

**CITY OF ROCKVILLE
COMMUNITY PLANNING & DEVELOPMENT SERVICES DEPARTMENT
STAFF REPORT**

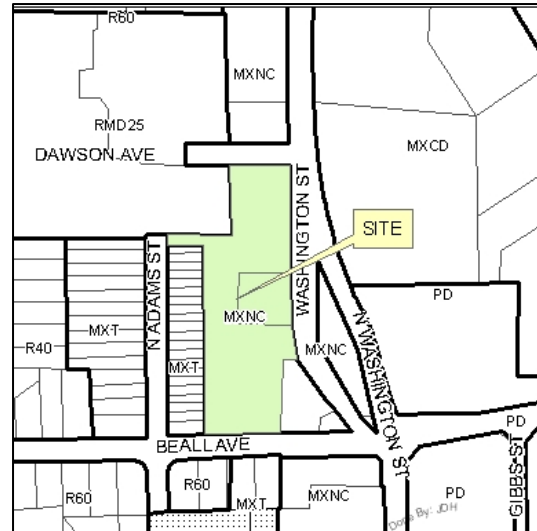
TO: Planning Commission

FROM: Jim Wasilak, AICP,
Chief of Planning
Bobby Ray, AICP,
Principal Planner

PLANNER: Jeremy Hurlbutt, AICP,
Planner II

DATE: April 19, 2010

SUBJECT: Site Plan STP2010-00025,
Bealls Grant II, 250 & 254 North Washington Street



RECOMMENDATION: Approval, subject to conditions shown on pages 13-16.

REQUEST: For the approval of Site Plan Amendment STP2010 - 00025, for a 74-unit apartment building with underground parking and modifications to the existing surface parking (See Attachments 2, 3 and 4). The applicant also seeks a 49 parking space reduction as part of this application. This application is a major amendment to Use Permit USE2007-00708, which was approved by the Planning Commission on July 23, 2008, for a 109-unit apartment building. This application will reduce the number of units by 35 and the number of provided parking spaces from 229 to 121, a reduction of 108 parking spaces.

The existing building at 254 North Washington Street will remain with 17 efficiency units, 25 one-bedroom units, and 18 two-bedroom units. The proposed building will have 1 efficiency unit, 21 one-bedroom units, 49 two-bedroom units, and 3 three-bedroom units. The project will also provide a tot-lot or playground within a fenced and gated east courtyard of the proposed building. The applicant will also provide a roof deck and tray system green roof (See Attachment 5) on the south end of the building and plans to design the building to meet the Enterprise Green Communities Criteria.

RELEVANT ISSUES:

- Site Plan process – The application has been submitted and processed as a major amendment to the approved Use Permit, which requires the Level 2 Site Plan process be followed. Staff notes that the process determination for the Level 2 Site Plan made prior to the filing of the application that the proposed modifications did not amount to a comprehensive change to more than 50 percent of the project area (See Attachment 6) remains valid based on the application contents.
- Fire Access – The applicant has provided the required fire access to the sprinklered building. The applicant is not required to provide fire access from their property for the townhouses to the west of the development. These townhouses meet the fire requirements that were in effect at the time of construction. No rear access was required for these properties.
- Trees – As part of the redevelopment of this site the applicant will replace an existing retaining wall on the west side of the property, which will impact and remove trees on neighboring properties. The applicant has noted on the Forest Conservation Plan (See Attachment 3) that, “ ...Off-site Trees to be removed with permission of owners...” and a condition has been added to the staff report. The applicant is working with the neighbors to address the tree impact/removal issues.
- Parking – The applicant is seeking a wavier of 49 parking spaces. Applicant meets the requirements per Sec.25.16.03.h. of the City Zoning Ordinance for Flexible Parking Standards as detailed in Zoning Compliance and Parking sections of this report.
- Historic Review – The existing building at 13 Beall Avenue will require review by the Historic District Commission (HDC) before demolition. Staff has informed the applicant of this requirement, but an application has not submitted and will not be reviewed before the Planning Commission’s review of this application (See Condition #4).
- Old North Washington Street Pedestrian Improvement – The applicant will be required to move the curb line north of the gas station. This “bump out”, which will reduce the width of the street and limit traffic from continuing in a straight line along the west side of the gas station, will create a slower movement for cars and reduce the walking distance for pedestrians. This improvement was originally a condition of the approval of Use Permit USE2006-00697 at 255 North Washington Street (The KSI project), and the Beall’s Grant applicant was asked to contribute to the construction. As part of this application the applicant has agreed to complete the entire project prior to occupancy permit (See Condition #17).

