

MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item #
2/4/10

MEMORANDUM

DATE: ~~January 8, 2010~~ REVISED – February 1, 2010

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *rk*
Catherine Conlon, Subdivision Supervisor *CC*
Development Review Division

FROM: Erin Grayson, Senior Planner (301-495-4598) *EG*
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Approval of 1 lot to accommodate 17,238 square feet of general office

PROJECT NAME: 4823 Rugby Avenue
CASE #: 120070760
REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: CBD-1
LOCATION: North Side of Rugby Avenue at the intersection of Del Ray and Rugby Avenues, 250 feet west of Woodmont Avenue
MASTER PLAN: 2006 Woodmont Triangle Amendment to the 1994 Sector Plan for the Bethesda CBD

APPLICANT: 4823 Rugby Avenue, LLC
ENGINEER: VIKA, Inc.
ATTORNEY: Holland & Knight LLP

FILING DATE: June 4, 2007 and October 8, 2009 (Major Revision)
HEARING DATE: February 4, 2010



RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 1 lot for a maximum of 17,238 square feet of general office use that may include up to 2,850 square feet of gross leasable area for general retail use.
- 2) The Applicant must enter into a Traffic Mitigation Agreement (TMAg) to:
 - a. Participate in the Bethesda Transportation Management Organization (TMO) to assist in achieving and maintaining its non-driver mode share goal for employees who work in the Bethesda Transportation Management District (TMD).
 - b. Pay all transportation management fees established by the County to support the Bethesda TMO.
 - c. The TMAg must be signed and executed by all parties prior to release of a building permit.
- 3) The Applicant must provide one inverted-U bike rack within 50 feet of the main entrance within 30 days from the issuance of the use and occupancy permit for the building.
- 4) The record plat must provide for dedication of 30 feet of right-of-way from the centerline for Rugby Avenue along the property frontage.
- 5) The Applicant must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS) stormwater management approval dated October 7, 2009. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 6) The Applicant must comply with the conditions of the Montgomery County Department of Transportation (MCDOT) letter dated January ~~15-29~~, 2010. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 7) The Applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat.
- 8) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.
- 9) Other necessary easements must be shown on the record plat.

SITE DESCRIPTION

The 4823 Rugby Avenue project site is located on the north side of Rugby Avenue at the intersection of Rugby and Del Ray Avenues in the CBD-1 zone. The site lies within the Woodmont Triangle Study Area within the Bethesda CBD. The Property includes parts of Lots 457, 458, 459, and ~~663~~, totaling 9,412 square feet. A private parking lot with approximately 25 parking spaces is currently located on the site. The property is bound to the north by a county-owned public parking garage, on the east by a surface parking lot and an eight-story office building, and to the west by the driveway for the public parking garage and a three-story office building. Directly across Rugby Avenue from the site, at the southeast quadrant of the intersection with Del Ray Avenue, is a 15-story multi-family apartment building.

There are several existing medium-sized (e.g., 8-12" trunk) trees on the eastern boundary of the site.

