



City of Rockville

MEMORANDUM

December 29, 2009

TO: Planning Commission

FROM: Jeremy Hurlbutt, AICP, Planner II *J.H.*

SUBJECT: Waiver request for above ground transformer, Site Plan STP2010-00023, 1330 Piccard Drive

Request:

The above referenced Site Plan amendment, submitted for staff approval, proposes an above ground Transformer with a vinyl fence surrounding the proposed transformer and the adjacent existing mechanical equipment to be located on the I-270 side of the existing building at 1330 Piccard Drive. Sec. 25.17.03.b.2 of the Zoning Ordinance requires that, within the MXE Zone, electrical, telecommunications and cable television equipment must be placed underground or in an enclosed building, unless waived pursuant to Sec. 25.17.03.c.

Project History:

Use Permit U-69-77 was approved by the Chief of Planning on May 26, 1977, for a 54,700 square foot research laboratory building and associated parking. This application included cooling towers surrounded by a wall located adjacent to the I-270 right-of-way and one aboveground transformer with no screening to the west of the building.

Use Permit Use-223-81 was approved by the Chief of Planning on February 8, 1983, for a two-story 28,280 square foot addition. This application added an above ground transformer and a generator with no screening to the west of the building.

Proposed Site Changes:

The following site changes are proposed as part of STP2010-00023:

- Addition of a generator with masonry screening wall.
- Removal of one parking space and relocation of curbing on the west side of the building to provide room for HVAC unit and a transformer.
- Installation of a fence around existing transformers, generator, gas bottles and HVAC equipment.
- Relocation of section of sidewalk on west side of the building to make room for the proposed transformer.

- Addition of sidewalk, and relocation of trees for a new entrance.

Findings:

Section 25.17.03.c (Waiver requirements) requires that:

1. Upon finding that installing utility equipment within an enclosed building is not feasible, the Planning Commission may grant a waiver of any requirement of this Section for any of the following reasons:
 - a. A unique or peculiar site condition provides a physical impediment to installing equipment underground; or
 - b. It would be unsafe to locate the equipment underground; or
 - c. The equipment cannot successfully operate below ground.

The Applicant has prepared a letter that states their request (Attachment #1) and states that existing conditions and cost to be the main reasons for the waiver request. Also attached (Attachment #2) is the proposed site plan with fence elevation. The Planning Commission must cite one of the three required findings in Sec. 25.17.03.c as reason for approval. If granted, the Applicant must meet the screening requirements of Sec. 25.17.03.b.3, which the applicant proposes to do with an eight foot (8') board-on-board vinyl fence that will match the color of the building.

Summary:

Past practice has been to allow applicants to make their own case for waivers directly to the Commission without a staff recommendation.

Currently two transformers, a generator, gas bottles storage and a HVAC unit are located in the area of the proposed transformer with no screening. The Applicant proposes to add an eight foot screening fence around the proposed and existing equipment in compliance with Sec. 25.17.03.b.3. Approval of the application by the Chief of Planning is subject to waiver approval by the Planning Commission and their findings of Sec. 25.17.03.b.2. that the transformer may be located above ground and not within an enclosed structure .

Attachment:

1. Applicant Waiver request Letter
2. Site Plan

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



December 28, 2009

Mr. Bobby Ray, Principal Planner
City of Rockville
Department of Community Planning and Development Services
111 Maryland Avenue
Rockville, Maryland 20850

**Re: 1330 Piccard Drive
Waiver**

Dear Mr. Ray:

On behalf of my client, Consolidated Medical Services Inc., I am submitting this waiver from Article 25.17.03.b.2 of the City Code which states that within the MXE Zone, Electrical, Telecommunications and Cable Television equipment must be placed underground or in an enclosed building, to allow an electrical transformer to be placed above ground to the rear of the building.