- Consolidation Plat – The applicant is required to return to the Planning Commission for approval of a Final Record Plat that would consolidate the two existing parcels. The proposed building will cross the two existing lots located at 254 North Washington and 250 North Washington, which is not permitted by the zoning code. The applicant has been made aware of this issue and plans to submit the application (See Condition #5).

PROJECT / SITE INFORMATION:

Location: 254 and 250 North Washington Street, West of North Washington Street between Dawson Avenue and Beall Avenue.

Applicant: MHP Beall’s Inc.
12200 Tech Road, Suite 250
Silver Spring, Maryland 20904

Land Use Designation: Mixed Use – Preferred Residential

Zoning District: MXNC – Mixed-Use Neighborhood Commercial

Existing Use: Multiple-Unit dwelling complex; with vacant building

Parcel Area: 2.5711 acres

Subdivision: City Center, Lots 3 & 4, Block A

Building Floor Area: 33,040 Square Feet (16,600 Square Feet Existing Building)

Building Height: 3 stories (34 feet)

Parking: 121 parking spaces, 4 short term bicycle, 45 long-term bicycle.

Surrounding Land Use and Zoning			
Location	Zoning	Planned Land Use	Existing Use
North	MXNC	Mixed-Use Preferred Residential	Commercial
South	MXNC	Mixed-Use Preferred Residential	Residential
East	MXCD	Mixed-Use Preferred Residential	Funeral home & Gas Station
West	MXT	Preferred office	Residential

(See also Attachment 1, Location Map)

The proposed development is located on the west side of old North Washington Street between Dawson and Beall Avenues. There are currently two buildings on the site; however, the 14-unit building located on the southwest corner of the property fronting along Beall Avenue will be demolished and replaced with the proposed 74-unit apartment building. The existing 60-unit apartment building on the northeast corner will be retained with 25 parking spaces behind the building in an existing surface lot. The buildings will have vehicular access using the existing surface parking lot, which can be accessed from Dawson Avenue. The 93-space parking structure under the proposed building has access through the surface lot from Dawson Avenue. There is also a small separate surface parking lot along North Washington Street in front of the 60-unit apartment building that is not connected to the other surface parking lot, which will be reduced to 3 parking spaces.

The proposed building will be a three-story wood-frame structure over a single underground level of structured parking. The floor plan of the proposed building is an "I" configuration, which will create two landscaped courtyards. The building will be three stories, with a height of 34 feet, and will step down to two and one-half stories with an English basement along the Beall Avenue side of the building. The building will also step down to two stories on the north end of the building closest to North Adams Street. The building primarily has a flat roof, with sections at the ends of the building having a mansard roof. The façade of the building on Beall Avenue is designed to look like townhouses, which have stoops providing direct access to units fronting the street. The massing of the building will be broken up with projections, recessions and other treatments. The building materials will include masonry, cementitious siding and trim, and metal roofing on the mansard features. The building will also provide a roof deck and tray system green roof on the Beall Avenue side. The building is designed with the goal of meeting the Enterprise Green Communities criteria, which is a green building program created for affordable housing projects.

