

Brightview Rockville Town Center

SITE PLAN APPLICATION  
PROJECT NARRATIVE

SHELTER DEVELOPMENT, LLC  
("Applicant")

285 North Washington Street  
Lot 25, Block D, City Center, Plat No. 24617

CITY OF ROCKVILLE  
PLANNING COMMISSION

Date: October 29, 2013

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1) Request:

In accordance with Article 7 of the City of Rockville Zoning Ordinance, the applicant (Shelter Development, LLC) submits this Site Plan Application for the development of a 195 unit, service enriched, rental community for independent living and for assisted living with street level retail available to the public.

117 of the units will be independent living dwelling units, including about 18 of such units devoted to Moderately Priced Dwelling Units.<sup>1</sup> (Please see the more detailed MPDU-related discussion at Para. 13), beginning at page 13.) 78 units would be for assisted living which do not constitute "dwelling units." There will be no skilled nursing. Brightview will include ground floor retail including a restaurant, café, and general retail open to the public on part of the ground floor.

2) Seattle Mixed Use Communities and Ground Floor Retail Design and Operation Examples

Brightview's mixed-use community will be integrated with its Rockville neighborhood where of course many future Brightview residents will have been living for many years, as well as their friends and relatives. The ground floor café, restaurant and other retail space and the elaborate streetscape design will invite the neighborhood into the project and enliven Rockville Town Center. Thus, Brightview's ground floor design and operations will meet not only the Rockville Town Center Master Plan goals but also the goals of the Brightview residents.

Brightview inspected existing communities in Seattle, Washington, where, unlike the east coast, there are many excellent examples of such integrated developments. In addition to complementary uses, the Seattle communities provide excellent examples of design and operational considerations that Brightview Rockville Town Center borrowed. Many communities have ground floor cafés, restaurants, salons, fitness centers and other retail uses. The businesses are in spaces that are designed and that operate to welcome the public. The senior housing communities are often near or part of planned multi-family housing, condominiums, and other residential housing, and retail uses. Brightview and the surrounding uses will be designed and operated in many ways similar to the planned communities in Seattle. Brightview will be located immediately next to

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<sup>1</sup> Throughout this explanation, the references to numbers or percentages are to be assumed to be approximate. To avoid needless repetition, the term "approximate" or similar words are not repeated.

the multi family Kettler/Cornerstone apartment building and to the Bank of America retail project. Please see the Seattle photos included with the Site Plan Application materials. As noted earlier, the photos of some of the projects illustrate design and operational considerations that Brightview Rockville Town Center borrowed. Please also see below a list of the Seattle communities' web sites.

a) Web Sites of Seattle Senior Housing Mixed Use Communities:

- i) The Bellettini - <http://www.thebellettini.com/>
- ii) Merrill Gardens at Kirkland  
[http://www.merrillgardens.com/assisted\\_living/Kirkland\\_WA/zip\\_98033/merrill\\_gardens/3279](http://www.merrillgardens.com/assisted_living/Kirkland_WA/zip_98033/merrill_gardens/3279)
- iii) Merrill Gardens at the University –  
[http://www.merrillgardens.com/assisted\\_living/Seattle\\_WA/zip\\_98105/merrill\\_gardens/3289](http://www.merrillgardens.com/assisted_living/Seattle_WA/zip_98105/merrill_gardens/3289)
- iv) Timber Ridge at Talus - <http://www.timberidgeles.com/>
- v) Skyline at First Hill - <http://www.skylineatfirsthill.org/>
- vi) Mirabella – <http://www.retirement.org/mirabellaseattle/>
- vii) Aljoya – <http://www.eraliving.com/communities/north-seattle>
- viii) Linden Place at Bitter Lake -  
[http://wallaceproperties.com/listings/detail?p\\_id=83](http://wallaceproperties.com/listings/detail?p_id=83)

3) Previous Related Application = Pre Application Meeting Application

The Applicant proceeded through the Pre Application Meeting process (Pre Application Meeting No. 2013-00061) earlier in 2013. The Pre Application Meeting area meeting was held on June 12, 2013 at the Rockville Library. At other times, the Applicant has been in contact with community organizations including representatives of the West End Citizens Association and the East Rockville Citizens Association. The Development Review Committee meeting was held on July 11, 2013.

4) Project/Site Information:

Description	Description
Location:	285 North Washington Street, Rockville, Maryland 20850
Applicant:	Shelter Development LLC
Land Use Designations:	Housing for senior adults and persons with disabilities and retail including such as a restaurant, café, and general retail open to the public on part of the ground floor
Zoning District:	MXCD = Mixed-Use Corridor District Zone

Description	Description
Planning Area:	Rockville Town Center
Parcel Area:	2.13 acres, or about 92,750 SF
Building Height:	No taller than 75 feet
Parking:	105 spaces

Surrounding Land Use and Zoning			
Location	Zoning	Planned Land Use	Existing Use
North	MXCD	Mixed-Use Corridor District Zone	Office and Commercial
South	PD KS	Multi-Family and Retail	Office Commercial
East	MXCD	Mixed-Use Corridor District Zone	Office and Commercial
West	MXCD	Mixed-Use Corridor District Zone	Office and Commercial

5) Property Description:

The Project is about 2.13 acres, or about 92,750 SF. The legal description is Lot 25 of the subdivision known as "Lots 24 and 25, Block D, City Center," Plat No. 24617, recorded in the Montgomery County Land Records. The Property is part of the former Lot 7 City Center, Plat No. 8694, recorded in the Montgomery County Land Records.

