

Resolution No. 7B-19

RESOLUTION: To approve, with conditions, Project Plan Application PJT2017-00007, to allow up to 1,336 multi-unit dwellings, up to 330 townhouses, up to 390,000 square feet of office, hotel, or institutional uses, and up to 170,000 square feet of retail uses for property located at 15825 Shady Grove Road, 2 and 4 Choke Cherry Road, and 2092-2098 Gaither Road; Lantian/1788/Shady Grove 31, LLC, Applicant; and to affirm a waiver of Chapter 21 of the City Code pursuant to Section 21-20(c).

WHEREAS, on January 20, 2017, Lantian/1788/Shady Grove 31, LLC (now known as Grove Rockville 31, LLC, Grove Rockville 31 II, LLC, Grove Rockville 31 III, LLC, and Grove Rockville 31 IV, LLC) (collectively, “Lantian Development,” or the “Applicant”) filed Project Plan Application PJT2017-00007 (the “Project Plan Application” or “Application”), pursuant to Section 25.07.07 of the Zoning Ordinance, proposing up to 1,336 multi-unit dwellings, up to 330 townhouses, up to 390,000 square feet of office, hotel, or institutional uses, and up to 170,000 square feet of retail uses (the “Project”) on approximately 31 acres of property located at 15825 Shady Grove Road, 2092-2098 Gaither Road, and 2-4 Choke Cherry Road (the “Property”); and

WHEREAS, pursuant to Section 25.07.07 of the Zoning Ordinance, the Planning Commission and the Mayor and Council held briefing sessions on the Application on March 8 and 27, 2017, respectively; and

WHEREAS, pursuant to Sections 25.05.03.c, 25.07.04, and 25.07.07 of the Zoning Ordinance, the Planning Commission, at its December 12, 2018 meeting, reviewed the Application, and after considering the information presented and testimony provided, voted to recommend that the Mayor and Council approve the Application; and

WHEREAS, pursuant to Sections 25.05.03.c, 25.07.03, and 25.07.07 of the Zoning Ordinance, a duly noticed public hearing on the Application was held by the Mayor and Council on January 15, 2019; and

WHEREAS, at its April 29, 2019 meeting, the Mayor and Council found and determined that approval of the Application would promote the health, safety, and welfare of the citizens of Rockville, and the Mayor and Council made further findings set forth herein, based upon information presented and testimony provided as contained in the public record; and

WHEREAS, the Mayor and Council, find and determine, pursuant to Section 25.07.01.b.2 of the Zoning Ordinance, in consideration of the Application, subject to the conditions, limitations, additions, and modifications set forth herein, as follows:

1. The Application will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed development:

There is no evidence in the record that the development of the commercial and residential mixed-use arrangement will adversely affect the health or safety of persons residing or working in the neighborhood of the proposed development.

The Application will replace obsolete office buildings with infill mixed-use development proximate to existing transportation infrastructure (including public transit), employment, retail, and public facilities. The Project replaces an auto-oriented office park development with a new community containing varied building types, a walkable street grid, significant landscaping, and open spaces for gathering and recreation. The Project is compatible with existing development in the neighborhood by transitioning from taller building heights, non-residential uses, and structured parking along Shady Grove Road to townhouses and open areas on the Property's eastern half approaching the King Farm neighborhood.

The Applicant will dedicate 5% of the Property's tract area to the City as usable parkland, subject to the Director of Recreation and Parks' determination that the parkland is "usable." Additionally, the Application meets and exceeds City Code requirements for stormwater management through a combination of state-of-the-art Environmental Site Design ("ESD") measures, such as planter box bioretention facilities, microbioretention facilities, and bioswales, as well as a regional stormwater management ("SWM") pond that will be dedicated to the City that provides water quality treatment for both on-site and off-site runoff.

Further, the Application includes enhancements for multiple modes of transportation. The Application extends an existing buffered shared use path along the Property's Gaither Road frontage to Shady Grove Road, dedicates substantial right-of-way to Choke Cherry Road and Gaither Road, accommodates a buffered shared use path along the Property's Shady Grove Road frontage between Choke Cherry Road and Gaither Road, includes a new sidewalk along the Property's Choke Cherry Road frontage, provides sidewalks along all internal streets within the Project, and incorporates a new public street grid to create smaller blocks. The Application's vehicular access points, parking facilities, and internal streets have been carefully designed to efficiently and safely distribute traffic to surrounding roadways. The Application is staged to provide appropriate road, pedestrian, and bicycle facilities during the phased construction of the Project. The Application's transportation improvements will therefore create new linkages and strengthen circulation between the Project and surrounding neighborhoods for drivers, walkers, and cyclists.

Given these factors, there is no evidence that the Application will adversely affect the health or safety of persons residing or working in the neighborhood of the Project.

2. The Application will not be in conflict with the [Comprehensive Master] Plan:

The Application is consistent with the City's 2002 Comprehensive Master Plan (the "Master Plan") in that the development presents a mix of uses consistent with the MXE Zone, which is the implementing zone for the Restricted Industrial/Office Park designation in the Master Plan. The proposal encourages a mix of housing types and provides multiple-family housing within a mixed-use area, as recommended in the Master Plan. The Project contemplates dedicated parkland for both the general public and resident use, appropriate pedestrian, bicycle, and vehicle connections to bus stations and the future CCT and it is designed in such a manner to promote a pedestrian scale style of development that is central to the goals of the Master Plan.

The Application is also harmonious with many of the goals, objectives, and policies of the Master Plan, including the encouragement of an appropriate balance of office, retail, industrial, and residential uses (with an emphasis on mixed-use development), ensuring a mix of housing types and price ranges to meet diverse needs of different sectors of the City's population (with an emphasis on owner-occupied housing), increasing opportunities for homeownership for persons of all income levels, maintaining an appropriate mix of ownership and rental opportunities in the City, encouraging multi-family housing in mixed-use areas of development, creating a balance between different housing types, promoting the construction of housing alternatives for an aging population, and providing high quality design, inviting public use space, and a sense of identity along the Shady Grove Road corridor as a welcoming gateway at the City's northern border. Master Plan, at pgs. 9-2, 10-1, and 12-1.

As such, there is no evidence that the Application is in conflict with the Master Plan.

3. The Application will not overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as provided in the Adopted Adequate Public Facilities Standards:

As required per Section 25.20.03.a.3 of the Zoning Ordinance, the Application is subject to a determination of adequate public facilities compliance. The Project has been analyzed for compliance with the City's Adequate Public Facilities Standards ("APFS") and the Mayor and Council has determined that the proposed development will not overburden existing and programmed public facilities, subject to compliance with the conditions of approval.

With respect to transportation, the Application satisfies the APFS' Comprehensive Transportation Review ("CTR") for new development projects, as conditioned below, by appropriately phasing development with accompanying improvements or measures as necessary, applicable, and warranted.

As the Application was filed and accepted as complete before July 1, 2017, it is subject to the APFS for school capacity in effect at the time of application acceptance, namely, January 20, 2017. At that point time (2016-2017 school year), the APFS school standards reviewed projected capacity in five years' time (2021-22 school year) on a cluster-wide basis at each school level. Under the applicable APFS test, there is adequate capacity in the Gaithersburg school cluster, and the cluster remains adequate with the addition of students projected to be generated by the Application at the elementary school level, middle school level, and high school level.

The Property is located within the Washington Suburban Sanitary District and is currently served by public water and sewer. The Washington Suburban Sanitary Commission ("WSSC") issued a Hydraulic Planning Analysis ("HPA") dated March 18, 2019. Compliance with WSSC's

HPA and mitigation of any service deficiencies, if needed, for any respective phased site plan, will satisfy APFS requirements for water and sewer service.

Given these factors and the conditions imposed on the Applicant, there is no evidence that the Application will overburden existing and programmed public facilities.

4. The Application will not constitute a violation of any provision of the Zoning Ordinance or other applicable law:

The Application complies with all provisions of the Zoning Ordinance in that a concept plan has been submitted with associated tables and graphics that would act as the development regulations for the area at the time site plans are submitted for review and approval.

The Pre-Application SWM Concept submitted with the Application has been reviewed and approved, subject to the conditions listed in the Department of Public Works ("DPW")'s October 30, 2018 letter. As noted in the conditions below, compliance with DPW's October 30, 2018 letter, as may be amended, is incorporated as a condition of Mayor and Council approval of the Application.

The Preliminary Forest Conservation Plan ("Pre-FCP") submitted with the Application has also been reviewed and approved, subject to the conditions listed in the revised Preliminary Forest Conservation Plan approval letter dated April 24, 2019 ("PFCP Approval Letter"). As noted in the conditions below, compliance with the PFCP Approval Letter, as may be amended, is incorporated as a condition of Mayor and Council approval of the Application. The minimum tree coverage required is 10% of the net tract area, subject to 5% of the tract area dedicated in fee simple to the City as usable public parkland as provided in Section 10.5-22(d)(3). Subject to the Director of Recreation and Parks' approval of land as usable public parkland, these requirements will be satisfied by the dedication of the central green (0.57 acres, excluding the retail building)

and the open space surrounding the SWM pond (1.02 acres) shown on the Application. The dedication of the central green area is subject to the approved project plan phasing plan included with the Application. The 5% dedication qualifies as open area and public use space within the open area development requirements of the MXE zone. Planting within the 5% dedication area may also be used to satisfy afforestation and minimum tree coverage requirements, but the City Forester or other authorized designee (the "City Forester") must approve any such planting.

Per its authority under Chapter 21-20 of the City Code, the Mayor and Council hereby affirm the approval of the City Manager to grant a requested waiver of the requirements of Section 21-60.a.2 of the City Code to reduce the sidewalk width to 6 feet on the south side of Street C. The approval of Applicant's request is in the public interest. As noted in the conditions below, all street sections must comply with the Application and associated exhibits, with any deviation to be approved by the Director of Public Works at the time of site plan.

Given these factors, there is no evidence that the Application will constitute a violation of any provision of the Zoning Ordinance or other applicable law.

5. The Application will not adversely affect the natural resources or environment of the City or surrounding areas:

The Applicant has proposed to create a significant amount of park space, including the central green and the area around the retention pond at the rear of the site, including the mews areas in the townhouse section of the proposal. Stormwater management issues have been reviewed by the City and it has been determined that the Applicant will be able to feasibly meet stormwater requirements when site plans are submitted, as well as providing for off-site stormwater management.

The Property is presently almost entirely comprised of impervious surfaces and does not have any existing stormwater management controls. The Application improves the Property's existing conditions by meeting and exceeding City Code requirements for stormwater management through incorporating a wide array of ESD facilities, such as planter box bioretention facilities, microbioretention facilities, and bioswales, as well as a regional SWM pond that will provide quality control for both on-site and off-site runoff.

Additionally, the Application incorporates a significant amount of new open spaces, including 5% of the site to be dedicated to the City as usable public parkland in accordance with Section 10.5-22(d)(3) of the City Code, as well as pocket parks, green mews, interconnected trails, and other landscaped areas. The Application includes planting trees, which will maintain the Property's existing tree canopy and offer other landscaping throughout the Project.

Further, the Application includes the extension of a shared-use pathway along the Property's Gaither Road frontage, the dedication of significant rights-of-way for Choke Cherry Road and Gaither Road, the accommodation of a new shared-use pathway along the Property's Shady Grove Road's frontage, the construction of a new sidewalk along Choke Cherry Road, and the incorporation of a new grid network of streets with sidewalks. These improvements, combined with locating new mixed-use infill development near existing goods, services, employment, and public transit facilities, will encourage non-automobile modes of transportation.