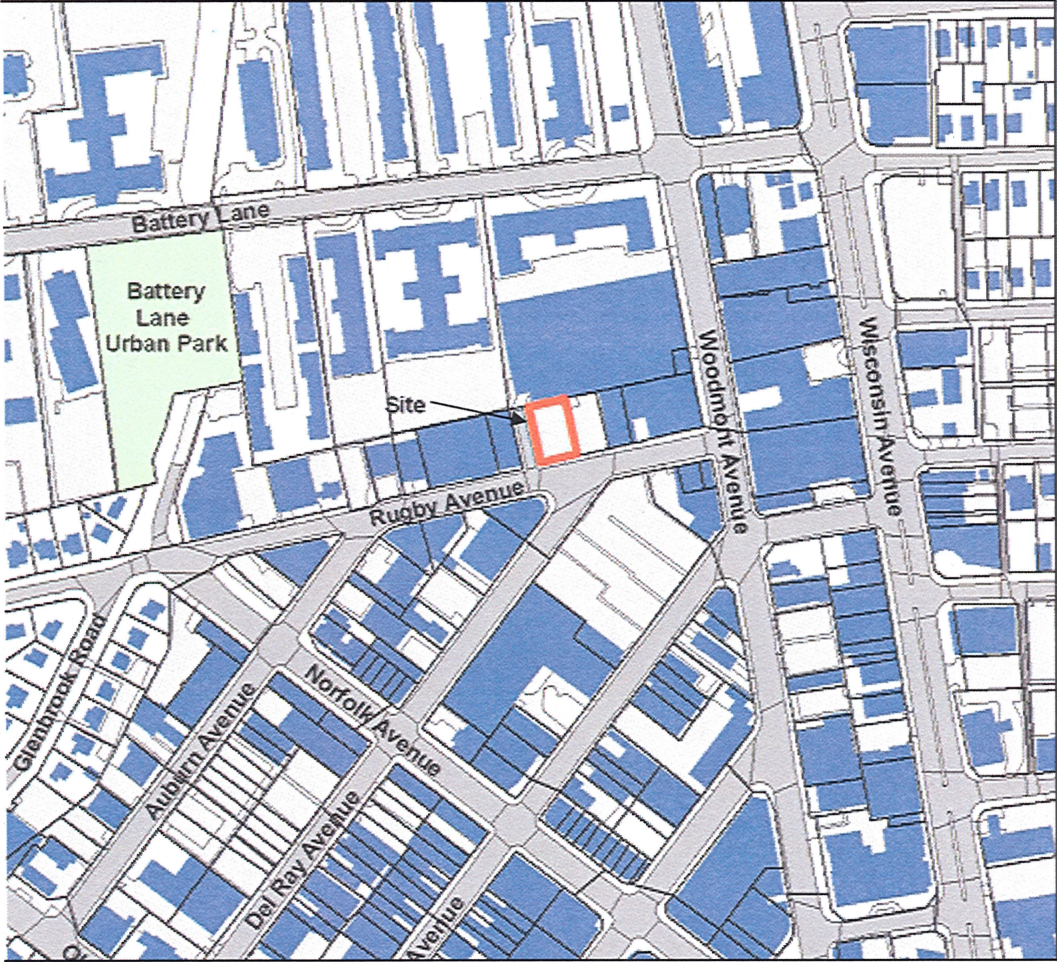


Figure 1: Vicinity Map



Figure 2: Aerial Image

PROJECT DESCRIPTION

The Applicant proposes a standard method project to construct a maximum of 17,238 square feet of commercial uses consisting of mostly, if not all, general office use and up to 2,850 square feet of gross leasable area for general retail use. A covered parking lot to the rear of the proposed building will contain 54 parking spaces, with access to the lot located at the eastern edge of the Property along Rugby Avenue. Any remaining parking demand will be met off-site in the nearby parking garages operated by the Bethesda Parking Lot District. The Applicant proposes to join the Bethesda Parking Lot District. Two feet of right-of-way dedication for Rugby Avenue is required along the Property frontage for a total of 60 feet of right-of-way for Rugby Avenue. After proper dedication for Rugby Avenue, the net lot area will be 7,825 square feet.

