

STATEMENT OF JUSTIFICATION
CITY CENTER 414-416 HUNGERFORD DRIVE
Site Plan STP2024- 00487
April 10, 2024

I. INTRODUCTION

Rockville Plaza, LLC (“**Applicant**”), owner of the improved property commonly known as 414-416 Hungerford Drive, submits this Site Plan Application pursuant to Sections 25.07.07.21 and 25.07.05.03 of the Rockville Zoning Ordinance for its proposed “**City Center**” residential project of 291 multi-family dwelling units (inclusive of 15% moderately priced dwelling units) with associated structured parking, on-site amenities, and open space, together with the dedication of the unconstructed master-planned right-of-way for the segment of Maryland Avenue North lying within the property.

II. PROPERTY

- A. **Property Identification.** The subject property is an assemblage of two lots, Lot 8, City Center per Plat 9079 and Lot 12, City Center per Plat 9506 totaling approximately 146,507 square feet (3.36 ac) of land (“**Property**”). The Property is improved with: i) an office building with retail annex with addresses of 414 and 392-412 Hungerford Drive, respectively, and ii) a second office building with address of 416 Hungerford Drive.

The Property is zoned MXCD – Mixed Use Corridor District and lies within the Town Center Performance District overlay zone.

- B. **Property Location and Characteristics.** The Property is located in Rockville Town Center west of Maryland Route 355-Hungerford Drive approximately 169 feet north of the Hungerford Drive/Beall Avenue signalized intersection and approximately 320 feet south of the Hungerford Drive/”Dawson Avenue” signalized intersection.

To the south, the Property adjoins the Rockville Volunteer Fire Station located at 380 Hungerford Drive. To the west, the Property adjoins the Met Apartment building located at 255 North Washington Street and its Spot Asian Food Hall fronting on Beall Avenue. To the northwest, the Property adjoins the Brightview West End Senior and Assisted Living facility located at 285 North Washington Street. To the north, the Property adjoins a standalone Walgreens Pharmacy located at 430 Hungerford Drive. Confronting the Property east across the six-lane divided Hungerford Drive/Maryland Route 355 is a 7-story office building at 401 Hungerford Drive and a Capital One Bank with drive-through at 387 Hungerford Drive.

All of the adjoining and confronting properties, are also zoned MXCD – Mixed Use Corridor District zone (except for 255 North Washington Street zoned PD-KSI) and lie within the Town Center Performance District.

A connected surface parking lot on the Property surrounding the two buildings has two curb cuts on Hungerford Drive and one on Beall Avenue. The Property has access to the signalized curb cut on Hungerford Drive at Dawson Avenue via a platted 50-foot service drive that runs parallel to Hungerford Drive as well as a connected parking lot driveway in the rear of the Property through the Walgreens parcel. Along the northern property line is a conditional access easement recorded in Liber 50998 at Page 001 for the benefit of adjacent Parcel N877 on which the Walgreens Pharmacy is located. This access easement provides for an up to two-way drive lane that allows both the Walgreens property and the Property to connect the service drive on Parcel N877 parallel to Hungerford Drive to the parking and loading in the rear and to Maryland Avenue, commencing when Maryland Avenue North is extended from Beall to Dawson.

The two office buildings and the retail annex on the Property, built in the early 1970s and operated continuously since, are intended to be demolished as part of the redevelopment under this site plan.

In a meandering course along the western property line of the parking lot in the rear of the Property is an existing storm drain easement recorded in Book 3525 at page 389 for a 60-inch below-grade public storm drain that runs south to Beall Avenue. This storm drain is intended to be relocated to within the Maryland Avenue North right-of-way as part of the Maryland Dawson Extended 5C11 public project. The Property is fairly level and is almost entirely impervious with no stormwater management facilities. Limited lawn exists between the parking lot and the sidewalk along Hungerford Drive and in front of the 416 Hungerford Drive office building. There are no trees on the site.

Per the approved NRIFSD [FTP2023-00049](#), the Property is within the Rock Creek watershed. The site is not associated with any areas of forest, wetlands, 100-year flood plain, streams, stream buffer, or steep slopes. The soils are classified as urban land that is not highly erodible nor otherwise sensitive. There are no known or recommended historic properties on or adjacent to the site per the Rockville Historic master plan or the Maryland Inventory of Historic Properties. The closest historic assets are further north and west of North Washington Street in the West End neighborhood along Martins Lane and to the west and south in the West Montgomery Avenue and Courthouse Square Historic Districts.

The Property is within walking distance of transit along existing sidewalks approximately 1,465 feet of the Rockville Metro Station on the WMATA Redline. Bike lanes exist on Beall Avenue from Maryland Avenue to North Washington Street. The City has been awarded a grant from Bloomberg for asphalt art enhancement of the Maryland Avenue/Beall Avenue intersection pedestrian crossings.

- C. **Neighborhood.** The Property lies within Rockville Town Center. It is in the block north of the Rockville Town Square mixed-use residential, retail and institutional/cultural

development in the heart of Town Center. Within Rockville Town Square is Rockville Town Center Park with the Music Pavilion, Ice Skating Rink, Public Library as well as the VisArts Gallery, Buchanan Room and Rooftop entertainment venues. The Property is within walking distance of the historic West End residential district to the west of North Washington Street known as the West Montgomery Avenue Historic District and the Courthouse Square Historic District. It is within walking distance of the Lincoln Park/East Rockville historic residential district to the south at Park Avenue east of the Rockville Metro Station. The Property lies on the main pedestrian spine through Town Center along Maryland Avenue connecting the Rockville Metro Station, District Court, Circuit Court, County offices, Cambria Hotel, Regal Theatre and the main retail district of town center.

The Property is within walking distance of Rockville Town Center Park, Courthouse Square Park, and Kinship Park Playground.

The Rockville Town Center core between Jefferson Street and north to the convergence of North Washington Street and Hungerford Drive is a mixed-use district that has developed over decades with over 2300 multi-family or attached dwelling units, offices, institutional and cultural uses, entertainment, retail and services. Town Center is transit oriented and transit proximate with both at-grade access and pedestrian bridge access to the Rockville Metro Station.

The Rockville Volunteer Fire Station No. 3 that includes fire and rescue as well as ambulance and medic equipment and staff is on a prominent corner site at Hungerford Drive at Beall Avenue immediately adjacent to the Property.

The extensive transportation and transit network proximate to the Property (MD 355, MD 28, I-270, MD 526, MD 200 and more) provides convenient regional access to the rich employment, services, government, cultural, historic, entertainment, and retail opportunities in all directions.

D. Prior Approvals.

414 Hungerford Drive, Lot 8:

Use Permit USE-70-00478 for 35,600 sf office and commercial building
Use Permit Amendment USA90-0460A
Use Permit Amendment STP2018-00332
Record Plat 9506 for Lot 8, City Center

416 Hungerford Drive, Lot 12:

Use Permit U-69-00453 for a 55,033 sf office building
Record Plat 9079 for Lot 12, City Center

III. PROPOSED DEVELOPMENT

A. Project

The Project proposes:

- i. One building lot of 89,374 sf (2.05 ac) of land.
- ii. A seven-story multi-family building containing 291 dwelling units (inclusive of 44 moderately priced dwelling units) with a variety of studio to 2 bedroom unit types including some with direct Maryland Avenue sidewalk access or private patios;
- iii. Resident amenity spaces including a 3rd floor plaza level clubroom facing onto an open courtyard with pool, outdoor dining and gathering spaces; Maryland Avenue-facing fitness center, business center and co-working space connected to the lobby lounge; secured bicycle room with bicycle maintenance and repair facilities; structured parking; outdoor sidewalk seating; among others.
- iv. Structured parking providing approx. 383 parking spaces.
- v. Open Area/Public Use Space including approximately 27,000 sf of open area inclusive of approximately 10,400 sf public use space onsite on the building site with enhanced sidewalks on the east side of Maryland Avenue Extended, along the public access driveway on the north side, and the Beall Avenue frontage; and an approximately 21,781 sf open area/public use space (the “Park Space”) made up of the two triangular pieces severed from the building site on the Property after dedication of Maryland Avenue Extended with potential future dedication for a public park as recommended in the 2040 Plan.
- vi. Dedication of unconstructed Maryland Avenue Extended right-of-way to the extent lying within the Property along the proposed building frontage from Beall Avenue to Parcel N877, and a public access easement over a 20-foot wide private drive connecting Maryland Avenue Extended to a re-aligned Hungerford Drive curb cut.
- vii. Pedestrian and Cyclist improvements with the implementation of a 10-foot shared use path within a public access easement along the Hungerford Drive frontage; improvements to a mid-block pedestrian crossing of Maryland Avenue Extended from the building lobby to the Open Space/Park Space.