As you are aware of, this is an existing commercial property built prior to many of the codes which are now in effect. The property has two existing above ground electrical transformers, gas bottles and a large generator to the rear of the building. As part of the tenant build out which my client has been contracted to perform, includes the placement of a new electrical transformer to be located next to the existing transformers now on site. This new transformer would provide electrical service to the proposed Surgical Center to be located within the building. Consolidated Medical Services has explored all avenues in order to resolve this issue. The existing electrical power is of different design than what the Surgical Center requires to operate and they have also inquired about putting the service underground. In order to place the service underground the cost would exceed \$50,000. Enclosing the transformer in some type of building would force a relocation of the unit somewhere else on the site and cause more cost for my client to bear. In this economy my client can not afford the extra cost of an underground service or relocation and an enclosure nor would it resolve the issue of the existing transformers and other utilities. I am proposing a waiver to allow a new transformer to be placed above ground in the same location of the other existing utilities and an 8' board on board vinyl wood-like fence, color to match the building to screen not only the proposed transformer but the entire utility area.

Thank you for time and patience with this matter, should you have questions or need to discuss this with me I can be reached at 410-320-3632 or by email jdetrich@mragta.com.

Very Truly Yours,
Handwritten signature of Jackie Detrich in black ink, written in a cursive style.

Jackie Detrich

Permit Facilitator

Morris and Ritchie Associates, Inc.