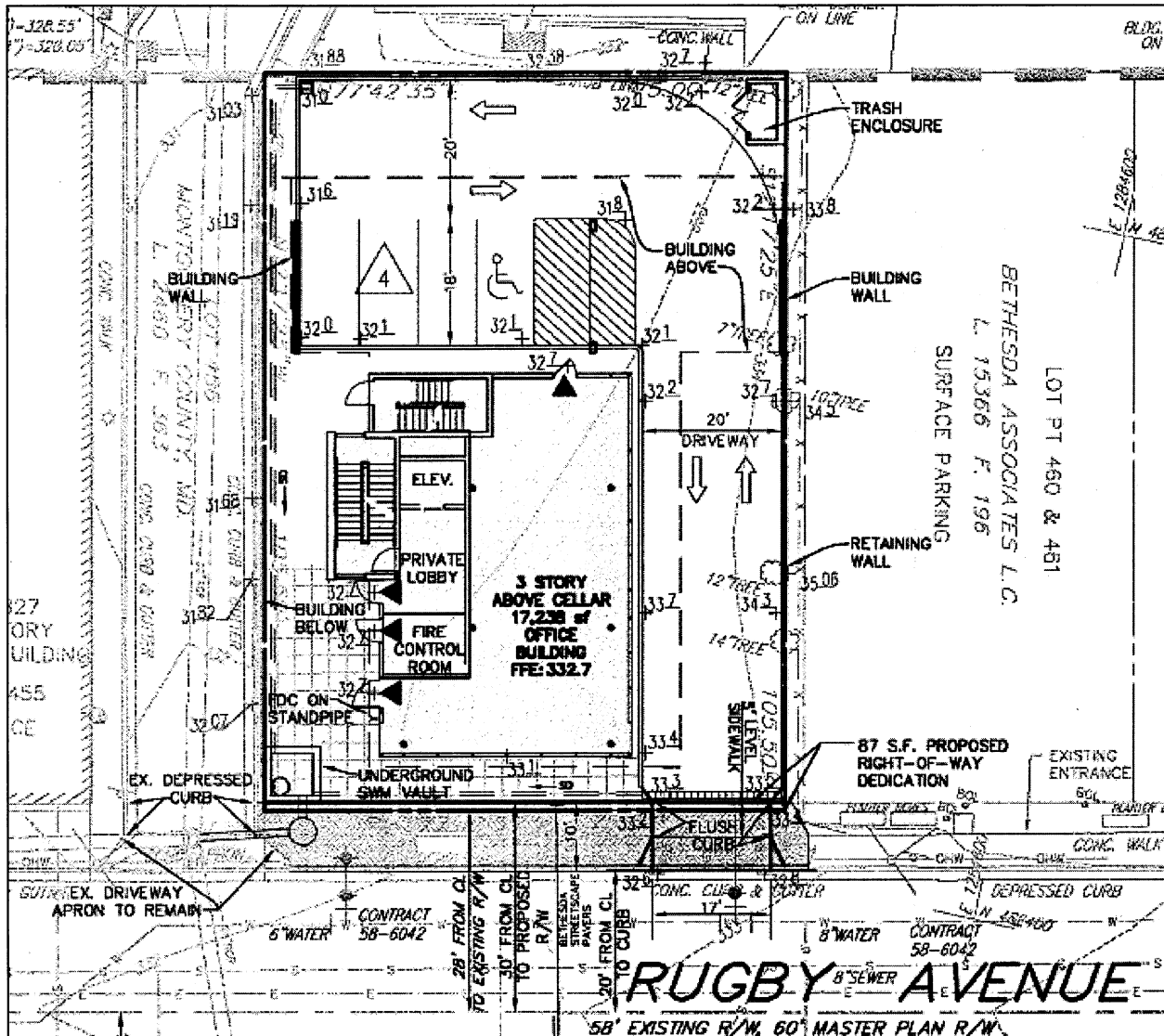


Figure 3: Preliminary Plan

ANALYSIS AND FINDINGS

Substantial Master Plan Conformance

The Property lies within the boundaries of the 2006 Woodmont Triangle Amendment to the 1994 Sector Plan for the Bethesda CBD area. The Woodmont Triangle Plan does not provide clear guidance for this specific site but the application is subject to the Plan's block 15 area recommendations which reconfirm the existing CBD-1 zone. The Plan also limits the FAR on non-residential development to 1. The plan proposes an FAR of 1.0 and is in substantial conformance with the Woodmont Triangle Amendment to the Bethesda CBD Sector Plan.

