two and three bedrooms are needed by many first-time homebuyers in this category - this plan will add 42 affordable town houses to Rockville.

Transportation alternatives to cars are essential; the project commits to shuttle or Ride-On service for the community.

I encourage this commission to approve EYA's plans for this site.



Ralph Bennett

Ralph Bennett, FAIA, LEED AP (BD&C)  
Bennett Frank McCarthy Architects, Inc  
1400 Spring Street, Suite 320  
Silver Spring, MD 20910-2755  
301.585.2222 FAX 301.585.8917

November 30, 2015

Dear City of Rockville Planning Commission:

As long-time City of Rockville residents, we would like to submit these significant concerns to the Planning Commission regarding the EYA Tower Oaks proposal located on Preserve Parkway.

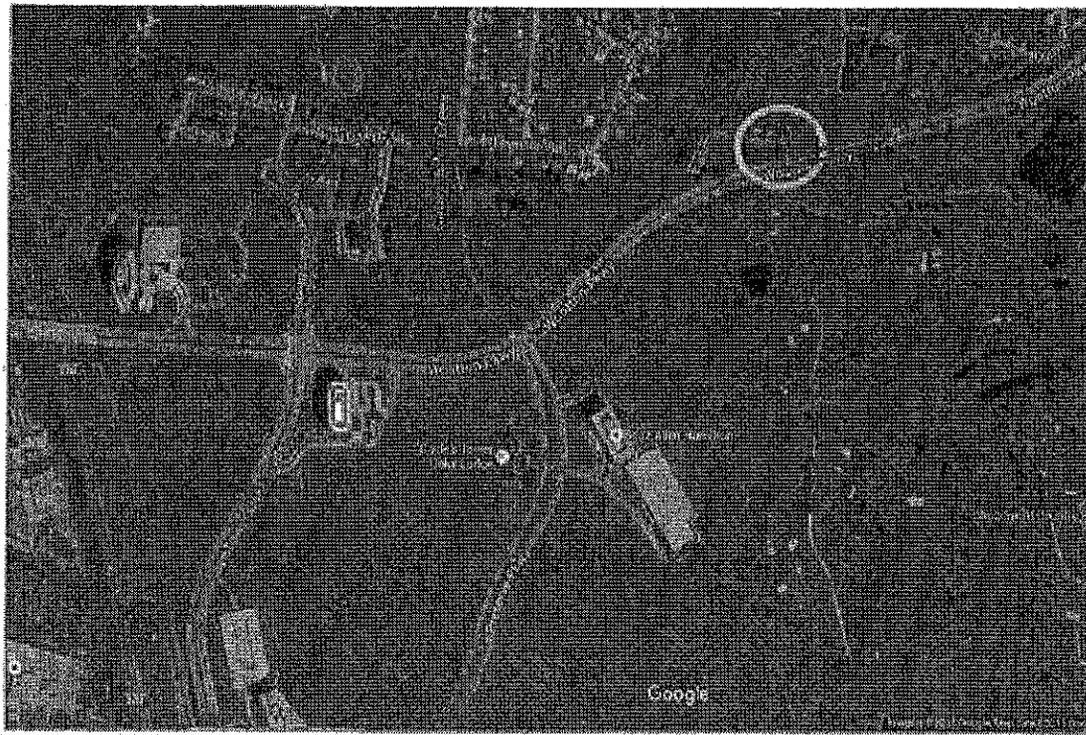
**1. We are very concerned about traffic and driver safety turning out on to Wootton Parkway from Wootton Oaks Court.**

If 375 housing units will be for sale, and the development is intended for the "empty-nesters" demographic. We understand that this includes 35 detached homes, 210 townhomes, and 120 condominium units. At a minimum, there will at least 375 cars associated with the residents of the development. More than likely there will be at least two drivers per household plus (e.g. in-law suites), bringing the number of new cars on the road to more than 750. Once visitors, deliveries etc. are added going to and from this development throughout the day, the amount of traffic in the area further increases. And it is doubtful that a significant portion of these empty-nesters would walk down to Wootton Parkway to take the 81 bus as a form of public transportation.