Given these factors, there is no evidence that the Application will adversely affect the natural resources or environment of the City or surrounding areas.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that the Project Plan Application PJT2017-00007 to allow up to 1,336 multi-unit dwellings, up to 330 townhouses, up to 390,000 square feet of office, hotel or

institutional uses, and up to 170,000 square feet of retail office space subject to the operations of the associated footnotes on the Phasing Plan of the Project Plan, be and the same is hereby approved, in accordance with the following terms, conditions, and limitations:

Approved Project Plan

1. For purposes of this Resolution, the approved Project Plan means this Resolution and all Exhibits to this Resolution listed below and attached hereto, including notations, references, descriptions, and writings on the Exhibits:

- Exhibit A - Project Plan dated November 2018
- Exhibit B - Phasing Plan dated October 15, 2018
- Exhibit C - Roadway Cross-Sections dated November 19, 2018, including the Road Code Waiver Request dated September 28, 2018 and revised November 19, 2019
- Exhibit D - Dedication of Usable Park Area comprising 5% of the Tract dated December 2018
- Exhibit E - Natural Resources Inventory / Forest Stand Delineation dated April 14, 2016
- Exhibit F - Preliminary Forest Conservation Plan dated April 24, 2019

Community Planning and Development Services

2. The proposed development will be designed in a manner generally consistent with the concept design identified on the Project Plan. Building locations, dimensions, types, and uses shown on the Project Plan are illustrative and may be modified at the Site Plan phase. The number of units and permitted commercial square footage designated on the approved Project Plan and Phasing Plan are maximum numbers and are subject to the applicant's ability to meet the requirements of all City Ordinances, unless otherwise noted in this resolution.

3. The Project Plan will be considered a valid project plan approval for twenty years from the date of Mayor and Council approval.

4. The proposed development shall be consistent with Exhibit B - Phasing Plan. While the phasing boundaries and order of phasing may change, all future site plans shall be consistent with the proposed development intensity identified in the phasing chart, with the associated footnotes.

5. The Applicant is required to comply with the PFCP Approval Letter, as may be amended, and obtain approval of Final Forest Conservation Plans with each site plan submission. The PFCP Approval Letter sets forth the following:

- a. Afforestation – Applicant may pay a fee in lieu, at the square footage rate in effect at the time of payment to the City, for up to 49% of the Project's 4.67 acre afforestation requirement. Payment of the fee-in-lieu will be made in accordance with the PFCP Approval Letter.
- b. Significant tree replacement – Applicant must plant a minimum of 112 replacement trees on site and may pay a fee in lieu, at the per tree rate in effect at the time of payment to the City, for any additional required replacement trees. Payment of the fee-in-lieu will be made in accordance with the PFCP Approval Letter.
- c. Minimum tree coverage – Applicant may reduce the minimum tree coverage required to 10% of the net tract area (30.44 acres), subject to dedication in fee simple of 5% of the tract area as usable public parkland. This requirement will be satisfied by the dedication of the central green area (0.57 acres, excluding the retail building) (the "Central Green") and the open space surrounding the

regional stormwater management pond (1.02 acres) shown on the Project Plan. The dedication of the Central Green area and open space surrounding the pond are subject to the approved project plan phasing plan and associated notes, and completion of improvements thereon in accordance with approved plans and permits. The 5% dedication area qualifies as open area and public use space within the open area development requirements of the MXE zone. Planting within the 5% dedication area may also be used to satisfy afforestation and minimum tree coverage requirements, but any plantings must be approved by the City Forester

- d. Specimen Trees – Applicant may remove 9 specimen trees, as set forth on the PFCP Approval Letter.

6. The Mayor and Council acknowledge that implementation of the approved Project Plan's urban townhouse design requires the grant of a waiver by the Planning Commission of Section 25.21.21.b of the City Code pursuant to Section 25.21.07 of the City Code to allow a reduction of the required trees per residential lot from 3 trees to 1.5 trees per lot, based on an aggregate of the on-site trees, and support such a waiver.

7. Prior to any site plan submission proposing removal of an existing office building, Applicant must provide a report to the Chief of Zoning containing an architectural and historical evaluation of the existing buildings, based on the criteria for historic designation in Rockville, per Section 25.07.02.a.4(a) of the Zoning Ordinance.

8. Applicant must provide a minimum of one (1) children's playground, or "tot lot," designed to accommodate, at a minimum, children ages 2 to 5 years old. The tot lot must be approximately, but no less than, 3,000 square feet in area, accessible to the general public and

within the Central Green portion of the development. The location of said tot lot within the Central Green shall be determined by the Planning Commission, with direction from City Staff, during the site plan review phase of development. The tot lot shall meet all minimum standards for City recreation equipment and shall be subject to review and approval by the Department of Recreation and Parks.

Department of Public Works

9. Applicant must construct all proposed roads within the Property per City standards and specifications. The right-of-way and easements for all roads within the Property (Streets A, B, C and D) shall be dedicated to public use and be reflected on a Final Record Plat to be reviewed by staff and approved by the Planning Commission and other agencies having jurisdiction of the right-of-way.

10. Applicant must dedicate for public use right-of-way along Choke Cherry Road and Gaither Road. The right-of-way to be dedicated shall be in accordance with Exhibit C – Roadway Cross Sections.

11. Per its authority under Chapter 21-20 of the City Code, the Mayor and Council hereby affirm the approval of the City Manager to grant a requested waiver of the requirements of Section 21-60.a.2 of the City Code to reduce the sidewalk width to 6-feet on the south side of Street C. All street sections are approved and must comply with Exhibit C – Roadway Cross Sections. Any deviation from the sections must be approved by the Director of Public Works at the site plan phase.

12. Applicant must construct a sidewalk along Shady Grove Road in accordance with the Project Plan, and per the standards of the Montgomery County Department of Transportation (“MCDOT”). Applicant must dedicate an easement for the sidewalk along Shady Grove Road or

construct the sidewalk within the Shady Grove right-of-way as permitted by the Montgomery County Department of Permitting Services.

13. Applicant must grant to the City all Public Improvement Easements ("PIE") as shown on the Project Plan. Any deviation from the location of the PIE must be approved by the Director of Public Works at the site plan phase.

14. Applicant must construct all necessary public improvements, including but not limited to street trees, streetlights, street light conduit, and traffic signals in accordance with all applicable City standards or the standards of the jurisdiction of the corresponding right-of-way. Public improvements shall be located within the right-of-way or within a PIE as approved by the Director of Public Works.

15. Applicant must grant a Public Access Easement across the entire width of the privately maintained alleys.

16. Applicant must execute a Revocable License Agreement authorized by the Mayor and Council for the shared maintenance of Stormwater Management Facilities located within the public right-of-way prior to the issuance of a Stormwater Management Permit by DPW for these facilities.

17. Applicant must dedicate the parcel containing the proposed regional Stormwater Management pond to the City of Rockville.

18. Applicant must comply with all conditions of the HPA and mitigate any service deficiencies identified as a condition of any affected phase's site plan(s), unless the HPA is otherwise amended and/or an alternative to convey some or all of the flow to the City of Rockville sewer lines is agreed to by the City and WSSC.

19. Applicant must comply with the conditions of DPW's Pre-Application SWM Concept Letter dated October 30, 2018, as may be amended.

20. Applicant must construct dry utilities underground within Public Utility Easements, unless otherwise permitted to be located elsewhere by the Director of Public Works. At the site plan phase, Applicant shall submit a conceptual dry utility plan to be approved by both the utility companies and DPW.

21. Applicant must construct all necessary public infrastructure to support each respective phase's site plan, including the dedication of right-of-way. It is acknowledged that the Project will be built in multiple site plan phases. As a result, some proposed roads will have temporary conditions because of the Project phasing. Applicant must submit, for the approval of the Director of Public Works, a plan demonstrating how roads will terminate when the full road is not proposed to be constructed within a single site plan.

22. With each site plan, Applicant must submit a phasing plan for vehicular access, pedestrian access, construction access, staging and parking for review and approval by DPW. The phasing plan must demonstrate how the remaining surface parking lots and existing uses of the Property will integrate with the proposed development.

23. Applicant must submit an operations statement for visitor parking at the proposed parking garages and remaining surface parking lots, to be reviewed and approved at the time of site plan.

DPW – Transportation

24. Applicant must submit, for approval by the Chief of Traffic and Transportation, a Trip Reduction Agreement to be finalized prior to any Phase Two (as defined in Condition 25) site plan approval. The Trip Reduction Agreement will establish the goal of reducing single occupant

vehicles by 20% for proposed new office uses at full build-out (Phase One and Phase Two combined) and must include appropriate peak hour trip reduction strategies to be fully funded and implemented by Applicant.

25. The transportation impact of the Application has been evaluated in two phases. Phase One will be limited to generate no more than 644 (273+371) AM, 1,327 (265+1062) PM, and 1,042 (79+963) Saturday peak hour trips. This level of development is based upon 183,798 square feet of existing office space to remain plus 70,000 square feet of commercial retail, 220 multi-family units, and 120 single-family attached dwelling units. Phase Two is defined as development beyond Phase One.

26. The total development on the proposed site at build-out (Phase One and Phase Two combined) can generate no more than 1,451 AM, 2674 PM, and 2,083 Saturday peak hour trips. This level of commercial development is based upon 220,000 square feet of office development, 170,000 square feet commercial retail, hotel(s) with up to 240 rooms, 1,336 multi-family units, and 330 single-family attached dwelling units.

27. Applicant may make changes in the mix of uses within each phase of development without analyzing the traffic impact, as long as the above trip cap for each respective phase is not exceeded.

28. Prior to the issuance of the first building permit for a building within the Property, Applicant must revise the plan to show a total dedication of 60 feet from the existing center line along the entire Property's frontage with Shady Grove Road, with an additional 15-foot wide public access easement for the construction of a shared-use path in this portion of the Property, with all other rights retained by Applicant. This is needed to accommodate the future upgrading of Shady Grove Road to a Major Highway, as recommended by the approved M-NCPPC Master

Plan of Highways. Additionally, and within the recommended rights-of-way limits for Shady Grove Road, the plan must show a 10 to 15-foot-wide shared use path separated from the travel lanes by at least a 6-foot wide landscape buffer.

29. Prior to the issuance of the last occupancy permit for the proposed townhouse units or any occupancy permit for the proposed multi-family, office, retail, or hotel buildings within the Property, the Applicant must prepare and submit for review a full traffic signal warrant study based on the existing and projected traffic. If deemed warranted, Applicant must design and construct a new traffic signal for the intersection of proposed Road C and Choke Cherry Road with all necessary geometric modifications per the City standards and specifications, including all required signal coordination hardware deemed needed by MCDOT, such that the operation of this signal can be directly linked to the existing signal at the intersection of Shady Grove Road with Choke Cherry Road. Alternatively, and at any time, the Applicant can submit design and construction plans to extend the existing median along Choke Cherry Road across the Road C intersection to limit the proposed Street C access to right-in and right-out only. As part of this improvement, the Applicant must continue to provide for safe pedestrian crossing of Choke Cherry Road at this location. Applicant must construct the required improvements within the limits of available rights-of-way on its side of the street and within the boundaries of each respective site plan for Phase One development, including the adjustment to medians and minor pavement markings on the opposite side, if needed, prior to the issuance of any occupancy permit.

30. Prior to the issuance of any occupancy permit for any building with frontage along Shady Grove Road, Applicant must construct a 10 to 15-foot-wide shared use path separated from the travel lanes by at least a 6-foot wide landscape buffer along the Property's frontage, between its intersection with Choke Cherry Road and Gaither Road.

31. For Phase Two development, Applicant must provide full updated warrant studies, including weekdays and Saturdays, per the MD Manual on Uniform Traffic Control Devices (“MUTCD”) procedures and standards, at the intersections identified below for the following traffic signals at the time of each respective site plan:

- a. If warranted prior to the issuance of any occupancy permit, Applicant must design and construct a new traffic signal for the intersection of Choke Cherry Road and Piccard Drive, with all necessary geometric and signage modifications per City standards and specifications.
- b. If warranted prior to the issuance of any occupancy permit for the site plan that triggers its need, Applicant must design and construct a new traffic signal for the intersection of Road C and Gaither Road, with all necessary geometric modifications per the City standards and specifications.