14280 Park Center Drive, Laurel, MD 20707 (410) 792-9792 (301) 776-1690 Fax: (410) 792-7395 www.mragta.com

Abingdon, MD
(410) 515-9000

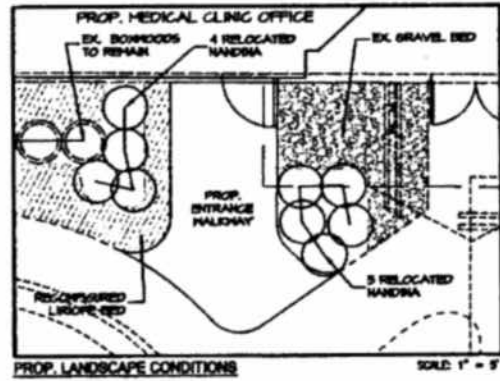
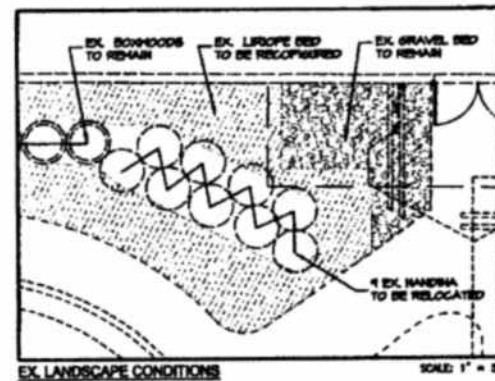
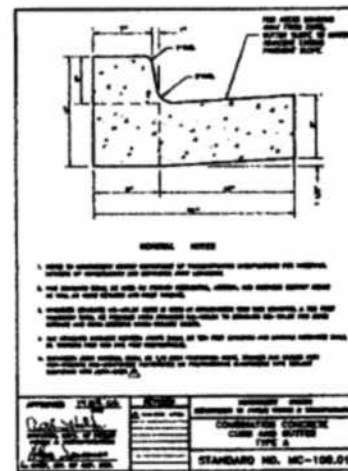
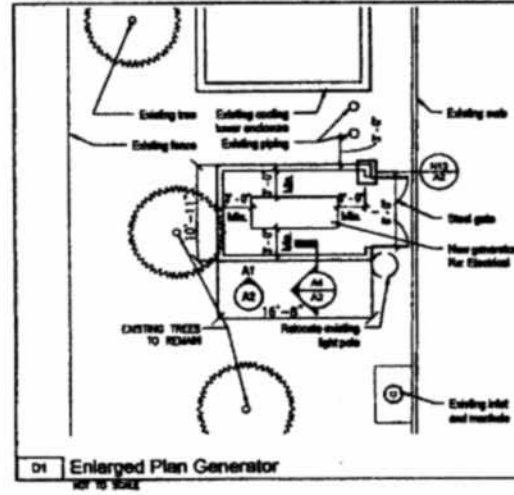
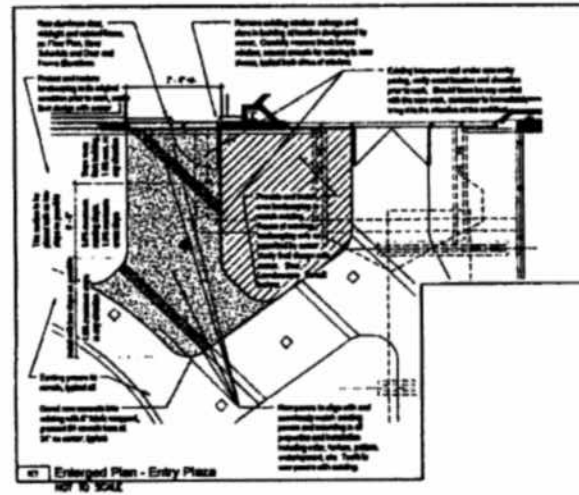
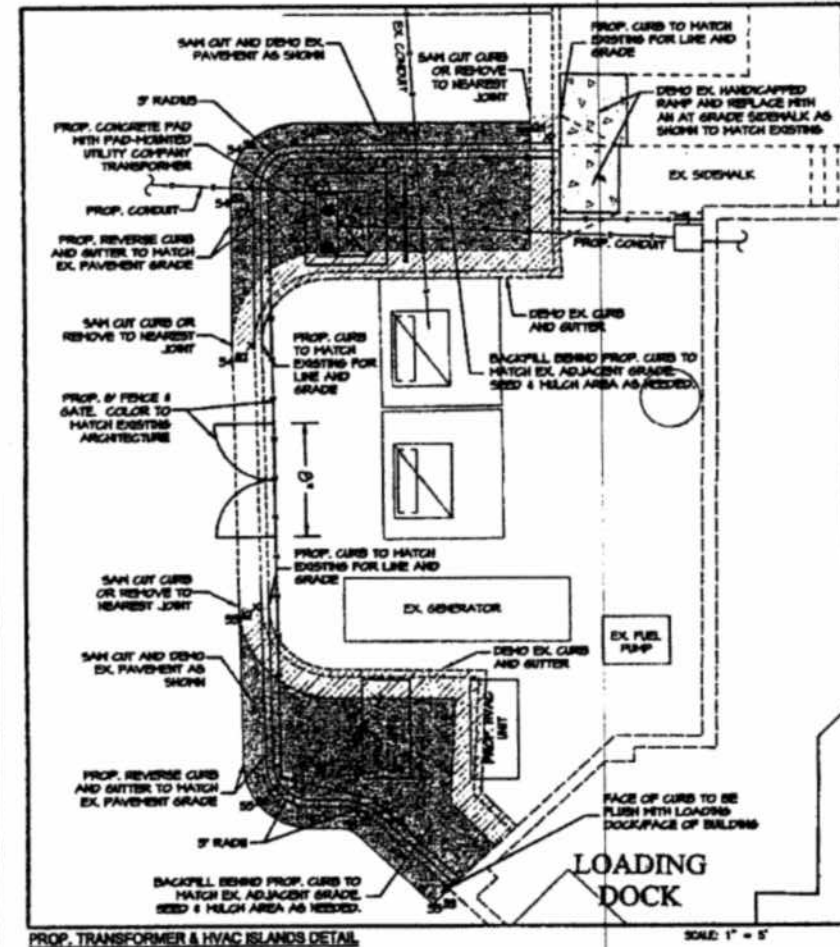
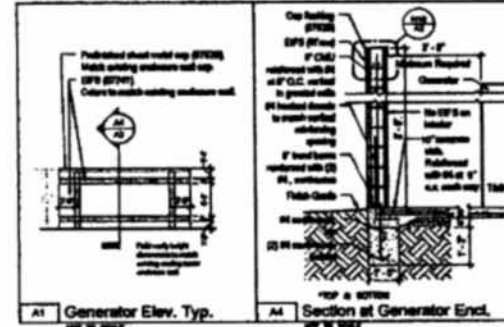
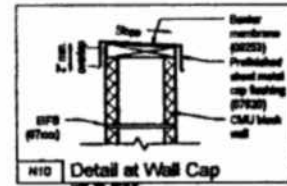
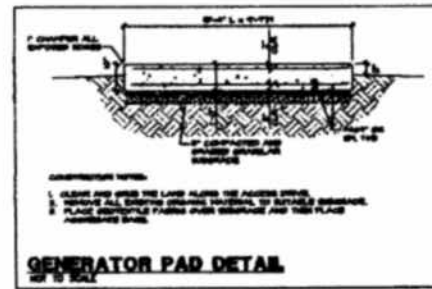
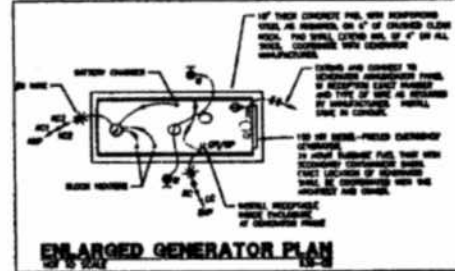
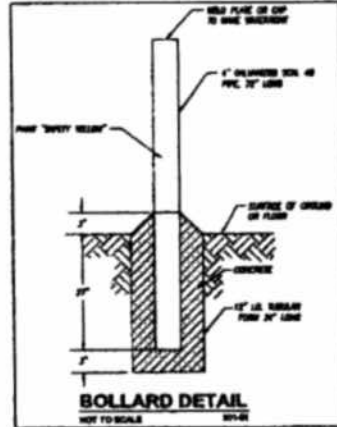
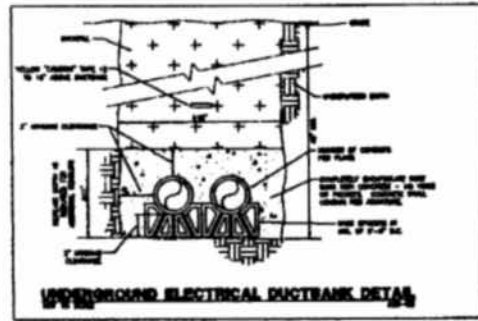
Laurel, MD
(410) 792-9792