There is no light at Wootton Parkway and Wootton Oaks Court. Drivers turning left from Wootton Oaks Court onto Wootton Parkway must cross two lanes of on-coming traffic (see image 1 below). There is a significant amount of commuter traffic now in the morning and at night coming both ways on Wootton Parkway. This makes it very difficult to find an opening to turn left as many Wootton Oaks Court residents have to do every day (even with stop lights to our left at Edmonston and right at Preserve Parkway). The alternative is to turn right, drive down to Preserve Parkway, and pull a U turn. This is also difficult and unsafe with the amount of traffic coming down Wootton Parkway. And during non-rush hour cars are often exceeding the 40 miles per hour speed limit on Wootton Parkway causing further safety concerns. The traffic will only get worse if the density of the development is allowed to be constructed as proposed. We realized this was originally zoned for office space, but the proposed density and traffic impacts are still very high.

**Recommendation: Require the density of the development to be lowered, or a traffic light installed at Wootton Oaks Court to reduce this risk of serious accident.**

Image 1



**2. We are very concerned about the impacts to Cabin John Creek.**

Cabin John Creeks runs right though the Tower Oaks proposed development site. According to the Montgomery County Department of Environmental Protection (Cabin John Creek Watershed Implementation Plan, 2012), Cabin John Creek has already been significantly impacted by suburban development, in particular, due to stormwater runoff (suspended solids, nutrients, phosphorus, and bacteria). The stream conditions are considered to be of fair/poor quality. There is a TMDL for nitrogen, sediment, and bacteria for Cabin John Creek. We have conducted stream clean-ups and water quality monitoring sponsored by the City of Rockville along the creek adjacent to the proposed development, and have seen those conditions (e.g. trash, incised streambanks, lack of macrofauna). Views from Preserve Parkway (see images 2 – 6 below).

The development is going to negatively impact the stream through increased flow volume of stormwater runoff and pollutants, even with state of the art stormwater measures installed throughout the community. The City of Rockville should push for no increase in discharge and as close to pre-development hydrology in spite of ESD requirements (see separate attachment). This creek may be in better shape than others in the City or county, so let's make sure it doesn't get worse! Let's protect our streams before they are even further degraded.

Forty one forested acres will no longer filter the water going into the Cabin John creek adjacent to the proposal site once the development is constructed. So it could be very likely that the stream will be pushed to solely poor conditions post-construction. More impervious surfaces can increase the volume of runoff that further destabilizes the creek during rain events that exceed the capacity of proposed bmps.

The City of Rockville spends over a million dollars of dollars from property owners for each stream mile to restore incised creeks and streams. And in fact, it is clear by looking at the images below that the City has already installed bank stabilization and channel restoration techniques (and this is with the benefit of forty one acres of mature trees!). If density of this development or its stormwater impacts can be reduced upfront, less funding will be needed to restore the stream in the future (otherwise it's like paying twice!). The City can then spend the water quality protection charge to help address the effects of stormwater in other areas with much greater impervious surface.

Will the City expect the Tower Oaks HOA to be fiscally responsible and take on long-term management and maintenance of the stormwater bmps the developer will install on the site (e.g. bioswales, microretention areas)? Will the City require the developer or the HOA to develop a maintenance plan? Will the developer educate the HOA about ensuring their lawn care company correctly maintains these areas and the rights of way in future years? Unless there is a long-term commitment and understanding of the bmp maintenance needs, they will not be effective and can fail.

If not already mandatory thru City ordinance, the developer should at a minimum be required to provide the following to the HOA Board: 1) a copy of the site plan and drawings with locations and types of bmps, 2) a plan that explains the maintenance tasks/needs, along with necessary inspection information, 3) educational information for homeowners about the bmps on their property and their community, 4) how the lawn care company can alert the HOA to problems, and 5) long-term maintenance costs.

**Recommendation:** Require as much open space to be kept as possible and lower the density. Encourage the developer to use permeable pavement, disconnect downspouts and other stormwater practices (microretention) to result in a zero discharge increase in volume. Require that the developer make provisions for 2 inch storms which are now consider to be more protective.

Image 2

Images 3 - 6



**3202 LLC**  
**3206 TOWER OAKS BOULEVARD – 4<sup>TH</sup> FLOOR**  
**ROCKVILLE, MARYLAND 20850**  
**(240) 283-6898**

Mayor and City Council  
Rockville Maryland 20850

Re: Rezoning Application for the Project Planning Application PJT20016-00006, an amendment of the Tower Oaks Comprehensive Planned Development (CPD1985-00001, as amended), to allow for up to 375 residential units instead of 755,000 square feet of office development on the east side of Preserve Parkway; EYA Development, LLC, applicant.