PREVIOUS RELATED ACTIONS:

- Use Permit USE1981-00230 – Chief of Planning approved on December 8, 1981, for the restriping of parking lot for Town Center Inn and 13 Beall Avenue Apartments.
- Use Permit USE1992-00491 – Drive-thru Bank. Case was closed without final action.

- Use Permit USE1993-00500 – Planning Commission approved on January 12, 1994, for the renovation of 254 North Washington from a hotel to 60 apartment units; the rehabilitation of 13 Beall Avenue; and the renovations of the existing site to include asphalt repair and replacement, the creation of new landscaped areas and closing of a drive entrance on North Washington Street.
- Use Permit USE2007-00708 – Planning Commission approved on July 23, 2008, for the construction of 109-unit apartment building with parking garage to be constructed as Phase II of the Beall’s Grant Apartments (See Attachment 7).
 - The Planning Commission’s decision was appealed to the Montgomery County Circuit Court and action was taken on May 29, 2009, the Court affirmed the Planning Commission’s decision.
 - The Circuit Court’s decision was appealed to the Court of Special Appeals on June 30, 2009, and is still waiting action.

ANAYLSIS:

Master Plan recommendation

The site is located in Planning Area 1, Town Center. The Master Plan refers to the Rockville Town Center Master Plan as the relevant guiding Plan. The Town Center Master Plan’s Chapter 6, Implementation Strategy, supports providing housing in the planning area to provide the population that will help create an “18 hour-a-day” center of activity. The Proposed Land Use Map recommends that the property be appropriate for “Mixed Use – Preferred Residential” development. Accordingly, Chapter 7 (Regulatory Recommendations) of the plan recommended the zoning change from Town Center Office One (TCO-1) Zone, which provided for transitional office and retail uses, to the Town Center One (TC-1) Zone, which provided for mixed-use development conducive to the creation of an activity center. This zoning change was adopted in 2005, and the zoning of the property has since been changed to Mixed-Use Neighborhood Commercial (MXNC) Zone through the comprehensive zoning change in 2009. The proposed project is supportive of the master plan’s goal of providing a greater residential population in the Town Center Planning Area.

Zoning Compliance

Multiple Unit Dwellings are a permitted use in the Mixed-Use Neighborhood Commercial (MXNC) Zone. The proposed building complies with all

required development standards and design guidelines, including minimum setbacks. The 34-foot building height is below the 45-foot maximum allowed in the zone. The Layback slope requirement does not apply to adjacent properties in the MXT Zone (Sec. 25.13.05.b.2(d)). However, it does apply to the southwest portion of the building that is across Beall Avenue from property in the R-60 Zone. Staff finds that the building meets this requirement. The application meets the requirement for a minimum of twenty percent public use space (See Attachment 2), and has provided the required landscaping as detailed in the Landscaping section of this report.

Parking Waiver:

The applicant has requested a parking waiver (See Attachment 4) per Sec. 25.16.03.h, Flexible Parking Standards, which allows the approving authority (Planning Commission) to reduce the number of parking spaces required, provided that any one of the listed criteria are met. Staff recommends approval, based on the application meeting the following criteria:

- (a) A major point of pedestrian access to such building or buildings is within seven-tenths of a mile (3,696 feet) walking distance of a transit station entrance shown on the Washington Metropolitan Area Transit Authority Adopted Regional Rail Transit System; or
The building is within a seven-tenths of a mile walking distance. The site is five-tenths of a mile (2,640 feet) from the Rockville Metro Station entrance.

- (b) There are three (3) or more bus routes in the immediate vicinity of the building or buildings; or
Three Ride-On bus routes (45, 46, 55), and Metro Bus route (T2) stop at the corner of North Washington Street and Beall Avenue.

- (c) There is a major public parking facility available to the public within 1,000 feet of a building entrance; or
The project is within 1,000 feet of the Town Center parking structure on North Washington Street.

