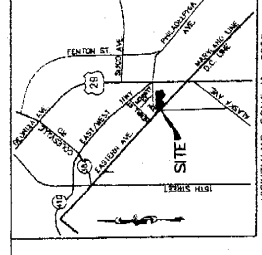


PROJECT TITLE
PRELIMINARY PLAN
1-05089
 The Galaxy



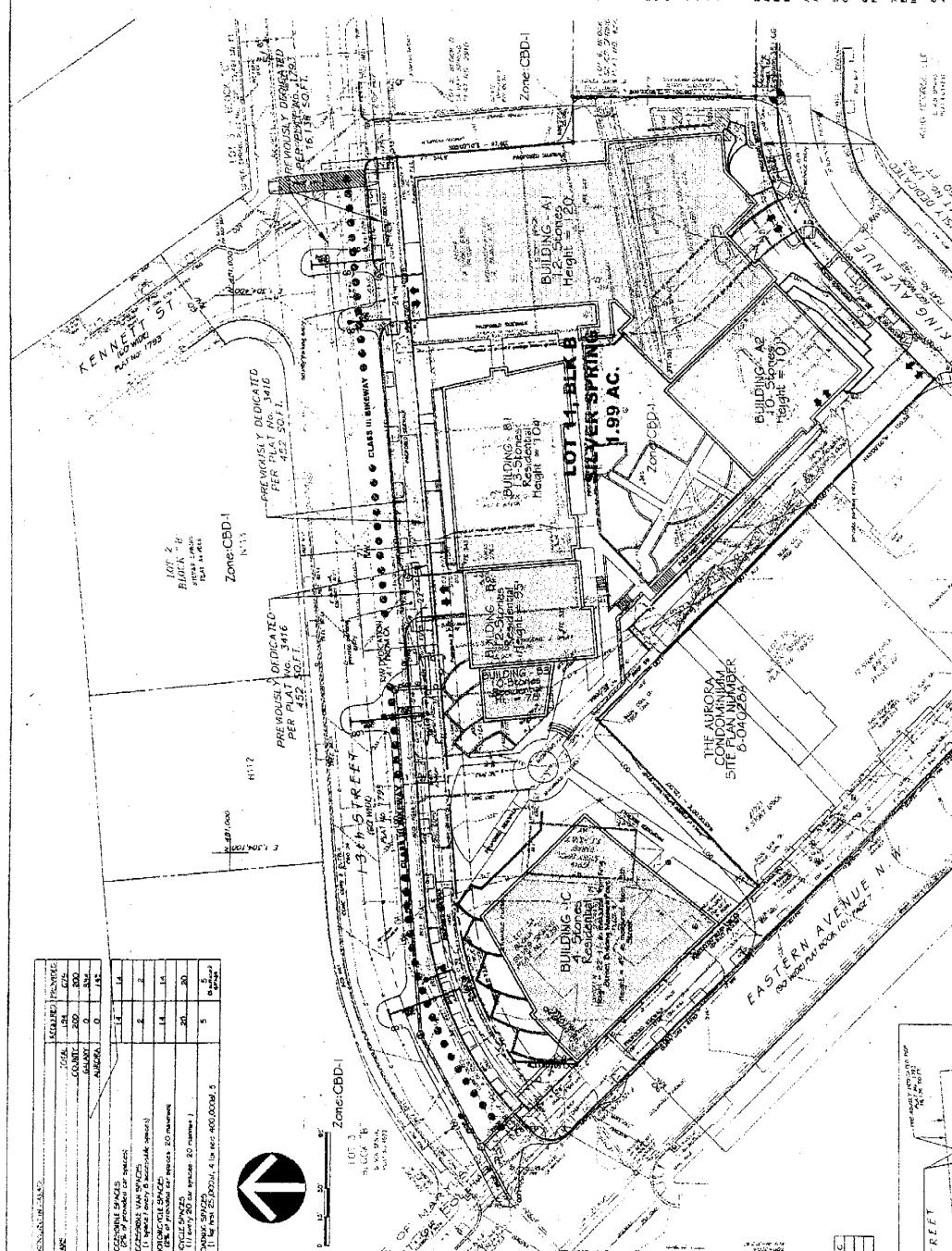
VICINITY MAP SCALE: 1" = 2000'
PRELIMINARY PLAN
1-05089
 The Galaxy

GENERAL NOTES:
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PARKING TABULATION

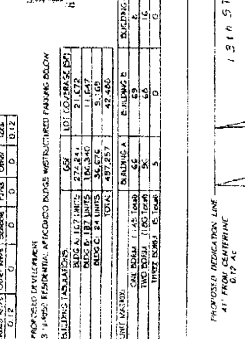
TYPE	NO. OF SPACES	REQUIREMENTS
1. VISITOR	10	1.5 SPACES PER 1,000 SF OF GROSS FLOOR AREA
2. RETAIL	20	1.5 SPACES PER 1,000 SF OF GROSS FLOOR AREA
3. OFFICE	10	1.5 SPACES PER 1,000 SF OF GROSS FLOOR AREA
4. TOTAL	40	

DEVELOPMENT INFORMATION

Item	Value
1. TOTAL GROSS FLOOR AREA	100,000 SF
2. TOTAL GROSS VOLUME	1,000,000 CU FT
3. TOTAL PARKING SPACES	40
4. TOTAL TRUCK SPACES	10
5. TOTAL BIKE SPACES	5

STAGING SEQUENCE

Phase	Description
1	Site Preparation
2	Foundation Work
3	Structural Framing
4	Roofing
5	Interior Finishes
6	Exterior Finishes
7	Final Inspection