Public Facilities

Roads and Transportation Facilities

Sector-Planned Roadway and Bikeway

In accordance with the *Bethesda CBD Sector Plan*, Rugby Avenue is designated as a business district street with a recommended 60-foot-wide right-of-way in a bike friendly area. In accordance with the *County Functional Master Plan of Bikeways*, a signed shared roadway, SR-12, is designated along Rugby Avenue.

Rugby Avenue has a continuous sidewalk on the north side from Battery Lane Urban Park past the site to Woodmont Avenue. The Applicant will improve the frontage of the site according to Bethesda streetscape standards.

Sector-Planned Transportation Demand Management

As a proposed office that would employ over 25 persons within the Bethesda Transportation Management District (TMD), the Applicant is required to enter into a Traffic Mitigation Agreement to participate in the Bethesda Transportation Management Organization in order to assist in achieving its non-auto-driver mode share goal for employees working in the Bethesda TMD.

Local Area Transportation Review (LATR)

Table 1 below shows the number of peak-hour trips generated by the proposed land uses within the weekday morning (6:30 to 9:30 a.m.) and evening (4:00 to 7:00 p.m.) peak periods:

Table 1: Site-Generated Vehicular Trips

Land Use	Number of Units or Square Footage	Peak Hour Trips			
		Morning		Evening	
		New	Total	New	Total
General Office Space	14,388 sq. ft.	12	12	22	22
General Retail Space	up to 2,850 sq. ft.	1	2	3	7
Total		13	14	25	29

A traffic study was not required to satisfy the LATR test because the proposed lot and associated uses do not generate **less more** than 30 total peak-hour trips within the weekday morning and evening peak periods.

Policy Area Mobility Review (PAMR)

The Applicant must satisfy the PAMR test because the preliminary plan was filed when the *FY 2007-2009 Growth Policy* was in effect. As a development located in the overall Bethesda/Chevy Chase Policy Area, the required trip mitigation is 30% of the new peak-hour

vehicular trips generated by the proposed land uses within the weekday morning and evening peak periods. As calculated on the second to the last row in Table 1 on the following page, 17 new trips must be mitigated using Countywide trip-generation rates. However, all of these 17 new peak-hour trips are mitigated by the location of the site in a Metrorail station policy area that has viable non-auto transportation alternatives. In Table 1 on the following page, the trip credit is determined by subtracting the difference between:

1. The number of new peak-hour trips based on using the lower trip-generation rates for developments located in the Bethesda CBD and
2. The number of new peak-hour trips based on higher trip-generation rates used on a Countywide basis.
3. The number of new peak-hour trips based on higher trip-generation rates used on a Countywide basis.

Table 2: Trips Mitigated by being Conveniently Located near a Metrorail Station

Land Use	No. of Units or Square Feet	New Peak Hour Trips	
		Morning	Evening
Starting Base Condition using Countywide Trip-Generation Rates			
General Office Space	17,238 sq. ft.	20	32
General Retail Space	2,850 sq. ft.	6	22
Base Vehicular Trips		26	54
Resultant Base Condition using Bethesda CBD Trip-Generation Rates			
Resultant Peak-Hour Trips from Table 1		13	25
Reduction: Base minus Resultant Condition		13	29
PAMR 30% New Site-Generated Trips		8	17
Additional Trips to be Mitigated		none	none

In conclusion, the PAMR test is satisfied simply by the project being located in the Bethesda CBD Metrorail Policy Area.

Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the proposed commercial building. The site will be served by public water and sewer. The application has been reviewed by the Montgomery County Fire and Rescue Service who have determined that the Property has appropriate access for fire and rescue vehicles. The school cluster in which the Subject Property lies is currently operating above 105% capacity at some levels, but because no residential development is proposed as part of this project, a school facilities payment is not required. Other public facilities and services, such as police stations, firehouses and health services, are operating within the standards set by the Growth Policy Resolution currently in effect. Electrical and telecommunications services are also available to serve the Property.

Environment

Environmental Guidelines

The site does not contain any environmentally sensitive areas, therefore, the Environmental Guidelines are not applicable.