- (d) For any other good cause shown.
The applicant's good cause is that they have conducted a utilization study that shows 52 percent of the parking is used at 7:00 p.m. for the existing

60-unit building. The applicant also states that there are five "flex car" locations within walking distance.

Landscaping, Screening and Lighting

The landscape plan (See Attachment 3) for the project is required to comply with the Landscaping, Screening and Lighting Manual. The following sections of the Landscape Manual are applicable to the project: Section 4.d.2(a), Landscape Strip Area Adjoining a Street Right-Of-Way for the parking lot adjacent to Dawson Avenue and old North Washington Street; Section 4.d.2(b), Perimeter Landscape Area Adjoining Property Other Than a Street Right-of-Way, for the parking lot along the western property line; Section 4.d.2(c), Internal Landscaping of Surface Parking Facility; and Section 4.d.2(d) Minimum Size of Planting Islands within Internal Landscape Area.

The Site Plan proposes to comply with all of the applicable sections of the Manual with the exception of Section 4.d.2(b), Perimeter Landscaping Area Adjoining Property Other than a Street Right of Way. The western perimeter of the surface lot is partly located on neighboring property within an access easement. The applicant has provided a four-foot, two-inch wide landscaped area between the parking lot and the existing fence. The application does not meet the full seven-foot width required within the easement area, and are two shade trees short of the requirement. The applicant is unable to meet the requirement, because of the existing building location and current site configuration limits the landscape strip to less than seven feet in width, and the inability to plant the required trees due to the close proximity of off-site trees. This condition is considered to be an existing development noncomformity which the proposal is bringing closer to compliance. The existing fence will provide additional screening.

A Lighting Plan will need to be approved by the City prior to issuance of the Building permit demonstrating compliance with Section 5 of the Manual.

Forest / Tree Preservation

The 2.54-acre site is subject to all of the Forest and Tree Preservation Ordinance requirements including forest conservation, significant tree replacement and minimum tree cover. The Preliminary Forest Conservation Plan (See Attachment 3) for the project is under review by the City Forester's office. The project proposes to meet both forest conservation and minimum tree cover on site, and the applicant has submitted a request to pay fee in lieu

for a portion of the significant tree replacement requirement. However, after an initial review of the recently submitted plan, changes will be required in order for the project to comply with the forest conservation requirement.

There is no forest on site, though the property contains 38 trees, of which 35 are being removed for the development. The 3 remaining trees are located within the easement area for the off-site parking lot serving the property to the west of the site. Seventeen new street trees will be planted along Beall Avenue, Old North Washington Street and North Washington Street.

Forest Conservation:

The project is required to meet the 15% afforestation threshold for the MXNC zone. This equates to a forest conservation requirement of 0.38 acres or 16,552.8 square feet. The project proposes to meet this requirement through the planting of 33 shade trees, 7 ornamental/small evergreen trees, 4 large evergreen trees, and 10 street trees totaling 16,600 square feet of forest conservation credit. The tree credits shown on the Preliminary FCP will require adjustment on the Final FCP in order to meet the planting spacing requirement of the FTPO. A forest conservation easement will be recorded over the entire property to protect these trees.

Minimum Tree Cover:

The Minimum Tree Cover requirement for the MXNC zone is 10%, or 0.25 acres (10,964 square feet). The project proposes to exceed the requirement by over 11,000 square feet through the planting of both forest conservation credit trees and significant replacement trees.

Significant Trees:

Under the FTPO, significant trees are defined as trees having a diameter at breast height (DBH) of 12" and greater. The project will remove 18 of the 21 significant trees on site resulting in a replacement requirement of 17 trees (one tree is hazardous and does not require replacement). Five significant replacement trees, 3 shade and 2 evergreen, will be planted back on site. The applicant has submitted a request to pay fee in lieu for the remaining 12 trees. The request cannot be granted until the Final Forest Conservation Plan is submitted.