The Project delivers character and architectural interest along all building frontages, including the Hungerford Drive frontage and the view to the north and south building frontages for passing traffic, as well as an engaging experience for pedestrians drawn north from Rockville Town Square along Maryland Avenue Extended.

The significant open area proposed by the Project west of Maryland Avenue Extended builds on the sidewalk circulation and open area constructed by the Met development (PD-KSI) to expand the overall openness and green space, and define the character of this block north of Beall Avenue.

The Project will help complete the transformation of this next block north of Rockville Town Center with the addition of a destination public use space that can be passively enjoyed and/or programmed, as well as punctuate the block with easier access to retail, restaurant, and service offerings north of Rockville Town Square.

B. Moderately-Priced Dwelling Units

The Project includes 15% MPDUs totaling 44 units of the total 291 dwelling units in a mix of studio, one and two bedroom units consistent with the MPDU Chapter 13.5 Ordinance and Regulations.

The final mix of MPDU units, locations, and income eligibility will be finalized with the Department of Housing and Community Development.

C. Architecture

The proposed 7-story residential building takes advantage of facing two major streets, Hungerford Drive to the east and the planned Maryland Avenue Extension to the west. All four sides of the building are finished and articulated. The building entrance is “neighborhood facing” on Maryland Avenue connecting it to Rockville Town Center. Building loading and parking access is intentionally located on the north side façade on the Public Access Driveway. This allows the rhythmic articulated architecture to run dynamically along the full length of both the Hungerford Drive and Maryland Avenue facades enhancing the architectural character of Town Center externally to passing drivers on Rt. 355 and internally to pedestrians living, working and visiting Town Center.

Responding to the scale of highly visible, heavily traveled MD Rt. 355, the eastern massing is developed in a three-part, staggered configuration to modulate the long facade. Each massing block is clad in an off-white fiber cement panel system with vertical window and balcony openings in charcoal gray accents that create rhythmic visual textures to the façade. It sits on a 2-story parking podium finished in charcoal gray masonry with contrasting accent panels in warm colored masonry providing visual interest at the pedestrian scale.

The Maryland Avenue Extension façade consists of a series of smaller massing blocks, cascading down to follow the tapered site geometry, and responds to the scale of pedestrian-oriented street fronts. Private ground floor unit entrances, together with ample transparencies along the entire street frontage for the main residential entrance and amenities promote safe and dynamic pedestrian experiences. The narrow southern end of the Property marks the gateway to the project at the Beall Avenue intersection and contains the main lobby, leasing office, and fitness center to activate the street frontage. The corner massing is accentuated by a series of two-story grids, clad in a rich-colored metal panel, to help draw pedestrians’ flow deeper into Maryland Avenue North. The southern party wall that borders the existing fire station is clad with charcoal gray wall panels in an alternating pattern to provide visual interest at the lower levels. The upper south façade is articulated with apartment window and balconies openings setback on the floors above the party wall overlooking the fire station.

The main Project lobby entrance connects via a well-defined mid-block pedestrian crossing to the large public open space across Maryland Avenue with its fully landscaped green area, walking paths, hardscape, and seating areas where Project residents and the public can interact and enjoy a green respite in downtown, or when the open space is programmed, can enjoy participating in community-building City gatherings and events.

The Project residents will benefit from the private recreational opportunities in the Project's generously sized landscaped courtyard with a pool at level 3, along with an indoor multi-use amenity space that is directly adjacent to the outdoor space.

D. Streetscape Sidewalk Improvements/ Improved Pedestrian Experience

The east side of the new Maryland Avenue extension along the building frontage will be improved with a 10-foot sidewalk, separated from the street by a 7-ft tree lawn to include street trees, street lights and stormwater management cells per the City's right-of-way design plans for Maryland Avenue. A hardscape private "amenity area" extends the sidewalk to the face of the angled building frontage and provides opportunities for seating, bike racks, and plantings.

The west side of Hungerford Drive, along the project frontage, will be improved with a new 10-ft shared use path separated from the roadway by an 8-foot landscape buffer, and separated from the building by a 4-foot buffer strip.

E. Shared Path/ BRT/Bicycle Master Plan

The Project provides a 13-foot wide easement along the Hungerford Drive Frontage to accommodate within the combined right-of-way and easement, a streetscape buffer of an 8-foot wide tree lawn and a 10-foot wide shared use path. A further 4-foot strip buffers the shared use path from the building. The shared use path continues the same street section from the recently developed 460 Hungerford Drive one block north.

The Project lies within the southern section of the 355 BRT Plan that runs between North Bethesda and Montgomery College. The design and engineering plans are approximately 35% complete and in 2023 received further comment from the City of Rockville. The current street section for this segment of Hungerford Drive provides for a two-way cycle-track on the west side of Hungerford Drive. Published County information indicate that the segment of the 355 BRT Plan along the Property is not funded for construction in the near future.

Applicant has been advised that the pending Town Center master plan update will likely provide an updated re-alignment of the cycle tract to the east side of 355. An update to the City Bicycle Master Plan would likely follow.

F. Through-block Connection to Hungerford Drive

The Project incorporates a 20-foot wide, two-lane drive along the northern Property line (the “**Public Access Drive**”). The Public Access Drive serves multiple public and private functions and will remain privately owned.

- i. The Public Access Drive connects Maryland Avenue Extended to the proposed Hungerford Drive curb cut and allows circulation and connectivity between two public roads. The Public Access Drive eliminates any dead-end on Maryland Avenue during any potential period that Maryland Avenue is extended north only for the segment within the Property. This allows the timing for the full extension of Maryland Avenue by the City between Beall Avenue and Dawson Avenue to be implemented without regard to the Project construction. The balance of Maryland Avenue Extended can be constructed by the City when the right-of-way has been acquired from the owner of adjoining Parcel N877. A Public Access Easement is proposed to be recorded for the Public Access Drive.
- ii. The Public Access Drive provides access for residents and their visitors to the vehicular entrance to the Project parking and access for truck loading and building services within the loading bay area of the building.
- iii. The Public Access Drive provides access for the benefit of Parcel N877 on which the Walgreens is located to connect their parking and service drive along Hungerford Avenue to its loading and parking in the rear of the Walgreens building and to Maryland Avenue North.
- iv. A sidewalk along the Public Access Drive provides a mid-block pedestrian connection between the sidewalk of Maryland Avenue and Hungerford Drive.
- v. The Public Access Drive provides a mid-block connection for cyclists to access the shared use path to be built along Hungerford Drive. It will also provide access to any future cycle track via a crossing one property south at Beall Avenue/355 intersection, should a cycle-track be constructed on the east side of Hungerford Drive by Montgomery County or the State as proposed as part of the BRT project improvement of Maryland Route 355/Hungerford Drive. Final plans and construction funding for a BRT related cycle-track in the area of the Project is not proposed by either the County or State in short-term Capital Improvement Budgets due to transportation funding limitations.
- vi. The Public Access Drive provides a necessary and discreet location for Project stormwater management facilities and below-grade infrastructure.