PROPOSED LEGEND

- 1. EXISTING CURB
- 2. EXISTING SIDEWALK
- 3. EXISTING DRIVEWAY
- 4. EXISTING UTILITY
- 5. EXISTING EASEMENT
- 6. EXISTING PROPERTY LINE
- 7. EXISTING LOT CORNER
- 8. EXISTING SURVEY POINT
- 9. EXISTING SURVEY MARK
- 10. EXISTING SURVEY MONUMENT
- 11. EXISTING SURVEY INSTRUMENT
- 12. EXISTING SURVEY RECORD
- 13. EXISTING SURVEY PLAN
- 14. EXISTING SURVEY MAP
- 15. EXISTING SURVEY DRAWING
- 16. EXISTING SURVEY PHOTOGRAPH
- 17. EXISTING SURVEY VIDEO
- 18. EXISTING SURVEY AUDIO
- 19. EXISTING SURVEY DOCUMENT
- 20. EXISTING SURVEY INSTRUMENT

SURVEYORS CERTIFICATION

I, the undersigned, being a duly licensed and qualified surveyor, do hereby certify that the foregoing is a true and correct copy of the original survey records, as the same appear in my files and records, and that the same are in accordance with the provisions of the laws of the State of North Carolina, and that the same are in accordance with the provisions of the laws of the State of North Carolina, and that the same are in accordance with the provisions of the laws of the State of North Carolina.

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Holland Knight

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3 Bethesda Metro Center, Suite 800
Bethesda, MD 20814
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July 13, 2005

PATRICIA A. HARRIS
301-215-6613
patricia.harris@hklaw.com

VIA REGULAR MAIL & PDF

Mr. Richard Weaver
Maryland-National Capital
Park and Planning Commission
Development Review Division
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: The Galaxy -- Preliminary Plan No. 1-05089
Request for Extended Validity Period

Dear Mr. Weaver:

On behalf of RST Development, LLC ("RST") and in connection with the Planning Board's consideration of the above-referenced Preliminary Plan on July 28, 2005, we respectfully request an eight year adequate public facilities validity period, pursuant to Subdivision Ordinance Section 50-20 (c)(3). As outlined below, the justification for the eight year validity period is the scope of the Galaxy project; the location of the project in conjunction with the variable market factors; and the project's complexity.

Scope of Project

The Galaxy project involves the development of 328 residential units and associated parking and a 200 space public parking facility. The units will be developed in three separate buildings, in two or three phases. In addition, the Galaxy will also provide parking spaces for the adjacent Aurora Condominiums, thus further complicating the phasing and coordination of the project. As you know, in determining the appropriate APF validity period, the Annual Growth Policy provides as general guidance that projects involving more than 200 residential units, may qualify for an APF period of more than five years. With 328 units, totaling approximately 497,257 square feet in three buildings, the Galaxy exceeds this threshold. Thus, the mere size and scope of the Galaxy is basis alone for extending the APF validity period beyond the initial five year period.

Complexity

The appropriate APF validity period has typically been determined solely by the size and scope of a project under the theory that the larger the size of the project, the more time is needed to complete the build-out. In the case, the public parking component of the Galaxy contributes to the complexity of the project and increases the length of time that will be needed for build out. In accordance with a general development agreement between RST and Montgomery County (the "General Development Agreement"), the County agreed to convey a portion of the subject property currently owned by the County and used for surface parking (Lot No.16) to RST, and in exchange, RST agreed to construct a 200 car below grade parking facility for the County. The provision of the public parking facility requires more complex staging plan, as well as coordination with the County and County oversight. All of these factors will require time to address and thus extend the overall time needed to complete the project.

Phasing

As currently contemplated, RST anticipates a three phase build out for the Galaxy. The first phase, to include approximately 167 units is to be commenced as soon as possible after Site Plan approval is obtained. Barring any unforeseen circumstances, it is the Applicant's objective to obtain a building permit and commence construction of Phase I by June 1, 2006. The Applicant expects a 24 month construction period for Phase I and thus anticipates completion by June 2008. As such, the Applicant requests that a three year validity period be assigned to Phase I. The timing of the second and third phases will be based primarily on the residential market that will exist at that time. Clearly if the current market continues, RST will proceed directly to commence the construction of the second and third phases upon the completion of Phase I. However, if the market weakens, the commencement of the subsequent phases may be delayed. The vulnerability of the market and hence the reason for a potential delay is exacerbated by the location of the project. The project is located in a more marginal area that is only now starting to be redeveloped and renovated. In times of economic decline, areas such as this will feel the affects of a weakened economy much sooner and more intensely than developments in more secure, established neighborhoods. The actual construction period for Phase II is anticipated to be 1.5 year and the construction period for Phase III is expected to be 1 year. Depending on market conditions, the construction of Phase III may either follow Phase II, overlap with the construction of Phase II, or proceed simultaneously with Phase II.

Mr. Richard Weaver
July 13, 2005
Page 3


Conclusion

The Galaxy is a unique project that is not only significant in size but also located in an area in desperate need of transformation. In addition, the project is complicated by the General Development Agreement with the County. For the reasons discussed herein, RST is requesting an eight year overall APF validity period in order that it may have the appropriate time to overcome the challenges inherent in this project and produce a successful new residential project in South Silver Spring. It is suggested that the actual validity periods assigned to each Phase be as follows: Phase I - three years, Phase II - three years, and Phase III - two years.

I would be happy to further discuss this request with you if it would be helpful. We appreciate your assistance in this matter.

Sincerely yours,

HOLLAND & KNIGHT LLP



Patricia A. Harris

cc: Mr. Scott Copeland