



City of Rockville

MEMORANDUM

July 21, 2005

TO: City of Rockville Planning Commission

FROM: Deane Mellander, Planner III

VIA: R. James Wasilak, AICP, Chief of Planning

SUBJECT: Preliminary Development Plan Amendment PDP2003-0005B and Use Permit application USE2003-00691, Rockville Town Square Block 3A, Cultural Arts Building

BACKGROUND

On March 15, 2004 the Mayor and Council approved use permits for the Rockville Town Square project. At that same meeting, the Mayor and Council, with the affirmative recommendation of the Planning Commission, approved an amendment to Preliminary Development Plan PDP2003-00005. The amendment allowed up to 6 stories on Block 5, reduced the allowable building height on Block 4 to 75 feet, and reduced the number of residential units from 777 to 660 units.

The amended PDP allows the following:

Retail Commercial:	184,563 gross square feet
Multi-family residential:	660 dwelling units (including MPDU's)
Public Library:	102,522 gross square feet
Cultural Arts Facility:	25,900 gross square feet (may be increased by 13,000 additional square feet)
Maximum building height:	6 stories or 75 feet

The applicants subsequently applied to amend the Use Permit for Block 5 to add 8 additional units above a portion of the building fronting along Maryland Avenue. This portion of the building is referred to as façade 5E. This amendment was approved by the Mayor and Council on November 11, 2004. The applicants also have a pending amendment to delete four residential apartments from Block 5 in order to permit the installation of a two-story health and fitness club (Gold's Gym).

ANALYSIS

Preliminary Development Plan Amendment

As the development program for the Cultural Arts Building has proceeded over time, it has expanded to include a significant space for a County-sponsored incubator office program. As a consequence, the building size has increased substantially from what was anticipated at the time the PDP was approved. The proposed building is now 5 stories high, and contains approximately 64,800 square feet of space. This exceeds the area approved in the PDP by about 25,900 square feet. The Use Permit application proposes to allow 9,310 square feet of ground floor retail space in the building. This can be subtracted from the total since it will be counted in the retail space numbers. The pending Use Permit amendment for Block 5 would expand the retail space in that block by about 10,000 square feet. That, coupled with the retail proposed in the Cultural Arts Building, would exceed the retail permitted in the PDP by about 2,103 square feet.

The applicant is therefore requesting that the PDP be amended to allow the following development:

Retail Commercial:	187,000 gross square feet
Multi-family residential:	660 dwelling units
Public Library:	102,522 gross square feet
Cultural Arts Facility	56,000 gross square feet

The numbers for the retail and cultural arts items have been rounded up slightly to even amounts. This will allow a small degree of flexibility as the final tenant layout designs are completed. Also note that the floor area for the library includes approximately 3,000 square feet of accessory retail, as approved in the Use Permit for the library.

Use Permit Application

The Use Permit application proposes construction of a 5-story building containing 64,800 gross square feet of space. The space utilization by floor is proposed as follows:

	Ground Level	Second Floor	Third Floor	Fourth Floor	Fifth Floor	Roof (Mech)
Common Areas/ Mechanical	3,290 sf	1,050 sf	1,050 sf	1,050 sf	1,050 sf	(5,650 sf)
Retail	8,193 sf					
Rockville Arts Place	1,117 sf	12,450 sf	12,450 sf			
MoCo Incubator Office				11,550 sf	11,550 sf	
Total GFA	12,600 sf	13,500 sf	13,500 sf	12,600 sf	12,600 sf	64,800 sf

The proposed building will share a common party wall with the new County Library, currently under construction on the adjoining lot. The building will have entries onto the public plaza, as well as to Newmarket Street and Beall Avenue. A condominium regime is proposed for the building. Federal Realty Investment Trust will own the retail space, the County the incubator office space, and the City will own the arts spaces.

The building will sit on the site already set aside for it in the previously approved Public Improvements Use Permit (USE2003-00670). Thus, the streetscaping and related items are covered under that approval. No changes are proposed for the streetscape or plaza area by this application. At 5 stories and 73 feet in height, the building complies with the limits set forth in the amended PDP.

Parking for this building will be included in the overall parking district plan for the Town Center area. A total of 1,020 public parking spaces are being provided within the Town Square project. The Walker Associates study indicates that there are sufficient parking spaces to serve the uses provided in the project. Note that in addition, there are 978 parking spaces provided for the residential uses.

The architecture may be described as a linear, International-style design. There is significant glass proposed for the second and third floors, which are proposed for artist studio spaces. The upper two floors have more modest window treatments, reflecting their use for the incubator office space. The roof is occupied primarily by the typical mechanical spaces for heat exchanger, condensers, and so forth. However, the portion of the roof that overlooks Newmarket Street and the public plaza is open and can be made available for outdoor public functions. The building design is a good counterpoint to the more organic design of the library, and the more traditional facades of the other buildings in the Town Square project. This comports with the intent to have the town center appear to have been built over time, with some variety of distinct architectural features.

RECOMMENDATION

Under the provisions of text amendment TXT2004-00212, the Mayor and Council must approve amendments to Use Permits that were previously approved by the Mayor and Council. Therefore, in this case the Planning Commission is providing a recommendation to the Mayor and Council on this application.

The staff recommends that the proposed PDP amendment be approved as described above. The staff also recommends that the Use Permit be approved, with the following conditions:

- A. Submission, for the approval of the Chief of Planning, of 11 copies of the site development plan.

B. The Department of Public Works requires the following:

1. Coordinate utility connections and access points as required by approved Town Square right-of-way plan and PWK2004-00050.
2. Submit engineering plans and obtain permits from DPW for public improvements.

C. All other conditions of approval of Use Permit USE2003-00670 for the public improvements for the Rockville Town Square project remain in effect as they relate to this site.

/dem

Attachments:

1. Site development plan.
2. Building elevations north and south.
3. Building elevation west.
4. Photos of architect's model.