G. Maryland Avenue right-of-way dedication/ Pedestrian Crossing

The Project proposes the dedication of the unconstructed right-of-way of the segment of Maryland Avenue Extended north of Beall Avenue that lies within the Property. The area of proposed road dedication is approximately 0.81 acres/35,351 square feet of the Property. This is approximately 25% of the land area of the Property.

Dedication will occur with the recording of a dedication record plat. Since the proposed right-of-way encroaches in part on the existing occupied buildings, the dedication record plat will be recorded by the Applicant conditioned upon and concurrent with issuance of demolition and building permits to implement the approved Site Plan under this application.

The proposed 72-foot right-of-way for Maryland Avenue Extended within the Property reflects the master-planned right-of-way alignment and the engineered street improvement plans prepared and provided by the City to Applicant.

The Project includes a mid-block pedestrian crossing from the Project main lobby entrance across Maryland Avenue Extended to the open space created opposite by the Project. The mid-block crossing provides safe pedestrian passage to a key destination for the new residents of the Project. Applicant proposes that the pedestrian crossing be designed with differentiating materials or elevations to *“improve safety by increasing visibility of pedestrian spaces and crosswalks, provide a more walkable public realm, and encourage drivers to slow down and be more alert for pedestrians and cyclists.”*

The mid-block crossing would be similar in effect to the mid-block crossing slowing traffic on Maryland Avenue in Town Square that prioritizes pedestrian safety for people crossing into Rockville Town Center Park from the public garage, apartments, and stores and restaurants.

A second painted crosswalk is proposed (at least temporarily) at the Public Access Driveway to permit pedestrians to cross Maryland Avenue from the east-side sidewalk and continue north to Dawson Avenue destinations along the west-side sidewalk along the Brightview project (as needed until the City completes the construction of the east-side sidewalk as part of Maryland Avenue Extended north of the Property to Dawson Avenue).

Applicant is also requesting two parallel parking spaces on the east-side of Maryland Avenue be signed as short-term parking/loading zone so that pick-ups/ drop-offs and food-deliveries are accommodated in the parking zone. This will limit any disruptions occurring from vehicles stopping in the drive lanes of Maryland Avenue, as regularly occur in all urban districts.

H. Resident Amenities

The Project proposes to include a myriad of resident amenities as part of the development.

At street level on Maryland Avenue:

1. **Lobby Commons** – a two-story glass-faced communal activity space and seating areas for resident socializing and relaxation, a waiting area for ride-

share pick-up and delivery service drop-offs, and the leasing center office and resident services.

2. Fitness Center – a two-story glass-faced fitness area for resident health and wellness activities.
3. Co-Working Space/ Business Center – flexible use space with business and technology services for co-working and meetings.
4. Bicycle Room and Repair Center – at grade with direct access to Maryland Avenue, a secured bicycle storage room with on-site bicycle maintenance and repair facilities.
5. Maryland Avenue Sidewalk Seating – outdoor seating areas for residents and the public.

At Third Floor Outdoor Courtyard:

1. Club Room – an approx. 2900 sf enclosed amenity space for resident socialization, relaxation, and community activities facing the Pool Courtyard.
2. Pool Courtyard – an approx. 12,660 sf outdoor protected courtyard (123 ft. x 98 ft.) with a pool, poolside seating, outdoor games area, and small group seating areas.
3. Courtyard Dining – outdoor grilling and dining amenity space for residents and guests.

Open Area on Maryland Avenue:

The approx. 21,781 sf “Park Space” open area created along the west-side of Maryland Avenue opposite of the Project Lobby Entrance is described in more detail in the next section. (By way of comparison, Rockville Town Center Park in Town Square one block south is approximately 17,000 sf.)

I. Open Area/Public Use Space and Park Concept Plan

The Project is required to provide per the MXCD development standards 15% open area equal to 13,406 sf and 10% public use space within the open area equal to 8,937 sf. The Project provides on-site approx. 27,000 sf of open area onsite. All of the approximately 10,400 sf of grade-level open space onsite surrounding the building is publicly accessible and qualifies as public use space. This space includes a Beall Avenue sidewalk seating area at the corner of Beall Avenue and Maryland Avenue around the raised stormwater management facility, street furniture and hardscape extensions widening the Maryland Avenue North sidewalk from the right-of-way to the building façade, landscaped sidewalk along the Public Access Drive, and the landscape buffer and shared use path within the easement area along the Hungerford Drive frontage of the building.

As part of the total open area onsite, the Project provides 12,660 sf of open area for its resident amenities courtyard on the 3rd floor plaza level.

The Project exceeds the City development standards for open area and public use space. Please note that this is in addition to the 25% of the Property (35,351 sf of the 146,057 sf Property area) being dedicated for the Maryland Avenue Extended right-of-way and the 14.9% of the Property (21,781 sf of the 146,057 sf Property area) being set aside for the open area on the west-side of Maryland Avenue. The Project is being constructed on just over one-half of the land area of the Property – the remainder is being dedicated or used for public uses.

The dedication of the right-of-way for Maryland Avenue severs the western portion of the Property. Two large triangular shaped parcels totaling approximately 21,781 sf (approx. 5,805 sf and 15,976 sf, respectively) are proposed as open area/possible park space referred to as the “**Park Space**” for the Project. The Project afforestation and landscape trees to satisfy its forest conservation and tree canopy requirements will be planted in the Park Space subject to a requisite Tree Conservation Easement and standard Tree Warranty and Maintenance agreements. The “Park Space” will be utilized by Applicant for its laydown and construction trailer area during the construction of the Project. Dedication of the Park Space is subject to certain conditions, including but not limited to: i) the final Park Space improvements plan approved by the City Park and Recreation Department being acceptable to Applicant; ii) the dedication is accepted by the City subject to the required afforestation, tree canopy, and other trees shown on the final City Center forest conservation plan being located on the Park Space and included in the CIP Project costs; iii) the dedication of the Park Space will not occur until work on the CIP Project is ready to commence; iv) substantial completion of the improvements to the Park Space are scheduled to concur with the date of substantial completion of the City Center development, or as soon thereafter as planting season allows installation of plant materials; and v) Applicant has the right to utilize the Park Space after dedication for construction activities related to the development of City Center.

Park Space Base Plan. If not dedicated and permanently improved as a public park as part of the public Maryland Avenue Extended road construction project concurrent with the Project, the Applicant will execute the Park Space Base Plan and grade, plant, and stabilize the Park Space as planted green area as shown on the Applicant’s Landscape and Lighting Plan L1.01.

A Park Space Concept Plan has been developed by Applicant as requested by City staff should the Park Space be dedicated and improved by the City in accordance with the Park Space Concept Plan as part of the City CIP Maryland Dawson Extended road project. The Park Concept Plan is described in more detail below and is shown in detail on the L2.01 Sheet of the Site Plan submission.

Description of Park Space Concept Plan.

Grounded in the Recommendations of The 2040 Plan. The Park Space Concept Plan is grounded on the recommendations and stated goals of the City’s 2040 Plan. Per the City’s 2040 Plan for the Town Center Planning Area, the Action Plan for Policy 5 includes Action 5.1 that recommends: “*Plan for a new Town Center park of sufficient size to host community-wide gatherings and events and provide adequate open space for a growing Town Center*”

population.” In the corresponding recommendations specifically for Planning Area 1 Town Center, the “Other Recommendations” for Recreation and Parks provides the following Recommendation #9 “Study the potential for a new public park in Town Center that can be used for large public events, music concerts, theater performances, farmers markets, and holiday festivals and for passive recreation and relaxation at other times.” Recommendation #12 provides that “the public realm should be designed to connect open spaces as a network.”