On its north side, the Project will have frontage along the future Dawson Avenue that will run generally east to west from North Washington Street to Hungerford Drive. On its east side, it will have frontage along the future Maryland Avenue extended. On its south side, it abuts the Kettler/Cornerstone multi-family project, Lot 23, Block A, City Center. On its southeasterly side, it abuts Lot 12, City Center, owned by JBG/Hungerford Retail II, LLC. On its west side, it abuts Lot 24, of the Subdivision known as "Lots 24 and 25, Block D, City Center" which is also referred to as the Bank of America site.

Formerly, the site was improved by the former Giant Food grocery store building, which has been demolished. The current vacant site is asphalt and concrete.

6) Project Description and Proposed Site Use, Master Plan Compliance and Zoning Compliance

The property is zoned "MXCD." The Project's site, Lot 25, is about 2.13 acres, or about 92,750 SF.

Again, the Applicant is proposing the development of a 195 unit, service enriched, rental community for independent living and for assisted living with street level retail available to the public.

Brightview's residential uses fall within the definition of Section 25.03.02 of the Rockville Zoning Ordinance as it is quoted below:

Housing for Senior Adults and Persons with Disabilities - A building or buildings containing dwelling units and related services and facilities for senior adults or persons with disabilities. Occupancy is restricted as provided in Section 25.15.02.j.4. The use may also include facilities for such services to residents as meal preparation and service, day care, personal care, nursing, or therapy, or any service to the senior adult or disabled population of the community that is an ancillary part of any of the above operations.

117 of the residential units will be independent living dwelling units, including about 18 of such units devoted to Moderately Priced Dwelling Units. Please see the more detailed MPDU-related discussion at Para. 13), beginning at page 13. 78 units will be for assisted living which do not constitute "dwelling units" because they do not contain kitchens. No skilled nursing will be provided.

The MXCD allows retail uses. The building will afford the public access to some of the Brightview ground floor retail as part of the Project's contribution to establishing and animating the Maryland Avenue retail spine as described in the Master Plan. One example of the planned public access is the restaurant that will serve both the Brightview independent living residents and the public. Another example is a café/newspaper/art studio venue (collectively the "café") that similarly will serve both the Brightview independent living residents and the public. The restaurant and café are planned to flank the corner of Dawson Avenue and Maryland Avenue. Please see the application materials that show the locations of such areas.

Other ground floor retail and community flexible spaces within the building along Maryland Avenue and Dawson Avenue would also be available for public use. Such retail uses could accommodate, as examples, a day spa and/or fitness center with a focus on seniors. The community flexible space within the building would be available for public use by reservation in addition to use by Brightview for community events. For example, community organizations, such as Rockville Vis Arts and Rockville Science Center, would be welcomed to use the ground floor community space conveniently

located along Maryland Avenue. Please see Sheet A2.2, the Level 1 Floor Plan, that shows their locations.

The Applicant will provide linear outdoor streetscape areas along Dawson Avenue and Maryland Avenue. The areas would be open to the public and the Brightview residents, and would accommodate passive outdoor living, such as dining and seating, for a variety of purposes. Such linear outdoor streetscape areas would be a link with the expected, to be established, public open space, "pocket park," to the southeast of the Project.

Vehicular access will be provided to and from the Project's westerly side. The North Washington Street driveway access will be shared by the Bank of America project on Lot 24, the Kettler/Cornerstone project and the Shelter Brightview Rockville Town Center project. The use of the common North Washington Street driveway access minimizes breaks in the sidewalk and thus the disruption to pedestrians. Brightview bound vehicles will enter from North Washington Street, pass through the site heading north, in a one-way direction, and exit onto Dawson Avenue. Residents, employees, visitors, and retail customers will enter and exit the underground parking from the same North Washington Street driveway apron. On the surface, residents, employees, visitors, and retail customers will use the pull off/drop off area near the middle of the building's west courtyard. Service vehicles will access the building's southwest corner from North Washington Street.

The Project will be located within a single building structure shaped like a reverse-C. The main pedestrian access for the retail and other public use spaces will be from both Dawson Avenue and Maryland Avenue, the north and east facades. The main resident and visitor access will be from the entrance in the west courtyard and the entrance on Maryland Avenue. Vehicular access will be from North Washington Street to the interior courtyard encircled on three sides: north, east and south, and open to the west where the driveway and drop off area will be. Thus, the building's west facade will face the internal courtyard and the driveway and drop off area.

The building will be seven stories. The building's layout, materials and design are described below and in the materials attached to this Site Plan application.

The architectural design reflects the existing architecture in the Rockville Town Center south of Beall Avenue and future buildings on the adjacent Bank of America site and the Kettler/Cornerstone site. As reflected in greater detail in the architectural elevations, renderings, and other materials included with the Site Plan application materials, the building will be constructed generally of glass and masonry with articulations, accents, and other design elements that produce an attractive and compatible building and will make Brightview a welcome addition to the neighborhood.

The Project will comply with the approved preliminary forest conservation plan.

The Project will be exempt from the school facilities test required by the City's Adequate Public Facilities Standards.

The Project will meet or exceed the applicable development standards and guidelines. A detailed chart is provided below and a narrative explanation follows.