Dear Ladies and Gentlemen,

The owners of Tower Oaks Professional Park, 3202 LLC, enthusiastically support approval for the proposed residential development by EYA on Preserve Parkway in the Tower Oaks area of Rockville. Tower Oaks Professional Park abuts the EYA property to the south and consists of approximately 18 acres of land improved with four office buildings containing about 50,000 square feet each, a structured garage with about 300 parking spaces, and surface parking with about 300 more spaces. 3202 LLC has maintained well these buildings, constructed in the mid-1980s, in order to attract tenants here. About half of the property remains unimproved with natural woodlands in the floodplain of Cabin John Creek, a dedicated recreational easement. Other abutting neighbors include Geico to the west, Woodmont Country Club to the east and North Farm to the south. Tower Oaks Professional Park remains a self-contained development with the only vehicular entrance and exit from Tower Oaks Boulevard.

Reasons to support the EYA development include:

- 1) The residential development proposed will not increase commercial office space to compete with Tower Oaks Professional Park for tenants.
- 2) The EYA development will transform the existing plan from solely office into mixed uses producing economic vitality that also will benefit occupants, neighbors and the City of Rockville as well by increasing property taxes and providing affordable housing.
- 3) The residential development proposed will generate much less traffic than a primarily commercial office development would have produced. The ease of access into and out of Tower Oaks Professional Park has resulted from the infrastructure having been built to accommodate much more traffic in anticipation of commercial office rather than residential development. Consequently the major roadways exist with sufficient excess capacity that should maintain this accessibility advantage for Tower Oaks Professional Park. The accompanying aerial map and aerial photograph show these public improvements quite effectively.
- 4) Original plans for developing the property to the north of Tower Oaks Professional Park had contemplated completion of a roadway between Tower Oaks Boulevard and Preserve

Parkway. In fact, a future roadbed had been cleared from Preserve Parkway that the accompanying aerial photograph clearly shows. A small bridge over a tiny stream that feeds into Cabin John Creek also was constructed north of the Jersey barrier where the Tower Oaks Professional Park roadway presently terminates. 3202 LLC does not want this road completed that traffic could use to travel through its property. Tower Oaks Professional Park should remain a destination only for traffic of people working or visiting there.

- 5) The residential development will provide business for the new and existing retail in the vicinity such as Stanford Grille and Clyde's. Their prosperity will inure to benefit the residents, neighbors and the entire City of Rockville.
- 6) The owners of 3202 LLC have known senior managers at EYA for many years and appreciate the quality of their developments that should enhance the neighborhood substantially. EYA's target market will be compatible with Tower Oaks Professional Park and the other nearby high quality office buildings already in place.

3202 LLC hopes that these observations will further fortify the Mayor and City Council to conclude that the EYA proposed development deserves approval.