The intent of the Applicant and its consultant team was to design the Park Space Concept Plan to support the best social experiences on both an every-day and special event basis.

Geometry and Connectivity. The Park Space is two triangular sections. The northern smaller triangle will be utilized primarily for the planting of Project forest conservation and landscape trees providing a passive shady respite area to balance and buffer the main Park Space from existing parking areas and vehicular activity at the intersection of Dawson Avenue to the north. The larger triangle to the south abuts improved open space of The Met Project including an outdoor seating area for The Spot along Beall Avenue and a pedestrian sidewalk along The Met’s eastern façade.

The Park Concept Plan proposes the partial removal of the fencing in at least two places along The Met boundary for two connections into the Park Space. The existing fencing was originally installed by The Met to buffer views of the existing asphalt parking lot on the Property. The Met owner may decide the fence is no longer needed which would further open the view sheds of the Park Space. From Beall Avenue, an open view shed from The Met’s plaza along Beall Avenue makes the Park Space appear to be a seamless extension of open space from Beall Avenue for over 400 feet north along Maryland Avenue.

The Park Space is surrounded by sidewalks on all sides providing convenient access to the Park Space for visitors coming from any direction. From Town Square, the Park Space can be seen along Maryland Avenue creating a both a visible and physical connection to the Rockville Town Square Park along the public realm.

Daily Park Space Use

The Park Concept Plan provides a flexible programmable space that will benefit nearby residents and visitors on a daily basis as a passive recreational place to relax, sun, read, eat, play informally, walk dogs, congregate and interact. Given that Rockville Town Center Park in Rockville Town Square is heavily programmed with a permanent music gazebo, seating and play areas and a seasonal ice-skating rink, the Park Concept for the Park Space is designed for open recreation with large lawns for free play and walking. Level open space with meandering walkways and seating areas allows flexibility for smaller event programming for everything from outdoor movies/music on the lawn, to small events, to food-truck Fridays.

The bench-lined walkways will slope up from Maryland Ave to meet the existing grades along The Met. A circular plaza will connect to the walkway and storefronts of The Met. Access to The Met sidewalk is via steps at the northern connections but will be ADA accessible from the plaza. The plaza is proposed as a circular sitting area envisioned as a platform area for free-play

and relaxation surrounded by tables and chairs or programmable as a central performance or speaker area. Seating height walls would provide spectator space for the open lawn play area.

At the North end of the Park Space would be a more passive space with a bosque of trees providing shaded seating areas that could include swings, benches, chess tables and moveable chairs. Opportunities for public art are located along the north sloped walk to the plaza envisioned as a series of archways. A possible directional/information pylon or kiosk element could be located at the southeast intersection of the curved walkways. Proposed lighting in addition to the streetlights includes pathway/bollards, ground mounted lights to highlight tree canopy and LED lighting incorporated into some of the hard vertical elements such as the seating walls. Paving materials and patterns will reinforce the form of the park spaces.

Community Event Space doubles with the Maryland Avenue ROW

As discussed above, the Applicant proposes a mid-block pedestrian crossing at the Project's lobby entrance across Maryland Avenue into the Park Space. The Project is designed intentionally so that vehicular access is available from Hungerford Drive and the Private Access Drive so that temporary closures of Maryland Avenue North will not disrupt building operations for larger events utilizing both the Maryland Avenue right-of-way and the Park Space. Neither the Fire Station nor The Met have vehicular connections to Maryland Avenue so temporary closures will not disrupt their operations. Currently, sections of Maryland Avenue through Town Square to Courthouse Square Park are periodically closed for large City events, such as 5k races and art festivals. Planning for use of the public realm will expand the public space in Rockville Town Center available for City or community events as recommended by the 2040 Plan.

Use of the Maryland Avenue right of way will significantly expand the usable space for programming and events at the Park Space by the area of the two drive lanes and parking lanes of Maryland Avenue North – which is approximately an additional 16,000 sf. The Park Space with the temporary closure of Maryland Avenue North provides an event space twice the size of and with a close connection to Rockville Town Center Park in Rockville Town Square. Designed with flexibility in mind, the Park Space improved per the Park Concept Plan can be an incredible asset that leverages the community gathering spaces the City already has in Rockville Town Center.

The Park Concept Plan does not accommodate specific structured dog facilities, just a dog-friendly open space that can be used by persons and pets as part of a community-centric space.

J. Offstreet Parking and Loading/ Onsite Circulation

The Project is designed with an integrated partially below-grade and above-grade structured garage containing approximately 383 parking spaces, inclusive of spaces with basic power infrastructure for future installation of electric charging stations subject to demand. The vehicular entrance/exit of the garage is on the north building façade on the Public Access Drive. The garage entrance is to be controlled with a security gate and access door.

The entrance to the loading dock and building service area is on the north building façade from the Public Access Drive. The loading dock is within an interior bay with a truck door. The interior bay includes one loading dock as well as truck access to trash and recycling facilities. A truck-turning template is provided as part of the application.

The Maryland Avenue façade is lined with dwelling units and building common spaces facing the street so the garage is not visible to Maryland Avenue. The Hungerford Drive façade of the garage is screened by an intentionally designed repetition of structural treatments that allow both required air-flow as well as architectural interest.

K. Stormwater Management/ Green Cover

A Pre-Application Stormwater Management Concept (SMC2024-00001) was approved by DPW on February 23, 2024. The project will provide stormwater management via environmental site design (ESD) to the maximum extent practicable (MEP) using green roofs and micro-bioretenention planters. The total ESD volume provided is 55.6% of the on-site requirement. The remaining 44.4% will be met in an underground storage/filtration system. Concurrent with this Site Plan Application, a Site Development Stormwater Management Plan has been submitted to DPW for review.

Stormwater Management for the extension of Maryland Avenue was approved under a separate Concept (SMC#2021-00004) as part of the City's scope of work. Subsequent stormwater management approvals, including final permitting for the road construction will be prepared separately by others, but parallel to the on-site approvals.

L. Forest Conservation

The Project will meet the City's regulations for Forest Conservation and Tree Canopy per the Site Plan submission.

M. Landscape and Lighting

The Project's landscape design and lighting plan is as shown in the Site Plan submission.

N. Publicly Accessible Art in Private Development

The Project will comply with Chapter 4 of the City Code (Publicly Accessible Art in Private Development) ordinance. Final private art details will be submitted as required to Rockville Department of Recreation and Parks prior to building permit.

The requirement for the proposed 291 multi-family dwelling units, at rates in effect at the time of this Application, is estimated at \$213,326.06 (100 du x \$967.49 + 100 du x \$725.64 + 91 du x \$483.66).

O. Signs

Section 25.18.14.b.1 and 2 of the Zoning Ordinance provides the standards for signs in the MXCD zone for the Property. The ZO permits Permanent Building Signs and Freestanding

Signs. Permanent Building Signs for the Project (which is a single business building) are allowed at a total aggregate sign area for the building walls equal to 2 sf for the first 50 linear foot of a building façade and 1 sf per additional linear foot of building façade with a minimum square per business of 50 sf. The ZO also permits one freestanding sign for the lot with a total sign area of 100 sf and a maximum height of 20 feet.

The Project building has approx. 288 linear feet of building façade on Hungerford Avenue, 438 linear feet of building façade on Maryland Avenue and 30 linear feet on Beall Avenue, which allows in the aggregate for the building a total of 986 sf of wall sign area. The Comprehensive Sign Plan included in the Site Plan submission indicates proposed building wall signs for the Maryland Avenue, Hungerford Drive and Beall Avenue frontages and one freestanding sign at the Beall Avenue/Maryland Avenue corner of the Project.