Stormwater Management

Stormwater management (SWM) for this project will be provided per the stormwater management concept approval letter dated March 8, 2010. On-site treatment will be provided through Environmental Site Design (ESD) and structural methods including a micro-bioretenion facility, green roofs and an underground SWM vault with a StormFilter cartridge unit. The SWM concept letter lists specific conditions of approval (See Attachment 8).

Traffic / Transportation

Parking/Access:

The subject property will provide parking in two surface lots and one parking structure with access via the existing entrances on Dawson Avenue and Old North Washington Street. The new and existing buildings are required to be parked at a ratio of (1) one-space per 1-bedroom or less, and (1.5) one and half-spaces per 2-bedrooms or more. Access to the 93-space parking structure is provided from Dawson Avenue through the existing surface parking lot. After completion of the 74-unit apartment building, the existing surface parking lot will be reduced to 25-spaces. These spaces will be located behind the existing 60-unit apartment building. An additional three-space surface parking lot will be accessed from Old North Washington Street. The project would require 170 parking spaces per Zoning Ordinance requirements; however, the applicant has proposed to provide 121 parking spaces, and has requested a waiver for 49 parking spaces as part of this application. This represents a reduction of 108 parking spaces from the previously approved plan, and results in the removal of one level of structured parking. The recommendation for the parking waiver can be found in the Zoning Compliance section of this report on page 5.

Traffic:

The applicant submitted an update to the traffic study previously submitted for the 109-unit apartment building, which staff has reviewed and accepted. The 74-unit apartment building will generate 33 AM and 36 PM peak hour trips. This trip generation is 13 AM and 16 PM peak hour trips fewer than the approved 109-unit building. The applicant analyzed the following intersections: MD 355 and North Washington Street; North Washington Street and Martins Lane; North Washington Street and Beall Avenue; and MD 355 and Beal Avenue in the study area, and found that they will continue to operate at acceptable levels of service (See Attachment 9).

Bicycle / Pedestrian Access:

A five foot wide sidewalk will be constructed along the west side of Old North Washington Street with a five foot wide tree lawn. Sidewalks will also be provided within the site to provide pedestrian circulation through the site. The pedestrian upgrades to be accomplished by the applicant will significantly enhance pedestrian safety in the vicinity (See Attachment 2).

In order to comply with the bicycle parking requirements in the Zoning Ordinance, the applicant is required to provide 13 bicycle lockers (26 long-term spaces) and 1 bicycle rack (2 short-term spaces). Long-term spaces can be either bicycle lockers or a covered locked room while short-term spaces are considered to be an inverted "U" bicycle rack.

Transit:

The site is located ½ mile from the Rockville Metro Station and is served by four bus routes with stops along MD 355 and North Washington Street.

Utilities/Adequate Public Facilities Standards (APFS)

Any development, or redevelopment, within the City, must comply with all requirements of the Adequate Public Facilities Standards, as well as the requirements contained in Article 20 of the Zoning Ordinance. Per Sec. 25.20.03.a.1, a determination of adequate public facilities made in connection with any development approval remains valid as long as the underlying approval remains valid. This application is an amendment to approved Use Permit USE2007-00708, and therefore the original determination of compliance with the APFO remains valid. The discussion below is provided as information.

Roads and Public Transportation:

The roadway and non-auto system around the site are adequate to serve the proposed use. Based on applicant completion of the Comprehensive Transportation Review (CTR), there are no significant increases in traffic flow generation from the existing approval to the proposed project. Therefore no mitigation actions are required for the site access points along the adjacent roadways. The applicant will be making roadway and pedestrian improvements along the frontages of the property, as noted on page 2 of this report.

Water and Sewer:

In the water and sewer authorization letter dated April 8, 2010 (See Attachment 10), the application received approval from DPW for a request to extend the on-site water and sanitary sewer systems. The authorization letter lists project-specific conditions of approval. The public water and sewer system has adequate capacity for this development project.