Forest Conservation

The Environmental Planning Division reviewed the proposed project and determined that the plan qualifies for an exemption from the Forest Conservation Law as a small property of less than 1.5 acres. This Property is not subject to a Tree Save Plan nor is it within a Special Protection Area.

Stormwater Management

A stormwater management concept plan proposing on-site water quality control via a green roof and a flow-based stormfilter was approved on October 7, 2009 by the Department of Permitting Services.

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lot was reviewed for compliance with the CBD-1 zone, standard method dimensional requirements as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 2. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

Citizen Correspondence and Issues

The Applicant notified adjacent and confronting property owners and community groups of the original preliminary plan submission and the major revision, as required. **The Applicant also modified the sign posted on the property to correctly reflect the major revision to the plan.** This application pre-dated the requirement for pre-submission meetings with affected parties. Two letters in support of the application have been sent to MNCPPC Staff (Attachment B). The owner of 4833 & 4827 Rugby Avenue located west of the Subject Property and the owner of property located at the southwest corner of Rugby and Del Ray Avenues both support the application because the proposed building, green roof, and landscaping will enhance their views, activate their street and lead to further redevelopment in the vicinity.

CONCLUSION

The proposed lot meets all requirements established in the Subdivision Regulations and for CBD-1 standard method dimensional requirements established in the Zoning Ordinance. The

preliminary plan complies with the recommendations of the *2006 Woodmont Triangle Amendment to the 1994 Sector Plan for the Bethesda CBD*. Access and public facilities will be adequate to serve the proposed lot, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

Attachments

Attachment A – Agency Correspondence

Attachment B – Citizen Correspondence

Table 2: Preliminary Plan Data Table and Checklist

Plan Name: 4823 Rugby Avenue				
Plan Number: 120070760				
Zoning: CBD-1				
# of Lots: 1				
# of Outlots: 0				
Dev. Type: Standard				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	N/a	7,825 sq. ft. is minimum proposed	EG	1/8/10
Setbacks			EG	1/8/10
Front	5 ft.	6.5 feet	EG	1/8/10
Rear	15 ft.	15 feet	EG	1/8/10
Side	0' for sides without windows adjacent to undeveloped lot/ 15' min. for sides with windows	0' for sides without windows adjacent to undeveloped lot/ 15' min. for sides with windows	EG	1/8/10
Non-Residential FAR	1.0	1.0	EG	1/8/10
Building Coverage	75%	75%	EG	1/8/10
Public Use Space	10% Min.	10%	EG	1/8/10
Height	60 ft. Max.	May not exceed maximum ¹	EG	1/8/10
MPDUs	No		EG	1/8/10
TDRs	No		EG	1/8/10
Site Plan Req'd?	No		EG	1/8/10
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street		Yes	EG	1/8/10
Road dedication and frontage improvements		Yes	Agency letter	4/15/10 1/29/10
Environmental Guidelines		N/a	Staff memo	11/10/09
Forest Conservation		Exempt	Staff memo	11/10/09
Master Plan Compliance		Yes	Staff memo	12/1/09
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management		Yes	Agency letter	10/7/09
Water and Sewer (WSSC)		Yes	Agency comments	11/16/09
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	11/16/09
Local Area Traffic Review		N/a	Staff memo	1/7/10
Policy Area Mobility Review		Yes	Staff memo	1/7/10
Transportation Management Agreement		Yes	Staff memo	1/7/10
School Cluster in Moratorium?		N/a	EG	1/8/10
School Facilities Payment		No	EG	1/8/10
Fire and Rescue		Yes	Agency letter	12/15/09
Other (i.e., schools)				

¹ As determined by MCDPS at the time of building permit.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

October 7, 2009

Carla Reid
Director

Mr. Jason Evans
Vika, Inc.
20251 Century Boulevard, Suite 400
Germantown, MD 20874