Building Façade Linear feet	Allowable Sign Area	Proposed Sign Area	Location
Hungerford 288 lf		180 sf (6 ft x 30 ft)	Wall 7 th Floor – Building Identification
		90 sf (3' x 30')	Blade sign at building corner
	338 sf (100+238 sf)	Total 270 sf	
Maryland 438 lf	488 sf (100+388 sf)	60 sf (3' x 20')	Lobby Entrance Canopy – Building Identification
Beall Ave 30 lf	60 sf (30 x 2sf/lf)	60 sf	Wall sign – Building Identification
Freestanding Sign	One at 100 sf	100 sf	Monument Sign Beall Ave at MD Ave

As shown on the Comprehensive Sign Plan that shows the location and relative sign area on the building, the Project proposes in the aggregate 500 sf max of sign area, distributed generally as: 270 sf of building sign on Hungerford Drive at 7th floor parapet and the northeast corner, 60 sf of building sign on Maryland Avenue over the lobby entrance, 60 sf of building sign on the Beall Avenue frontage, and a 100 sf freestanding sign.

P. Green Building

The Project new construction is designed to comply with the Green Building Regulations in Rockville Code Chapter 5 Building & Building Regulations, Art. XIV.

The preliminary National Green Building Standard checklist prepared by WDG Architects and submitted as part of the application on Sheet A0121 indicates that the Project will meet the requirements of the City Green Building Regulations with regard to points attained in specific LEED categories. The preliminary checklist indicates that the Project is anticipated to meet the Silver LEED criteria.

Q. Noise Management

Prior to building permit, Applicant will undertake a Transportation Noise Impact study to evaluate the impact from transportation noise from Maryland 355/Hungerford Drive, local roads, the WMATA/CSX Tracks, and fire station activity on the building and courtyard amenity space to identify the area of influence on dwelling units, if any, that may require special construction techniques to meet interior residential noise standards or long term use of the Level 3 outdoor recreation courtyard.

R. Fire Access Plan

The Site Plan submission includes a Fire Access Plan prepared by MHG. The building is sprinklered. The Site Plan shows the location of new hydrants to be installed on Maryland Avenue.

S. Abandonment of Service Drive Easement parallel to Hungerford Drive

The record plats for Lot 12 and Lot 8, Plats 9506 and 9709, reflect a platted 50-foot wide service drive easement along Hungerford Drive for the benefit of the City. This service drive easement does not extend through the Rockville Volunteer Fire Department property to the south and will no longer be needed when the Public Access Drive to Hungerford Drive and the extension of Maryland Avenue through the Property is constructed. Applicant submits a request for termination of the platted service drive easement by the Mayor and Council.

IV. ADEQUATE PUBLIC FACILITIES

A. Schools

The Montgomery County Public Schools assigned to the Property are:

Beall Elementary
Julius West Middle School
Richard Montgomery High School

Based on the adopted Montgomery County student generation rates for Housing Types effective July 1, 2023 for Multi-Family High-rise project in an Infill Area, the Project's 291 dwelling units are projected to generate 5.2 high school students, 4.6 middle school students, and 11.3 elementary school students.

Per the City APFO Standards FY2024-2029 Supplemental School Data published July 2023, projected capacity at all school levels of the assigned schools are deemed Adequate, at or below 120% Program Capacity.

Beall Elementary School is projected for the test year 2028-2029 to have a 254 seat surplus and operate at 61.7% Program Capacity and therefore the school is adequate to absorb the projected 11.3 elementary students generated by the Project.

Julius West Middle School is projected for the test year 2028-2029 to have a 81 seat surplus and operate at 94.3% Program Capacity and therefore the school is adequate to absorb the projected 4.6 middle school students generated by the Project.

While Richard Montgomery County High School current projection is 122.4% Program Capacity, the School is deemed conditionally adequate for test year 2028-2029 due to an approved CIP project now fully funded and under construction that will reassign students among Gaithersburg HS, Richard Montgomery HS, Quince Orchard HS, Thomas S. Wootton HS, and the new Crown HS in Fall 2027.

Based on the foregoing, the Montgomery County School Impact Tax will be due at the standard rate in effect at the time of building permit issuance without any Utilization Premium Payment.

B. Transportation Statement

The Transportation Scoping Form prepared by Gorove Slade dated March 6, 2024 finds that:

- i. The Project generates less than 30 net new peak hour trips with an overall reduction in site trips of 45 fewer AM peak hour trips and 107 fewer PM peak hour trips compared to the existing office and retail uses onsite that are to be removed. Therefore, only an on-site review will be required for the Project.
- ii. The internal circulation of the Project with the implementation of the Public Use Drive on the north side of the building provide safe and adequate circulation to and from the building for residents, visitors, and service contractors.
- iii. The Truck turning template demonstrates that the Public Use Drive and internal loading and service bay allow safe and adequate truck movements.
- iv. The proposed crosswalks on Maryland Avenue Extended at the Public Access Drive and the Mid-block crossing from the lobby entrance to the Public Use Space Park meet safety and best practice standards.
- v. The Project will include a 10 ft shared use path along the building frontage on Hungerford Drive (MD 355).

C. County Transportation Impact Tax Credit/ City Transportation Improvement Fee

The Project is subject to the requirements of the Montgomery County Development Impact Tax for Transportation and the City Transportation Improvement Fee. The Project proposes a Developer Participation Agreement that would provide for the construction of Maryland Avenue Extended within the Property concurrent with the Project construction, paid for in part with Developer funds in the amount up to a County approved Transportation Improvement Impact Tax credit, and the balance funded by the City approved Capital Improvement Project 5C11 for Maryland Dawson Extended and other developer contributions.

D. Water/Sewer

The City APFO Standards require water and sewer service adequacy to be determined by the service provider. The City is the Project's Water and Sewer service provider.

The Project has applied for a water and sewer authorization for the Project. Based on a review by Macris Hendricks Engineers, water and sewer capacity infrastructure in the Project area is adequate to serve the Project and a City written determination of adequacy is anticipated.

V. ZONING ORDINANCE DEVELOPMENT COMPLIANCE

The Project complies with the applicable standard and specific development standards and design regulations for the MXCD and mixed use zones.

1. Development Standards MXCD

	<u>PERMITTED/REQUIRED</u>	<u>PROVIDED</u>
MAXIMUM BUILDING HEIGHT 25.13.05 (b)	75 FT	75 FT
MINIMUM OPEN AREA 25.13.05 (b)	15% (13,406 SF)	30% (27,000 SF) ¹
MINIMUM PUBLIC USE SPACE 25.13.05 (b)	10% (8,937 SF)	11% (10,400 SF) ¹
MINIMUM LOT WIDTH AT FRONT LOT LINE: 25.13.05 (b)	10 FT	321 FT (HUNGERFORD DR) 485 (MARYLAND AVE)
PUBLIC RIGHT-OF-WAY ABUTTING SETBACK: 25.13.05 (b)	0 FT	10 FT (HUNGERFORD DR) 0 FT (MARYLAND AVE)
MINIMUM SIDE YARD SETBACK: 25.13.05 (b)	NONE REQUIRED 10 FT. MIN. IF PROVIDED	32 FT (NORTH) 0 FT (SOUTH)
MINIMUM REAR YARD SETBACK: 25.13.05 (b)	NONE REQUIRED 10 FT. MIN. IF PROVIDED	N/A
MINIMUM AUTO SPACES: 25.16.03	338 SPACES	383 SPACES
MINIMUM BICYCLE SPACES - SHORT TERM: 26.16.03	6 SPACES	6 SPACES
MINIMUM BICYCLE SPACES - LONG TERM: 26.16.03	97 SPACES	102 SPACES

2. Additional Design Guidelines for Mixed Use Zones

The Project is consistent with the intent and purpose of the applicable Additional Guidelines for Mixed Use Zones in Section 25.13.06 as follows:

- i. *Aesthetic and visual characteristics for all zones. Facades and exterior walls including sides and backs. Buildings should be designed in a way that avoids massive scale and uniform and impersonal appearance and that will provide visual interest consistent with the community's identity, character, and scale. It is recommended that building walls greater than one hundred (100) feet long include projections, recessions, or other treatments sufficient to reduce the unbroken massing of the facade along all sides of the building facing public streets.*

As shown on the illustratives and described in more detail below, the Project is a richly architecturally designed and detailed building that relates to its specific location both along Maryland Avenue Extended as well as Hungerford Drive. The project provides visual interest and adds to the diverse architectural character of Rockville Town Center. The Project design creates massing of an appropriate scale that enhances the pedestrian and vehicular experience of travelers passing the Project along both Maryland Avenue and Hungerford Drive.

