

March 4, 2011

BY HAND-DELIVERY

Mr. James Wasilak
Mr. Castor Chasten
Mr. Bobby Ray
City of Rockville Planning Department
111 Maryland Avenue
Rockville, Maryland 20850

Re: Charles E. Smith Life Communities, Landow House, Phase II
1799 East Jefferson Street, Rockville, MD 20852-4069
Site Plan Amendment Application
Modifications to Landow House, Phase II
Project Narrative/Statement of Justification

Gentlemen:

As you are aware, our firm represents the Charles E. Smith Life Communities (the "CESLC") in regards to the Landow House, an assisted living facility located at 1799 East Jefferson Street, in close proximity to the intersection of Montrose Road and East Jefferson Street within the City of Rockville (the "Property"). Through this Site Plan Application for a Major (Level II) Site Plan Amendment, the CESLC would like to modify its approved Use Permit for Phase II of the Landow House to construct an 18-unit addition instead of the previously approved 39-unit addition (the "Project").

1. CESLC Campus, Mission and Vision

By way of background, the CESLC campus is comprised of four residence facilities, which provide over 1,000 seniors with a wide variety of services ranging from independent living to long-term nursing home care. Specifically, the campus includes the following facilities:

- The Hebrew Home of Greater Washington (Hebrew Home) – a 556-bed skilled nursing and long term care facility that includes the Rakusin Rehabilitation Center for sub acute care in the Wasserman and Smith-Kogod residences;
- Ring House – a 250 unit independent living facility;
- Revitz House – a 250 unit affordable independent living facility;
- Landow House Phase I – a 60 unit assisted living facility; and,

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- Hirsh Health Center – an outpatient geriatric clinic located in the Ring House, which serves the residents of the CESLC campus and the greater Rockville community.

CESLC maintains a commitment to the Jewish values of honouring the elderly and ensuring the dignity of each individual. With this unique approach to the needs of each patient and resident, the CESLC provides person-centered care that allows each individual to be as independent as possible. Accordingly, the CESLC's mission is to provide quality services to elders and their families, especially to those in need. Services and programs are open to all in the community. Moreover, the CESLC is viewed and supported by the community as the leader and provider of choice in delivering innovative and compassionate services for elders.

2. Landow House

As previously noted, the Landow House currently is operating as a 60 unit assisted living residence, in which residents receive support with the goal of maximizing an independent lifestyle. Assistance is provided with the activities of daily living, which become increasingly challenging as a person ages. Three meals a day are included as part of a resident's stay in the Landow House, along with housekeeping and wellness monitoring. A full range of social, fitness and cultural activities are also available. The Landow House provides services for individuals who do not need the full range of medical services available at the Hebrew Home but who still require supportive care.

3. Landow House: Prior Approvals

The City of Rockville's Planning Commission approved Use Permit USE2002-00640 for the Landow House by letter dated May 30, 2002. The approval allowed for the construction of a "new 99 unit, two and three-story assisted living facility (with a basement)." The project was proposed to be constructed in two phases: Phase I – the construction of 60 units, which are now built and have been in use since 2005, and Phase II – the construction of 39 units, which were to be built as a separate wing of the Landow House when the capital funds were available to move forward. As of the date of this Site Plan Application for a Major (Level II) Site Plan Amendment, Phase II has not yet been constructed. The Mayor and Council for the City of Rockville recently approved a two year tolling period, which automatically extended approval periods for use permits

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including the Landow House. The Landow House also was approved by the City of Rockville Board of Appeals for Special Exception No. SPX 2001-00302 by letter dated June 20, 2001.

4. Landow House: Phase II Modifications/Process

The CESLC is now in a position, after much effort, to move forward with the construction of Phase II of the Landow House. After operating the Landow House for five years, the CESLC determined that Phase II should be smaller than the originally approved Phase II because a specialized memory care facility is best designed as a smaller, one-story, residential facility. Specifically, CESLC is proposing a reduction in the size of Phase II from approximately 38,000 square feet to one that currently is proposed to be approximately 16,125 square feet.

On April 28, 2010, when we met with Staff on-site to discuss the construction of Phase II, Staff indicated that the Phase II modifications would need to be approved as a Major (Level II) Site Plan Amendment because, even though the square footage of the building area is being reduced, the revised building footprint is increasing by approximately 6,000 square feet. As we noted, Phase II ultimately will be reduced from a 3 story building to a single story building. Moreover, the total unit count following construction will be 18 units instead of 39 units (78 units instead of the originally approved 99 units for the entire Landow House facility). Thus, the proposed modification to Phase II will decrease the intensity of development already approved for Phase II of the Landow House and will not be detrimental to the adjacent properties or the surrounding community. The modification also reduces any traffic that will be generated from the Phase II development given the reduction in units.

