

Resolution No. 16-25

RESOLUTION: To approve, with conditions,
Project Plan Application
PJT2025-00023, and associated
waivers

WHEREAS, under Chapter 25 of the Rockville City Code, the Mayor and Council of Rockville (**“Mayor and Council”**) is authorized to review project plan applications; and

WHEREAS, on April 3, 2025, SCG Development Holdings, LLC, Comstock 41 Maryland, LLC, Comstock 44 Maryland, LLC (the **“Applicant”**) filed Project Plan Amendment Application PJT2025-00023 (the **“Project Plan Application”** or **“Application”**), pursuant to Section 25.14.07.e.2 and Section 25.07.07 of the Zoning Ordinance, proposing an Amendment to the Rockville Center Inc. Planned Development (the **“PD”**) to permit construction of a 147-unit affordable multifamily building along with parking and building height waivers (the **“Project”**) at the property located at 41 Maryland Avenue (the **“Property”**); and

WHEREAS, pursuant to Sections 25.07.03 and 25.07.07 of the Zoning Ordinance, the Applicant met all notice requirements and conducted two public area meetings; a pre-application area meeting held virtually on January 21, 2025, a post-application area meeting held virtually on April 29, 2025; and

WHEREAS, pursuant to Section 25.07.07 of the Zoning Ordinance, the Planning Commission and the Mayor and Council received briefings on the Application on May 14, 2025, and May 19, 2025, respectively; and

WHEREAS, pursuant to Section 25.07.07 of the Zoning Ordinance, the Planning Commission at its meeting on October 22, 2025, reviewed the Application, and after considering the information presented and testimony provided, voted to recommend that the Mayor and Council approve the Application, subject to certain conditions; and

WHEREAS, pursuant to Sections 25.05.03, 25.07.03 and 25.07.07 of the Zoning Ordinance, a duly noticed public hearing on the Application was held by the Mayor and Council on November 17, 2025, at which the Mayor and Council heard testimony and received evidence on the Application; and

WHEREAS, at its November 17, 2025 meeting, the Mayor and Council found and determined that approval of the Application, would promote the health, safety and welfare of the citizens of Rockville, and the Mayor and Council made further findings set forth herein, based upon information presented and testimony provided as contained in the public record.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council approves Project Plan Application PJT2025-00023 to permit construction of a 147-unit affordable multifamily building on the Property along with parking and building height waivers, subject to the following conditions:

1. The proposed development must be designed and constructed in a manner consistent with the concept design, graphic conceptual representation, and all associated development tables included in the project plan set.
2. Submission of a site plan implementing Project Plan Application PJT2025-00023 shall be submitted within one (1) year of this approval, by November 17, 2026.
3. Before the issuance of any building, forestry, or public works permits, the applicant must obtain approval of a Final Forest Conservation Plan (Final FCP) and a landscape plan.
4. Before Final FCP approval, the applicant must coordinate final street tree species, locations, and proposed impacts with the City Forester.
5. Before pruning, cutting, or planting any trees within the right-of-way, the applicant must obtain approval from the City Forester, consistent with the State Roadside Tree Law, for the work within the right-of-way.
6. Applicant must construct all necessary public improvements, including but not limited to curb ramps, street trees, streetlights, street light conduit, and relocated traffic signals in accordance with all applicable City standards or the standards of the jurisdiction of the corresponding right-of-way improvement. Public improvements must be located within the right-of-way or within a Public Improvements Easement as approved by the Director of Public Works.