Item	Description	Synopsis	Citation	X-ref para. # no. of detailed narrative below.
1)	Maximum Height	75 feet	25.13.05.b.; 25.13.05.b.2.(b);	para. 7), page 10
2)	Open Area	15%	25.13.05.b.	para. 8), page 12
3)	Required Public Use Space Within the Open Area	None required. Exempt from required public use space per Section 25.17.01.e., "[exempt] . . . projects including housing for senior adults and persons with disabilities."	25.13.05.b.	para. 9), page 12
4)	Minimum Width at Front lot line in feet	10 feet	25.13.05.b.	para. 10), page 12
5)	Setbacks:			para. 11), page 12
6)	Public Right of Way abutting	None	25.13.05.b.	para. 11), page 12
7)	Side Non-residential land abutting	None/10 feet minimum if provided	25.13.05.b.	para. 11), page 12
8)	Rear Non-residential land abutting	None/10 feet minimum if provided	25.13.05.b.	para. 11), page 12
9)	Build To Line	100% along Maryland Avenue. Elsewhere, at least 70% of the building facade should be located at the front property line or the build-to-line where established by the Plan.	25.13.05.a.; 25.13.07.b.1. Master Plan page 92	para. 11), page 12

Item	Description	Synopsis	Citation	X-ref para. # no. of detailed narrative below.
10)	Building Facades Max. Heights	Range of heights 35-50 feet at the street. Additional height up to 75 feet where recommended by the Plan, or as approved by the Planning Commission.	25.13.05.b.2.(b)	para. 7), page 10
11)	Building Facade Length exceeding 250 feet	Vary facade height by at least 10 feet	25.13.05.b.2.(b)	para. 12), page 12
12)	Layback slope	N/A	25.13.05.b.2.(d)	
13)	MPDU in compliance with Chapter 13.5	See the discussion.	25.13.05.c.4.	para. 13), page 13
14)	Public Use Space	None required. Exempt from required public use space per Section 25.17.01.e.	25.13.05.c.5.	para. 9), page 12
15)	FAR Limit for retail commercial uses over 65,000 SF	N/A	25.13.05.c.6.	
16)	Additional Design Guidelines		25.13.06	Explanation begins at para. 14), page 13
17)	Special Design Regulations for the MXCD Zone		25.13.07.b.	Explanation begins at para. 15), page 20

7) Maximum Height and Building Facade Height

The Project's building facades will be up to 75 feet tall. As provided under Section 25.13.05.b.2.(b), the building facades may be up to 75 feet tall where recommended by the Master Plan or as approved by the Planning Commission. The

Project's building facade height may be above 35-50 feet, because, indeed, it is recommended by the Master Plan, as explained below.

The Master Plan at page 38, emphasizes the benefits of mixed use development. It reads as follows:

The Town Center provides the opportunity for a mix of uses not possible in most parts of Rockville. Retail and entertainment uses on the ground floors with residential or office space on upper floors are the most desirable combination of uses in the Town Center if a vibrant district with activity for 18-20 hours per day seven days a week is to be created.

Certainly, the Master Plan indicates that taller buildings will be located within the Town Center, by virtue of providing ground floor retail and other uses above.

The Master Plan also provides guidance about height and facade height in its section called "Physical Plan." The Maryland Avenue properties are an integral part of establishing the "L-shaped, pedestrian oriented spine extending from the Metro station westward along East Montgomery Avenue and a northward extension of Maryland to North Washington Street."<sup>2</sup>

The Master Plan provides even more specific language allowing for the Project to be up to 75 feet tall. The Master Plan reads, at page 46, "The retail and entertainment uses should be in structures of at least three stories so that there is an intensity of activity along this primary corridor of the Town Center." The Master Plan, at page 46, refers to the Regulatory Recommendations section, which begins at page 85. The Master Plan, at page 85, describes "TCM" to mean Town Center mixed use zones. At page 85, the Master Plan reads, "Height limits generally between 75 feet and 100 feet in TCM zones . . . ."

More particularly, at page 87, the Master Plan provides a chart converting classifications from "TCM" to the proposed new zoning classifications to be known as "TC" or "Town Center." The chart shows that the then existing "TCM-1" zone would be "translated" to the "TC3" zone. The Project is classified as "TC3" on the Master Plan proposed zoning map, located after page 88. Further, on page 87, the "Summary of Proposed Zoning" reads that the Town Center Three zone would allow a 75 feet maximum height, and up to 100 feet under the optional method.

Thus, the Project's building facade height above 35-50 feet and, up to 75 feet tall, is recommended by the Master Plan.

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<sup>2</sup> Master Plan, page 41.

8) Open Area

Brightview is providing at least the minimum 15 % of its net tract area as open area. Please see the Open Space Plan that illustrates about 18% of open area.

9) Public Use Space Not Required

Section 25.17.01e. provides that "projects including housing for senior adults and persons with disabilities" are exempt from the public use space requirement. Nonetheless, as indicated in other sections of this explanation, the Project will be providing multiple venues where the public will be welcome at Brightview.

10) Minimum Width at Front line in feet

Brightview will exceed the 10 feet minimum width at the front line.

11) Setbacks

As the site plan and other exhibits illustrate, the Brightview building will abut the Dawson Avenue and Maryland Avenue lot lines.

Section 25.13.05.a. provides that at least 70% of the building facade should be located at the front property line or the build-to-line where established by the Plan. Page 92 of the Master Plan reads, under Site Layout SL-5:

Building facades on Maryland Avenue between Courthouse Square and Dawson Avenue . . . must occupy 100% of the street frontage. This street frontage requirement may be reduced to 80% if the development creates plazas or courtyards, and allows alley access to parking in the rear with pedestrian walkways.

The Brightview facade will occupy 100% of the Dawson Avenue and Maryland Avenue street frontage. Please see the site plan and other Site Plan application materials for information regarding the setbacks for the south and west facades.

12) Building Facade Length exceeding 250 feet

None of Brightview's facades exceed 250 feet. Nonetheless, as explained in greater detail below the Applicant is varying the heights of the façades at the top level by stepping the building back and by using different building materials to avoid a monotonous, monolithic appearance. The building shape (reverse C) creates many breaks in the building. The design feature at the intersection of Maryland Avenue and Dawson Avenue creates an attractive neighborhood focal point. The featured building corner includes glass elements, a top floor outdoor area, and a rooftop element that projects over the building.