32. Prior to any development related to Phase Two, Applicant must:

- a. Submit construction plans for Gaither Road from its intersection with Shady Grove Road and along the Property’s entire frontage as recommended and modified by DPW staff, including the provision of two travel lanes in the southbound direction with a landscaped median, and safe accommodation for pedestrians and bicycles at all intersection crossings, including the provision of recommended bicycle facilities per the 2017 Bikeway Master Plan. Applicant must construct the required improvements prior to the issuance of any occupancy permit for any part of Phase Two development.
- b. Submit construction plans for provision of an additional westbound left turn lane on Shady Grove Road at its signalized intersection with Gaither Road and per MCDOT standards and specifications, including all necessary signal,

signing and markings modifications per the City and/or MCDOT standards and specifications. If approved and permitted by MCDOT, Applicant must construct the required improvements prior to the issuance of any occupancy permit for any part of Phase Two development.

33. Prior to the full build-out, or expiration of the Application, whichever occurs first, and if approved and permitted by MCDOT:

- a. Applicant must design and reconstruct the northbound approach of Choke Cherry Road at its signalized intersection with Shady Grove Road to provide for two exclusive left-turn lanes, a shared through-left, and an exclusive right-turn lane, plus all needed geometric improvements along the median of Shady Grove Road and any required signal modifications as deemed appropriate by the City and/or MCDOT.
- b. Applicant must design and reconstruct the northbound approach of Gaither Road at its signalized intersection with Shady Grove Road to provide for two exclusive left-turn lanes, a shared through-left, and an exclusive right-turn lane, along with all needed geometric improvements and signal modifications as deemed appropriate by the City and/or MCDOT.

34. Prior to the full build-out, or the expiration of the Application, whichever occurs first, and if approved and permitted by the MCDOT and/or MDSHA, Applicant must design, and reconstruct the eastbound approach of Shady Grove Road at the signalized intersection with Frederick Road (MD 355) to provide for an additional left-turn lane, converting the existing shared through and left to a through lane, along with all needed geometric improvements and signal

modifications as deemed appropriate by the MCDOT and/or Maryland State Highway Administration.

35. With the approval of each site plan, City staff must identify the extent of the planned road and street network, as well as access accommodations shown on the approved Project Plan and as modified by DPW, including bicycle facilities along Gaither Road per the 2017 Bikeway Master Plan needed to serve the development proposed by that site plan. As part of each respective site plan, Applicant must design and construct the improvements and have such improvements opened to traffic, prior to issuance of any occupancy permits for any part of the development contained within that site plan.

36. With each subsequent site plan, Applicant must provide short-term and long-term bike racks/storage as required by the Zoning Ordinance.

37. Applicant must pay the City's Transportation Improvement Fee as provided in the Comprehensive Transportation Review ("CTR"). The fee will be due before the building occupancy permit is issued and will be at that rate applicable at the time of payment, consistent with the development approved in each respective phased site plan. The one-time fee is currently equal to \$1.50 per square foot of gross floor area for commercial uses and \$900 per unit of multi-unit residential development.

38. Applicant must pay Montgomery County's Development Impact Taxes, as applicable, subject to the credits allowed by Montgomery County. Applicant must submit a receipt of payment to the Inspection Services Division of the Department of Community Planning and Development Services, and the Traffic and Transportation Division of DPW, prior to the issuance of the occupancy permit for the uses in each respective phased site plan.

39. All internal traffic control devices (i.e., signs, marking and devices placed on, over or adjacent to a roadway or walkway) to regulate, warn, or guide pedestrians and/or vehicular traffic, shall comply with the latest edition of the MUTCD. The signing and pavement marking plans shall be submitted to DPW and approved by the Chief of Traffic and Transportation Division prior to building permit (the approved plan shall be included in the signature set).

I HEREBY CERTIFY that the foregoing is a true and correct copy
of a Resolution adopted by the Mayor and Council at its meeting of April
29, 2019.

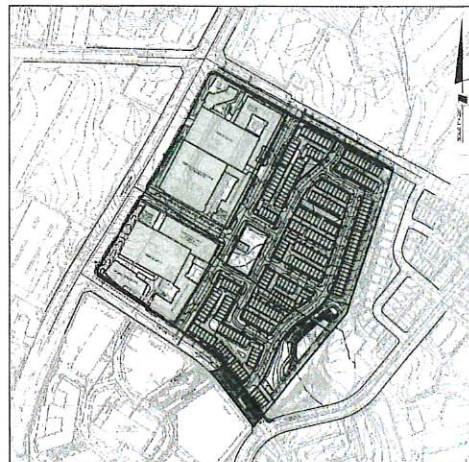


Sara Taylor-Ferrell
City Clerk/Director of Council Operations

EXHIBIT A

VICINITY MAP
SCALE 1" = 1 MILE

CIVIL ENGINEER
SOLTESZ, INC.
2 RESEARCH PLACE, SUITE 100
ROCKVILLE, MD 20850
PHONE: 301-946-2750
ATTN: DAN PINO



OVERALL PLAN

1. Project plan is illustrative only. The mix of uses, areas (square footage), building locations, maximum building heights, and unit counts shown herein may vary.
2. The mix of non-residential uses (to include retail, office, hotel, and/or institutional uses) may vary, but shall not exceed a total square footage of 560,000 square feet.
3. The mix of residential uses may vary, but shall not exceed 330 townhouse units (with a corresponding 2:1 conversion of multiple-unit dwellings to townhouse units if Site Plan application(s) include more than 300 townhouse unit(s) and 1,315 multiple-unit dwellings.

- 1 COVER SHEET
- 2 PROPOSED STREET CROSS SECTIONS
- 3 PROPOSED ROAD CROSS SECTIONS - GATHER ROAD
- 4 PROPOSED ROAD CROSS SECTIONS - CHERRY CREEK ROAD
- 5 OVERALL CONCEPT SITE DEVELOPMENT PLAN
- 6 CONCEPT SITE DEVELOPMENT PLAN - 30 SCALE
- 7 CONCEPT SITE DEVELOPMENT PLAN - 30 SCALE
- 8 CONCEPT SITE DEVELOPMENT PLAN - 30 SCALE
- 9 CONCEPT SITE DEVELOPMENT PLAN - 30 SCALE
- 10 CONCEPT SITE DEVELOPMENT PLAN - 30 SCALE
- 11 CONCEPT SITE DEVELOPMENT PLAN - 30 SCALE

1	1. FULL NAME OF PERSON	MR	1	1. DATE OF BIRTH	1970	1. POLICE STATION	1. POLICE STATION
2	2. FULL NAME OF PERSON	MR	1	2. DATE OF BIRTH	1970	2. POLICE STATION	2. POLICE STATION
3	3. FULL NAME OF PERSON	MR	1	3. DATE OF BIRTH	1970	3. POLICE STATION	3. POLICE STATION
4	4. FULL NAME OF PERSON	MR	1	4. DATE OF BIRTH	1970	4. POLICE STATION	4. POLICE STATION
5	5. FULL NAME OF PERSON	MR	1	5. DATE OF BIRTH	1970	5. POLICE STATION	5. POLICE STATION
6	6. FULL NAME OF PERSON	MR	1	6. DATE OF BIRTH	1970	6. POLICE STATION	6. POLICE STATION
7	7. FULL NAME OF PERSON	MR	1	7. DATE OF BIRTH	1970	7. POLICE STATION	7. POLICE STATION
8	8. FULL NAME OF PERSON	MR	1	8. DATE OF BIRTH	1970	8. POLICE STATION	8. POLICE STATION
9	9. FULL NAME OF PERSON	MR	1	9. DATE OF BIRTH	1970	9. POLICE STATION	9. POLICE STATION
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45	45. FULL NAME OF PERSON	MR	1	45. DATE OF BIRTH	1970	45. POLICE STATION	45. POLICE STATION
46	46. FULL NAME OF PERSON	MR	1				

MISFEASANCE NOTE

1. FULL NAME OF PERSON: [Name]
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OVERSEASER OF APPALCANT

1. FULL NAME OF PERSON: [Name]
2. FULL NAME OF PERSON: [Name]
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Daniel Pino
2018.11.11
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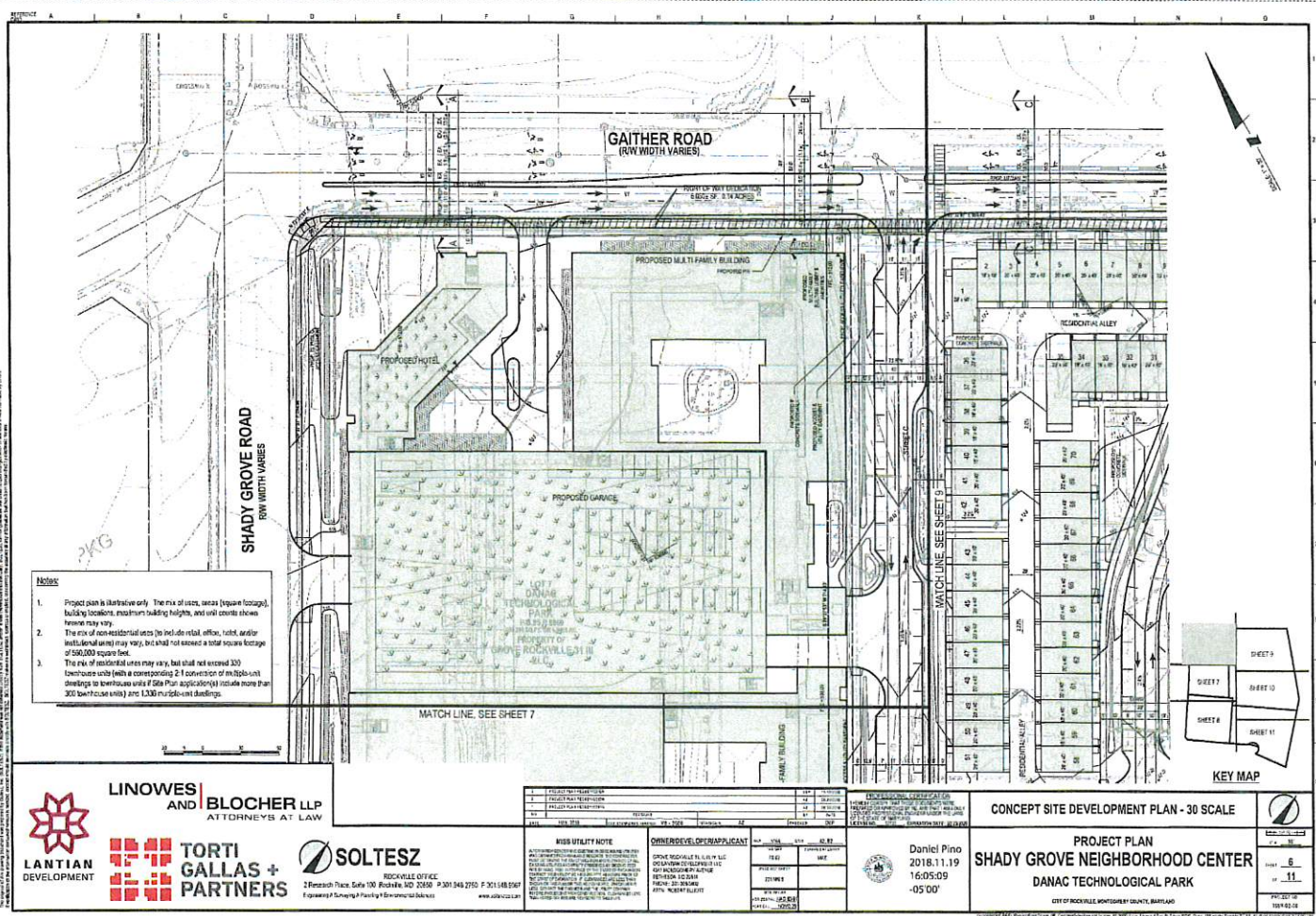
1. Laplace's Rule. Defining benefit as a monetary premium to ensure compliance, Laplace's rule states that the degree of compliance is proportional to the benefit of compliance divided by the cost of compliance. The degree of compliance is also proportional to the benefit of compliance divided by the cost of non-compliance. Laplace's rule is based on the assumption that the benefit of compliance is proportional to the benefit of compliance divided by the cost of compliance.
2. The cost of compliance is proportional to the cost of non-compliance. The cost of compliance is proportional to the cost of non-compliance. The cost of compliance is proportional to the cost of non-compliance.
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 **SOLTESZ**
ROCKVILLE OFFICE
2 Research Place, Suite 100 Rockville, MD 20850 P.301.948.2750 F.301.948.506
Engineering & Surveying • Planning & Environmental Services www.soltesz.com

 Daniel Pino 2018.11.19 16:01:03 05:00'

COVER SHEET		
PROJECT PLAN SHADY GROVE NEIGHBORHOOD CENTER DANAC TECHNOLOGICAL PARK CITY OF ROCKHILL, WASHINGTON COUNTY, MARYLAND		
SCALE 1" = 100'	DATE 10/15/02	PROJECT NO. 1015-02-02



- Notes**
1. Project plan is illustrative only. The mix of uses, areas (square footage), building location, maximum building heights, and unit counts shown herein may vary.
 2. The mix of non-residential uses (to include retail, office, hotel, and/or institutional uses) may vary, but shall not exceed a total square footage of 500,000 square feet.
 3. The mix of residential uses may vary, but shall not exceed 300 townhouse units (with a corresponding 2:1 conversion of multiple-unit dwellings to townhouse units if Site Plan application(s) include more than 300 townhouse units) and 1,300 multiple-unit dwellings.