Very truly yours,



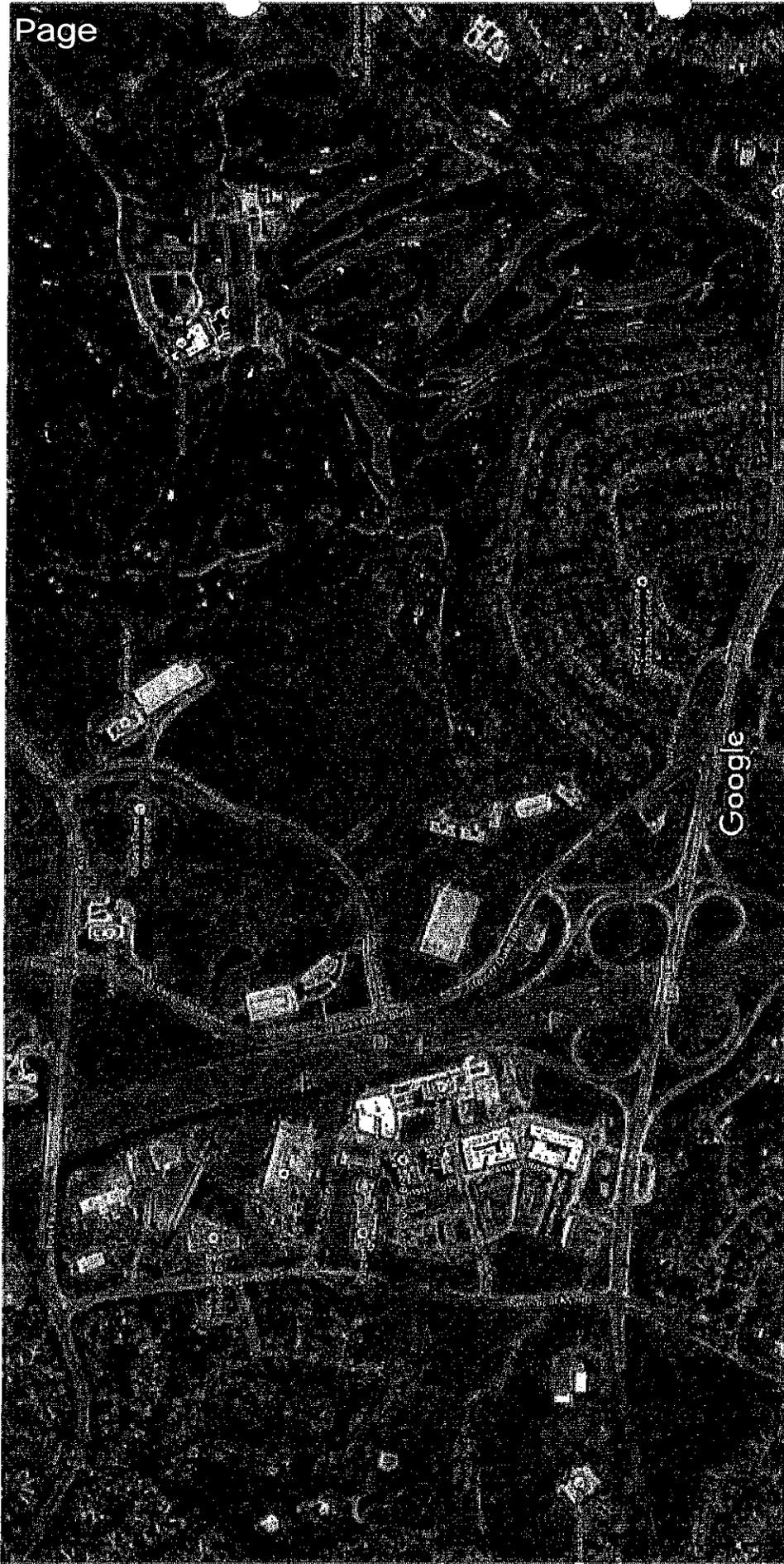
John P. Kyle, Member  
3202 LLC

Enclosures: Aerial Photograph & Map to same scale

CC: Eric Meyers



# Google Maps Preserve Pkwy



Imagery ©2016 Google, Map data ©2016 Google 500 ft

Preserve Pkwy  
Rockville, MD 20852

Google Maps

**Sara Taylor-Ferrell**

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**From:** Sara Taylor-Ferrell  
**Sent:** Monday, June 06, 2016 2:50 PM  
**To:** Tony Greenberg; mayorcouncil  
**Cc:** Charlie Maier; Krista Brick  
**Subject:** RE: Testimony in Support of EYA at Tower Oaks

Mr. Greenberg,

On behalf of the Mayor and Council, thank you for your comments regarding the PJT2016-00006 EYA Tower Oaks. Your comments will be placed in the official record and considered by the Mayor and Council as they deliberate all aspects of the plan. The Mayor and Council will conduct a public hearing on June 6.

The Mayor and Council very much appreciate your feedback.

Thank you for contacting the City of Rockville.

Sincerely

Sara Taylor-Ferrell  
Acting Deputy City Clerk

City of Rockville  
111 Maryland Avenue  
Rockville, Maryland 20850  
Office 240-314-8282  
Fax 240-314-8289

---

**From:** Tony Greenberg [mailto:tgreenberg@jbg.com]  
**Sent:** Monday, June 06, 2016 2:38 PM  
**To:** mayorcouncil <mayorcouncil@rockvillemd.gov>  
**Cc:** Charlie Maier <charlie@maierwarnerpr.com>; Krista Brick <krista@maierwarnerpr.com>  
**Subject:** Testimony in Support of EYA at Tower Oaks

Please see attached testimony for tonight's hearing.