- ii. *Along any public street frontage building, design should include windows, arcades, awnings or other acceptable features along at least sixty (60) percent of the building length. Arcades and other weather protection features must be of sufficient depth and height to provide a light-filled and open space along the building frontage. Architectural treatment, similar to that provided to the front facade must be provided to the sides and rear of the building to mitigate any negative view from any location off-site and any public area (e.g. parking lots, walkways, etc.) on site.*

As a through block, the Project has frontage along both Maryland Avenue and Hungerford Drive with its north and south façade also visible. All four sides of the building are architecturally detailed and finished in similar materials. Windows for residential units are on all four sides.

- iii. *Buildings should include architectural features that contribute to visual interest at the pedestrian scale and reduce the massive aesthetic effect by breaking up the building wall along those sides fronting on public streets with color, texture change, wall offsets, reveals, or projecting ribs.*

As shown on the illustratives and described in more detail below with respect to the Hungerford Avenue and Maryland Avenue Extended facades, the Project building is designed to create a rich pedestrian and vehicular experience for travelers passing the Project. The base of the

building along Hungerford Drive is a two-story masonry podium enhanced with architectural screening of the parking structure that is set back from the 10-foot shared use path by a 4-foot wide landscape strip along the building. The middle and top of the building along Hungerford is a three-part, staggered configuration to modulate the long façade. The Maryland Avenue building base provides a comfortable pedestrian experience with a highly transparent and stepped store-front like façade for the active Project resident communal spaces on the ground level - the lobby entrance, lobby gathering room, business center, leasing center, and fitness center. The northern section of the Maryland Avenue façade has multiple sidewalk accessible residential unit entrances of steps, stoops, and terraces. The middle and top of the Maryland Avenue façade consists of a series of smaller massing blocks, cascading down to follow the tapered site geometry.

iv. Roofs. Roof design should provide variations in rooflines where appropriate and add interest to, and reduce the massive scale of, large buildings. Roof features should complement the architectural and visual character of adjoining neighborhoods. Roofs should include two (2) or more roof planes. Parapet walls should be architecturally treated to avoid a plain, monotonous look. For energy-saving purposes, roof design should also include a light color surface or be planted with vegetation.

The Project provides a modern roofline that allows the attention to stay focused on the pedestrian and vehicular experience and allows a view into Rockville Town Center to the taller adjacent buildings in this block, specifically the Met and Brightview. The varied heights and architectural styles of the block north of Beall Avenue distinguishes it from the Town Square block just south which presents as a mono-height development over multiple blocks.

v. Materials and color. General provisions. Buildings should have exterior building materials and colors that are compatible with materials and colors that are used in adjoining neighborhoods. Certain types of colors should be avoided such as fluorescent or metallic, although brighter colors may be considered at the discretion of the Planning Commission. Materials not desired. Construction materials such as tilt-up concrete, smooth-faced concrete block, prefabricated steel panels, and other similar materials should be avoided unless the exterior surface is covered.

The Project exterior architecture utilizes brick, metal, and textile planks and trim in standard urban commercial colors and trims to enhance the fenestration and refine massing that are compatible with other buildings within Rockville Town Center. The structured garage is lined with units and common spaces, or finished with the same materials of other frontages, or include architectural panels that allow both airflow and screening, to provide finished facades on all four building sides.

3. Additional Design Regulations for MXCD

Per Section 25.13.07.b Mixed-Use Corridor District Zone provides certain design regulations applicable to development in the MXCD zone:

- i. *Building location. In order to meet the intent of the plan, buildings in the MXCD zone should be located at the front property line or the build-to line where established by the plan. Access should be to the rear, via alleys with access from the side street(s).*

As a through lot fronting on two streets, the Project building is located generally at the property line along both Maryland Avenue and Hungerford Drive. Vehicular and truck access is via a service driveway (the “Public Access Drive”) on the north side that connects Hungerford Drive and Maryland Avenue.

- ii. *Uses by floor. The ground floor must contain retail or service uses dealing directly with the public along those streets designated in the plan as major pedestrian spines. Ground floor retail is the preferred use along other streets, but is not required. The ground floor should normally have a ceiling height of at least fifteen (15) feet. At the time of site plan review or project plan review, the Approving Authority may consider a lower ceiling height if appropriate in the particular circumstance. The upper floors may be additional commercial, residential, or a combination of uses. If the building contains only residential units, the ground floor may consist of residential units, but should be designed to facilitate conversion to retail or other commercial uses.*

The main building entrance is located at street level on Maryland Avenue that is designated in the various master plans as the pedestrian spine of Rockville Town Center. As discussed earlier, the Project is north of the two block retail and service core of Town Center between East Montgomery Avenue and Beall Avenue. The Project’s Maryland Avenue frontage does not have confronting retail to support successful retail. This block of Maryland Avenue’s character is primarily residential with street level residential confronting street level residential and open space with convenient standalone retail and service uses along the perimeter of the block.

The leasing office and main lobby have access from Maryland Avenue for the public. While no commercial space is proposed in the Project, all of the active building amenity spaces along Maryland Avenue have 15 to 20 foot ceiling heights with transparent glass window walls with a rhythm similar to storefronts. The northern portion of the

Maryland Avenue frontage is lined with residential units, many of which have direct sidewalk access.

- iii. *Facades. The facade design must be consistent with the standards set forth in subsection 25.13.05.b.2(b). Where the facade height exceeds thirty-five (35) feet, the facade should include an expression line above the first floor level and a defined cornice line at the top of the facade wall.*

25.13.05.b.2(b). Building facades should have a range of heights of between thirty-five (35) and fifty (50) feet at the street. Additional height up to seventy-five (75) feet at the street may be allowed where recommended by the Plan or where approved by the Mayor and Council as part of a Project Plan or Planning Commission as part of a Site Plan under [section 25.07.06](#) or [Section 25.07.05](#) as applicable. Building facades that exceed two hundred fifty (250) feet in length should vary the facade height by at least ten (10) feet for some distance along the length of the facade in order to avoid a monotonous, monolithic appearance.

The Project meets Section 25.13.05.b.2(b) by providing a strong two-story building base (approx. 22 feet height) with an expression line above both the first and second floors. The building façade rises above the base to a maximum height of 75 feet. Within the upper building sections (floors 3-8), the building façade varies with cantilevered and inset sections, further punctuated by open inset balcony areas.

Maryland Avenue is aligned at an angle to the Project building so the façade of the building is stepped with a series of transparent building corners of windows creating an interesting and engaging experience as pedestrians and vehicles travel north along Maryland Avenue Extended along the building.

The 288-foot Maryland Avenue façade is significantly fenestrated along its length to break the building mass using the stepping of the building along with changes in color, material, setbacks, window patterns, and building bays at varying elevations.

Similarly, the Hungerford Avenue façade is fenestrated with strong architectural elements along the base screen wall of the garage, and a three-part, staggered configuration to modulate the long façade above with changes in color, materials, insets, window patterns and open inset balconies.