7. Applicant must obtain all necessary approvals and/or permits for all driveway access points and utility connections proposed on the Project Plan from the City of Rockville and all agencies with jurisdiction.
8. Applicant shall comply with the conditions of DPW's Pre-Application SWM Concept Approval Letter, dated October 13, 2025.
9. Applicant shall comply with the conditions of DPW's Water and Sewer Authorization Approval Letter, dated October 6, 2025.
10. Applicant shall construct dry utilities underground within Public Utility Easements or otherwise on private property, unless permitted to be located elsewhere by the Director of Public Works. At the Site Plan phase, the Applicant shall submit a conceptual dry utility plan to be approved by both the utility companies and the Department of Public Works.
11. At the Site Plan phase, the Applicant shall submit a phasing plan for pedestrian access, construction access, staging and parking for review and approval by the Department of Public Works.
12. In compliance with Rockville City Code Chapter 13.5, the applicant is required to provide 15% of the total units as moderately priced dwelling units (MPDUs) for a period of 99 years. The applicant proposes a total of 62 MPDUs, which would include 40 MPDUs transferred from 44 Maryland Avenue (BLVD Forty-Four). When transferring the MPDUs to 41 Maryland Avenue, those MPDUs' control period shall restart for a period of 99 years.
13. At the time of site plan submittal, the Applicant shall identify the location of MPDU units, which must be distributed in all sections and levels of the building, so as not to concentrate all MPDUs in one section or sections of the building.
14. The non-transferred MPDUs shall be Income-tiered to three income bands: 50%, 60%, and 80% of the area median income. The number of MPDUs at each income band is subject to negotiation with the Department of Housing and Community Development. The rent for the MPDUs will be fixed at a rate set by the city and updated on an annual basis.

15. Prior to the issuance of any residential building permit application and with the submission of the first building permit, the applicant must include an MPDU agreement approved by the Mayor and Council and by the City Attorney, pursuant to City Code Chapter 13.5. This does not apply to master file submissions. If the applicant pursues a development option that utilizes low income housing tax credits, the applicant must ensure, in a manner acceptable to the Department of Housing and Community Development and the Office of the City Attorney, that upon the expiration of the LIHTC compliance period, all units intended to satisfy the city's MPDU requirements are subject to covenants or other long-term protective measures ensuring that such units will meet the city's affordability control period and all other requirements of City Code Chapter 13.5.
16. Prior to the issuance of a building permit, the Applicant shall submit to the Department of Housing and Community Development an MPDU tenant relocation plan for review. The plan shall provide an outline for 44 Maryland Avenue (BLVD 44) MPDU residents of noticing of relocation, priority application for qualifying for MPDU units at 41 Maryland Avenue for their then current household, and details for current BLVD 44 MPDU residents to continue to pay for parking in the general parking area of BLVD 44 at the MPDU rates so long as they are residents at 41 Maryland Avenue.

BE IT FURTHER RESOLVED THAT, for the purposes of this Resolution, the approved Project Plan means this Resolution and the exhibits to this Resolution listed below and attached hereto, including notations, references, descriptions, and writings on the Exhibits, except as modified by the above conditions of approval:

1. Exhibit A: Project Plan dated September 24, 2025, and stamp received October 9, 2025;
2. Exhibit B: Project Plan Supplemental Documents;
3. Exhibit C: Natural Resource Inventory/Forest Stand Delineation;
4. Exhibit D: Stormwater Management Concept Letter; and
5. Exhibit E: Water and Sewer Authorization Letter; and

BE IT FURTHER RESOLVED THAT, having considered the recommendations and findings of its Staff as presented at the public hearing on this Application and set forth in the Staff

Reports on the Application presented to the Mayor and Council at its November 17, 2025 meeting, which the Mayor and Council hereby adopt and incorporate by reference, except as modified herein, and upon consideration of the entire administrative record, the Mayor and Council, pursuant to Section 25.07.01.b.2 of the Zoning Ordinance, finds and determines, with the above conditions of approval, that:

1. The Application will not adversely affect the health and safety of persons residing or working in the neighborhood of the proposed project.

The Applicant's proposal will replace an underutilized surface parking lot with a residential development just as was contemplated with the site's 1994 PDP approval. The Property will establish multi-family residential units within a structure that will span several stories and provide exterior facades near the street to produce an urban residential building that will abut existing wide sidewalks with street tree plantings. The surrounding properties to the west, north and east are all improved with multi-family residential uses. The project will thus provide a building form and site use consistent with those established in Town Center.