13) Moderately Priced Dwelling Unit Analysis

Currently, Shelter is proposing to provide 18 one bedroom MPDU units<sup>3</sup> and to reduce its market rate charges for its indivisible package of resident services and facilities by: (1) replacing a fixed percentage of such charges with the City's then current MPDU rental rate for a single family one-bedroom; and (2) charging less than its then current market rate charge for products and services unrelated to rent. As a consequence, Shelter will be affording units that will be affordable by a significant number of MPDU qualified Rockville citizens. Shelter is still in discussions with the City about how best to implement the MPDU Ordinance's objectives at Brightview. The detailed particulars of Brightview's on site program might change over the course of the Site Plan application process. It is definite that Brightview will construct and provide on site independent living dwelling units for individuals who qualify for MPDU units. Such independent living units will be constructed the same as typical apartments. Each will have a full kitchen (stove and oven), and otherwise constitute a "dwelling unit" under Rockville's MPDU Ordinance.

14) Additional Design Guidelinesa) 25.13.06.b. Aesthetic and Visual Characteristics for All Zonesi) Facades and Exterior Walls Including Sides and Backs(1) The Facades Along Dawson Avenue and Maryland Avenue

Brightview's architectural design enhances the planned vocabulary for the Rockville Town Center. As illustrated by the conceptual renderings, the facades break the building's massing. Three main Brightview facades face a public street: (1) the north façade along Dawson Avenue; and (2) the two eastern facades facing Maryland Avenue. Each elevation is 'broken' from the adjacent elevation through the articulation of the intersecting corner.

Emphasis on the prominent corner of Dawson and Maryland is conveyed by the use of a stacked window wall and panel system which offers a contrast to the order of the punched window openings within each façade. The corner element is similar in scale, detail and massing as other designs found at other prominent corners in the Rockville Town Center..

At the corner's street-level, the Café is recessed from the plane of the building above.

Similarly, the corner's top floor is recessed and provides a spacious outdoor balcony.

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<sup>3</sup> Throughout this explanation, the references to numbers or percentages are to be assumed to be approximate. To avoid needless repetition, the term "approximate" or similar words are not repeated.

Three-story projection bays are designed into the elevations facing Dawson and Maryland in order to provide architectural character and scale.

Most facades including those facing the courtyard, rear and sides also incorporate stacks of semi-inset resident balconies. They provide relief to the façade plane and provide a high level of detail at the human scale.

The vertical massing is organized into a base, middle and top, or "attic," with detailed cornices that wrap the building at the floor lines of the 3rd and 7th levels.

Brightview's facades facing the courtyard and the Kettler/Cornerstone building support the architectural integrity of the elevations facing Dawson Avenue and Maryland Avenue, and thereby express a similar level of massing and detail.

(2) Brightview will provide a visual interest at the pedestrian scale.

At the street-level facing Dawson and Maryland, there is an articulated rhythm of storefronts, awnings and canopies. Between the storefronts, the design of brick piers includes alternating horizontal masonry reveals that contribute to the visual interest at the pedestrian scale.

ii) Roofs

The roof features will complement the character of the adjoining neighborhoods and buildings. As noted, the corner's top floor, at the corner of Dawson and Maryland, is recessed and provides a spacious outdoor balcony. The horizontal massing of the building's roof is broken by the articulation of such higher roof element, i.e., above the outdoor balcony. In keeping with the creation of the "skyline," parapet heights will vary at key locations. They are detailed in such a way to create interest and proper proportion. The roof design is driven largely by sustainable features. The main roof is predominantly green and vegetated. Where the green roof is not present, the roof is light in color in order to promote energy efficiency.

iii) Materials and Color

The Brightview building materials are compatible with materials and colors that are used, or to be used, at adjoining buildings and residential homes along North Washington Street.

The Brightview facades are primarily brick with a mixture of panels and glass. The three elevations facing Dawson and Maryland are made of two varying colors of brick in order to provide interest and scale. The color palette of the brick façades are of red-brown earth tones.

The Maryland Avenue elevation at Brightview's main entrance will be of a lighter tone than the flanking brick facades facing Dawson Avenue and Maryland Avenue.

The horizontal bands of brick reveals within the piers will be of a darker color than the surrounding brick. The storefront and window frames and the mullions will also be of a dark color.

Lastly, the panel system located at the top floor is of a contrasting, yet complementary color to the brick in order to establish the "attic" story. The panels incorporated into the projecting bays are of a darker panel color.

The Brightview building materials will be compatible with materials and colors that are used or to be used in adjoining neighborhoods.

The Bank of America materials and colors are of red brick and glass and awnings.

The Kettler/Cornerstone materials and colors are of brick and glass.

Further to the west and south, across North Washington Street, are mid rise office buildings and residential homes. The exterior materials vary but they are generally masonry similar to Brightview and, similar to Brightview, their colors are of earth tones.

To the north, Brightview Rockville Town Center faces the office building whose exterior materials are glass and a grey finish, stucco-like material, with concrete pillars on the first level. Further to the north, the office building's materials are a glass and concrete finish materials.

To the east, Brightview Rockville Town Center faces older office buildings and retail buildings that run along Hungerford Drive whose exterior materials are made of tan brick.

It is Brightview's objective to endeavor to be compatible with the masonry and glass building materials and colors of the future buildings within its near vicinity which will be compatible with the masonry and colors of the mid rise office and residential homes along North Washington Street.

iv) Items Allowed Not Facing a Public Street

At Brightview, the items listed in such provision are not located facing a public street, such as window and wall air conditioners, electric utility meters, air conditioning compressors and irrigation and pool pumps. HVAC condensing units serving some residential apartment units will be located on the roof in order to avoid having any mechanical grilles facing directly to Dawson and Maryland Avenues.

v) Entryways

Brightview will have two entrances. The main, ceremonial entrance is located along Maryland Avenue and is carefully and purposefully integrated into the design of the sidewalk and building elevation. This entrance is signified by a projecting bay which is located directly above a suspended canopy to welcome all visitors.

