

February 1, 2011

BY HAND-DELIVERY

Mr. James Wasilak
Chief of Planning
Department of Community Planning and Development Services
City of Rockville, Maryland
111 Maryland Avenue
Rockville, Maryland 20850

Re: The Village at Rockville (formerly, "National Lutheran Home & Village at Rockville, Inc."); 9701 Veirs Drive, Rockville, Maryland 20850-3462.
Applications for Special Exception Minor Modification and Minor Site Plan Amendment for additional drop-off and building entrance; reduction of skilled nursing beds and addition of assisted living units; and conversion of existing residential living triplex to community center/office space.
Related Application - PAM 2011-00039.

Dear Mr. Wasilak:

On behalf of our client, The Village at Rockville (formerly, National Lutheran Home & Village at Rockville, Inc.) ("TVAR"), we are submitting the enclosed applications for Special Exception Minor Modification and Minor Site Plan Amendment for the proposed changes on the TVAR campus, as described below. These applications are consistent with our pre-application meeting submission (Case No. PAM 2011-00039) and address most, if not all, of the comments we received at the Development Review Committee meeting on December 16, 2010.

Internal Renovations, Conversion to Assisted Living Units, and New Drop-Off/Building Entrance

As we have discussed with the City, TVAR plans to renovate and convert its main building from 300 existing skilled nursing beds to 160 skilled nursing beds and 50 assisted living units. The addition of assisted living services will fill the intermediate level of care between TVAR's Residential Living Program and Skilled Nursing Facility and will enable TVAR to become a full-service Continuing Care Retirement Community.

TVAR's Nursing Facility currently is divided into eight nursing units in eight wings located on three floors within the main building. The 1st and 2nd floors contain three wings and the 3rd floor contains two wings. Each nursing unit consists of 36 to 38 beds, totaling 300 beds overall. All eight nursing units are proposed to be renovated. After the renovations, the 2nd and 3rd floor wings will remain skilled care nursing while the 1st floor wings will convert from skilled nursing to assisted living units. These internal renovations and conversions will be accomplished through a series of closures, renovations, and re-openings within the three main floors that currently contain the skilled nursing beds. Administrative offices are proposed to be relocated to the ground floor. All of these proposed renovations will be internal. Once the renovations are completed, the number of peak hour employees will not increase above the current 185.

To accommodate these internal renovations, TVAR proposes a new drop-off and building entrance on the northeast side of the building. The building entrance addition will be two stories with the second level allowing for a small fitness room. The new entrance will be designed to serve primarily the renovated 2nd and 3rd floor nursing units. Once this second entrance is opened, the existing main entrance facing Veirs Drive will be used primarily to serve the new assisted living units on the 1st floor, volunteers, residential living residents, and visitors.

The proposed new entrance will be served by a circular driveway, with a porte-cochere, as shown on the attached site plan. Parking spaces will be removed to accommodate the new driveway and new spaces will be added along the new driveway for no net change in the number of parking spaces. The construction of the new entrance, drive aisle, and parking spaces will require stormwater management and the removal of approximately fifteen trees. The proposed second entrance should provide for more efficient on-site traffic and pedestrian circulation since vehicles and pedestrians will be spread between two entrances. Deliveries and pick-ups from the loading dock and dumpsters, as well as the existing driveways, will continue to operate in a safe and efficient manner.

Emergency Generator, Transformer, and Relocation of Existing Greenhouse

To accommodate the new drop off and building entrance, TVAR will need to remove the existing Pepco transformer and install a new transformer adjacent to the southeast corner of the eastern wing of the building. TVAR also plans to install an emergency generator in the same general vicinity. The proposed new locations are shown on the enclosed site plans. The transformer is proposed to be above ground and surrounded by a walled enclosure.

TVAR also is considering the replacement of an existing underground fuel tank and the relocation of a small greenhouse that is currently located where the new entrance is proposed. The greenhouse is approximately 434 square feet in size and is proposed to be relocated adjacent to the residential living triplex that is proposed for conversion to community and office space (see description below).

Minor Improvements to Existing Main Entrance and Creation of Memory Care Garden

TVAR proposes to make very minor changes to its existing main entrance facing Veirs Drive. The main entrance vestibule will be enlarged slightly as shown on the site plans and there will be cosmetic changes to the existing porte cochere (new cladding). To the left of the main entrance where the proposed administrative addition was approved, TVAR would like to install a fence to enclose a “Memory Care Garden,” as shown on the enclosed site plans and landscape plans.