Through the adoption of the Comprehensive Plan and most recent TCMP, the city has established policies to encourage additional residential units, and specifically affordable housing units, in Town Center and on the Property. The addition of residential uses to an urban mixed-use area will not adversely affect the health or safety of residents working in the neighborhood but instead will be congruent with uses and building forms already established in the area and will align with the vision and policy adopted by the city. Beyond the waivers requested for parking and height, the Project will comply with the requirements of the Zoning Ordinance and other regulations to ensure health and safety, and such compliance will further be reviewed at the time of site plan application.

2. The Application is not in conflict with the Plan.

This Project Plan is not in conflict, but instead, is consistent with the City's 2040 Comprehensive Plan. The Property is a designated Focus Area in the Town Center Master Plan (TCMP, page 36), which was adopted as an amendment into the Comprehensive Plan. This Focus Area section encourages at least 100 residential units to be developed on this property. This proposal exceeds that recommended minimum. In addition, increasing the

number of homes, both within Town Center specifically and the City as a whole, is a general recommendation found throughout the Housing chapters of both the TCMP and the Comprehensive Plan.

The associated request for a parking reduction for this project, to a minimum of zero parking spaces, is also consistent with the TCMP. The Focus Area section for this property (page 36) states that “any on-site parking requirements should be waived due to the site’s limited size, prime Town Center location, nearby structured parking options, and transit access.”

The Comprehensive Plan calls for the development of additional affordable housing throughout Rockville. This project is proposing the development of 147 new affordable housing units. There are several other compatibilities within the proposed project and the Housing chapter of the Comprehensive Plan, including:

- Housing Action 2.3: “Work with neighborhoods to promote small-scale infill and redevelopment projects that will diversify the housing stock and lower per unit land costs for new housing, including townhouses, rowhouses, duplexes, triplexes, fourplexes, and small multiple-unit properties.” Page 199
- Housing Action 3.1: “Allow new housing in locations where amenities and infrastructure already exist, and that are compatible with the existing neighborhood.” Page 200
- Housing Action 10.5: “In areas near transit, consider reducing parking requirements to build parking spaces for MPDU units in exchange for more affordable units; while requiring that occupants of MPDUs have equal access to parking spaces built in the overall project.” Page 209

The recently adopted TCMP is a replacement to the Planning Area 1 chapter of the Rockville 2040 Comprehensive Plan. The adopted TCMP includes goals, policies and actions that are relevant to this development proposal:

- Focus Areas: 41 Maryland Avenue: “Encourage residential development of at least 100 units. If the existing, approved planned development for the parcel is modified, encourage the development of even more residential units on site. Ground floor

retail should not be required. Any on-site parking requirements should be waived due to the site's limited size, prime Town Center location, nearby structured parking options, and transit access." Page 36.

- Housing Goal 8: "Increase the number of affordable homes with Town Center." Page 64
- Housing Action 8.1.5: "Actively work with public, private, and philanthropic institutions to assist in the development of affordable housing in Town Center." Page 64

3. The Application will not overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as provided in the adopted adequate public facilities standards.

The Project will not overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as provided in the adopted adequate public facilities standards.

Schools

The property is served by the Richard Montgomery Cluster Area (Beall Elementary School, Julius West Middle School and Richard Montgomery High School) and is located within an Infill School Impact Area. It should be noted that the PDP originally approved 117 dwelling units on this property and such units are approved for adequate public facilities through November 1, 2030, pursuant to Section 25.20.04.a.2. of the Zoning Ordinance. Thus, the proposed development is being evaluated based on the net new 30 units being created beyond the original 117 units originally approved. Using the corresponding Montgomery County FY2025-2030 Student Generation Rates, the proposed net new units will generate the following number of students:

- 1 student at the elementary school grade level;
- 0 students at the middle school grade level; and,
- 1 student at the high school grade level

The current school test standards of the APFS utilize a seat deficit and capacity percentage calculation to determine adequacy. The maximum permitted capacity level is 120% and no more than a 110-seat capacity deficit in elementary schools and 180-seat capacity deficit in middle schools. The proposed development meets these standards at all three grade levels as shown in the table below.