On November 18, 2010, CESLC filed Pre-Application Meeting (PAM) Application No. PAM2011-00038 for this Project with the City of Rockville. CESLC is now filing this Site Plan Application for a Major (Level II) Site Plan Amendment Application for the Project.

5. Compliance with the City of Rockville Comprehensive Master Plan

The Project complies with the 2002 *City of Rockville Comprehensive Master Plan* ("Master Plan"), which is the most recently adopted master plan in the City of Rockville. The Master Plan divides the City of Rockville into a series of residential planning areas

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and locates the Property in the Montrose Neighborhood. The Master Plan acknowledges the existence of the Ring House as part of the CESLC Campus but does not contain any specific recommendations for the Property. The Master Plan generally recommends, however, that “adequate buffers are created between any future development and residential areas within the neighborhood.” Accordingly, the Project aims to provide adequate buffers between the Property and the residential areas located to the north and west of the Project.

6. Compliance with the Zoning Ordinance

The Property is zoned R-75 (Single unit Detached Dwelling, Residential with 7,500 square foot minimum lot area). Prior to the City of Rockville’s adoption of its revised Zoning Ordinance on December 15, 2008, the Landow House operated under Special Exception Approval No. SPX 2001-00302 for “housing for the elderly and physically handicapped.” The revised Zoning Ordinance renamed the use category “housing for the elderly and physically handicapped” to “housing for senior adults and persons with disabilities,” which is a permitted use as a special exception in the R-75 zone.

The Project complies with the development standards set forth in Section 25.10.05 of the Zoning Ordinance for the R-75 zone, as well as the development standards set forth in Section 25.15.02(j) of the Zoning Ordinance for a housing for senior adults and persons with disabilities special exception use:

- Minimum lot area
 - Section 25.10.05: a minimum lot area of 7,500 square feet (0.17 acres);
 - Section 25.15.02(j)(3)(a): a minimum lot area of at least two (2) acres.
 - The Property is approximately 9.918 acres in size, with Ownership Parcel A-2 measuring 4.168 acres. Thus, the Property and Ownership Parcel A-2 clearly exceed the required minimum lot area development standards.
- Minimum width at the front setback line
 - Section 25.10.05: a minimum width at the front setback line of 70 feet.
 - The Property is approximately 202 feet wide at the front setback line.

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- Minimum width at front lot line/minimum street frontage
 - Section 25.10.05: a minimum width at the front lot line of 40 feet;
 - Section 25.15.02(j)(3)(b): a minimum 100 foot frontage on a public street.
 - The Property is approximately 199 feet wide at the front lot line and fronts a public street in this location.
- Minimum front yard setback
 - Section 25.10.05: a minimum 50 foot established front setback;
 - Section 25.15.02(j)(3)(c)(i): a minimum 50 foot front yard setback.
 - The Property provides a 50 foot front yard setback.
- Minimum side yard setback
 - Section 25.10.05: a minimum 9 foot side setback where land abuts;
 - Section 25.15.02(j)(3)(c)(ii): twice the minimum required in the zone (18 foot side setback).
 - The Property provides a 30 foot side yard setback for the Project.
- Minimum rear setback
 - Section 25.10.05: a minimum 20 foot rear setback;
 - Section 25.15.02(j)(3)(c)(ii): twice the minimum required in the zone (40 foot rear setback).
 - The Property provides a 50 foot rear setback for the Project.
- Maximum building height
 - Section 25.10.05: a maximum 35 foot building height;
 - Section 25.15.02(j)(3)(e): limited to the height allowed in the zone.
 - The existing building height for the Landow House is 35 feet. The proposed building height for the Project will not exceed 27 feet.
- Maximum lot coverage
 - Section 25.10.05: a maximum 35% lot coverage.

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- The Project, existing Landow House and Ring House cover approximately 23% of the lot.
- Maximum impervious surface coverage in the front yard.
 - Section 25.10.05: a maximum 35% impervious surface coverage in the front yard.
 - The Project proposes 23% impervious surface in the front yard.
- The Project will also comply with the Publicly Accessible Art in Private Development ordinance.

7. Landow House: Phase II Building Design

The Project will be Construction Type II-B for an I-2 Occupancy with the user group being an Assisted Living Memory Care Center. The exterior finishes will respond to the Landow House Phase I with portions of matching masonry and a stone base creating a water table around the perimeter of most of the Project. The balance of the elevations will be clad with cementitious siding and EIFS with painted cementitious trim. There will also be some stone accents along the full height of the building at appropriate locations. The roof will mostly consist of architectural shingles with accents of metal roof at entryways. There will also be approximately 35% green vegetative roof over a flat EPDM roof membrane. Lastly, all window units will be Energy Star rated or better to compliment the high performance building envelope, which will, at a minimum, meet the energy code requirements.