Schools:

This is a Multiple-Unit Dwelling residential use, which received approval from the Planning Commission on July 23, 2008 for a 109-unit apartment building (USE2007-00708). When Beall's Grant II was originally approved, the figures from Montgomery County Public Schools (MCPS) indicated that all the schools within the cluster (including Richard Montgomery High School, Julius West Middle School, and Beall Elementary School) had acceptable school capacity for the City's Adequate Public Facilities Ordinance (APFO). Therefore the impact upon public schools was within the standard. Staff notes that MCPS recalculates the enrollment projections annually, and that since approval of Use Permit USE2007-00708, the projected school capacity has exceeded the allowable capacity limit at Beall Elementary School. Staff notes that this project has a valid underlying approval and the proposed amendment will have less impact on school capacity than the original approval, which met the school capacity test at the time of approval. The capacity and APFO determination remains valid for this amendment.

Fire and Emergency Services

Based on data from Montgomery County Fire and Rescue Service (MCFRS), fire and emergency services are adequate for the proposed project. The property is within a 10 minutes response time of at least one fire station.

REQUIRED FINDINGS:

A Site Plan application may be approved only if the applicable Approving Authority finds that the application will not:

1. *Affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use; or*

The application is in compliance with this requirement. With the recommended conditions, this application will not adversely affect the health or safety of persons residing or working in or adjacent to this

development. Multiple-Unit Dwelling is a permitted use in the MXNC Zone. The applicant has worked with the community to address concerns, which included the size and design of the building. The proposal will reduce, from the previously approved application, the number of approved units by 35 and parking spaces by 109. There will be no vehicular access to the project from Beall Avenue, which will limit traffic impacts on the surrounding neighborhood. The Rockville Police Department had reviewed the application and had no comments on the application. The City's Fire Marshal also reviewed plans and all comments have been address to meet code requirements.

2. *Be detrimental to the public welfare or injurious to property or improvements in the neighborhood; or*

The proposed site improvements will not be detrimental to the public welfare or injurious to property or improvements surrounding the site. The project is adjacent to commercial uses to the east. The proposed apartment building is surrounded on all other sides by residential uses, which include a mixture of attached and detached single dwelling uses, and multiple dwelling unit residential uses. The proposed use provides a transition from residential to commercial uses. The applicant is proposing to provide landscaping within and surrounding the parking lot. Other site improvements and right of way improvements will enhance the pedestrian safety on and around the site. The site and neighboring properties meet fire code requirements.

3. *Overburden existing and programmed public facilities as set forth in Article 20 of this Chapter and as provided in the adopted Adequate Public Facilities Standards; or*

The amended project remains in full compliance with the APFS, as detailed on pages 10 and 11 of this report.

4. *Adversely affect the natural resources or environment of the City or surrounding areas; or*

The application is in compliance with the Forest and Tree Protection Ordinance (FTPO) and all other requirements for environmental protection. The project will redevelop an existing building, and parking

lot. The applicant proposes to provide a green roof and the building will be designed with the goal of meeting the Green Communities Criteria established by Enterprise. The Green Communities program is the first national green building program developed for affordable housing.

5. *Be in conflict with the plan; or*

The application is in compliance with the Master Plan. The Multiple –Unit Dwelling use will create more housing in the Town Center Planning Area, adding to the resident population that the plan states is needed to create an active area. The current and proposed use is in compliance with the Master Plan.

6. *Constitute a violation of any provisions of this Code or other applicable law; or*

The applicant has requested a parking waiver, which is needed to meet the parking requirement. If the waiver for 49 parking spaces is granted the application is in compliance with this requirement and will not constitute a violation of any provision of this Code or other applicable law. The application meets the requirements of the Zoning Ordinance.

7. *Be incompatible with the surrounding uses or properties.*

Single-unit, multiple-unit and attached dwellings, as well as commercial uses surround the property. The property does provide landscape screening around the perimeter of the property and the parking lot and has incorporated architectural features (See Attachment 5) to make the building look like a collection of smaller buildings. Along Beall Avenue the building is designed to look like townhouses, providing a transition into the adjacent residential neighborhood. The proposed use and the building architecture are compatible with the surrounding uses and properties.