LINOWES AND BLOCHER LLP
ATTORNEYS AT LAW

TORTI GALLAS + PARTNERS

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ROCKVILLE OFFICE
2 Research Triangle, Suite 100, Rockville, MD 20850 P 301 543 2750 F 301 548 1567
E engineering@soltesz.com P planning@soltesz.com

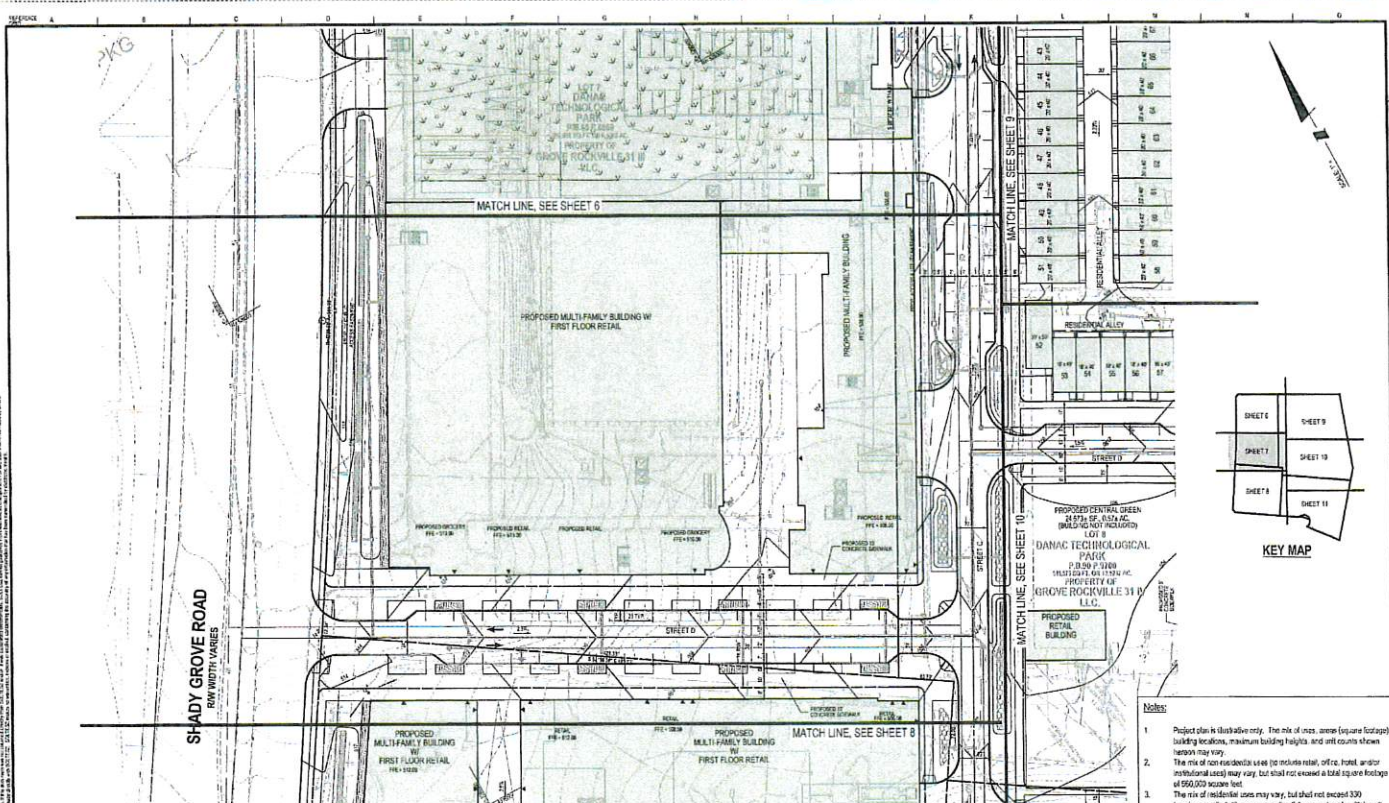
PROPOSED DEVELOPMENT		DATE	REVISION
1	PROPOSED DEVELOPMENT	11/19/2018	1
2	ADJUSTED MULTI-FAMILY BUILDING	11/19/2018	2
3	ADJUSTED MULTI-FAMILY BUILDING	11/19/2018	3
4	ADJUSTED MULTI-FAMILY BUILDING	11/19/2018	4
5	ADJUSTED MULTI-FAMILY BUILDING	11/19/2018	5
6	ADJUSTED MULTI-FAMILY BUILDING	11/19/2018	6
7	ADJUSTED MULTI-FAMILY BUILDING	11/19/2018	7
8	ADJUSTED MULTI-FAMILY BUILDING	11/19/2018	8
9	ADJUSTED MULTI-FAMILY BUILDING	11/19/2018	9
10	ADJUSTED MULTI-FAMILY BUILDING	11/19/2018	10
11	ADJUSTED MULTI-FAMILY BUILDING	11/19/2018	11
12	ADJUSTED MULTI-FAMILY BUILDING	11/19/2018	12
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100	ADJUSTED MULTI-FAMILY BUILDING	11/19/2018	100

CONCEPT SITE DEVELOPMENT PLAN - 30 SCALE

PROJECT PLAN
SHADY GROVE NEIGHBORHOOD CENTER
DANAC TECHNOLOGICAL PARK
CITY OF ROCKVILLE, MONTGOMERY COUNTY, MARYLAND

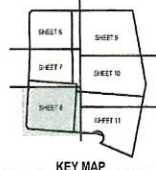
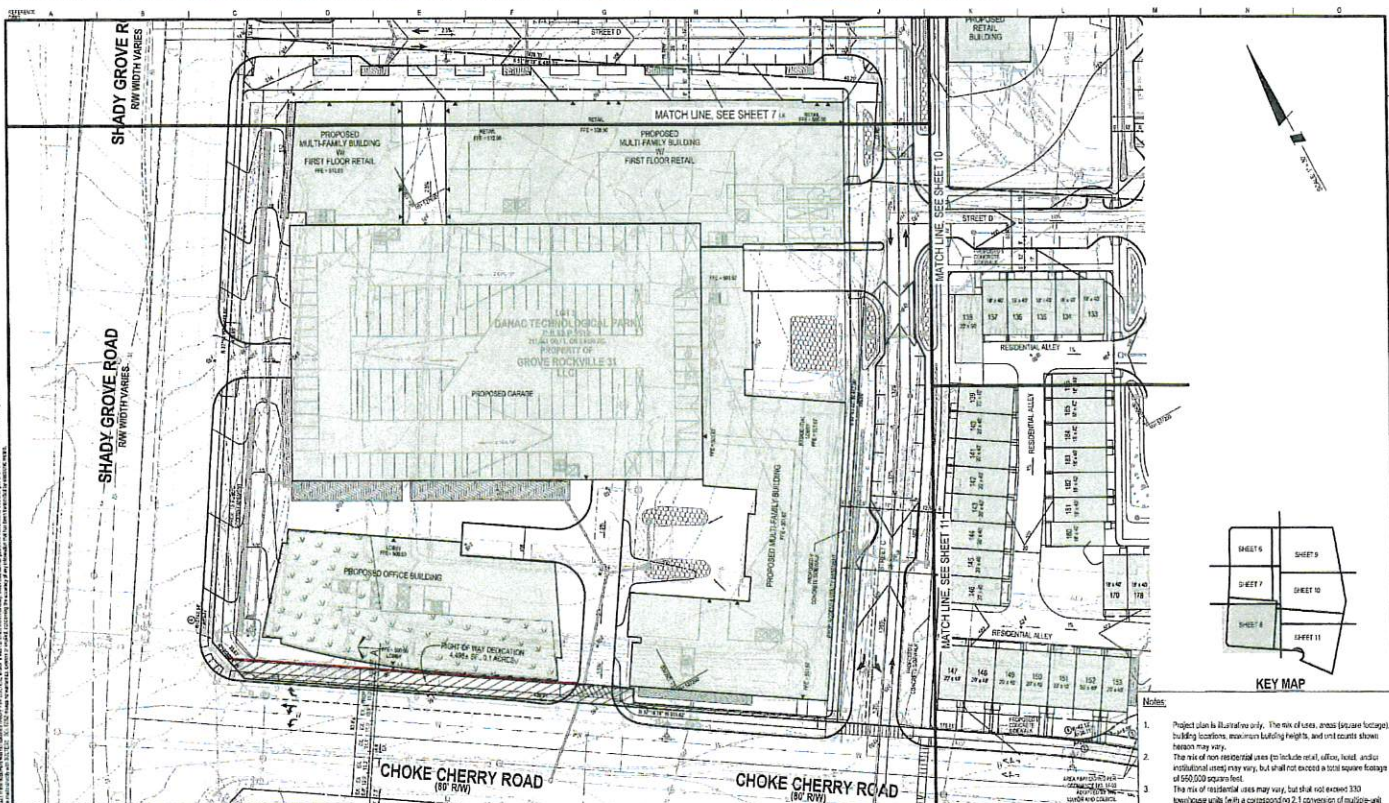
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SHEET 6
OF 11
PLOT 201-001-00
10/19/2018



- Notes**
1. Project plan is illustrative only. The mix of uses, square footages, building locations, maximum building heights, and unit counts shown herein may vary.
 2. The mix of non-residential uses (to include retail, office, hotel, and/or institutional uses) may vary, but shall not exceed a total square footage of 550,000 square feet.
 3. The mix of residential uses may vary, but shall not exceed 330 townhouse units (with a corresponding 2:1 conversion of multiple-unit dwellings to townhouse units if City Plan application) include more than 320 townhouse units and 1,320 multiple-unit dwellings.

	LINOWES AND BLOCHER LLP ATTORNEYS AT LAW			MISS UTILITY NOTE A utility map showing the location of all existing and proposed utilities is attached to this plan. The map is to be used in conjunction with the utility map provided by the City of Rockville.		CONTRACT DEVELOPER/APPLICANT DANAC TECHNOLOGICAL PARK 2018.11.19 16:05:46 -05'00"		CONCEPT SITE DEVELOPMENT PLAN - 30 SCALE PROJECT PLAN SHADY GROVE NEIGHBORHOOD CENTER DANAC TECHNOLOGICAL PARK CITY OF ROCKVILLE, MONTGOMERY COUNTY, MARYLAND	
				2 Research Plaza, Suite 100, Rockville, MD 20850 P: 301.544.2700 F: 301.548.0067 Engineering & Surveying & Planning & Environmental Services WWW.SOLTESZ.COM		Daniel Pino 2018.11.19 16:05:46 -05'00"		SHEET 10 OF 11	



- Notes:**
1. Project plan is illustrative only. The mix of uses, areas (square footage), building footprints, maximum building heights, and lot counts shown herein may vary.
 2. The mix of non-residential uses (to include retail, office, hotel, and/or institutional) and may vary, but shall not exceed a total square footage of 550,000 square feet.
 3. The mix of residential uses may vary, but shall not exceed 350 townhome units (with a corresponding 211 conversion of multiple-unit dwellings to townhome units if site plan application(s) include more than 300 townhome units) and 1,328 multiple-unit dwellings.