Re: Revised Stormwater Management **CONCEPT**
Request for 4823 Rugby Avenue
Preliminary Plan #: NA
SM File #: 231446
Tract Size/Zone: .18 acres/CBD-1
Total Concept Area: .18 acres
Lots/Block: 457-459
Parcel(s): N917
Watershed: Rock Creek

Dear Mr. Evans:

Based on a review by the Department of Permitting Services Review Staff, the revised stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control via a green roof and a flow based Stormfilter. Onsite recharge is not required. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

The following **item** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. All the walls of the proposed Stormfilter must be separate from the building walls.
6. "Maryland Department of the Environment regulations require all final sediment control and stormwater management plans approved on or after May 4, 2010 must comply with the most recent changes to the Maryland Stormwater Design Manual. After that date, previously approved stormwater management concept plans are no longer valid unless they have been designed to the new standards or have been reconfirmed by the Department of Permitting Services."

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact William Campbell at 240-777-6345.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm

cc: C. Conlon
M. Pfefferle
SM File # 231446

QN -less than 2cfs; Acres: .18
QL - onsite; Acres: .18
Recharge is not provided



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

January 29, 2010

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-20070760
4823 Rugby Avenue (Revision)

Dear Ms. Conlon:

We have completed our review of the amended preliminary plan that was signed and submitted to our office on January 11, 2010. An earlier version of the revised preliminary plan for this site was reviewed by the Development Review Committee at its meeting on November 16, 2009. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to MCDPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Previous comments in our June 30, 2008 letter for the earlier Preliminary Plan for this site (no. 120070760) remain applicable unless modified below. **This letter supercedes our January 15, 2010 letter for this project; please disregard that letter.**
2. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
3. We have approved the applicant's request for a design exception from our driveway spacing policy for commercial and multi-family residential driveway entrances. We also support approval of the recently amended driveway entrance design on Rugby Avenue.

Prior to approval of the record plat, the applicant will need to coordinate with our Division of Parking Management (DPM) and this Division's Traffic Engineering Section to remove the existing parking meters and establish appropriate traffic controls across the site frontage. For DPM, please contact Mr. Jeffrey Riese, Manager of their Engineering and Maintenance Section. For DOT Traffic Studies, please contact Mr. Kyle Liang, Area Engineer for Bethesda. Messrs. Riese and Liang may be contacted at 240-777-8740 and 240-777-2190, respectively.

Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878
Customer Service 240-777-6000 • Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080
trafficops@montgomerycountymd.gov

Ms. Catherine Conlon
Preliminary Plan No. 1-20070760 (revised)
January 29, 2010
Page 2

4. Record plat to reflect denial of vehicular access along driveway for Montgomery County Parking garage abutting this site.

Applicant to provide clearance for and construct a pedestrian path from Rugby Avenue, along the western edge of the property, to access the County Garage at the rear of the site. The leadwalk will be located partially on County (Parking Lot District) and applicant's properties. The leadwalk is to be five (5) foot wide (typical), transitioning back to tie into the existing sidewalk (approximately four feet wide) prior to the County's garage property.

Prior to approval of the record plat, the applicant will need to contact Mr. Riese of our Division of Parking Management to establish the terms for public access and maintenance (by the applicant, its successors or assigns) for this leadwalk.

5. An off-street truck loading space is not required for this project, based on the proposed Gross Floor Area in the "Development Information" table on the plan.
6. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
7. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
8. Since the runoff from the site will be reduced as a result of this redevelopment, we accept the storm drain capacity analysis. No public drainage improvements will be required of this applicant.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. David Adams at 240-777-2197 or at david.adams@montgomerycountymd.gov or (240) 777-2197.