Located within the courtyard is a secondary entrance which will be well-used by residents because there is a drop off located nearby. From the drop off, a covered arcade splits two large planting areas and allows residents to enter the building while being protected from the elements.

The lighting design of the courtyard and covered arcade will be pleasant, warm and safe.

vi) Screening of Mechanical Equipment

All mechanical equipment will be mounted on the roof. It will be invisible from the streets, because parapets will extend beyond the roof floor and screen the equipment. The parapets will conform architecturally to the building design, because they will be finished with the same panel system and coping as the top floor. Please see the discussion about materials and color at Section 14)a)iii), beginning at page 14.

b) Site Design and Relationship to Surrounding Communityi) Vehicular Access

As noted earlier, vehicular access will be provided to and from the Project's westerly side from North Washington Street, an arterial/business district road, as required. The North Washington Street driveway access will be shared by the Bank of America project on Lot 24, the Kettler/Cornerstone project and the Shelter Brightview Rockville Town Center project. The use of the common North Washington Street driveway access minimizes breaks in the sidewalk and thus the disruption to pedestrians. Brightview bound vehicles will enter from North Washington Street, pass through the site heading north, in a one-way direction, and exit onto Dawson Avenue. Residents, employees, visitors, and retail customers will enter and exit the underground parking from the same North Washington Street driveway apron. On the surface, residents, friends and family will use the pull off/drop off area near the middle of the building's west courtyard. Service vehicles will access the building's southwest corner from North Washington Street.

ii) Buffers

Brightview Rockville Town Center will not abut a traditional single family residentially zoned neighborhood. It will abut another multi-family building. Thus, the buffer design guidelines are not applicable in the instant case.

iii) Outdoor Sales and Storage. Not applicable.

iv) Trash Recycling, Waste Oil/Grease Collection Area

As noted earlier, service vehicles will access the building's southwest corner from North Washington Street. All collection areas will be within the enclosed building or underground. Please see the site plan included with the Site Plan Application materials. The service vehicles will park on a pad located within the area encircled by the three buildings: Brightview, Kettler/Cornerstone and Bank of America and located adjacent to Brightview's corridor that leads directly to: the indoor service area, commercial kitchen, trash, electrical and service and support. The pad's location provides the most efficient use of space near the reciprocal easement area shared by the three developments. Someone walking along North Washington Street could only view the pad directly from the driveway area, which necessarily cannot be screened or blocked from view.

v) Parking Lots and Structures

(1) Parking Area Standards and Structure Appearance

The Brightview parking will be underground and invisible from the street.

vi) Pedestrian and Bicycle Flows

Preliminarily, please see the site plan for illustrations of how the site layout facilitates safe and efficient pedestrian circulation. Pedestrians will access Brightview from Dawson Avenue and Maryland Avenue through the doorways shown on the architectural elevations.

Pedestrians will access Brightview's west facade through the Dawson Avenue driveway access point and sidewalk.

The pedestrian walkways will be along the full length of the Dawson Avenue and Maryland Avenue facades. They will be 10 feet wide and otherwise conform to the streetscape standard included with the Site Plan application materials. Please see the site and landscape plans included among the Site Plan Application materials.

Brightview will provide bicycle parking onsite in its underground parking facility and on the surface, outside the building. Please see the site plan and the garage floor plans that show the bicycle parking locations.

vii) Central Features and Community Spaces

As shown on the site plan, landscape plan and streetscape plan, the pedestrian environment will be attractive and inviting with pedestrian scale

features, spaces and amenities. The streetscape plan includes light fixtures, planters, seating areas and other architectural features that define circulation paths. Outdoor spaces will anchor pedestrian ways. For example, Brightview will be able to provide outdoor seating for diners near the restaurant and cafe. Brightview's street level windows along Dawson Avenue and Maryland Avenue will also make the pedestrian environment inviting.

The streetscape plan will be similar to the streetscape plan to be installed for the Bank of America development and the Kettler/Cornerstone development; thus, it will provide a level of cohesiveness for the neighborhood's pedestrian environment, similar to the pedestrian environment existing in the Town Center south of Beall Avenue.

The resident, friends and family drop-off/pick-up point located in the western courtyard has been integrated into the design so that it does not conflict with traffic lanes. It provides a direct, covered pedestrian path to the building entrance.

The walkways will abut the Brightview entrances along Dawson Avenue and Maryland Avenue. They more than satisfy the design guideline that recommend providing at least two of such areas. Brightview's streetscape along Dawson Avenue and Maryland Avenue is a continuous, inviting pedestrian way, rather than only two distinct areas that might be separated by areas not considered to be pedestrian ways.

Bus stops will be located where Rockville determines and as the area develops its bus system through the new neighborhood.

viii) Delivery and Loading Spaces, Hours of Operation

(1) Design.

As explained, Brightview's service vehicles will access the building's southwest corner from North Washington Street. As set forth in the design guidelines, the service area will be within an enclosed building and underground. Service operations will not be permitted between 10PM and 7AM, because of Brightview's location next to the Kettler/Cornerstone apartment building development, and because of Brightview's own residents. Thus, no Planning Commission permission is necessary to permit deliveries at additional times, nor will Brightview be required to provide evidence that sound barriers between all areas for such operations effectively reduce emissions to a level of 55 dB or less, as measured at the lot line of any adjoining property.

The service area is enclosed. Thus, its location from the adjacent Kettler/Cornerstone project is adequate. Similarly, the service area for Kettler/Cornerstone project is being addressed adequately for the Brightview

residents. In the urban setting, setbacks and buffers do not apply as they might in another context, as expressly acknowledged in the design guidelines.