School Test: Seat Deficit $\geq$ 110 Seats (Elem.) or $\geq$ 180 (Middle) and Percent Utilization $>120\%$ (Elem., Middle, and HS) = Moratorium						
School Type (Richard Montgomery Cluster)	Projected 2029-30 Enrollment	Students Generated by Proposed Development	100% MCPS Program Capacity 2029-30	Enrollment Including Proposed Development	School Percent Utilization in 2029-2030	School Percent Utilization in 2029-30 with Proposed Development
Beall ES	440	1	663	441	66.4%	66.5%
Julius West MS	1,404	0	1,432	1,404	98.0%	98.0%
Richard Montgomery HS	2,604	1	2,236	2,605	116.5%	116.5%

Traffic and Transportation

The Mayor and Council has completed a comprehensive transportation review per the requirements of the Zoning Ordinance and in accordance with the City of Rockville Comprehensive Transportation Review (CTR) guidelines (2018) and concludes that the existing and proposed transportation infrastructure will continue to provide safe and efficient multimodal access to the site with the proposed redevelopment.

Site Analysis

The subject site is located approximately 0.2 miles or a 5-minute walk from the Rockville Metro Station, and as defined by Appendix C of the City of Rockville's CTR guidelines, the subject site is within the designated Rockville Metrorail Transit Oriented Area.

Trip Generation

As recommended by the CTR, the Trip generation for the proposed redevelopment was based on the methodology outlined in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition and the potential development of up to 147 affordable residential units. Trip generation rates for “Affordable Housing” (Land Use Code 223) with Income Limits as the subcategory was used in calculations for the proposed land use. The vested land use for the subject site per the approved Preliminary Development plan (PDP94- 0001) consists of 117 dwelling units and 11,260 square feet of ground floor retail. Using the Trip generation rates for the “Multifamily Housing (Mid-Rise)” (Land Use Code 221), and “Strip Retail Plaza (<40k)” (Land Use Code 822) for the approved and vested uses, the detailed trip generation comparison calculations for the vested, and proposed uses and the net total site-generated vehicle trip results are summarized in the table below.

Land Use	AM Peak	PM Peak
Proposed		
147 affordable residential apartment units	66	40
Subtotal	66	40
Vested and Approved Uses		
117 multifamily residential units	40	46
11,260 SF of retail uses	31	85
Subtotal	71	131
Net Fewer Trips Generated	-5	-91

As shown, the proposed all-affordable residential apartment building with no more than 147 units is expected to generate 5 and 91 fewer trips than the vested existing and approved development in the morning and afternoon peak hour, respectively.

Based on the above trip generation findings, and per the requirements of the CTR, an on-site Transportation Report focusing on the adequacy of site access vehicle access points, on-site circulation, transit, pedestrian, bicycle accessibility and accommodations was submitted and reviewed by the Mayor and Council.

Access and Circulation

The property has frontage along East Middle Lane and Maryland Avenue, and both of these roadways are considered Business District roadways by the City of Rockville. There is an existing curb cut on East Middle Lane which provided ingress and egress access to the interim surface parking lot, which will be closed as part of this project. The submitted plan instead proposes a new curb cut along Maryland Avenue to access the site's loading area. Beside the proposed loading and trash pick-up area, no on-site parking is proposed. Currently, there are eight (8) on-street parking spaces with a 2-hour limit from 7AM-10PM Monday to Saturday.

The largest vehicle that will access the site is a firetruck. The maximum truck size allowed in the loading area is a 30' truck and such loading and trash trucks are required to access the site via the proposed curb cut on Maryland Avenue with back-in and head-out maneuvers on Maryland Avenue. There will be no back-in maneuvering from northbound Maryland Avenue, and vendors/deliveries/residents using the loading area will be informed of this restriction.