Sincerely,



Gregory M. Leck, Manager
Development Review Team

Ms. Catherine Conlon
Preliminary Plan No. 1-20070760 (revised)
January 29, 2010
Page 3

cc: Meredith Byer, VIKA, Inc.
Bruce Lyons, 4823Rugby Avenue LLC
Stacy Silber, Holland & Knight LLC
Erin Grayson, M-NCPPC DRD
Shahriar Etemadi, M-MCPPC TPD
Joseph Y. Cheung, MCDPS RWPPR
Sarah Navid, MCDPS RWPPR
Jeffrey Riese, MCDOT DPM
Dan Sanayi, MCDOT DTEO
Bruce Mangum, MCDOT DTEO
Kyle Liang, MCDOT DTEO
David Adams, MCDOT DTEO
Preliminary Plans Folder
Preliminary Plans Notebook



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

20070760 (REVISED)

Facility/Subdivision Name: 4823 Rugby Avenue Preliminary Plan Number: 1- ~~XXXXXX~~

Street Name: Rugby Avenue Master Plan Road Classification: Business

Posted Speed Limit: Assumed 25 mph

Street/Driveway #1 (Private Entrance) Street/Driveway #2 (_____)

Sight Distance (feet)	OK?
Right <u>240</u>	<u>YES</u>
Left <u>200</u>	<u>YES</u>

Sight Distance (feet)	OK?
Right _____	_____
Left _____	_____

Comments: Looking East or West, view was obstructed by parked vehicles. Assuming restricted parking in ultimate conditions (shown in plan view), minimum requirements of 200' will be met.

Comments: _____

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

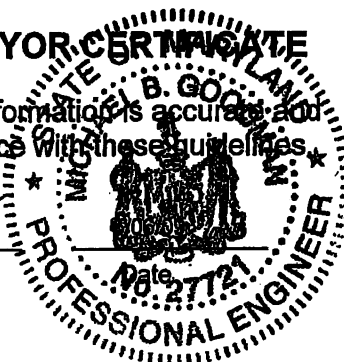
I hereby certify that this information is accurate and was collected in accordance with these guidelines.

[Handwritten Signature]

Signature

MD #27721

PLS/P.E. MD Reg. No.



Montgomery County Review:

Approved

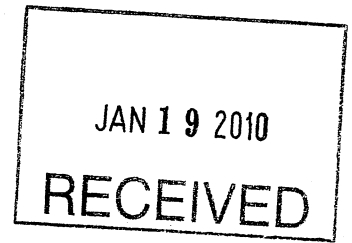
Disapproved:

By: [Signature]

Date: 1/15/10

Draiman Properties

*130 Rollins Avenue, Suite 110
Rockville, Maryland 20852*



January 8, 2010

Dr. Royce Hanson
Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

Re: 4823 Rugby Avenue - Preliminary Plan Application

Dear Dr. Hanson,

I am the owner of 4833 & 4827 Rugby Avenue, both commercial office buildings located adjacent to 4823 Rugby Avenue. I'm writing to express my strong support for the proposed preliminary plan that would allow the development of a commercial building on that property. My building currently overlooks the Rugby property, which is improved with an underutilized surface parking lot. The new commercial building proposed should improve our views with the proposed green roof, and advent of landscaping and streetscape, where none currently exists. The new commercial building will help activate our street, and help lead to further redevelopment over the years.

Thank you for considering my strong support for this project.

Sincerely,

David Draiman, President
Draiman Properties 5, LLC

DONOHOE
THE DONOHOE COMPANIES, INC.

January 14, 2010

Dr. Royce Hanson
Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

Re: **4823 Rugby Avenue - Preliminary Plan Application (120070760)**

Dear Dr. Hanson,

Donohoe is the owner/developer of certain property located on the corner of Rugby and Del Ray Avenues, across the street from the proposed development at 4823 Rugby Avenue. I am writing to express my strong support for the above referenced Preliminary Plan that would allow the development of a commercial building at 4823 Rugby Avenue. Our property and our approved mixed use development will look onto the Rugby property. The new commercial building at 4823 Rugby Avenue will improve our views with their proposed green roof, landscaping and streetscape. This type of development will lead to additional redevelopment in the Woodmont Triangle.

Thank you for considering our strong support for this project.

Sincerely,

THE DONOHOE COMPANIES, INC.



James A. Donohoe, III

JADIII/ams

