

August 29, 2008

City of Rockville
111 Maryland Avenue
Rockville, Maryland
20850-2364
www.rockvillemd.gov

Community Planning and
Development Services
240-314-8200
TTY 240-314-8137
FAX 240-314-8210

Historic Preservation Office
240-314-8230

Inspection Services Division
240-314-8240

Long Range Planning
Division
240-314-8200

Planning Division
40-314-8220

Revitalization/Housing Divi-
sion
240-314-8200

Robert Goldman
MHP Beall's Inc.
12200 Tech Road, Suite 250
Silver Spring, Maryland 20904

Re: Use Permit Application USE2007-00708,
254 North Washington Street and 13 Beall Avenue

Dear Mr. Goldman:

At its July 23, 2008 meeting, the City of Rockville Planning Commission granted approval of the referenced application, subject to certain conditions described below. This constitutes use permit approval for a 109-unit apartment building with parking garage to be constructed as Phase II of the Beall's Grant Apartments. Approval of USE2007-00708 is subject to full compliance with the following conditions:

1. Submission, for the approval of the Chief of Planning, of eleven (11) copies of the site plan, revised according to Planning Commission Exhibit A, and illustrating that the following site development issues and concerns have been satisfactorily addressed:
 - a. Modifications to the site data table to reflect the parking requirements for the Phase I building; and
 - b. Signage and pavement markings approved per the Chief of Traffic and Transportation.
2. Submission, for the approval of the Chief of Planning and City Forester, of eleven (11) copies of the forest conservation/landscaping plan for the site, to be submitted along with the site plan as part of the signature set.
3. 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.
4. Submission, for the approval of the Department of Public Works (DPW), of the following detailed engineering plans, studies and supporting computations prior to issuance of a building permit, including:
 - a. Sediment control plans, with existing and proposed contours for all disturbed areas;

MAYOR
Susan R. Hoffmann

COUNCIL
John B. Britton
Piotr Gajewski
Phyllis Marcuccio
Anne M. Robbins

CITY MANAGER
Scott Ullery

CITY CLERK
Claire F. Funkhouser

CITY ATTORNEY

000282

- b. Stormdrain study for the site with computations and drainage area map to ensure safe conveyance;
- c. On-site stormwater management (SWM) system;
- d. Public improvement plans, including but not limited to streets, streetscape and sidewalks for public use, street trees, street signage and marking, water sewer and stormdrain; and
- e. Street lighting plans with proposed street lights.

Engineering plans on 24" x 36" City base sheets, at a minimum scale 1"=30' for all public improvement required plans.

- 5. The proposed sewer house connection along Beall Avenue not impact trees to be planted in the roadway median.
- 6. The applicant shall contribute \$26,100 toward the construction of the 16-inch water main improvements in Beall Avenue prior to issuance of building permits.
- 7. The applicant shall provide two new fire hydrants, one along Beall Avenue and the other on North Washington Street. The location of the hydrants and pipe layout shall be reviewed and approved by DPW and the Fire Marshall during detailed engineering.
- 8. The applicant shall establish easements for the two water meters serving the property.
- 9. Stormwater management (swm) for the property shall be in compliance with the SWM concept approval letter dated January 2, 2007, as may be amended by DPW.
- 10. The applicant shall abandon the existing 2-inch water house connection along North Washington Street per DPW requirements.
- 11. Below grade excavation shall be dewatered per DPW sediment control requirements to an acceptable outfall during construction.
- 12. The garage levels below grade must outfall in the sanitary sewer.
- 13. That necessary bonds be posted and permits obtained from DPW, as appropriate.
- 14. The applicant shall contribute \$105,000, prior to issuance of the building permit, towards the construction of the pedestrian safety improvement on North Washington Street just south of Dawson Avenue and north of the Gas Station.

000283

15. The applicant shall provide 56 long-term (bicycle lockers) spaces and 4 short-term (bicycle racks) spaces. A locked bicycle room with racks or a locked cage is recommended for long-term storage. An inverted "U" bicycle rack is recommended for short-term storage. These spaces shall be provided at a safe and secure location that is approved by DPW. The location of the short-term spaces along the street shall be approved by DPW at detailed engineering stage.
16. The applicant shall contribute, prior to the issuance of any building permit, a monetary contribution of \$6500 for the implementation of one bus shelter to be located nearby to the subject site or at locations in the vicinity of the site. This contribution will be incorporated into the Bus Stop Beautification CIP project.
17. 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 of Traffic and Transportation.
18. Submission, for review and approval of the DPW prior to issuance of the DPW permit, a phasing plan for pedestrian access, construction access, staging and parking. Pedestrian access plan for 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.
19. The applicant shall construct a five-foot wide sidewalk along old North Washington Street in front of the funeral home prior to the issuance of the occupancy permit. The sidewalk design shall be approved by DPW at detailed engineering stage.
20. During construction, contractors will not be permitted to park in the residential neighborhood, west of the site.
21. The applicant must submit the on-site lighting plan, including photometrics, to the Chief of Traffic and Transportation prior to the issuance of the building permit.
22. 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 coordinate

with Pepco the installation of the underground wiring. Bonds will be held until all streetlights are energized and accepted by the City of Rockville.