(2) **Parking of Delivery Trucks**

The service operations regarding parking of delivery trucks waiting to deliver or pick up are planned to comply with the City's design guidelines, as follows:

Delivery trucks must not be parked in close proximity to or within a designated delivery or loading area during nondelivery hours with motor and/or refrigerators/generators running, unless the area where the trucks are parked is set back at least 50 feet from residential property to mitigate the truck noise.

(3) **Screening.**

Screening will be provided by the three surrounding buildings. As noted earlier, service vehicles will access the building's southwest corner from North Washington Street. All collection areas will be within the enclosed building or underground. The delivery vehicles will park on a reinforced pad within the area near where the three developments will share a reciprocal access easement. The Brightview loading area provides the most efficient use of space near the reciprocal easement area shared by the three developments. The loading area will be surrounded by the three buildings: Brightview, Kettler/Cornerstone and Bank of America. Someone could only view the Brightview loading area from the North Washington Street driveway area, which necessarily cannot be screened or blocked from view.

ix) **No Ancillary Uses**

Brightview will not have any ancillary uses.

x) **Noise Abatement Section 25.13.06.c.10.**

Brightview will comply with all Rockville City noise regulations. A noise abatement plan will be provided after the initial Site Plan Application submission.

xi) **Outdoor Lighting**

Brightview's lighting plan complies with the Landscaping, Screening and Lighting Manual, as shown on the photometric plan included with the Site Plan application materials.

xii) **Landscaping**

Brightview's landscaping complies with the Landscaping, Screening and Lighting Manual, as shown on the landscape plan included with the Site Plan application materials.

15) Compliance with Special Design Regulations for the MXCD Zone<sup>4</sup>a) Building Location.

As noted, Brightview's Dawson Avenue and Maryland Avenue facades are located at the front property lines. Vehicular access will be from the rear of the building on its west side. Vehicles will enter from North Washington Street and exit onto Dawson Avenue.

b) Uses by Floor

As noted, Brightview's ground floor along Dawson Avenue and Maryland Avenue will contain retail, a restaurant and café, and other community areas available for the public's use upon reservation.

In certain areas of the ground floor, near the southeasterly corner of the building, the ceiling height will be about 15 feet. In other areas on the ground floor, the ground floor ceiling height will be lower, but about 12 feet.

Brightview's upper floors will be residential.

c) Facades

The facades are designed to be consistent with subsection 25.13.05.b.2(b). The facades are explained in detail at para. 11), page 12 of this explanation. The facades do include an "expression line" above the ground floor and a defined cornice line at the top of the facade wall, as indicated in the design guideline.

d) Fenestration

Fenestration of the stories above the ground floor are by individual framed windows.

e) Sidewalks

The sidewalks do comply with the provisions of Section 25.17.05.

f) Parking

Parking complies with Article 16. Structured parking is provided below grade. The underground parking provides for residents, employees, visitors, and retail customers patronizing the restaurant, café, and other retail. Please see the parking analysis located in the Development Table included among the Site Plan application materials.

16) Forest Conservation Plan Compliance

As explained, the Project will comply with the approved preliminary forest conservation plan. The approved preliminary forest conservation plan number is FTP2012-00012.

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<sup>4</sup> See 25.13.07.b.

To meet the afforestation requirement allocated to the Brightview project, we propose to plant 8 shade trees in an easement area in the outlot north of Dawson Avenue. On the south side of the Brightview building, we propose to plant 3 ornamental trees. The total afforestation planting will be 3,800 sf.

To meet the required 10% Minimum Tree Cover on-site, we propose to plant 10 shade trees in four foot deep planters in the western courtyard located over the underground garage. In total, we will be planting 7,800 sf of tree cover toward the 10% minimum threshold. Thus, in conjunction with Phase 1 of the preliminary forest conservation plan, Brightview will meet its requirements set forth in FCP2012-00012.

17) Landscaping, Screening and Lighting Manual (the "Manual")

Brightview's landscaping and lighting plans evidence that the Project will preserve and promote the health, safety and general welfare of the public, facilitate the creation of a convenient, attractive and harmonious community, conserve natural resources, including adequate air and water, conserve properties and their values, preserve the character of the area by preventing harmful effects of potentially dissimilar uses, and encourage the appropriate use of land.

Because the Brightview uses will be indoors, apart from perhaps the use by the residents and the public of outdoor seating near the restaurant or café, the enclosed areas will minimize the impact of dissimilar uses, if any, on adjoining or nearby properties.

Because the Brightview project will provide its parking underground, the many elements of the Manual addressing surface parking are not applicable.

The Project's landscaping plan and forest conservation plan are included with the Site Plan application materials, pursuant to Section 4.a. and b. Screening and barriers are not required because the uses are conducted indoors.

The Applicant acknowledges that the owner will be responsible for maintaining, repairing and replacing all landscaping material.

Pursuant to the Manual, starting at page 15, at Section 5, f. 13., the Site Plan application materials must include a photometric plan. Such lighting plan, demonstrating compliance with Section 5, must be approved by the City before issuance of the Building permit.

18) Stormwater Management

The application received Pre-Application Stormwater Management (SWM) Concept approval from the Department of Public Works (DPW) in a letter, dated October 25, 2013, a copy of which is included in the Site Plan application materials.. The Concept achieves on-site environmental site design (ESD) to the maximum extent practicable (MEP). It meets 42 percent of the required ESD volume. Stormwater Management is required for all on-site impervious area and areas subject to the right-of-way dedications for Dawson Avenue and Maryland Avenue. The SWM measurements

include micro-bioretenion facilities (both onsite and within the public right-of-way), Extensive Green Roof, with 4-inch deep growing media over 60% of the main roof area, and Intensive Green Roof from the 4-foot deep tree planters in the courtyard.