Thank you,  
Tony



THE JBG COMPANIES

**Anthony Wolf Greenberg**  
The JBG Companies®

4445 Milland Avenue, Suite 400 | Chevy Chase, Maryland 20815  
240.333.3879 direct | 240.333.3600 main | 240.333.3610 fax  
[www.JBG.com](http://www.JBG.com)

**Please consider the environment before printing this e-mail.**

June 6, 2016

Ms. Bridget Newton  
Mayor, City of Rockville  
Rockville City Hall  
111 Maryland Avenue  
Rockville, Md. 20850

Dear Ms. Newton and City Council Members,

My name is Anthony Greenberg and I am a principal at The JBG Companies.

I may be familiar to some of you as a member of the board of VisArts, or as an active developer of mixed-use properties for JBG. Some of the projects I've worked on recently in the City are the three new apartment buildings near the Twinbrook Metro Station and the new commercial building at 275 North Washington Street. We at JBG are pleased and proud to develop new, high quality projects in Rockville.

For the record, our JBG Fund IX is a co-investor in the Tower Oaks project with EYA; therefore we have an interest and a financial stake in their plans – and success. I endorse EYA's proposal to build a residential community in Tower Oaks, which I believe will become an attractive addition in the City of Rockville.

Rather than move forward to add more office space at Tower Oaks, which already has a surfeit of office space, that location, and the community, would benefit far more from a mix of housing developed in a well-planned and environmentally friendly way. In my view, EYA's plans do just that.

Mixing new homes with offices and restaurants will add diversity and energy to the community. It will also bring considerable revenues to Rockville and to Montgomery County. The planned development will also produce more than 40 affordable townhomes, with multiple bedrooms that are appealing to larger families and first-time homebuyers. These are important benefits.

EYA has also committed to concentrating the new homes on the property, in order to preserve 14 acres of trees. That preserved area will remain in its natural state, providing quiet and passive space. The Tower Oaks location is ideally located near major roads but is accessible to transportation options including a shuttle proposed for the site.

I encourage the Mayor and Council to approve EYA's plans for this site.

Sincerely,



Anthony Greenberg  
Principal  
The JBG Companies  
4445 Willard Avenue  
Suite 400  
Chevy Chase, MD 20815  
240.333.3600

June 2, 2016

Mayor Bridget Newton  
Mayor, City of Rockville  
111 Maryland Avenue  
Rockville, Md. 20850

2016 JUN -6 PM 2:10

RECEIVED  
CITY OF ROCKVILLE

Dear Ms. Newton and City Council Members,

My name is Ed Sagel and I am the co-owner of Sagel, Bloomfield Danzansky Goldberg Funeral Care Inc. at 1091 Rockville Pike. We are a family-owned funeral home that has long-decided Rockville is where we want to do business. Just this year Rockville's Economic Development Inc. recognized our company during Business Appreciation Week.

We have seen the proposal by EYA to build a new community in Tower Oaks. And, we believe it is a good plan. The property is an ideal location for the mix of housing types that is proposed and the housing mix will add to the diversity of the population of homeowners here in Rockville. We encourage the growth of the city's tax base and the decision to convert this site from an office use to residential.

I encourage the mayor and council to approve EYA's plans for this site.

Sincerely,



Ed Sagel  
Sagel, Bloomfield Danzansky Goldberg Funeral Care Inc.  
Rockville, Md.  
301-340-1400  
[www.sagelbloomfield.com](http://www.sagelbloomfield.com)

**Sara Taylor-Ferrell**

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**From:** Sara Taylor-Ferrell  
**Sent:** Thursday, June 02, 2016 2:43 PM  
**To:** Sean Sullivan; mayorcouncil  
**Subject:** RE: Testimony - EYA Tower Oaks Project - Sean Sullivan

Mr. Sullivan,

On behalf of the Mayor and Council, thank you for your comments regarding the PJT2016-00006 EYA Tower Oaks. Your comments will be placed in the official record and considered by the Mayor and Council as they deliberate all aspects of the plan. The Mayor and Council will conduct a public hearing on June 6.

The Mayor and Council very much appreciate your feedback.

Thank you for contacting the City of Rockville.