The Applicant is required to oversee the use of the loading area and to ensure residential move-ins/move-outs and maintenance/repair service calls are scheduled to reduce potential conflicts or overbooking of the loading area. Only authorized vehicles will be allowed to use the loading area. The Applicant is also required to make sure all building residents will reserve the loading area for move-in/move-outs and furniture deliveries.

Visitor Parking

A parking reduction is proposed per the Flexible Parking Requirements Reduction under Section 25.16.03.h that would allow the 41 Maryland Avenue residential development to be constructed without any on-site parking.

For pick-up and drop-off activities, the city has agreed to designate a maximum of three (3) existing on-street parking spaces along the Maryland Avenue frontage as pick-up/drop-off spaces with a 10-minute limit on parking/standing. To optimize pick-up/drop-off operations and ensure occupancy of the right of way is minimized, the applicant must make sure a luggage cart, dolly, and flatbed cart will be available in the lobby at all times.

Pedestrian and Bicycle Access

Along all surrounding roadways and direct routes to the Rockville Metrorail Station buffered sidewalks are present and generally in good condition. As shown on the submitted plan, the Project will rebuild the sidewalk along the site frontage on East Middle Lane with a 7' sidewalk and 6' buffer, and along Maryland Avenue the new sidewalk would be 8' wide with a 7' planting strip buffer. Also, a new curb extension will be constructed along the southwest corner of the East Middle Lane and Maryland Avenue intersection.

Consistent with the City of Rockville's Bikeway Master Plan, buffered bike lanes are available along the site frontage on East Middle Lane. A signed shared roadway exists along the site frontage along Maryland Avenue. These facilities help to connect the site to other nearby network of bike lanes and signed shared roadways.

The Project also satisfies zoning requirements for bicycle parking. Six (6) short-term bicycle parking spaces are proposed in addition to the provision of a ground-floor bike room with approximately 49 long-term bike storage spaces.

Transit Access

The Rockville Metrorail/Marc and Amtrak Station is the nearest transit station, located approximately 0.2 miles east of the site along Rockville Pike. The Rockville Metrorail station is on the WMATA Red Line which runs from the Shady Grove station to Glenmont in Silver Spring and connects with the other five (5) Metrorail lines, allowing access to much of the Washington, D.C. area via transit. The Rockville MARC train station is served by the Brunswick MARC Line, traveling between Martinsburg, West Virginia and Union Station in Washington D.C.

There are two (2) bus stops immediately adjacent to the site; one on the eastbound East Middle Lane frontage and another station on westbound East Middle Lane closer to the Gibbs Street intersection. These bus stops serve one (1) WMATA bus routes (T2) and three (3) Montgomery County Ride On Bus routes (45, 55, 301).

As part of the project, the bus stop along the East Middle Lane frontage will be improved with a concrete bus pad.

Water and Sewer

In a letter dated October 6, 2025, the proposed development received Water and Sewer Authorization approval from the Department of Public Works (DPW) for connection to the City's water and sanitary sewer systems. The applicant will construct a new water main extension and water and sewer service connections to serve the development. The Water and Sewer Authorization Letter lists specific conditions of approval.

4. **The Application will not constitute a violation of any provision of this Code or other applicable law.**

The Mayor and Council has reviewed the proposed development for compliance with the Zoning Ordinance and finds that the development proposal is consistent with the Ordinance requirements, aside from the regulations relevant to the requested waivers. For the instances where waivers are sought, the Mayor and Council concurs that the waiver criteria are met and the waivers should be granted.