8. Landscaping, Screening and Lighting

The proposed landscape concept includes a mix of native and naturalized plantings. More specifically, foundation plantings across the front of the Property consist of evergreen, deciduous, and flowering shrubs, which are complimented by evergreen and deciduous trees. Smaller ornamental trees also are included as accents. The Project's courtyard expansion landscapes are comprised of many of the same plantings, with a sharper focus placed on plants that are suitable for senior residents.

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The Project also provides significant screening elements. From Jefferson Street, the Project is screened with appropriate shrubbery and by the Ring House building. There is also substantial screening between the Property and the residential areas located to the north and west of the Project.

The site lighting layout includes code required lighting for building egress to the public right-of-way. The fixtures combine building exterior lights and bollard fixtures that match or complement the existing fixtures. Minimal accent lighting will also be provided for aesthetics and wayfinding.

9. Traffic and Compliance with the Adequate Public Facilities Ordinance

Integrated Transportation Solutions, LLC prepared a Transportation Scoping Intake Form and an accompanying traffic statement, which demonstrate that the Project will have a negative impact on traffic as compared to the traffic projected during the initial approval for the Landow House. Accordingly, the City of Rockville's Traffic and Transportation Division determined that the Project is exempt from Comprehensive Transportation Review. Moreover, CESLC generates no public school age children and therefore, requests a waiver from the APFO requirement for schools. The Project will be served by public water and sewer, and an Overall Utility Plan is included with this application.

10. Parking

The Project complies with the parking requirements set forth in Article 16 of the Zoning Ordinance. Specifically, Section 25.16.03 of the Zoning Ordinance requires that a "housing for senior adults and persons with disabilities" use provide 1 parking space per every 3 dwelling units. Because the Ring House and Landow House Phases I and II provide a total of 328 dwelling units, 110 parking spaces are required for the Ring House and Landow House Phases I and II. The Ring House and Landow House Phases I and II will provide a total of 210 parking spaces, which more than adequately satisfies the parking requirement. As illustrated on the Site Plan, the Project will relocate 6 parking spaces from the entry of the Project to a location north of the existing Ring House.

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11. Signs

The Project proposes one additional sign located near the entry to the Project, which is shown on the Landscape Plan.

12. Green Building Regulations

The Project will satisfy the City of Rockville's Article XIV Green Building Requirements. CESLC filed a LEED Project Checklist for New Construction and Major Renovation on November 12, 2010. A minimum of 25 LEED Credits will be achieved including a minimum of 5 credits from the local priority credits list. Please refer to the LEED checklist for more information regarding how the Project will attain these credits.

13. Community Outreach

CESLC considers itself a valuable asset to the greater Rockville community and is committed to working with the surrounding community and other interested parties. The CESLC already has conducted numerous outreach efforts with City of Rockville staff and the community, including the existing Landow House and Ring House residents, the Charles E. Smith Jewish Day School and B'Nai Israel. CESLC hosted its pre-application area meeting on January 6, 2011, at which five community members attended. To date, we also believe the community is supportive of the Project. CESLC has scheduled its Post-Application Area meeting for April 11, 2011.

14. Application Contents

In addition to this Project Narrative/Statement of Justification, we are submitting twelve copies of the following materials:

1. Completed Site Plan Application form;
2. \$1,635 filing fee
 - o Base filing fee = \$2,750
 - o \$20 per each residential dwelling unit * 18 dwelling units = \$360

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- \$20 per each 1,000 square feet of non-residential use * 7,997 of non-residential square feet = \$160
- 50% discount due to CESLC's status as a non-for profit organization
- Total = \$1,635

3. Pre-Application Meeting Materials;

- List of names and addresses of Pre-Application Area Meeting attendees as provided on sign-in sheets from the meeting;
- A summary of the issues and concerns raised by the Pre-Application Area Meeting attendees;
- A copy of the Pre-Application Area Meeting notice letter;
- A copy of the mailing list used for Pre-Application Area Meeting notification;
- The original Affidavit of Pre-Application Area Meeting Compliance; and,
- A copy of all materials distributed at the Pre-Application Area Meeting.

4. Detailed site development plan prepared and certified by a professional engineer;

5. Preliminary building elevations and floor plans;

6. Copy of amended Transportation Scoping Intake Form (project exempt from Comprehensive Transportation Review);

7. Overall Utility Plan;

8. Landscape plan;

9. Approved Stormwater Management Concept Plan;

10. Final Forest Conservation Plan;

11. Copy of approved Natural Resource Inventory/Forest Stand Delineation NRI/FSD;

12. Electronic (PDF) Version of Submittal Requirements; and

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13. ELEED or LEED equivalent credit checklist and supporting documentation.

We look forward to working with Staff on this Site Plan Amendment Application and ultimately in presenting the Project to the Planning Commission. Thank you in advance for your continued cooperation regarding this matter.

Very truly yours,



Steven A. Robins



April B. Mackoff

Attachments, as described

cc (w/attachments): Beth DeLucenay
Eric Krull
Donald Green
Mike Devine
Ed Van Coutren