- iv. *Fenestration. Generally, fenestration of the stories above the ground floor should be by framed individual windows. Continuous strip windows may be allowed by the Approving Authority if they are used to maintain compatibility with existing contiguous projects.*

As discussed above and shown on the illustratives, the above ground floors are fenestrated by more than a pattern of individual windows. The building design and fenestration, window openings and inset balconies, create a building of many interesting and cohesive parts that will add to the attractive and interesting streetscape that will support the diverse character and curb appeal of Rockville.

- v. *Sidewalks. Where sidewalks must be built new or rebuilt as part of redevelopment, they should comply with the provisions of subsection 25.17.05.*

The sidewalk along Hungerford Drive will be rebuilt as a 10 ft shared use path buffered from the road by an 8 ft street tree lawn and buffered from the building by a 4 ft landscape strip.

The sidewalks along both sides of Maryland Avenue are part of the City right of way plans with 10 ft sidewalks and 7 ft street tree lawns. Maryland Avenue is aligned at an angle to the Project so the stepped design of the building wall allows a variable private hardscape “amenity zone” to extend to the building face. The amenity zone allows for private street furniture, landscaping, bike racks, and other appropriate private uses.

- vi. *Parking. On-site parking must comply with the standards and requirements of article 16. Most parking should be located to the side or in the rear of the buildings. Structured parking, either above or below grade, is preferred. Any parking structure facades visible from the street or a transitway must be treated in a similar manner as the primary building facades. All parking at the sides or rear must be screened to prevent vehicle headlights from shining into adjoining residential properties.*

The Project provides structured parking in the two level base building podium. Access to the parking is from the north side of the building via the Public Access Drive between Maryland Avenue and Hungerford Drive. Parking is provided per Article 16.

Along Maryland Avenue the parking structure is screened by building common spaces and units. Along Hungerford Drive, the parking

structure is screened by an architectural treatment designed for airflow and architectural interest. On the north and south sides the parking structure is treated in a similar manner as the building façade.

VI. MASTER PLAN COMPLIANCE

A. The 2040 Plan. The City-wide Comprehensive Plan was adopted August 2, 2021. The Project is consistent and implements many of the applicable principles, visions and goals of the 2040 Plan as set forth below.

i. Overarching Principles

a. Foster a vibrant, multi-cultural and successful downtown.

The Project is a key project in the transition of the block north of Rockville Town Square as an integrated and additive part of Rockville Town Center with the addition of new residents, the dedication of the right-of-way for Maryland Avenue Extended, and a significant public use space park.

b. Steer the most-dense development to mixed-use, transit served locations.

The Project is located within the Town Center Performance Area within the commercial retail, restaurant and cultural district of Town Center and within walking distance of transit of the WMATA Rockville Redline Station and Montgomery County bus service along Hungerford Drive. It lies adjacent to the future southern section of the proposed 355 Bus Rapid Transit system within the right-of-way of Hungerford Drive.

c. Provide accessible parks, open spaces and community centers.

The Project provides a significant open space in the area recommended by the 2040 Plan that is proximate to Rockville Town Square Park and other Town Center parks and open spaces providing another significant connected open space in Town Center.

d. Encourage a variety of housing types that are accessible to a wide range of household needs and incomes.

The Project provides a mid-rise housing option that includes 15% moderately priced dwelling units that will meet the City's Moderately Priced Housing regulations.

- e. Maintain and promote safe, attractive, welcoming, and amenity-rich neighborhoods.*

The redevelopment of the Property delivers a safe, attractive, welcoming, and amenity rich development for both new residents and City residents, Town Center visitors, and employees in nearby offices.

ii. Visions

a. LAND USE AND URBAN DESIGN Vision

Rockville is a city that encompasses comfortable neighborhoods where residents can walk, bike, and roll to amenities; mixed-use urban areas where residents, businesses and institutions thrive together; commercial and residential corridors where daily needs and wants are met; and areas for offices, laboratories, and industry where employment can be found.

The Project is part of the implementation of the vision for an integrated mixed-use urban area that provides housing, services, culture, recreation and employment opportunities in Rockville Town Center. The Project adds new residents to support the existing retail and employment district. The Project provides improved sidewalks, new shared bike paths, and the extension of the Town Center street grid to improve mobility options for all.

- b. TRANSPORTATION.** *Rockville's transportation system will provide residents, businesses, employees, and visitors with multiple options for moving about the city through a variety of modes and paths while ensuring access for persons of all abilities and mobilities. The city's commercial vitality, and position as a regional hub and employment center, will be supported by infrastructure investments that enhance connections to the broader region, while managing traffic and congestion. Rockville will continue to transition to a more-walkable community and contribute to regional efforts to create safe, efficient, and environmentally sustainable mobility.*

The Project provides the dedication of the unconstructed right-of-way for Maryland Avenue Extended north of Beall Avenue furthering the City’s master planned goal of extending the Town Center grid system and main pedestrian spine from the Rockville Metro Station through Town Center north to a planned Dawson Avenue connection between Hungerford Drive and North Washington Street. The north Private Access Drive breaks the super block between Beall Avenue and Dawson into two with a connection through to Hungerford Drive.

- c. *RECREATION AND PARKS. Rockville will continue to have a vibrant, beautiful, and easily-accessible park system with a wide variety of recreation facilities and programs, as this system is critical to supporting the health and well-being of the people of Rockville and its natural environment. Parks and recreation facilities will meet the needs and desires of Rockville’s diverse users.*

The Project delivers a public use space “park” to support the health and well-being of the residents of Rockville, including new residents of the Project.

- d. *ENVIRONMENT. Rockville strives to assure clean land, air and water, and efficient use of resources, to foster healthy, sustainable, and resilient environments for living, working, and recreation.*

The Project redevelops an almost wholly impervious site with no stormwater management or tree canopy with a new development utilizing the latest stormwater management methods, meeting current forest conservation and tree canopy standards, and adding significant open area, green area and public use space.

- e. *ECONOMIC DEVELOPMENT. Rockville will proactively adapt to the changing business environment and strategically leverage its assets and position as the County seat within a dynamic region to enable an innovative and thriving local economy. It will do so to advance equitable economic development, creative and diverse jobs creation, the quality of life for its residents and workforce, and to enhance the long term fiscal standing of the city.*

The Project will deliver a redevelopment of aging office buildings with a new building that will enhancing the long term fiscal standing of the City by increasing the property tax base while also

delivering new residents to meet employment and talent needs, as well as new consumers, of the businesses within the City.

- f. HOUSING.** *Ensure that current and future Rockville residents have a diverse array of quality housing choices that are affordable and livable, at all socio-economic levels.*

The Project delivers new mid-rise housing adding diversity to the housing choices to the other high-rise housing in Rockville Town Center. MPDUs will provide units that are more affordable at a wider range of socio-economic levels.

iii. Goals Town Center specific to Property - Area 4 Maryland Avenue North of Beall through Dawson Avenue

Redevelopment of property in this area should contribute toward a pedestrian-oriented, urban-scale streetscape. New developments should orient primary building facades and front doors toward a street or public open space to frame the edges of streets, parks, and open spaces, and to foster activated pedestrian areas. Building frontages should include ground-floor uses that attract customers or regular visitors, enhanced pedestrian areas and amenities, attractive landscaping, and bicycle infrastructure.

As described in detail in the Application and throughout this Statement of Justification, the Project delivers on the goals specifically recommended for Area 4. The Project helps complete the transformation of the block north of Beall Avenue to bring pedestrians and other Town Center visitors and workers north along new sidewalks and accessible open spaces into a block already developed with a mix of apartment and senior/assisted living housing types, retail and services uses, and employment centers.

B. Town Center Master Plan - 2040 Amendment to Update Town Center Plan

An Amendment to the 2040 Plan to update the Town Center Neighborhood plan is currently underway and proceeding through the public review and consideration process concurrently with the Project Application. At the time of Application, the draft had not been published for public comment.