LANTIAN DEVELOPMENT

LINOWES AND BLOCHER LLP
ATTORNEYS AT LAW

TORTI GALLAS + PARTNERS

SOLTESZ
ROCKVILLE OFFICE
2 Research Plaza, Suite 100, Rockville, MD 20850 P: 301.844.2752 F: 301.248.3307
Engineering • Planning • Programming • Construction Services

NO.	DESCRIPTION	DATE	BY	CHKD.	APP.
1	PRELIMINARY DESIGN	12/15/2018	DA	DA	DA
2	FINAL DESIGN	12/15/2018	DA	DA	DA
3	CONSTRUCTION ADMINISTRATION	12/15/2018	DA	DA	DA
4	POST-CONSTRUCTION ADMINISTRATION	12/15/2018	DA	DA	DA

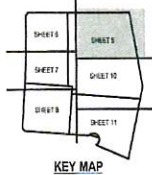
REUSE UTILITY NOTE		OWN/DEVELOPER/APPLICANT	
ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE APPLICANT SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE APPLICANT SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES DURING CONSTRUCTION AND SHALL REPAIR OR REPLACE ANY UTILITIES DAMAGED DURING CONSTRUCTION AT THE APPLICANT'S EXPENSE.		DA	

CONCEPT SITE DEVELOPMENT PLAN - 30 SCALE

PROJECT PLAN
SHADY GROVE NEIGHBORHOOD CENTER
DANAC TECHNOLOGICAL PARK
CITY OF ROCKVILLE, MONTGOMERY COUNTY, MARYLAND

Daniel Pino
2018.11.1
9:16:06:22
-05'00"

DATE	2018.11.1
TIME	9:16:06:22
SCALE	30'
PROJECT NO.	2018.11.1
PROJECT NAME	SHADY GROVE NEIGHBORHOOD CENTER



NOTES:

1. Project plan is illustrative only. The use of lots, areas (square footage), building locations, maximum building heights, and unit counts shown herein may vary.
2. The use of non-residential uses (to include retail, office, hotel, and/or institutional uses) may vary, but shall not exceed a total square footage of 500,000 square feet.
3. The use of residential uses may vary, but shall not exceed 330 townhouse units (with a corresponding 2.5 conversion of multiple unit dwellings to townhouse units if Site Plan application(s) include more than 300 townhouse units) and 1,335 multiple-unit dwellings.



LINOWES AND BLOCHER LLP
ATTORNEYS AT LAW



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ROCKVILLE OFFICE
2 Research Plaza, Suite 100, Rockville, MD 20850 P 301.548.2705 F 301.548.0507
Engineering • Planning • Environmental Services

MISS UTILITY NOTE
A REVIEW OF THE RECORD DRAWINGS HAS REVEALED THE FOLLOWING UTILITIES:
1. 12" WATER MAIN (UNDER GAITHER ROAD)
2. 12" SEWER MAIN (UNDER GAITHER ROAD)
3. 12" GAS MAIN (UNDER GAITHER ROAD)
4. 12" CABLE TV MAIN (UNDER GAITHER ROAD)
5. 12" FIBER OPTIC MAIN (UNDER GAITHER ROAD)
6. 12" RAINWATER MAIN (UNDER GAITHER ROAD)
7. 12" STORMWATER MAIN (UNDER GAITHER ROAD)
8. 12" ELECTRIC MAIN (UNDER GAITHER ROAD)
9. 12" TELEPHONE MAIN (UNDER GAITHER ROAD)
10. 12" CABLE TV MAIN (UNDER GAITHER ROAD)
11. 12" FIBER OPTIC MAIN (UNDER GAITHER ROAD)
12. 12" RAINWATER MAIN (UNDER GAITHER ROAD)
13. 12" STORMWATER MAIN (UNDER GAITHER ROAD)
14. 12" ELECTRIC MAIN (UNDER GAITHER ROAD)
15. 12" TELEPHONE MAIN (UNDER GAITHER ROAD)

OWNER/DEVELOPER/APPLICANT
SHADY GROVE NEIGHBORHOOD CENTER
10000 GAITHER ROAD, SUITE 100
ROCKVILLE, MD 20850
PHONE: 301.548.2705
WWW: SHADYGROVE.COM

DESIGNER
SOLTESZ
10000 GAITHER ROAD, SUITE 100
ROCKVILLE, MD 20850
PHONE: 301.548.2705
WWW: SOLTESZ.COM

DATE
2018.11.19
TIME
16:07:19
LOCATION
-05'00"

CONCEPT SITE DEVELOPMENT PLAN - 30 SCALE
PROJECT PLAN
SHADY GROVE NEIGHBORHOOD CENTER
DANAC TECHNOLOGICAL PARK
CITY OF ROCKVILLE, MONTGOMERY COUNTY, MARYLAND

DATE
2018.11.19
TIME
16:07:19
LOCATION
-05'00"

KEY MAP

CHOKER CHERRY ROAD

UPPER ROCK BLVD.
(PRIVATE STREET)

DER ROCK BLVD.
PRIVATE STREET)

PICCARD DRIVE
(60 RPM)

1. Project plan is illustrative only. The mix of uses, areas (source: footcandle, building location), maximum building heights, and unit counts shown herein may vary.
2. The mix of non-residential uses (to include retail, office, hotel, and/or institutional uses) may vary, but shall not exceed a total square footage of 500,000 square feet.
3. The mix of residential uses may vary, but shall not exceed 530 townhouse units (with a corresponding 2:1 conversion of multiple-unit dwellings to townhouse units if Site Plan application(s) include more than 200 townhouse units) and 1,330 multiple-unit dwellings.



LINOWES
AND **BLOCHER LLP**
ATTORNEYS AT LAW

TORTI
GALLAS +
PARTNERS

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Rockville, MD 20850 P.301.948.2750 F.301.948.9057
gfe@environmental-science.com www.gfeinc.com

[illegible]

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE ACCOUNTING RECORDS
REPRESENTED ARE PREPARED BY ME, AND THAT I AM A FULLY
LICENSED PROFESSIONAL ACCOUNTANT UNDER THE LAWS
OF THE STATE OF MINNESOTA.

CERTIFIED THIS _____ DAY OF _____, 20____.

ACCOUNTANT NAME: _____ EXPIRATION DATE: _____

CONCEPT SITE DEVELOPMENT PLAN - 30 SCALE		
PROJECT PLAN SHADY GROVE NEIGHBORHOOD CENTER DANAC TECHNOLOGICAL PARK CITY OF ROCKVILLE, MONTGOMERY COUNTY, MARYLAND		

[illegible]

EXHIBIT B

PHASING CHART¹

PHASE A:

Retail/Grocery	Up to 170,000 sq. ft. ²
Multiple-Unit Dwellings	Up to 549,000 sq. ft. (up to 549 units) ³
Townhouses	Up to 91 units

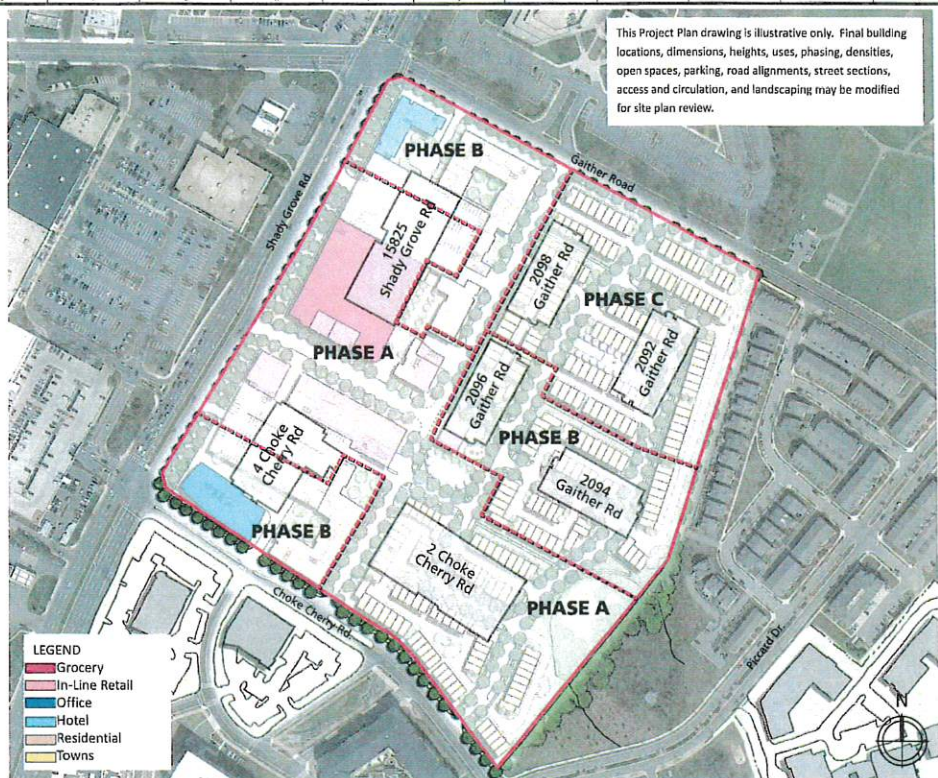
PHASE B:

Office/Hotel	Up to 397,000 sq. ft. ⁴
Multiple-Unit Dwellings	Up to 474,950 sq. ft. (up to 475 units) ⁵
Townhouses	Up to 68 units

PHASE C:

Townhouses	Up to 124 units ⁶
------------	------------------------------

- 1 Phasing boundaries associated with this Project Plan may be adjusted and the densities of phases shifted at the time of Site Plan approval(s). Phases may be sequenced in any order or combined. However, the total density must not exceed 850,000 square feet of non-residential uses (including office, retail, hotel, and/or institutional uses), 330 townhouse units, and 1,600 multiple-unit dwellings.
- 2 Up to 110,000 sq. ft. may be converted to up to 110 multiple-unit dwellings.
- 3 May be increased to up to 559,000 sq. ft. from converted retail square footage (for a Phase I total of up to 859 multiple-unit dwellings).
- 4 Up to 397,000 sq. ft. may be converted to up to 397 multiple-unit dwellings.
- 5 May be increased to up to 872,950 sq. ft. from converted office/hotel square footage (for a Phase II total of up to 873 multiple-unit dwellings). Up to 283,000 sq. ft. of multi-unit dwelling uses may be converted to housing for senior adults and persons with disabilities and/or nursing homes.
- 6 Total maximum number of townhouse units for all phases (up to 300 units) may be increased to up to 330 units if building widths are reduced or Site Plan application(s) convert multi-family units to townhouse units on a 1:1 basis.



This Project Plan drawing is illustrative only. Final building locations, dimensions, heights, uses, phasing, densities, open spaces, parking, road alignments, street sections, access and circulation, and landscaping may be modified for site plan review.