RECOMMENDED CONDITIONS:

Staff recommends approval, subject to the following conditions:

- 1) That all conditions of approval for Use Permit USE2007-00708, continue to apply, unless superseded below.

- 2) Submission, for approval of the Chief of Planning, of twelve (12) copies of the site plan (on sheets no larger than 24 inches by 36 inches) showing each phase of construction, to be submitted prior to submission of a building permit for building construction and Public Works Permit approvals, in accordance with Planning Commission Exhibit A.
- 3) Submission, for approval of the Chief of Planning, of twelve (12) copies of the landscape plan (on sheets no larger than 24 inches by 36 inches) to be submitted and attached to the site plan prior to submission of a building permit for building construction and Public Works Permit approvals, in accordance with Planning Commission Exhibit B.
- 4) The building at 13 Beall Avenue must be considered for historic significance by the Historic District Commission, prior to issuance of a Demolition Permit.
- 5) Submission, for the approval of the Planning Commission, of a Final Record Plat to consolidate the property into a single record lot prior to issuance of a building permit.
- 6) That all proposed rooftop mechanical equipment be screened appropriately and be compatible in color and material with the exterior surface of the proposed building.
- 7) That any new electrical transformers or other utility equipment lockers or facilities be placed underground.
- 8) The Site Plan approval does not include the approval of signs. Sign permits must be applied for from the Inspection Services Division.
- 9) All construction must meet the requirements of the City's construction codes, Fire and Life Safety Codes, Maryland Building Code for the Handicapped and federal ADA requirements.

Recreation and Parks

- 10) The applicant shall comply with the City's Publicly Accessible Art in Private Development Ordinance. Applicant must provide a concept plan for approval or application, prior to the issuance of building permits and fulfill the art requirement prior to issuance of an occupancy permit. See City website under

business section for Publicly Accessible Art in Private Development Ordinance manual for details.

Department of Public Works

11) Submission, for the review and approval of the Department of Public Works (DPW), of the following detailed engineering plans, studies and supporting computations as well as appropriate check-lists and permit applications:

- a) Sediment control plans for all disturbed areas;
- b) Stormwater Management (SWM) plans;
- c) Public improvement plans, including but not limited to storm drain systems, streets, streetscape and sidewalks for public use, signage and marking, water and sewer systems, maintenance of traffic and street lighting.

All detailed engineering plans must be submitted on 24" x 36" sheets, at 1"=30' scale or as approved by the Department of Public Works.

12) Stormwater management for the property shall be in compliance with the SWM concept approval letter dated March 8, 2010, as may be amended by DPW.

13) Comply with all conditions of the DPW Water and Sewer Authorization letter dated April 8, 2010.

14) Post bonds and obtain permits from the Department of Public Works (DPW) for public improvements, stormwater management and sediment control.

15) Below grade excavation shall be dewatered per DPW sediment control requirements to an acceptable outfall during construction.

16) A 2-inch asphalt mill and overlay is required along the full width of Beall Avenue for 70 feet contiguous to the development.

17) The east side curb along Old North Washington Street must be modified in order to maintain a 26-foot wide roadway from North Washington Street south to the first gas station driveway. The street section further south of this driveway must be narrowed in order to provide a smooth transition for northbound vehicles.