The Application strives to be sensitive to the public comment received during the initial stakeholder listening sessions for the Town Center Plan.

C. Bicycle Master Plan and Update

The 2017 Bikeway Master Plan in Appendix B Crosstown Routes proposes a crosstown route on the segment of MD 355 adjacent to the Property of both a shared use path on the west side and a cycle-track on the west side (see 4th page of Appendix B). Since the adoption of the 2017 Bikeway Master Plan, the County and State have advanced its 355 BRT 355 Corridor Planning Study to reflect a shared use path on the west side of Hungerford Drive and a cycle-track on the east-side of Hungerford Drive. The segment along the Property is noted in the 01/22/24 presentation to the Mayor and Council of Rockville as “Segment 3” in the Southern Phase that is in final design but not currently funded for construction. For the recently approved redevelopment of 460 Hungerford Drive, two lots north of the Project, a 10-ft shared use path on the west-side of Hungerford Drive was required and constructed.

The Application reflects construction of a 10-ft shared use path along the Hungerford Drive frontage of the Property, utilizing the existing right-of-way and a proposed 13 ft. public access easement to be granted by the Property, which will continue the shared use path existing further north as well as the shared use path of the wide sidewalk constructed along Town Square to the south.

D. Parks and Recreation Element from 2040 Plan/ Recreation and Park recommendations for Planning Area 1 Rockville Town Center

The Parks and Recreation Element in the 2040 Plan states as Goal #2 to “*develop new park space in growth areas*”. Policy 5 is to “*create public and publicly accessible private parks to serve new development*”. This section further notes that significant housing has been added to Town Center since the last park space in Town Square was created in 2006 and that Courthouse Square Park is well used for dog-walkers, therefore new park space is recommended for Town Center.

The Action Plan for Policy 5 includes Action 5.1 which recommends “*Plan for a new Town Center park of sufficient size to host community-wide gatherings and events and provide adequate open space for a growing Town Center population.*” Action 5.4 recommends “*Seek opportunity to create new parkland in locations on the Land Use Policy Map in Figure 3 of the Land Use Element in Planning Areas 1...*”

The Land Use Policy Map in Figure 3 of the Land Use Element reflects a green asterick at the intersection of Maryland Avenue at Dawson Avenue, which denotes the general area of a potential park space. In the corresponding recommendations specifically for Planning Area 1 Town Center, the “Other

Recommendations” for Recreation and Parks provides the following Recommendation #9 *“Study the potential for a new public park in Town Center that can be used for large public events, music concerts, theater performances, farmers markets, and holiday festivals and for passive recreation and relaxation at other times.”* Recommendation #12 provides that the public realm should be designed to connect open spaces as a network.

The Application proposes an open space (the “Park Space”), either improved in conformance with the Park Space Base Plan as a planted green area, or if dedicated, improved in conformance with the Park Space Concept Plan, on the two Property triangular parcels severed from the Project building by the dedication of the right-of-way of Maryland. As discussed in more detail above and shown in the Application submission, the Project building is intentionally designed with side vehicular access from both Maryland Avenue and Hungerford Drive that will allow for the potential closure of Maryland Avenue without affecting building operations. Adding the approximately 16,000 sf Maryland Avenue right-of-way to the approx. 21,780 sf of “Park Space” creates the largest functional, and flexible community gathering space for any number of types of small and large City, neighborhood, and community-based programming and events. On a day-to-day basis, the “Park Space” would provide daily passive recreation and relaxation space for residents, employees, and visitors in Town Center. The sidewalk system created over the last 20 years in Town Center plus that to be constructed as part of the Maryland Dawson Extended CIP project, when coupled with the Beall Avenue/Maryland Avenue enhanced pedestrian crossing asphalt art (per the Bloomberg grant recently awarded to the City) creates a comfortable, safe and continuous public realm that connects the major open spaces in Rockville Town Center as a continuous, linked network – the “Park Space”, Rockville Town Center Park in Town Square, Courthouse Square Park, and the East Montgomery Avenue right-of-way event closure area.

VII. FINDINGS REQUIRED FOR SITE PLAN APPROVAL

The Zoning Ordinance Section 25.07.01.03 provides that a site plan application that does not implement a project plan or a special exception may be approved only if the Planning Board finds the application will not:

- i. Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed development;

The Project will replace two aging, underutilized office buildings with an attractive and modern multi-family community that will not adversely affect

the residents of, workers at, or visitors to, the neighboring residential and commercial buildings. The Project includes new sidewalks, shared use path, enhanced street crossings, and bike facilities to improve the mobility of the residents, workers and visitors in the neighborhood. It will provide a new open space and extension of Maryland Avenue in this block of Town Center north of Beall Avenue. The addition of new Town Center residents from the Project will add to the vibrancy of this block that mixes multi-generational facilities with adjacent retail services as well as more activity and eyes on the street for improved safety 24-7.

- ii. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood;

The Project to be built in accordance with current building codes and land development regulations with a residential use both compatible and similar to other uses and developments in the neighborhood, will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

- iii. 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;

As discussed in Section IV, the Project will not overburden existing and programmed public facilities and will meet the adopted adequate public facilities standards of Rockville Code Article 20.

- iv. Adversely affect the natural resources or environment of the City or surrounding areas;

The Project will provide stormwater management as well as landscaping and tree canopy where none currently exist, reducing the overall imperviousness of the site.

- v. Be in conflict with the Plan;

As discussed in Section VI, the Project is in accord with the Rockville 2040 Comprehensive Plan overall goals and specific recommendations.

- vi. Constitute a violation of any provision of this chapter or other applicable law; or

As discussed throughout this Statement and as shown on the plans, the Project complies with applicable provisions of the Zoning Ordinance and other applicable laws.

- vii. Be incompatible with the surrounding uses or properties.

The Project is a complement to the surrounding uses and properties by expanding not only the number and type of housing choice and increasing residents in Town Center but also by dedicating the right of way for the next segment of Maryland Avenue North that extends the main pedestrian connector spine from the Metro through Town Center. The Project provides additional customer base without diluting the core retail district around Town Square with additional disconnected retail space.

VIII. COMMUNITY OUTREACH

The City hosted a virtual Pre-Application Meeting community meeting at which the Applicant presented its proposed Project via WEBEX on June 1, 2023 at 6:30 pm. Notice was properly given by Applicant by mail and electronic notice in accordance with the Zoning Ordinance and Development Manual. Signs were posted on the Property frontage on Hungerford Avenue and Beall Avenue. The meeting was attended by a range of interested parties from the West End and East Rockville neighborhoods, residents from Town Center, and other commercial property owners. A sign-in sheet and the meeting transcript were filed by the Applicant. The video of the Pre-Application Meeting is posted on the City's website development page.

A post-application Community Meeting is scheduled promptly after City acceptance of the Site Plan application.

IX. CONCLUSION

As demonstrated by the Statement of Justification, the Site Plan submission, and Application, the Project complies with all applicable requirement of the Zoning Ordinance and other applicable City Code and regulations and is in substantial conformance with the recommendations of the Rockville 2040 Comprehensive Plan, the Town Center Neighborhood Plan, and other administrative and functional master plans except to the extent where those plans have been impacted by the passage of time by more current County or State functional plans (such as the 355 BRT Plan with its cycle track and shared use path recommendations), as well as the spirit of the pending but not yet adopted update to the Town Center Neighborhood Plan.

The Project is designed to fulfill the goals of the 2040 Plan to strengthen the Town Center neighborhood with increased density, additional open space, improved public street network and enhance the physical, social, and mobility connectivity of the City as the block north of Beall Avenue continues to transform and extend the Town Center.

For all these reasons, the Site Plan Application should be approved.

Shulman Rogers, P.A.

Nancy P. Regelin, Esquire

Counsel for Applicant