LEGEND
 Grocery
 In-Line Retail
 Office
 Hotel
 Residential
 Towns

Illustrative Phasing Plan



LINOWES AND BLOCHER LLP
ATTORNEYS AT LAW

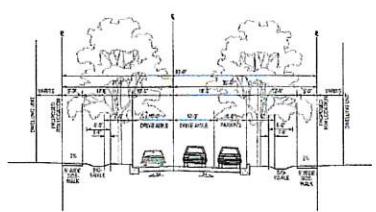
1788 HOLDINGS



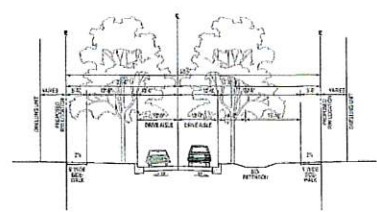
ROCKVILLE OFFICE
2 Research Plaza, Suite 100, Rockville, MD 20850 P 301.948.2120 F 301.948.9201
www.soltesz.com

PROJECT PLAN SHADY GROVE NEIGHBORHOOD CENTER DANAC TECHNOLOGICAL PARK CITY OF ROCKVILLE, ROCKFORD COUNTY, MARYLAND		PROJECT NO. 1008-01-00
ISSUE/UTILITY NOTE THIS PROJECT PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE OWNER TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.		DATE: 10/10/2017 BY: [Signature]
OWNER/DEVELOPER/APPLICANT 1788 HOLDINGS 2000 E. MONTGOMERY AVENUE, SUITE 100 ROCKVILLE, MD 20850 PHONE: 301.948.2120 FAX: 301.948.9201 WWW: 1788HOLDINGS.COM		PROJECT NO. 1008-01-00

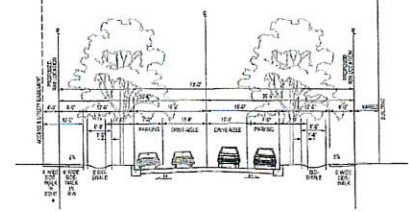
EXHIBIT C



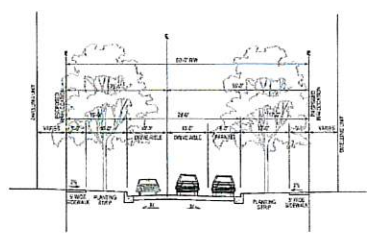
STREET A, B, & D TYPICAL CROSS SECTION
SECONDARY RESIDENTIAL STREET
MODIFIED CITY OF ROCKVILLE STANDARD DETAIL 45



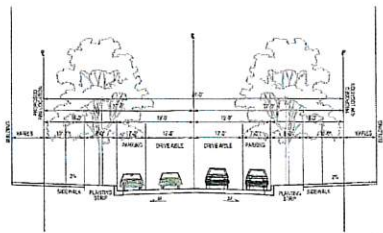
STREET B TYPICAL CROSS SECTION WITH NO PARKING
SECONDARY RESIDENTIAL STREET
MODIFIED CITY OF ROCKVILLE STANDARD DETAIL 45



STREET C TYPICAL CROSS SECTION AT ROAD INTERSECTION
BUSINESS DISTRICT CLASS II
MODIFIED CITY OF ROCKVILLE STANDARD DETAIL 44
* INCLUDE A WIDTH OF 10' AT THE INTERSECTION TO BE USED FOR TRUCKS AT 90° AND 180°



STREET D TYPICAL CROSS SECTION WITH ONE-SIDED PARKING
SECONDARY RESIDENTIAL STREET
MODIFIED CITY OF ROCKVILLE STANDARD DETAIL 45



STREET D TYPICAL CROSS SECTION WITH TWO-SIDED PARKING
BUSINESS DISTRICT CLASS II
CITY OF ROCKVILLE STANDARD DETAIL 43



RESIDENTIAL ALLEY TYPICAL CROSS SECTION
CITY OF ROCKVILLE STANDARD DETAIL 47

- Notes:**
1. Project plan is illustrative only. The mix of uses, sizes (square footage), building locations, maximum building heights, and unit counts shown herein may vary.
 2. The mix of non-residential uses (to include retail, office, hotel, and/or institutional uses) may vary, but shall not exceed a total square footage of 150,000 square feet.
 3. The mix of residential uses may vary, but shall not exceed 330 townhouse units with a corresponding 2:1 conversion of multiple unit dwellings to townhouse units. (Size of Plan application) include more than 300 townhouse units and 7,335 multiple unit dwellings.



LINOWES AND BLOCHER LLP
ATTORNEYS AT LAW

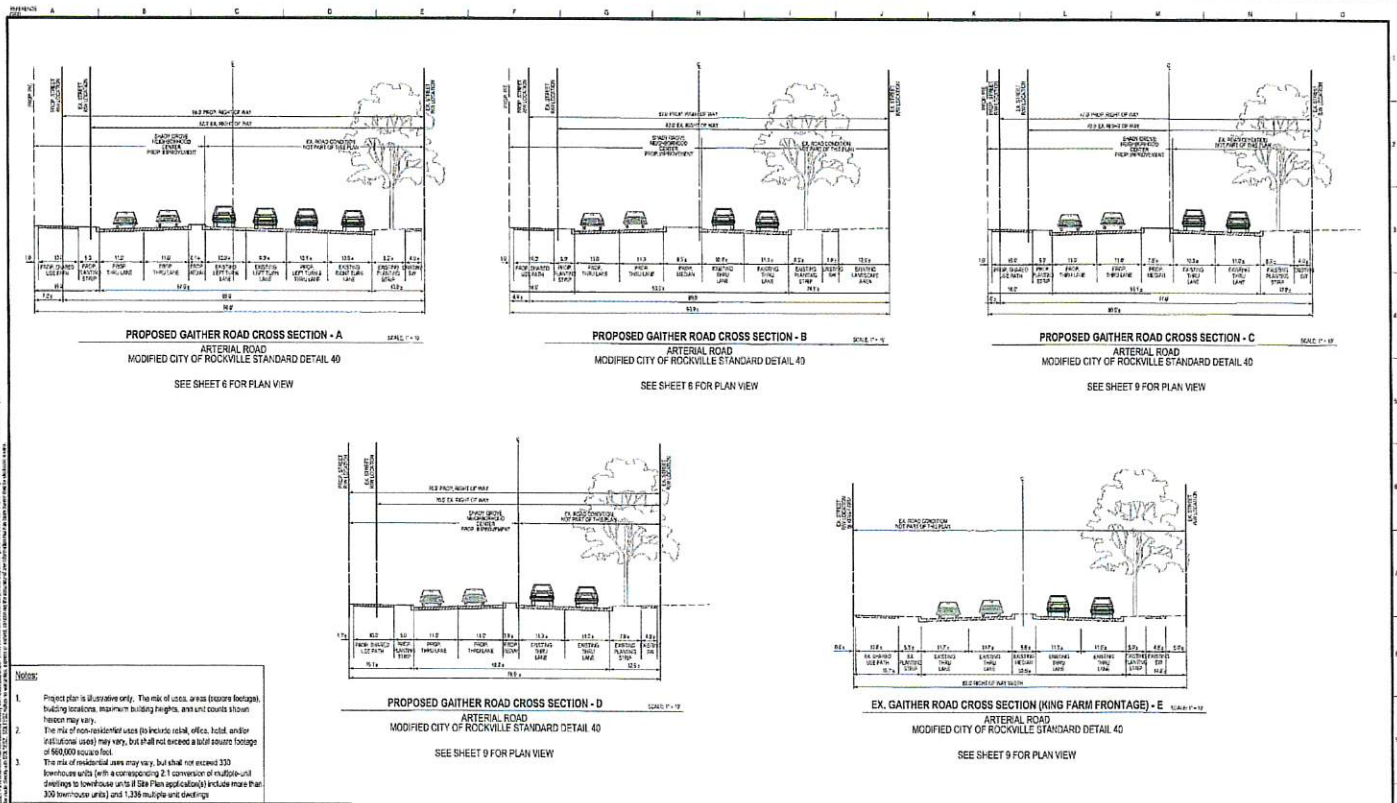


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Engineering | Consulting | Planning | Environmental Services
www.soltesz.com

1	PROPOSED DEVELOPMENT	101	101.00
2	PROPOSED DEVELOPMENT	102	102.00
3	PROPOSED DEVELOPMENT	103	103.00
4	PROPOSED DEVELOPMENT	104	104.00
5	PROPOSED DEVELOPMENT	105	105.00
6	PROPOSED DEVELOPMENT	106	106.00
7	PROPOSED DEVELOPMENT	107	107.00
8	PROPOSED DEVELOPMENT	108	108.00
9	PROPOSED DEVELOPMENT	109	109.00
10	PROPOSED DEVELOPMENT	110	110.00
11	PROPOSED DEVELOPMENT	111	111.00
12	PROPOSED DEVELOPMENT	112	112.00
13	PROPOSED DEVELOPMENT	113	113.00
14	PROPOSED DEVELOPMENT	114	114.00
15	PROPOSED DEVELOPMENT	115	115.00
16	PROPOSED DEVELOPMENT	116	116.00
17	PROPOSED DEVELOPMENT	117	117.00
18	PROPOSED DEVELOPMENT	118	118.00
19	PROPOSED DEVELOPMENT	119	119.00
20	PROPOSED DEVELOPMENT	120	120.00

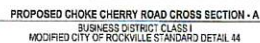
PROPOSED DEVELOPMENT
SHADY GROVE NEIGHBORHOOD CENTER
DANAC TECHNOLOGICAL PARK
CITY OF ROCKVILLE, MONTGOMERY COUNTY, MARYLAND
2018.11.19
16:01:58
-05'00"

PROPOSED STREET CROSS SECTIONS			
PROJECT PLAN			
SHADY GROVE NEIGHBORHOOD CENTER			
DANAC TECHNOLOGICAL PARK			
CITY OF ROCKVILLE, MONTGOMERY COUNTY, MARYLAND			
DATE	2018.11.19	BY	Daniel Pino
TIME	16:01:58	SCALE	1/4" = 10'
PROJECT NO.	2018-02-01	PROJECT NAME	SHADY GROVE NEIGHBORHOOD CENTER

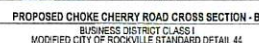


- Notes:**
1. Project plan is illustrative only. The mix of uses, area (square footage), building locations, maximum building heights, and unit counts shown herein may vary.
 2. The mix of non-residential uses (to include retail, office, hotel, and/or institutional uses) may vary, but shall not exceed a total square footage of 600,000 square feet.
 3. The mix of residential uses may vary, but shall not exceed 330 townhouse units (with a corresponding 2:1 conversion of multi-unit dwellings to townhouse units if Site Plan application) include more than 330 townhouse units and 1,338 multiple-unit dwellings.

	MISS UTILITY NOTE ALL UTILITIES SHOWN ARE BASED ON THE LATEST AVAILABLE RECORD DRAWINGS AND FIELD SURVEY. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROJECT AREA AND HAS IDENTIFIED THE FOLLOWING UTILITIES: 1. WATER MAIN (12" DIA.) 2. SEWER MAIN (12" DIA.) 3. GAS MAIN (12" DIA.) 4. TELEPHONE CABLE (12" DIA.) 5. FIBER OPTIC CABLE (12" DIA.) 6. POWER CABLE (12" DIA.) 7. RAILROAD TRACKS (12" DIA.) 8. HIGHWAY (12" DIA.) 9. AIRPORT (12" DIA.) 10. OTHER (12" DIA.)	OWNER/DEVELOPER/APPLICANT DANAC TECHNOLOGICAL PARK 2018.11.19 16:02:55 -05'00"	PROPOSED ROAD CROSS SECTIONS - GAITHER ROAD PROJECT PLAN SHADY GROVE NEIGHBORHOOD CENTER DANAC TECHNOLOGICAL PARK CITY OF ROCKVILLE, ROCKHURST COUNTY, MISSOURI	PROPOSED ROAD CROSS SECTIONS - GAITHER ROAD PROJECT PLAN SHADY GROVE NEIGHBORHOOD CENTER DANAC TECHNOLOGICAL PARK CITY OF ROCKVILLE, ROCKHURST COUNTY, MISSOURI
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SEE SHEET 8 FOR PLAN VIEW



SEE SHEET 11 FOR PLAN VIEW



SEE SHEET 11 FOR PLAN VIEW

- Notes**
1. Project plan is illustrative only. The mix of uses, area (square footage), building location, maximum building heights, and unit counts show a general vision only.
 2. The mix of non-residential uses (to include retail, office, hotel, and/or institutional uses) may vary, but shall not exceed a total square footage of 500,000 square feet.
 3. The mix of residential uses may vary, but shall not exceed 300 townhome units (with a corresponding 2:1 conversion of multiple-unit dwellings to townhome units if File Plan application(s) include more than 300 townhome units) and 1,336 multiple-unit dwellings.