As explained in the Applicant's Commercial Green Building Checklist Documentation, included with the Site Plan Application materials, the project features streetscape design for Dawson Avenue with street trees planted in large contiguous planters that double as micro-bioretenion. The planters include shrubs and perennials for an understory planting. They contribute to the function of the micro-bioretenion. The trees selected for the specific planters conform with the City Master Street Tree Plan . The Maryland Avenue streetscape design features continuous tree panels for the street trees and perennial understory plantings. The trees selected for the Maryland Avenue planters also conform with the Master Street Tree Plan. The trees are proven to withstand the urban conditions. The streetscape planting is comprised of a wide variety of shade trees, shrubs, and perennials. They are either native species or adapted and drought-resistant.

Very limited areas will be turfgrass on-site. The areas designated for turf grass will receive no irrigation.

The main courtyard level planters are over the garage podium structure. The courtyards will include raised planter areas that will include trees, shrubs, and perennial plantings. There will be no turfgrass in the courtyard. There is also smaller micro-bioretenion areas located in the courtyards, capturing rainwater from the building's roof and allowing it to filter through plants and soil before being collected in the slab drainage system. The specified plant material will be perennials that thrive in the specific conditions. The courtyard planters will be equipped with hose bibs for the watering needs of the plant material. Temporary irrigation will be set up for assisting in the plant establishment.

19) Traffic/Transportation

a) Traffic:

The trips generated by Brightview, when added to the trips generated by the Bank of America project, will generate a net increase of fewer than 30 peak hour trips when compared to the former Giant Food use. Thus, the Applicant was only required to conduct an on-site analysis. Please see the transportation study included with the Site Plan application materials.

b) Pedestrian/Bicycle Access:

Brightview will install new streetscape, including sidewalks along its frontage on Dawson Avenue and Maryland Avenue. Please see the streetscape plan included with the Site Plan application materials.

The Rockville Bicycle Master Plan will be implemented once Dawson Avenue is completed to Hungerford Drive and once Maryland Avenue is completed to Beall Avenue.

c) Bicycle Parking

Brightview will have: (1) six long term spaces in an enclosed area within the underground garage; and (2) six short term spaces located outside along Dawson Avenue. Long-term spaces will be either bicycle lockers or a covered locked room. The short-term spaces will be provided by an inverted "U" rack.

d) Transit:

Brightview is within less than 0.70 miles from the Rockville Metro Station. Montgomery County Transit Ride-On and/or Metro Transit bus service runs along Hungerford Drive, North Washington Street and Beall Avenue. Once Dawson Avenue and Maryland Avenue are completed and connected to Hungerford Drive, North Washington Street and Beall Avenue, even closer and more convenient transit bus service will be available for Brightview's residents, employees, visitors, and retail customers.

e) Roads and Public Transportation:

Again, the trips generated by Brightview, when added to the trips generated by the Bank of America project, will generate a net increase of fewer than 30 peak hour trips when compared to the former Giant Food use. Thus, the Applicant was only required to conduct an on-site analysis. Please see the transportation study included with the Site Plan application materials.

The Project will have minimal traffic impact and the Applicant is not required to complete any mitigation.

However, as noted, the Applicant will be constructing its share of Dawson Avenue and Maryland Avenue including roadbed, curb and gutter and streetscape, as required, and as shown on the plans included with the Site Plan application materials.

20) Adequate Public Facilities Standards (APFS)

The City's existing water and fire protection system is adequate, based upon the Applicant's investigation.

As noted, the Applicant is in the process of confirming the provision of sewer capacity. The Site Plan application condition of approval will doubtless provide for the Applicant's responsibilities for providing sewer capacity as will be provided in the Applicant's agreement with the City.

The Project will not overburden site area roadways, streets, and public transportation facilities.

As noted, the Project is exempt from the APFO provisions for school capacity.

21) Publicly Accessible Art in Private Development

Brightview acknowledges that it must comply with the City's Publicly Accessible Art in Private Development Ordinance, because the market rate independent living units are subject to the ordinance.

22) Signs

Brightview's signs will comply with Article 18.

23) Public Use Space

As noted above, Section 25.17.01e. provides that "projects including housing for senior adults and persons with disabilities" are exempt from the public use space requirement. Nonetheless, as described in other sections of this explanation, Brightview will welcome the public at several on site venues.

24) Green Building Regulations

Brightview complies with the Green Building Regulations in Chapter 5 of the City Code: Building & Building Regulations, Article XIV. Please see the LEED-equivalent credit checklist and supporting documentation included with the Site Plan application materials.

25) Site Plan Approval Analysis and Required Findings:

- a) 25.07.01a.3.(a).i. The application will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed development.

The Brightview property will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed development. For example, based on the nature of the use, there will be no noxious odors or gases emitted from the site use, nor will the proposed building impede sunlight or block the free-flow of air in and around the site. The property is located within the Rockville Town Center area where there is a dearth of senior housing. Formerly, the site was improved only by the former Giant Food grocery store building, which has been demolished. Thus, the current vacant site is asphalt and concrete. Its redevelopment is in the City's best interest.

As noted, the trips generated by Brightview, when added to the trips generated by the Bank of America project, will generate a net increase of fewer than 30 peak hour trips when compared to the former Giant Food use. Thus, the Applicant was only required to conduct an on-site analysis. Please see the transportation study included with the Site Plan application materials.

Brightview will be staffed as follows: (1) dining and café personnel; (2) administrative and security personnel; (3) marketing, activities and transportation; (4) housekeeping; (5) assisted living support staff; and (6) maintenance staff. The

approximate number of employees, full time and part time, per work shift would be as follows:

Times	Approximate Staffing
7AM-3PM	40
3PM-11PM	20
11PM-7AM	10

Such staffing is included in the traffic generation and parking calculations. Based on expected staffing levels and the manner in which the Applicant proposes to operate the building, the proposed 105 on-site parking spaces should readily accommodate residents, employees, visitors, and retail customers parking needs.

