

Statement of Applicant - Duball Rockville, LLC
Amendment to Building 2 of Site Plan STP2012-00105/STP2016-00279
To Implement Project Plan PJT2014-00003

This amendment of Site Plan STP2012-00105 focuses only on the second Duball Rockville residential and street level commercial building ("Building 2") located on the east side at 198 East Montgomery Avenue ("Parcel 2-L", formerly Parcel 2-K, also identified on the PJT and PDP as "Block 2"). Building 2 is part of a two building site plan fully approved under use permit USA2006-00699A, as amended by site plan STP2012-000105, as further amended by site plan STP2016-00279. The purpose of this amendment is to implement the approvals under Project Plan PJT2014-00003.

The amendment to STP2012-00105 for Building 2 proposes to implement the following approvals by the Mayor and Council under Project Plan PJT2014-00003:

1) the addition of 178 dwelling units to the currently approved 222 dwelling units for a maximum of 400 dwelling units in Building 2, and

2) a 15% parking reduction for the residential uses in Building 2 for the shared parking facility in Building 2.

No changes to the building footprint, architecture, massing, height, or finishes are proposed. No changes to the street level commercial for the project are proposed. Changes proposed include new floor plans, new layout for the parking facility, and minor changes reflecting changes to the building code/fire code since the last approval.

The parking provided within the original five block PDP area will still remain in a significant surplus condition with more parking provided than required for the uses within the five block PDP area. Once the second Duball Rockville building is complete, Duball Rockville will provide 1178 parking spaces to meet its 1178 parking space requirement at peak parking demand under the City's 25.16.03.h.6 Flexible Parking standards for shared parking in mixed use projects. Once the second Duball Rockville building is complete, the PDP will have a surplus of 298 parking spaces at peak parking demand. See the Parking discussion and exhibits for more detail.

The Building 2 design is substantially similar to that previously approved, including the footprint, architecture, structure, landscaping, stormwater management, vehicular circulation and loading, pedestrian access points, and general design. This amendment keeps the building design unchanged but updates the residential floor plans to incorporate the 178 additional dwelling units approved under PJT2014-00003. The unit size, type and mix in Building 2 has



been updated to meet current market demand, demographics, and to differentiate this project from other housing choices in Town Center. Of the 400 units in Building 2, 150 units are proposed to be age-restricted for senior housing. A minimum of 15% of the total units, that being 60 units, will be MPDUs and will be distributed within the age-restricted senior housing component and will satisfy the MPDU requirement for the whole building. **Of the 400 total units, up to 150 units, including the MPDUs, may be under the management of a third party housing provider.** The third party housing provider may elect to provide additional rent-restricted units, over and above the 60 MPDUs required for Building 2, in accordance with its **corporate mission.**

The chart below demonstrates how the requested amendment to the Site Plan for Block 2 compares to the currently approved Project Plan PJT2014-00003 and the currently approved Site Plan STP2012-00105:

Block	Use	Approved PJT2014-00003	Approved STP2012-00105 STP2016-00279	Proposed Amendment STP2017-000___
Block 2 Par 2-L, formerly 2-K	Residential	663 du	222 DU	400 DU
	Retail (1)		22,200 SF (2)	22,200 SF (2)
Block 3 Par 2-M, formerly 2-J	Residential		263 DU	263 DU
	Retail (1)		23,100 SF (2)	23,100 SF (2)
	Total Retail (1)	45,300 sf	45,300 sf	45,300 sf
	Hotel	140 Rooms + Limited Service	140 Rooms + Limited Service	140 Rooms + Limited Service
Total		663 DU 45,300 GSF Retail 140 Room Limited Service Hotel	485 DU 45,300 GSF Retail, 140 Room Limited Service Hotel	663 DU 45,300 GSF Retail, 140 Room Limited Service Hotel

1. "Retail" includes all retail, commercial, and service uses permitted in the equivalent MXTD zone.
2. Approval per STP2012-00105, Total Retail GFA includes area for retail, restaurant, commercial, and service uses, and hotel lobby which incorporates hotel lobby concession space, seating, registration, and approximately 1145 SF hotel lounge/accessory restaurant.