Sincerely

Sara Taylor-Ferrell  
Acting Deputy City Clerk

City of Rockville  
111 Maryland Avenue  
Rockville, Maryland 20850  
Office 240-314-8282  
Fax 240-314-8289

---

**From:** Sean Sullivan [mailto:ssullivan@bostonproperties.com]  
**Sent:** Thursday, June 02, 2016 2:23 PM  
**To:** mayorcouncil <mayorcouncil@rockvillemd.gov>  
**Subject:** Testimony - EYA Tower Oaks Project - Sean Sullivan

Mayor Newton and City Council Members,

Attached, please find my written testimony that I will be offering in person at the project hearing on June 6 in Rockville City Hall. Please submit for the record.

Thank you and I look forward to seeing you on Monday night.

Regards,  
Sean

**Sean Sullivan**  
Senior Project Manager | Development  
2200 Pennsylvania Avenue NW, Suite 200W  
Washington, DC 20037  
T: (202) 585-0845 | F: (202) 585-0888  
[ssullivan@bostonproperties.com](mailto:ssullivan@bostonproperties.com)

 Boston Properties

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Thank you.



June 6, 2016

Mayor and Council  
111 Maryland Avenue  
Rockville, MD 20850

BOSTON, MA

NEW YORK, NY

PRINCETON, NJ

SAN FRANCISCO, CA

WASHINGTON, D.C.

Re: EYA Tower Oaks Project - Support Testimony

Dear Mayor Bridget Newton and City Council Members,

My name is Sean Sullivan. I am a Senior Project Manager on the Development team at Boston Properties, the current owner of the 41 acres that EYA is seeking a project plan amendment. I am here tonight to support for EYA's proposal, which we believe to be in the long term best interest of the Preserve at Tower Oaks and the larger Rockville community.

Boston Properties has been an active member of the Tower Oaks Property Owners Association since 1996 and have been proud stewards of the park. We have developed two office buildings in Tower Oaks in the last 20 years, and we currently own and operate 2600 Tower Oaks Boulevard (a 200,000 square foot office building at the corner of Tower Oaks Boulevard and Preserve Parkway). We had intended to introduce additional office density at the Subject Property, but office market dynamics have simply not justified the cost of doing so. We continue to experience challenges at our existing building and the current local leasing statistics explain why - the vacancy rate in the Rockville market is close to 15%, average rental rates are in the low \$30's per square foot per year (which is approximately the same level as when we entered the market 20 years ago). We currently have almost two full floors available at 2600 Tower Oaks Boulevard, and are hovering around 70% occupancy. These challenges are not unique to suburban Rockville - many suburban office locations without convenient access to public mass transportation and not in proximity to a mixed-use, amenity-rich environment are experiencing similar difficulties. With these challenging headwinds, we came to conclusion that office might not be the highest and best use for the Subject Property and began exploring other avenues.

Residential development seemed to be a viable use for the site but not being residential experts ourselves, we began to solicit expressions of interest from other developers/builders. EYA was a logical candidate given the firm's strong reputation in the Washington, DC market as well as Rockville itself. The quality of their communities and the success they have enjoyed over an extended period of time speak for themselves. As for EYA's specific proposal at Tower Oaks, we are attracted to the diverse mix of product types and target demographics, and are excited for the residential options and amenities that this new community will offer to the park. We believe the introduction of single-family detached, townhomes, and high-quality affordable housing is consistent with the goals of Master Plan and significantly less impactful than the office use that we had first envisioned, particularly as it relates to peak hour trips.



I would like to conclude by saying that we are confident in EYA's ability to meet its obligations and look forward to the high-quality, diverse mix of residential and lifestyle offerings that EYA will bring to the community. We fully endorse their proposed plan and look forward to welcoming them as neighbors and partners in the long-term success of Tower Oaks.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sean Sullivan', with a horizontal line extending to the right.

Sean Sullivan  
Senior Project Manager  
Boston Properties  
2200 Pennsylvania Avenue, NW Suite 200W  
Washington, DC 20036

**Sara Taylor-Ferrell**

---

**From:** Sara Taylor-Ferrell  
**Sent:** Thursday, June 02, 2016 9:45 AM  
**To:** Krista Brick; mayorcouncil  
**Subject:** RE: Emailing - Tower Oaks Housing Plan Support.pdf

Ms. Brick,

On behalf of the Mayor and Council, thank you for your comments regarding the PJT2016-00006 EYA Tower Oaks. Your comments will be placed in the official record and considered by the Mayor and Council as they deliberate all aspects of the plan. The Mayor and Council will conduct a public hearing on June 6.