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



**TORTI
GALLAS +
PARTNERS**



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Engineering • Surveying • Planning • Environmental Sciences **OWA SOLVED FOR**

[illegible][illegible]

PROPOSED ROAD CROSS SECTIONS -
CHOKE CHERRY ROAD

PROJECT PLAN
SHADY GROVE NEIGHBORHOOD CENTER
DANAC TECHNOLOGICAL PARK
CITY OF ROCKVILLE, MONTGOMERY COUNTY, MARYLAND


$$\begin{array}{r} 4 \\ 11 \end{array}$$



September 28, 2018
Revised November 19, 2018

Brian R. Wilson, AICP
Principal Planner
Department of Community Planning & Development Services
City of Rockville
111 Maryland Avenue
Rockville, MD 20850

Re: Shady Grove Neighborhood Center - PJT 2017-00007
Road Code Waiver Request

Dear Mr. Wilson:

On behalf of Grove Rockville 31, LLC, Grove Rockville 31 II, LLC, Grove Rockville 31 III, LLC, and Grove Rockville 31 IV LLC, the owners of properties located on 2 Choke Cherry Road, 4 Choke Cherry Road, 15825 Shady Grove Road, and 2092, 2094, 2096 and 2098 Gaither Road (the "Property"), Soltesz, Inc. respectfully submits this Road Code Waiver request for the proposed Shady Grove Neighborhood Center project (the "Project") pursuant to Sections 21-60 and 21-20 of the Rockville City Code (the "City Code").

Property Background

The Property consists of four recorded lots (Lot 5, 6, 7, and 8) that total approximately 31.1 acres in the Danac Technological Park subdivision and are located east of Shady Grove Road, north of Choke Cherry Road, and south of Gaither Road. The east side of the Property is adjacent to the King Farm neighborhood and an existing forest conservation easement. The Property's existing use is approximately 435,456 square feet of office uses, distributed in seven office buildings constructed in the 1960s. These buildings are surrounded by large surface parking lots and wide drive aisles with no stormwater management facilities. Eighty percent (80%) of the site (25.2 or 31.1 acres) is covered by impervious surfaces. The site also does not contain any forest, priority retention areas, or stormwater management facilities.

The adjacent properties are developed with mixed-use, commercial, and residential development. On the south across Choke Cherry is the Gables' Upper Rock project, which is developed with multi-family buildings and retail uses. Across Shady Grove Road are large scale retail uses including Home Depot, Best Buy, Office Depot, and Nordstrom Rack Gaithersburg. To the north, across Gaither Road, are existing office buildings. Single-family detached structures, townhouses, and a forestation area in King Farm are located to the east.

Project Information

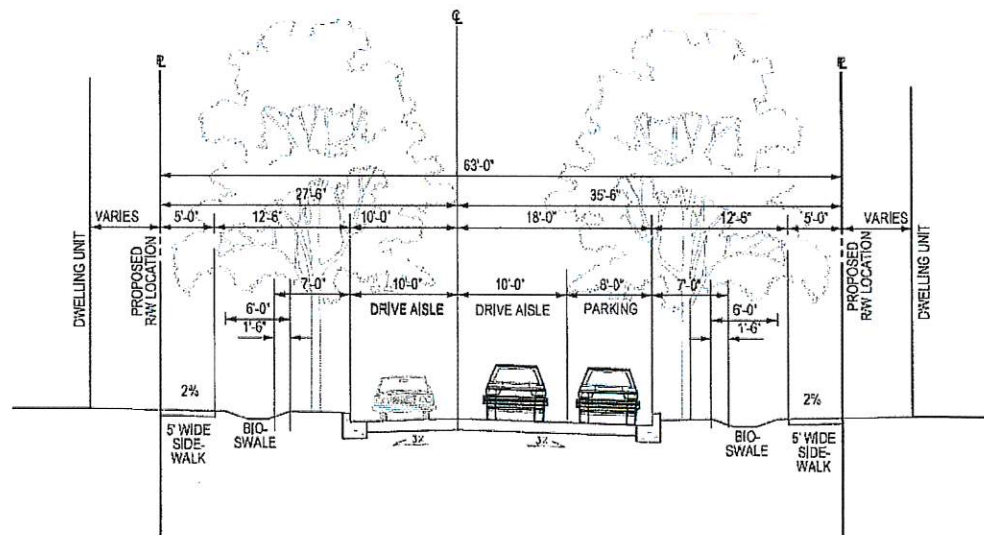
Depending on the final mix of uses, the proposed Project will include between approximately 1,036 to 1,336 multi-use dwelling units, up to 330 townhouses, between approximately 260,000 to 560,000

square feet of non-residential uses, and related public use spaces and amenities. The non-residential uses are envisioned to include office, retail, hotel and/or institutional uses such as active adult senior housing or nursing homes. The Project replaces the existing outdated office structures and surface parking with high quality mixed-use development, which transforms the site with traditional neighborhood design while decreasing the current level of impervious surfaces by almost three acres and introducing state of the art stormwater management facilities treating both on-site and off-site runoff. The Project incorporates 6.22 acres of new open areas with opportunities for both active and passive recreation, including a central village green, a linear park, park space surrounding a regional stormwater management pond, landscaped mews, and sidewalks with planted buffers. The scale, design, and style of the Project are consistent with the surrounding character of development, the emerging Shady Grove Road Corridor, and the Property's development potential as recognized in the City's Comprehensive Master Plan.

The Project's Proposed Street Cross Sections

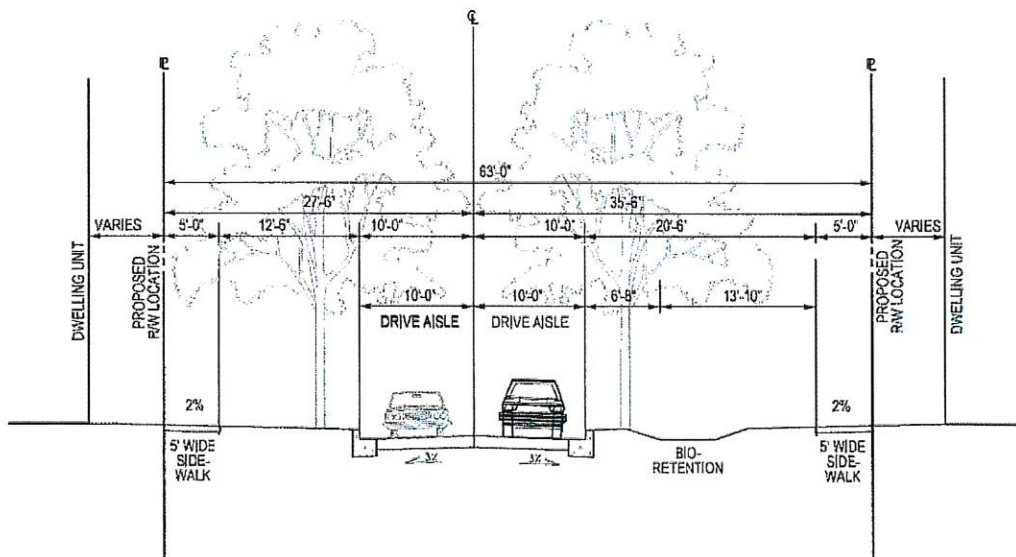
The Project proposes four (4) major roads throughout the development, all of which are proposed to be public streets:

- 1) Street A, B, & D – Secondary Residential Road
 - Right of way width: 63 feet wide
 - Pavement width: 28 feet wide, with two 10 foot wide travel lanes and one 8 foot wide parking strip



STREET A, B, & D TYPICAL CROSS SECTION
 SECONDARY RESIDENTIAL STREET
 MODIFIED CITY OF ROCKVILLE STANDARD DETAIL 45

SCALE: 1" = 10'

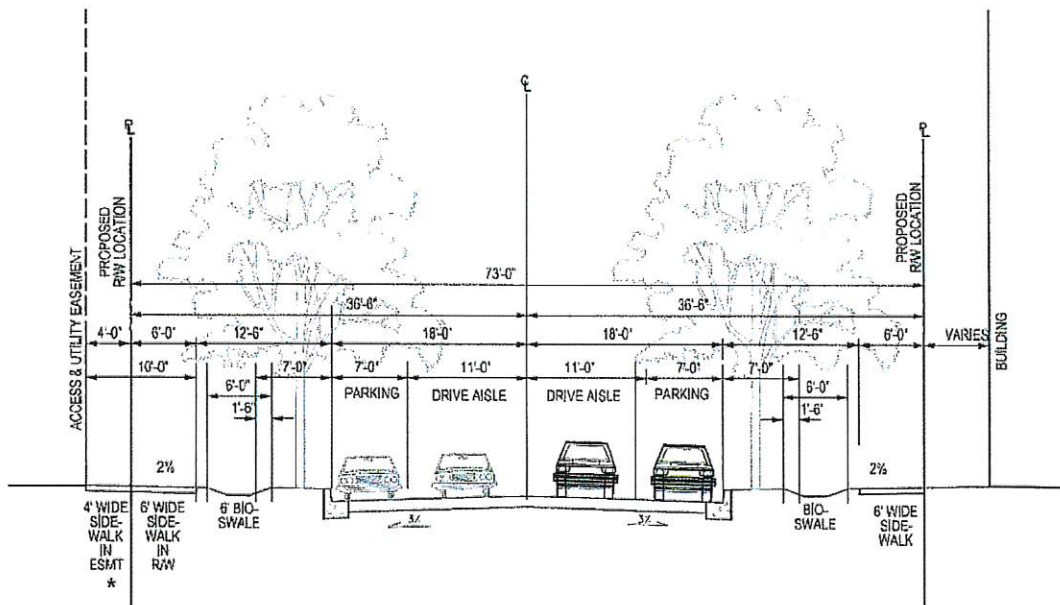


STREET B TYPICAL CROSS SECTION WITH NO PARKING

SCALE: 1"= 10'

SECONDARY RESIDENTIAL STREET
MODIFIED CITY OF ROCKVILLE STANDARD DETAIL 45

- 2) Street C – Business District Road – Class II
 - Right of way width: 73 feet wide
 - Pavement width varies:
 - 36 feet wide, with two 11-foot wide travel lanes and two 7-foot wide parking strips (between Choke Cherry Road and intersection south of central green; and between intersection north of central green and second most northerly residential alley)
 - 29 feet wide, with two 11-foot wide travel lanes and one 7-foot wide parking strip (between Gaither Road and second most northerly residential alley)
 - 22 feet wide, with two 11-foot wide travels lanes and no parking strips (along central green)
 - Buffer width (from face of curb to edge of sidewalk): 12.5 feet
 - Sidewalk width:
 - Along mixed-use development
 - 6 feet within right of way, 10 feet total width to face of building
 - Along residential development
 - 6 feet within right of way (total width)



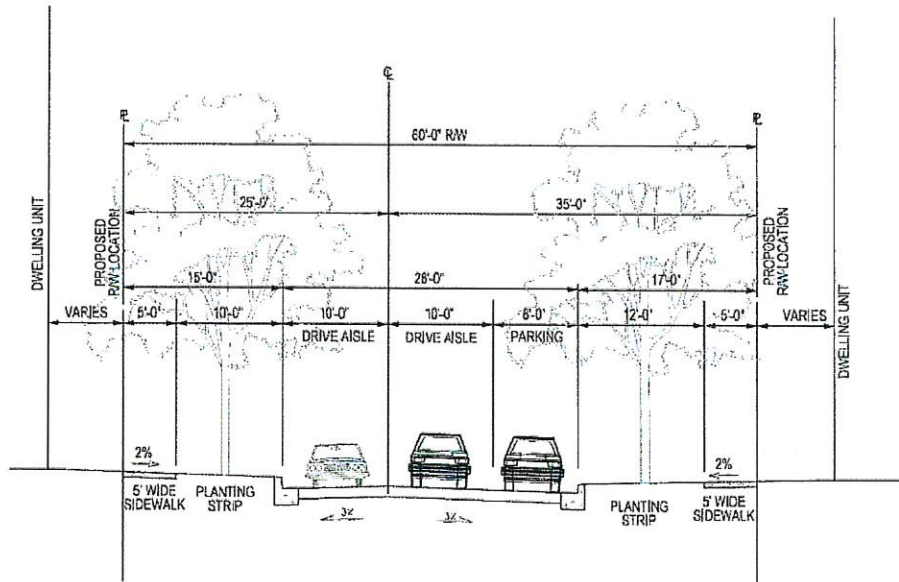
STREET C TYPICAL CROSS SECTION AT ROAD INTERSECTION

SCALE: 1" = 10'

BUSINESS DISTRICT CLASS II MODIFIED CITY OF ROCKVILLE STANDARD DETAIL 44

* SIDEWALK WIDTH TO BE 10' AT MULTI-FAMILY BUILDING, EXTEND TO FACE OF BUILDING AT RETAIL BUILDING.