APFO/ School Test. With respect to the currently approved 222 dwelling units and commercial development for Building 2, the Preliminary Development Plan Approval for Preliminary Development Plan PDP94-001A-E has no expiration date and APFO for the currently approved development is satisfied through November 1, 2030.

With respect to the additional 178 dwelling units conditionally approved under Project Plan PJT2014-00003, the conditional approval for schools was satisfied as of December 7, 2016 (see **Attachment #1**). The APFO for traffic was satisfied at the time of approval of PJT2014-00003 as the additional units generated less than 30 peak hour trips and was determined to be de minimus.

Traffic Safety. There are no proposed changes to the on-site vehicle access and circulation design which was previously analyzed and approved under the current site plan approval.

Parking. This application applies the currently approved 40% parking reduction for non-residential parking requirements, the 15% parking reduction for the residential uses in Building 2 approved by the Mayor and Council, and the flexible parking standards under Zoning Ordinance Section 25.16.03.h.6 . Analysis of both the parking for just the Duball Rockville Project (Buildings 1 and 2) and also for the 5 blocks of the PDP demonstrate that adequate parking will be available within i) the Duball Building 2, (ii) Building 1 and 2 of the Duball Rockville Project together, and (iii) the overall five block PDP. Further, the analysis indicates that a surplus of almost 300 parking spaces will exist within the PDP area after the Duball Rockville Project is constructed. The Applicant is replacing 200 surface parking lot spaces in its Building 2 structured parking (and has already replaced 161 surface spaces in its Building 1 garage for a total of 361 spaces) in addition to providing parking for the on-site uses in Duball Rockville Project Building 1 and 2.

Parking in Building 2 totals 588 spaces including 252 unreserved non-exclusive spaces for the residential dwelling units plus 136 non-exclusive spaces for the commercial uses plus 200 non-exclusive spaces in replacement of the surface parking lot for the PDP uses (ie., retail pavilion).

Parking in the west hotel/residential Building 1 currently occupied totals 590 spaces including 292 exclusive spaces for the residential dwelling units plus 298 non-exclusive spaces for the commercial uses, including the retail/restaurant/commercial uses, the hotel, and the 161 replacement surface parking lot spaces for the PDP uses (ie., retail pavilion).

The total combined parking on-site within both Building 1 and Building 2 of the Duball Rockville Project as proposed is 1178 parking spaces.

The calculations for parking are set forth in several tables attached (see **Attachment #1.**) The first calculation in Table 1.5 focuses on overall parking within the PDP project area, and 1) confirms that the Project Plan meets the required test that the total parking supply remains sufficient for the parking requirement for all uses within the PDP project area when the Duball

Rockville Project is constructed, and further, 2) demonstrates that at the peak time of day there is actually a surplus of several hundred parking spaces over code required parking for the uses within the PDP area.

A second calculation in Table 1.4 focuses on just the two Duball Rockville Project blocks and the Block 5 Retail Pavilion/ Regal Theatre, and confirms 1) that the on-site parking supply is sufficient for the parking required for all uses for Building 1 and Building 2 within the Duball Rockville Project, as well as 2) parking for the Block 5 Retail Pavilion up to the replacement of the 361 space surface parking lot.

An additional parking table calculates in more detail the parking required for the uses within the Duball Rockville project, the application of parking waivers and the flexible standards for shared uses under 25.16.03.h.6.

The total combined parking within the 5 block PDP as currently constructed or proposed by this amendment is 1652 spaces:

Block 1/ Parcel 2-F/ 255 Rockville Pike	435 spaces
Block 2/ Parcel 2-L/ 198 E Montgomery	588
Block 3/ Parcel 2-M/ 196 E Montgomery	590
Block 4/ Parcel 2-H/ 41 Maryland Avenue	39
Block 5/ Parcel 2-G/ 199 E Montgomery	<u>-0-</u>
Total Parking in PDP	1652 spaces

The calculations for parking demonstrate that the PDP area will remain in a surplus, meaning more parking is provided on-site at the peak demand period than code required

It is the intent of the Applicant to avoid structured parking being overbuilt in a transit-service area. Over building structured parking can negatively impact affordability of multi-family housing.