- b) 25.07.01a.3.(a).ii. The application will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

Based on the zoning codes and the Master Plan, the use will be compatible with adjacent properties due to the characteristics of the use, i.e., (1) no impact on schools; (2) the trips generated by Brightview, when added to the trips generated by the Bank of America project, will result in a net increase of fewer than 30 peak hour trips when compared to the Giant Food use; (3) the building layout and design complies with the development standards; and (4) Brightview will be a welcoming and attractive addition to the neighborhood overall. The application will not be injurious to property or improvements in the neighborhood.

- c) 25.07.01a.3.(a).iii. Will not overburden existing and programmed public facilities as set forth in Article 20 of this Chapter and as provided in the adopted Adequate Public Facilities Standards Manual.

The APFO tests the capacity of public facilities based on current and projected data available at the time of the development application. Once a development project is approved, capacity of public facilities required by that project is reserved, provided the project remains within its service commitment, as determined at the time of project approval. The Project will not overburden site area roadways, streets, public transportation facilities, the public schools, or water services. As noted earlier, the Project is exempt from the APFO provisions for school capacity.

The Applicant is in the process of confirming the provision of sewer capacity. The Site Plan application condition of approval will doubtless provide for the Applicant's responsibilities for providing sewer capacity as will be provided in the Applicant's agreement with the City.

Thus, Brightview will not overburden existing and programmed public facilities.

- d) 25.07.01a.3.(a).iv. The application will not adversely affect the natural resources or environment of the City or surrounding areas.

The project's building and other improvements are appropriately scaled, designed, and sited to be compatible with the built environment. The Project would be located in the Rockville Town Center. The stormwater management concept plan has been designed under Maryland's environmental site design so that it will be in compliance with the latest Maryland requirements which in and of themselves are intended to contribute to the preservation of the environment. The stormwater management facilities and other areas of the site are designed to reduce runoff and to facilitate the infiltration of rainwater into the site. Such rules and regulations incorporate sustainable design.

The building will be new and built to modern building standards.

As noted earlier at page 8, the Project will comply with the existing approved preliminary forest conservation plan. Please see the forest conservation related plans and correspondence included among the Site Plan application materials.

We note that the neighborhood's natural environment also will be enhanced by the landscaping to be provided around the building, as illustrated by the landscape plan that is included with the application materials. Also, we repeat below the contribution of the landscaping to the neighborhood's natural environment as also noted regarding stormwater management in Section 18), beginning at page 21 of this Site Plan Application Project Narrative:

As explained in the Applicant's Commercial Green Building Checklist Documentation, included with the Site Plan Application materials, the project features streetscape design for Dawson Avenue with street trees planted in large contiguous planters that double as micro-bioretenion. The planters include shrubs and perennials for an understory planting. They contribute to the function of the micro-bioretenion. The trees selected for the specific planters conform with the City Master Street Tree Plan . The Maryland Avenue streetscape design features continuous tree panels for the street trees and perennial understory plantings. The trees selected for the Maryland Avenue planters also conform with the Master Street Tree Plan. The trees are proven to withstand the urban conditions. The streetscape planting is comprised of a wide variety of shade trees, shrubs, and perennials. They are either native species or adapted and drought-resistant.

Very limited areas will be turfgrass on-site. The areas designated for turf grass will receive no irrigation.

The main courtyard level planters are over the garage podium structure. The courtyards will include raised planter areas that will include trees, shrubs, and perennial plantings. There will be no turfgrass in the courtyard. There is also smaller micro-bioretenion areas located in the courtyards, capturing rainwater from the building's roof and allowing it to filter through plants and soil before being collected in the slab drainage system. The specified plant material will be perennials that thrive in the specific conditions. The courtyard planters will be equipped with hose bibs for the watering needs of the plant material. Temporary irrigation will be set up for assisting in the plant establishment.

Thus, Brightview will enhance the community's quality of life in many ways, including being a positive contribution to the natural environment that exists in an urban setting and being an attractive and well landscaped development.

- e) 25.07.01a.3.(a).v. and vi. The application: (1) is not in conflict with the [Master] Plan; and (2) does not constitute a violation of any provision of [Chapter 25] or other applicable law.

Brightview's Project does not violate or adversely affect the City's Master Plan or any known laws of the City of Rockville.

The residential and retail uses are permitted in a mixed use project and are encouraged in the Master Plan. Such uses are appropriate and compatible with other uses in the MXCD zone.

The City of Rockville Comprehensive Master Plan has several Goals and Policies that support the development of elderly housing. The Housing Element (Master Plan page 10-4) reads as follows:

Housing for the elderly is . . . permitted in the Town Center zones (with Use Permit approval). . . .

Policy #3 of Chapter Ten of the Master Plan encourages the development of housing for an "aging population":

Encourage the construction of housing alternatives for an aging population – may need economic incentives or flexible zoning options for development variances for this to occur.

The Master Plan encourages retail uses along Maryland Avenue in particular. The MXCD Zone permits retail as well.

- f) 25.07.01a.3.(a).vii. The application is not incompatible with surrounding uses or properties.

We refer you to the earlier discussions that evidence why the application is not incompatible with surrounding uses or properties. Indeed, Brightview will be compatible and enhance the neighborhood surrounding uses or properties.

26) Conclusion

For all of the above reasons, the Project will meet the Site Plan requirements under Section 25.07.01a.3.(a) and other applicable City of Rockville statutory and regulatory provisions. The Applicant respectfully requests that its application be approved.

The Applicant looks forward to the Rockville Planning Staff's comments, questions and other correspondence.



Timothy Dugan, Esq.  
Authorized Counsel for Shelter Development, LLC, the Applicant