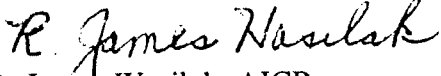
23. A Forestry Permit is required for this project. Conditions for issuance of the Forestry Permit are:
- a. Submittal and approval of a Final Forest Conservation Plan (FCP) by the City Forester.
 - i. Review fee, completed application form, including contact information and checklist items, must be submitted with Forest Conservation Plan.
 - ii. All proposed and existing utilities and easements must be shown on the FCP.
 - 1. Street trees and replacement trees cannot be located within the PUE or other easements.
 - 2. Street trees require a seven-foot tree lawn or continuous soil panel under the sidewalk.
 - iii. The landscape plan must be included as part of the FCP submission and will be reviewed by Forestry prior to approval of the Signature Set.
 - b. An executed Five year Forest and Tree Conservation Maintenance Agreement.
 - c. A recorded Forest Conservation Easement and Declaration of Covenants.
 - d. An approved Bond filed with the City Forester.
 - e. An approved Sediment Control Plan.
 - i. The SCP and FCP must be consistent and will be reviewed together.
 - f. All afforestation requirements must be met on site.
 - g. All off-site significant trees removed in conjunction with this project that cannot be planted either off-site on the same property or on-site will require payment of fee-in-lieu.
24. 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.
25. That all proposed rooftop mechanical equipment be screened appropriately and be compatible in color and material with the exterior surfaces of the proposed building.
26. That any new electrical transformers or other utility equipment lockers or facilities be placed underground, unless the Planning Commission grants a waiver.

27. That construction fencing be installed along the common rear property line with the attached units on North Adams Street, to include materials that screen the view of the proposed construction from the subject units to the degree possible.
28. That safety and security measures be installed and implemented in the parking garage in order to enhance the safety of the garage for its users.
29. The Use Permit does not include approval for signs. Sign permits must be applied for from the Inspection Services Division.
30. 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.
31. That all conditions of approval for Use Permit USE92-0500 continue to apply, unless superseded above.

Section 25-193(d) of the Zoning Ordinance requires the **construction or operation must commence within two (2) years of the date of this decision or application approval shall expire.** If the applicant can show just cause, a maximum of two (2) time extensions may be granted by the Planning Commission, each not to exceed one year. However, time extensions are not automatically approved, and sufficient detail and justification will be required in order for the Planning Commission to consider granting an extension.

Any person aggrieved by this decision of the Planning Commission may appeal the same to the Circuit Court for Montgomery County. Such appeal shall be taken according to the Maryland Rules as set forth in Title 7, Chapter 200.

By Direction of the City of Rockville
Planning Commission


R. James Wasilak, AICP
Chief of Planning

000286

Note: A building permit may be issued only when the conditions of approval have been met and a copy of the following acknowledgement, signed and executed by the applicant, has been returned to the Planning Division office. Be advised that Commission approval does not constitute approval by any department or agency having jurisdiction over this development project.

I ACKNOWLEDGE RECEIPT OF THIS USE PERMIT USE2007-00708 AND AGREE TO FULLY COMPLY WITH CONDITIONS UPON WHICH APPROVAL WAS GRANTED. I FURTHER ACKNOWLEDGE THAT FAILURE TO COMPLY WITH THESE CONDITIONS MAY CAUSE APPROVAL TO BE REVOKED BY THE PLANNING COMMISSION.

(Applicant's Signature)

(Applicant's Printed Name)

/rjw

cc: Planning Commission
Loreen Arnold, Preston Partnership
Charles Baker, Chief of Inspection Services
Sondra Block, Assistant City Attorney
Elise Cary, Assistant City Forester
Ed Duffy, Chief of Management and Support
John Hollida, Civil Engineer
William Kominers, Holland & Knight
Michael Plitt, Macris, Hendricks & Glascock
Nazar Saleh, Transportation Engineer
Craig Simoneau, Director of Public Works
Steven Sprecher, Montgomery Housing Partnership
Susan Straus, Chief Engineer/Environment
Susan Swift, Director of Community Planning and Development Services
Rebecca Torma, Transportation Planner
Scott Ullery, City Manager
Mark Wessel, Civil Engineer III
Application File

000287

John Anselmo
Mark Bellinger
Stuart Bowman
Don Hadley
Maggie Hadley
Alexandra Haropolous
Martin Heilman
Selden Higgins
Maria Hristova
Jack Leiderman
Yuan Li
Chung Mi Luan
Vicki McMullen
George Snowden
Patricia Woodward, West End Citizens Association
Kevin Zaletsky
Melanie Zaletsky

VP 140 83/81

LANDSCAPE LEGEND

- PROPOSED TREE
- SHRUB
- PLANT QUANTITY & TYPE
(CONSULT PLANT LIST FOR
COMPLETE PLANT INFORMATION)

NOTE: ALL LAWN AREAS TO BE SEEDED. ALL PLANT BEDS AND TREES TO BE MULCHED WITH SHADDED HARDWOOD MULCH.