The parking calculations do not include on-street parking spaces on East Montgomery Avenue, Maryland Avenue, Monroe Street or Renaissance Street around the Duball Rockville Project that provide an additional 70 convenient short term parking spaces to the general public doing business within the PDP and town center. Within two blocks of the Duball Rockville Project there are over 3000 additional commercial parking spaces in garages and lots open to the general public.

Stormwater Management. By letter dated March 4, 2011, the City approved the request to grandfather the Duball Rockville Project under the stormwater management

ordinance that was in effect prior to June 7, 2010. The Applicant met the deadlines under the approval letter to implement the prior approved stormwater concept plan SMP2007-00008, and SWM waivers WVR95-2001 and WVR 95-2002. The stormwater facilities to serve both buildings was fully constructed in Helen Heneghan Way with Building 1.

Forestry and Landscape Plans. No changes to the Landscape plans are proposed. FTP2006 -00019 was previously approved February 2, 2007.

Master Plan. The Rockville Town Center Master Plan approved October 22, 2001 has not been amended since the approval of PJT2014-0003 amending PDP1994-0001E, and STP2012-00105 amending USA2006-00699A, as further amended by STP2016-00279, and the findings of the Mayor and Council, Planning Commission and the CPDS staff report regarding conformance with the Master Plan remain valid.

The amendment to add additional housing units is in conformance with the Town Center Master Plan Goal #2 to *"Accommodate a variety of densities and scales of development that are sensitive to an urban neighborhood environment and the demands of the marketplace"*. The increase in density without changes in the scale of the existing building implements the Town Center Master Plan goals by providing growth in the Town Center's residential population which will help to attract and retain retail and support a vibrant Town Center retail and entertainment environment for the benefit of all City residents, workers, and visitors. The mix of units will respond to housing affordability needs of the residents who are drawn to Rockville Town Center.

Prior Approvals. The Project Plan PJT2014-0003 is the most current amendment to the original series of approvals for the project: Preliminary Development Plan Approval PDP1994-0001 governing the Duball Rockville Project was approved on April 27, 1994, as amended by the approval for PDP1994-0001A on June 19, 1996 and PDP1994-0001-B on July 22, 1998, all from the Planning Commission, and PDP1994-0001E was approved on May 2, 2005 by the Mayor and Council.

Site Plan STP2012-00105 (as amended by STP2016-00279 for Building 1 minor amendment) is the most current site plan amendment to the original series of use permit and site plan approvals for the Project: Use Permit approvals USE2006-00699 and amendment USA2006-00699A from the Planning Commission were approved on March 14, 2007 (with approval letter dated May 23, 2007) and October 10, 2007 respectively with an original validity date through May 23, 2009. The Use Permit validity period was originally extended to May 23, 2010 by Planning Commission action on January 28, 2009 with approval letter dated February 18, 2009. A second Use Permit Extension to May 23, 2011 was approved by Planning Commission action on April 28, 2010. Pursuant to Mayor and Council action on June 21, 2010 approving a 2 year permit extension tolling the running of the permit period from June 30, 2010 to June 30, 2012, plus the unexpired remainder of the Planning Commission extension, extends the validity of USE2006-00699A to May 23, 2013.

The site plan/use permit approval is valid for both buildings conditioned on construction commencing on Building 1 no later than May 23, 2013. The Applicant satisfied the condition and vested the multi-building site plan by timely commencing construction on or about November 30, 2012.

The Duball Rockville Project encompasses both Blocks 2 and 3 of the five block Preliminary Development Plan PDP1994-00001E approved by the Mayor and Council (see Land Use & Massing Plan for PDP - Attachment #3). The PDP area includes the office building at 255 Rockville Pike (PDP Block 1), the Retail Pavilion at 199 East Montgomery Avenue (PDP Block 5), the parking lot on Maryland Avenue (PDP Block 4), and the two blocks of the Duball Rockville Project (PDP Blocks 2 and 3).