The Mayor and Council very much appreciate your feedback.

Thank you for contacting the City of Rockville.

Sincerely

Sara Taylor-Ferrell  
Acting Deputy City Clerk

City of Rockville  
111 Maryland Avenue  
Rockville, Maryland 20850  
Office 240-314-8282  
Fax 240-314-8289

---

**From:** Krista Brick [mailto:krista@maierwarnerpr.com]  
**Sent:** Thursday, June 02, 2016 9:35 AM  
**To:** mayorcouncil <mayorcouncil@rockvillemd.gov>  
**Subject:** Emailing - Tower Oaks Housing Plan Support.pdf

Please find attached a letter to be entered into the record for the EYA Tower Oaks proposal scheduled before the Mayor and Council on June 6.

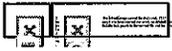
Thank you,  
**Krista Brick**



*public relations/marketing/branding/design*

90 Church Street | Rockville, MD 20850  
p. 301.424.4141  
f. 301.424.4464  
[krista@maierwarnerpr.com](mailto:krista@maierwarnerpr.com)  
[www.maierwarnerpr.com](http://www.maierwarnerpr.com)

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# BLUERIDGE

RESTAURANT GROUP, LLC

May 23, 2016  
Ms. Bridget Newton  
Mayor, Rockville City  
Rockville City Hall  
111 Maryland Avenue  
Rockville, Md. 20850

Dear Mayor Newton and City Council Members,

My name is David Jones and I am managing partner for Blue Ridge Group, owners of the new Stanford Grill at 2000 Tower Oaks Blvd. I have seen the proposal by EYA for the Tower Oaks property and I think it is a good one.

We launched our second Stanford Grill in Rockville recently because we are in favor of being located within a mix of housing and office buildings. Our other location is in Columbia. With the addition of the EYA proposal we will be able to serve a new community of residents who can walk to our restaurant, an objective when it comes to smart design and planning.

Studies on the market have indicated there is ample amount of office square footage in the county. What is necessary to support that space are well-planned, walkable housing communities. Converting the planned office use here to housing can help support the adjacent Tower Oaks boulevard office complex.

The mix of housing types, single family, multi-family and townhomes, ensure residents of different incomes levels and stages of life will be able to have the EYA community as an option when looking for their new home. It helps to support our business that can rely on the businessman during the week and our neighbors to become our regulars.

Mayor Newton and council members, I encourage your approval of this plan.

Sincerely,



David Jones  
410-312-0445

---

10500 Little Patuxent Pkwy. Suite 770. Columbia, MD. 21044. 410.997.3600 P. 301.596.5471 F

May 31, 2016

Ms. Bridget Newton  
Mayor, City of Rockville  
Rockville City Hall  
111 Maryland Avenue  
Rockville, Md. 20850

Dear Ms. Newton and City Council Members,

My name is John Freshman and I live in Rockville. I welcome the EYA proposal to build a residential community in Tower Oaks.

I work in the environmental industry and this infill development I believe is an environmentally friendly proposal for the following reasons:

Environmental Benefits

- Property includes 14 acres of wooded preserve
- Over 900 mitigation trees provided in the plan
- Heights of allowable buildings are lower than the currently approved 120-150 feet
- Plan includes proposal to add Ride-On or private shuttle to promote public transportation.
- All storm water management treatment completed on site.
- Plan includes over 65 percent open space
- Plan includes approximately 14,690 square feet of public use space

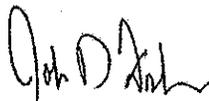
Transportation Benefits

- Rezoning to residential from 755,000 square feet of office has a lower traffic impact of 1,900 less peak period auto trips per day
- Plan includes proposal to add Ride-On or private shuttle to promote public transportation.
- The project is adjacent to an office building and within walking or biking distance to several other office buildings in the Tower Oaks area.

Converting the planned office use here to housing can help support the adjacent Tower Oaks office complex and the two restaurants

I encourage the Mayor and Council to approve this plan.

Sincerely,



John Freshman  
Senior Director of Governmental Affairs, BB&K  
5800 Nicholson Lane #907  
Rockville, MD 20852