- 18) The applicant shall submit for review and approval by DPW, a phasing plan for pedestrian access, construction access, staging and parking. A pedestrian access plan for the construction period shall include, but not be limited to, the methods of maintaining pedestrian safety and access on the existing sidewalks, temporary closing of sidewalks for work in the streetscape zone, and pedestrian detours, as well as efforts to minimize closure of sidewalks. This plan shall be approved prior to issuance of the DPW permit.
- 19) All internal traffic control devices (i.e. signs, marking and devices placed on, over or adjacent to a roadway or pathway) to regulate, warn or guide pedestrians and/or vehicular traffic shall comply with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). The signing and pavement marking plans shall be submitted to DPW and approved by the Chief, Traffic and Transportation Division. (This plan shall be approved with the signature set.)
- 20) The applicant shall provide 1 bicycle rack (2 short-term spaces) and 13 bicycle lockers (26 long-term spaces). A locked bicycle room with racks or a covered locked cage is required for long-term storage. Short-term spaces are considered to be an inverted "U" bicycle rack and must be spaced four feet apart. These spaces shall be provided at a safe and secure location that is approved by DPW. The location of the short-term spaces shall be approved by DPW at the detailed engineering stage. Bike lockers and racks must be installed prior to issuance of the occupancy permit.
- 21) The applicant shall install one streetlight along the Old North Washington Street frontage in front of the funeral home and relocate the existing streetlight in front of the 60-unit apartment building in order to provide adequate lighting for pedestrians.

The applicant shall submit a request to Pepco to provide streetlight service, attaching one copy of the plan approved by the City. After receiving a proposal and cost estimate from Pepco, the applicant shall submit payment to Pepco, install the streetlights and/or coordinate with Pepco the installation of the lights and wiring. Bonds will be held until all streetlights are energized and accepted by the City of Rockville.

22) That any new lighting fixtures be installed so as not to produce light spillage into residential neighborhoods nor produce disruptive glare visible from abutting public rights-of-way.

Forestry

23) The forest conservation requirements must be met on site. The City Forester will review a fee in lieu request for significant tree replacement when the Final Forest Conservation Plan is submitted.

24) Obtain a Forestry Permit prior to issuance of building permits and public works permits.

PUBLIC OUTREACH:

The applicant followed the process of notification required as part of a Major Amendment (Level 2 Site Plan), the applicant has provided affidavits and notified all residents and property owners within 1,000 feet of the subject property of:

- Three signs being posted on the site (See Attachment 11).
- Pre-Application (PAM2010-00015) Area Meeting held on October 14, 2009, at 254 North Washington Street at 7:00pm (See Attachment 12).
- Notice of filing of the application (STP2010-00025) on November 23, 2009 (See Attachment 13).
- Post-Area Meeting, which was held on December 10, 2009, at 7:00pm at the Montgomery County Executive Office Building, 101 Monroe Street, Rockville, Maryland (See Attachment 14).
- Planning Commission Public Hearing to be held on April 28, 2010, at 7:00pm at 111 Maryland Avenue, Rockville, Maryland (See Attachment 15).

Also attached (See Attachment 16) is the draft Memorandum of Understanding (MOU) that was drafted by West End Citizen's Association (WECA) / Committee on Beall's Grant II and Montgomery Housing Partnership (MHP) with the common goal of developing an affordable housing project that is an asset to both MHP and the West End. This MOU has not been signed by WECA or MHP.

CONCLUSION:

Based upon the findings, staff recommends approval for this Site Plan Amendment, subject to the conditions noted, and the approval of a parking waiver for 49 spaces.

Attachments:

1. Location Map
2. Proposed Site Plan
3. Proposed Landscape and Forest Conservation Plan
4. Applicant's Project Description, Request for Parking Reduction and Architectural Narrative
5. Proposed Building Elevation and Floor Plans
6. Determination of Process Letter
7. Approval Letter USE2007-00708 and Proposed Plans
8. Stormwater Management Concept Letter Approval
9. Traffic and Transportation Memorandum
10. Water and Sewer Authorization
11. Affidavit of Sign Posting
12. Affidavit of Pre-Application Area Meeting Compliance and Notice
13. Affidavit of Filing
14. Affidavit of Post-Application Area Meeting Compliance and Notice
15. Notice of Public Meeting
16. Draft Memorandum of Understanding