Conversion of Existing Triplex (Three Residential Living Units) to Community/Office Space

At this time, TVAR is proposing one other very minor change. As discussed with the City, two residential living units were previously combined into one unit. TVAR would like to convert this combined space from a residential living use into a community gathering space for the residents of the residential living units (for example, for movies, dinners, and other social events). This conversion will only require cosmetic changes to the building (carpeting, painting); no structural changes are necessary. TVAR expects that most, if not all, attendees for these events will walk, but in any event, adequate parking is available. All activities will be within reasonable scheduled hours. The remaining unit out of the three-unit triplex is proposed to be used as office space.

As we have discussed previously, all of these proposed changes are appropriate for a special exception minor modification process and a minor site plan amendment. The proposed changes will not substantially change the nature, character, or intensity of the use and will not substantially change the effect of traffic or on the immediate neighborhood. The proposed changes comply with the development standards for the R-400 Zone, the general standards for special exception approvals, and the specific standards for life care facility special exception uses set forth in sections 25.10.05, 25.15.01.a.2, and 25.15.02.k of the City Zoning Ordinance. The proposals do not violate the Master Plan, the Zoning Ordinance, or any applicable law. The proposed uses will not adversely affect the health or safety of residents or workers in the area. They will not overburden public facilities, will not be detrimental to the use or development of adjacent properties or the neighborhood, and will not change the character of the neighborhood or constitute a nuisance. The proposals comply with all APFO requirements.

Ideally, TVAR would like to preserve its prior approvals to the extent possible, within the timeframes allowed under the Zoning Ordinance, and reserve the right to construct the 4,300 square foot administrative and 14,000 square foot nursing additions that were approved last year. TVAR does not have any immediate plans to move forward with those projects or to increase the number of beds beyond 210. However, if TVAR proposes modest increases in the number of beds in the future, such increases should be fairly evaluated based on TVAR's prior successful operation of 300 skilled nursing beds within the existing facilities.

Besides the applicable filing fees,¹ we are submitting the following materials in support of the Special Exception Minor Modification application:

1. Completed Special Exception Application Form (1 copy).
2. Development Review Committee Meeting Notes (1 copy).
3. Plat Number 23516 (1 copy).
4. Site Plan (12 copies, 5 pages).
5. Transportation Scoping Intake Form (1 copy).
6. NRI/FSD submitted to Forestry for approval (1 copy, 3 pages).
7. Landscape Plan (6 copies, 7 pages).
8. Stormwater Management Concept Plan submitted to Public Works for approval (1 copy, 2 pages).
9. CD containing electronic version of plans (1 copy).

We are submitting the following materials in support of the Minor Site Plan Amendment application:

1. Completed Site Plan Application Form (1 copy).
2. Development Review Committee Meeting Notes (1 copy).
3. Site Plan (12 copies, 5 pages).
4. Architectural Elevations and Floor Plans (3 copies, 2 pages).
5. Transportation Scoping Intake Form (1 copy).
6. NRI/FSD submitted to Forestry for approval (1 copy, 3 pages).

¹ We are enclosing the following filing fees (calculated based on non-profit organization status):
\$750.00 for the Special Exception Minor Modification for life care facility use.
\$500.00 for the Minor Site Plan Amendment.
\$750.00 for sign deposit (6 signs).

7. Landscape Plan (6 copies, 7 pages).
8. Lighting Plan (1 copy, 1 page).
9. Stormwater Management Concept Plan submitted to Public Works for approval (1 copy, 2 pages).
10. Fire Protection Site Plan (1 copy, 7 pages).
11. CD containing electronic version of plans (1 copy).

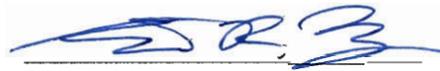
Macris, Hendricks & Glascock will submit the preliminary Forest Conservation Plan shortly under separate cover. TVAR conducted a community outreach meeting on December 14, 2010. Only two neighbors attended the community outreach meeting, and no concerns were raised. The meeting materials were forwarded to the City by e-mail on January 12, 2011.

Please let us know when we are scheduled for our next Development Review Committee meeting. After we address any comments from the DRC meeting, we would very much appreciate approvals on these applications as quickly as possible so that we can move forward with final engineering and permitting.

If you have any questions about this application or need any additional information, please do not hesitate to call me. Thank you very much for your consideration and cooperation.

Respectfully submitted,
Lerch, Early & Brewer, Chtd.

By:



Stuart R. Barr

Attachments, as described

cc (w/ both application materials): Larry Bradshaw
Frank McGovern (2 sets)
Frank Muraca
Matthew Pohlhaus
John Reese/Jerry Votava
James Mehaffey/Quinn de Menna
Robert G. Brewer, Jr.