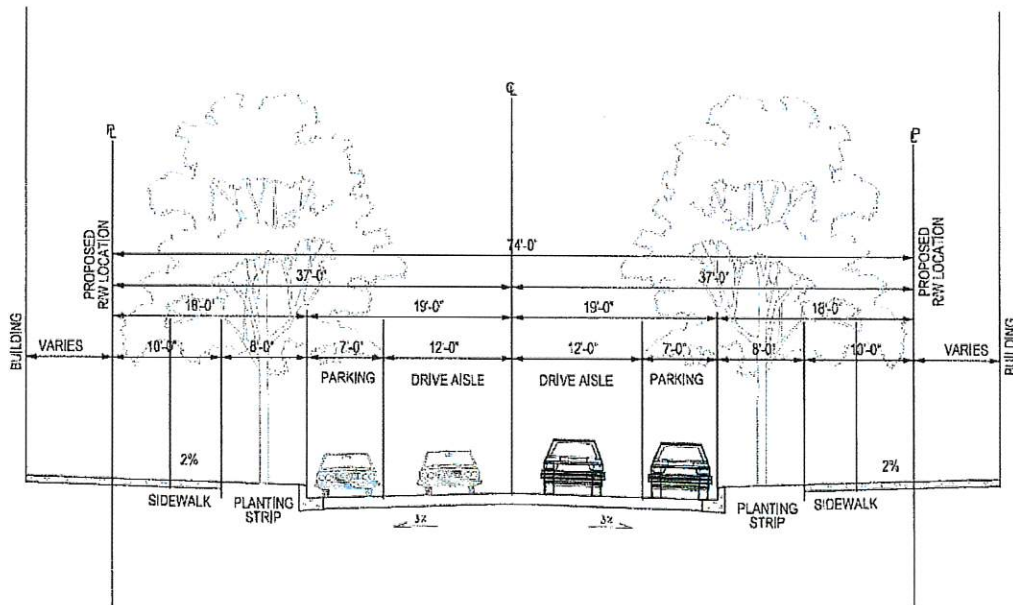
- 4) Street D – Business District Road - Class II (between Shady Grove Road and intersection with Street C) and Secondary Residential Road (along central green and between intersection with Street B and intersection with Street A)
 - Right of way width varies:
 - 74 feet (between Shady Grove Road and intersection with Street C)
 - 60 feet (along central green and between intersection with Street A and intersection with Street B)
 - Pavement width varies:
 - 38 feet (between Shady Grove Road and intersection with Street C)
 - 28 feet (between Street A and C to 48' between Shady Grove Road and Street C.
 - Buffer width (where Business District Road):
 - 8 feet (from edge of curb to planting box)
 - Width of sidewalk (where Business District Road)
 - 10 feet within right of way; total width to face of building varies



STREET D TYPICAL CROSS SECTION WITH ONE-SIDED PARKING

SCALE: 1"= 10'

SECONDARY RESIDENTIAL STREET
MODIFIED CITY OF ROCKVILLE STANDARD DETAIL 45



STREET D TYPICAL CROSS SECTION WITH TWO-SIDED PARKING

SCALE: 1"= 10'

BUSINESS DISTRICT CLASS II
MODIFIED CITY OF ROCKVILLE STANDARD DETAIL 43

Waiver Request for Street C

As shown in the cross-sections above, Applicant requests waivers for:

1. Minimum pavement width from 38-foot pavement width requirement of Section 21-60(a)(1)(b) of the City Code to 36'
2. Minimum sidewalk width from 10-foot sidewalk width requirement of Section 21-60(a)(2) of the City Code for business district roads – Class II to 6' minimum width on the residential side as applied to Street C.
3. Minimum sidewalk width from 10-foot sidewalk width within right of way requirement of Section 21-60(a)(2) of the City Code for business district roads – Class II to 6' minimum width within the right of way, 4' in public access easement on the multi-family and retail side as applied to Street C.

Waiver Justification

Section 21-60(c) of the City Code provides:

Waivers for right-of-way and/or pavement width requirements for business district roads as provided herein shall be approved or denied by the Director. All other waivers of this article shall be made pursuant to section 21-20, as amended. The Director may approve a waiver from the required right-of-way and/or pavement width requirements, if any of the following are requested as part of a permit application:

* * *

- (6) The addition of stormwater management systems other than standard storm drainage systems.

A modified cross section is proposed for Street C's pavement width (varying between 22, 29, and 36 feet depending on the incorporation of on-street parking) and sidewalk width (6 feet along the townhouse development). As discussed in greater detail below, these modifications are necessary to incorporate additional stormwater management systems other than standard storm drainage systems in order to allow for proper stormwater management and bioswale design, as well as the design and spacing of the tree lawn panel, all in accordance with guidance from City staff.

The current layout for Street C includes, among other things, bioswales with side slopes that are 2 feet wide with 3:1 side slopes and 2-foot bottom, resulting in swales that are 6 feet wide with 1.5 feet shoulder providing 8 inches of combined flow and freeboard as requested by City staff. These bioswales, along with the other stormwater management facilities included in the Project, achieve 0.75 inches of P_e , which is in excess of the 0.6 inch target set by City staff. Furthermore, Street C is designed with 7-foot wide tree lawn, with 5 feet free and clear of SWM devices and 1.5 feet extending into the bioswale slope as requested by City staff. Due to the accommodation of these additional stormwater management systems, as well as the minimum tree lawn panel width and the spacing

between the lawn area and the stormwater management facilities, waivers from the business district road – Class II standards for Street C are justified.

The overall goal for Street C is to ensure that the traffic within the development moves at proper speed with narrower travel lanes, while at the same time provide proper room for storm water management facilities that meet current design standards within the public right of way.

Section 21-20(c) of the City Code (Waivers) provides:

Upon applying for a permit under this article any person may file a written request for a waiver of any requirement of this article for sidewalks, rights-of-way and paving widths, grade percentages, drainage structures and curbs and gutters. Except as provided in section 21-60, the City Manager may expressly approve an requested waiver as to any one (1) or a combination of the above items where he finds that it is in the public interest that the waiver be granted. Upon approving the waiver, the City Manager shall submit a written report to the Council of his actions, and the reasons therefor at its next meeting. Such approval shall be subject to final approval by resolution of the Council in open session. . . . In granting a waiver the City Manager and the Council shall be guided by the general purposes and intent of this article, and shall require that the work be done in accordance with sound engineering principles, with due regard to present and future circumstances and conditions affecting the public safety of the inhabitants of the City and with due regard to minimizing the future maintenance expenditures by the City. It is, however, the intent of the Council in enacting this article that the requirements thereof shall not impose undue economic hardship upon individuals and persons proposing to install facilities designed principally to provide service for individual as opposed to present or future general public needs.

Pursuant to this provision of the City Code, the proposed sidewalk width for Street C along the townhouse development properly addresses the requirements of traditional neighborhood design and promote pedestrian activity while providing sufficient space for the stormwater management facilities and tree lawn areas requested by City staff. The requested design ensures efficient traffic movements within the Project while accommodating ESD devices.

Street C will be constructed according to city road construction standards, with due regard paid to present and future circumstances, as the Project achieves the potential for mixed-use infill development envisioned in the City's Master Plan, avoids the imposition of economic hardship upon Applicant. Street C will also promote the public safety of the inhabitants of the City, with due regard to minimizing the future maintenance expenditures by the City.

Additionally, Street C is designed to fit the mixed-use environment of the Project, with considerations paid to the needs of both residents and visitors. The proposed condition of Street C is intended to meet present and future general public needs, as opposed to providing service principally for individual needs.

Sincerely,
SOLTESZ, INC.

cc:
Robert Elliott
Shawn Li
Barbara Sears
Phillip Hummel
Jim Soltesz

EXHIBIT D



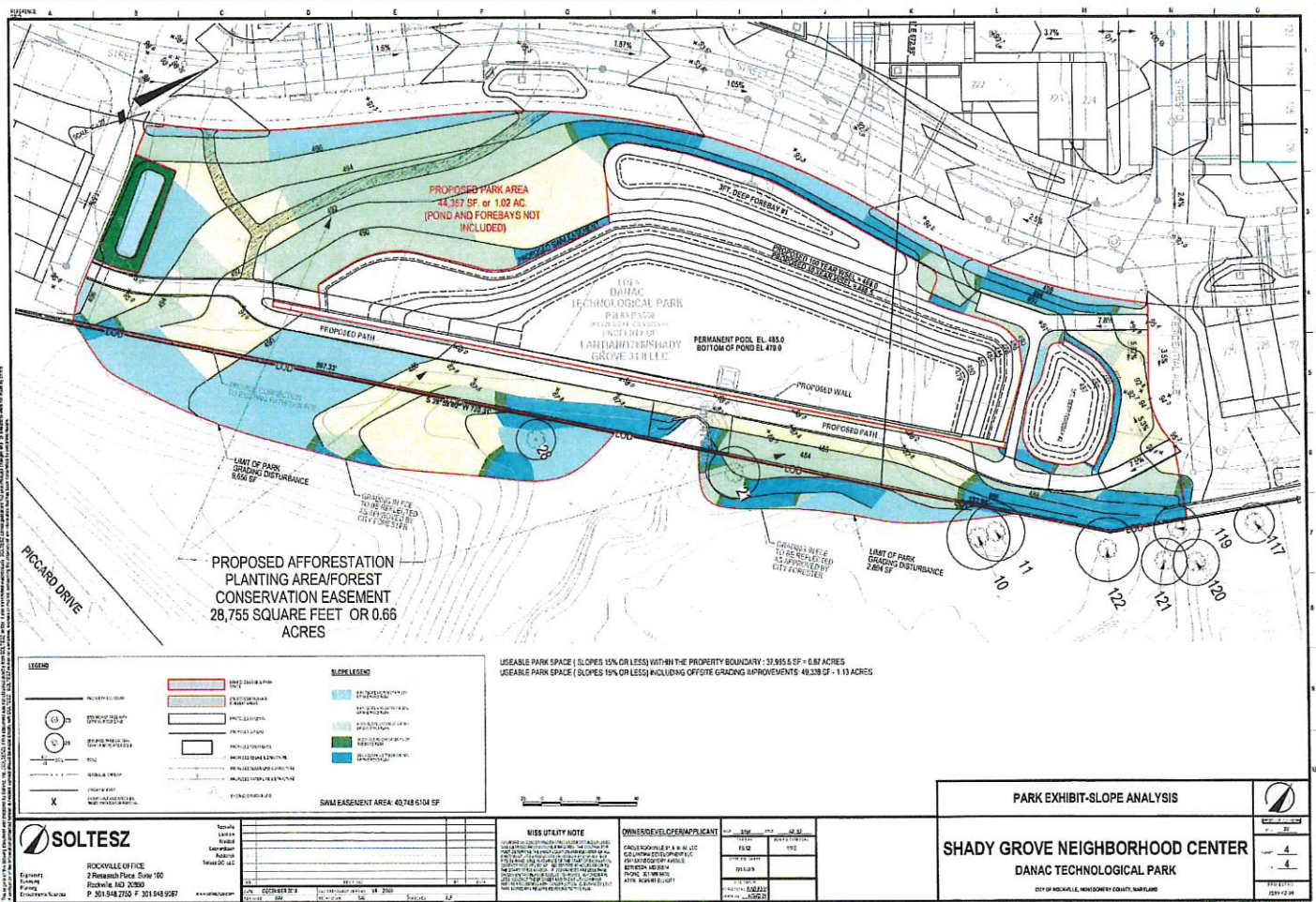


EXHIBIT E