PLANT CODE LISTING

ACB	BLOOD GOOD JAPANESE MAPLE
ANS	SPIND ANEMONE
APB	BUTTERFLY JAPANESE MAPLE
ARA	ARMED RED MAPLE
ATC	ATLANTIC OAK RED MAPLE
ARS	RED SEABERT MAPLE
BOK	GREEN VELVET BURNING BUSH
BWW	WHITE LITTLE LEAF BURNING BUSH
BWC	HIBISCUS RIVER BRUSH
CEK	RED JIN CORNWOOD
CFD	AMERICAN HORNEMAN
CHL	RED HYDRANGEA
CAF	PORTULACA HOLLY
CHL	WALNUT STEPPED HOLLY
CC	CHERRY HOLLY
CCB	SPRING JASMINE
CCD	GOLD CORNET JASMINE
CCF	SEA GREEN JASMINE
CCG	MOUNTAIN LAUREL
CCJ	SHONEN LEE BLOSSOM
CCK	NATCHEZ CRAPPAWVILLE
CCM	YELLOW VARIETATED LINDEN
CCN	LAVENDER
CCP	HOOTLINE JAPANESE PRUNE
CCQ	OTTO LUTHER LAUREL
CCR	SCOP CALINE
CCS	DAWNY PINK-LIP BAMBOO
CCT	PACHYRACHIS GRASS BUSH
CCU	RED OAK
CCV	SPRUCE PLUMBERRY WHITE AZALEA
CCW	P.M. RHODODENDRON
CCX	ROSEUM BLOSSOM RHODODENDRON
CCY	HOTY BELLEAC
CCZ	SEVEN LINDEN
CC1	DAVE AMERICAN ANONYMUS
CC2	FRAXINUS
CC3	FRAXINUS

FISHMANS ADDITION TO ROCKVILLE LOT 7, PLAT 3785

FISHMANS ADDITION TO ROCKVILLE LOT 8, PLAT 3785

FISHMANS ADDITION TO ROCKVILLE LOT 9, PLAT 3785

FISHMANS ADDITION TO ROCKVILLE LOT 10, PLAT 3785

DENNIS C. SIMMONS ADDITION TO ROCKVILLE PARCEL D, BLOCK D, PLAT #2653

DENNIS C. SIMMONS ADDITION TO ROCKVILLE PARCEL F, BLOCK B, PLAT #12895

DENNIS C. SIMMONS ADDITION TO ROCKVILLE PARCEL G, BLOCK B, PLAT #12895

PROPOSED LOT 3, BLOCK A CITY CENTER 106,842 S.F. OR 2.5170 AC.

CITY CENTER LOT-3, BLOCK A PLAT #19057

CITY CENTER LOT-4, BLOCK A PLAT #19057

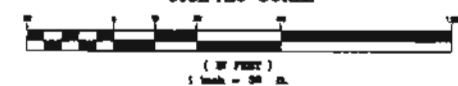
DAWSON AVENUE

DENNIS C. SIMMONS ADDITION TO ROCKVILLE PARCEL C, PLAT 1785

GEORGE R. SNOWDEN, ET AL -4716 F-02

NORTH WASHINGTON STREET

GRAPHIC SCALE



CONSENT TO RECORD

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF EXISTING STATE AND CITY FOREST CONSERVATION LEGISLATION.

FOREST CONSERVATION/LANDSCAPE PLAN
BEALL'S GRANT APARTMENTS
CITY CENTER
LOT 4, BLOCK A, PLAT 19057
4TH ED - CITY OF ROCKVILLE - MONTGOMERY COUNTY - MARYLAND

MHC Macris, Hendricks & Glascock, P.A. Prof. Ingr. Designer



THE PRESTON PARTNERSHIP, LLC
A MULTI-DISCIPLINARY DESIGN FIRM
3441 FAIRVIEW PARK DRIVE, SUITE 418
FALLS CHURCH, VIRGINIA 22042
TELEPHONE 703 206 0990
FAX 703 206 0981
WWW.DESIGNPARTNERSHIP.COM
CONSULTANT

FOR
BEALL'S GRANT APARTMENTS
ROCKVILLE, MD

FOR
THE MONTGOMERY HOUSING
PARTNERSHIP, INC.

DATE: 01/17/2009
JOB NUMBER: 0501401
DRAWN BY: FMG
CHECKED BY: ZMC
DRAWING TITLE: ELEVATIONS
DRAWING NUMBER: A1.01