Towson, MD
(410) 821-1690

Georgetown, DE
(302) 855-5734

New Castle, DE
(302) 326-2200

York, PA
(717) 751-6073



NOTE:
CONTRACTOR SHALL MAINTAIN EXISTING LANDSCAPE AND UTILITIES AND SHALL BE RESPONSIBLE FOR REPAIRS AND REPLACEMENTS AS NECESSARY. ALL CONCRETE SHALL BE CAST IN PLACE AND SHALL BE REINFORCED WITH STEEL REINFORCEMENT.

CAST IN PLACE CONCRETE

1. ALL CONCRETE SHALL BE CAST IN PLACE AND SHALL BE REINFORCED WITH STEEL REINFORCEMENT.
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DESIGNER:
MORRIS & RITCHIE ASSOCIATES, INC.
1400 PARK CENTER DRIVE
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(410) 775-8700 / (301) 775-1800
FAX: (410) 762-7200

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**70-3 INDUSTRIAL PARK
1330 PICCARD DRIVE
DETAIL SHEET**

USER: 1400/PICARD 2/0
ZONE: 1002 / LOT 2
1000 NORTH FREDERICK/NECHOLE, MARYLAND

DATE	REVISIONS	JOB NO.	14000
		SCALE: 1" = 20'	
		DATE: 10/26/08	
		DRAWN BY: JTW	
		DESIGN BY: JTW	
		REVIEW BY: TCM	
		SHEET: 2 OF 2	