All other development standards including open area requirements are met at this Project Plan stage of the development project. The Zoning Ordinance requires a minimum of 15% open area and the Applicant has reserved enough land area to comply with this requirement. Since the Applicant is proposing a development entirely of affordable housing units for households with incomes at or below the area median income limits, the project is exempt from the public use space requirement, pursuant to Section 25.17.01.e of the Zoning Ordinance. The proposed residential use is consistent with the uses identified in the land use table in the Zoning Ordinance for the equivalent MXTD Zone and is also consistent with the Comprehensive Plan and TCMP. Given that the project will be entirely affordable housing, the project is also exempt from compliance with the Publicly Accessible Art in Private Development Ordinance per exemption 2 of Sec. 4-44(d). of the city code.

The requirements under Sections 25.13.06 (Additional design guidelines) and 25.13.07.a (Special design regulations for individual mixed-use zones – MXTD) will ensure that thoughtful and sensitive design is utilized in the project. Compliance with these sections will be confirmed during site plan review.

Newly constructed sidewalks and pedestrian elements within the right-of-way shall comply with the criteria for pedestrian access routes of the US Access Board's Public

Right-of-Way Accessibility Guidelines (PROWAG). Where the running slope of a sidewalk exceeds 1:20 (5.0%), such sidewalk or portion thereof shall comply with the requirements for ramps found in section R304 of PROWAG, unless otherwise excepted by the technical requirements. Conformance with other requirements, including but not limited to other zoning requirements, city codes and the building code, and DPW standards and specifications, will be confirmed through the site plan, permit review, or other applicable process.

Waiver of Development Standards

The original 1994 PDP approval established height and massing requirements for buildings within this planned development. The Property was designated with a maximum height of 100 feet above the 448- foot elevation. This elevation corresponds to the elevated Promenade Park and pedestrian overpass connecting to Rockville Metro Station which were key components for open space and pedestrian access within the development at the time of the original approval. This elevation also serves as the reference point for height and massing for the overall planned development. The Applicant has proposed to exceed the height requirements for the Property to allow for flexibility in final engineering of the building.

While the PDP prescribed such height limits to the Property, the designated MXTD equivalent zoning establishes the height requirements applicable to this project. Pursuant Section 25.14.07.d.3(a)(iii), the development standards of the equivalent zone for a planned development zone apply to redevelopment of any portion of a planned development with new development that is not in substantial compliance with the planned development governing documents. The proposed change in building uses and intensities trigger the development standards of the MXTD zone, including height, to apply to this project. The Applicant requests a waiver of the maximum building height standards of the site's equivalent MXTD zone to permit a maximum building height of 137.25 feet in lieu of the required 120 feet, representing a reference height of 120 feet above the 448-foot elevation.

Pursuant to Section 25.14.07.d.4., the approving authority may waive the application of one (1) or more of the development standards of the equivalent zone upon finding that the applicant has shown good cause as to why the development standard should

not apply to any portion of the planned development project. In determining whether the burden of establishing good cause has been met, the Approving Authority must consider four (4) criteria outlined below and followed by analysis related to the subject request.

(a) Whether the development standard of the equivalent zone is compatible with the completed portions of the planned development;

The 120-foot maximum height standard of the MXTD zone (approximately 104 feet above the 448-foot elevation) is compatible with portions of the planned development. The building heights of the Property and adjacent sites within the PD are listed below:

Building Heights in the Rockville Center Inc. PD		
Building Site	Building Height (relative to 448' elevation)	Building Height (per Zoning and Building Measuring Point)
Subject Property (41 Maryland Ave.)	100' (approved) 120' (proposed)	120' (required) 137.25' (proposed)
BLVD 44 (44 Maryland Ave.)	212' (max. approved)	144' (per USE2006-00699)
BLVD Ansel (198 E. Montgomery Ave.)	235' (max. approved)	173' (per USE2006-00699)
255 Rockville Pike	217' (max. approved)	~70' (per USE1984-00300)

As shown in the table above, the proposed building height measured by the Zoning Ordinance at 137.25 feet is within the existing ranges of neighboring building heights ranging from 70 feet to 173 feet, and thus is compatible with the PD.

(b) Whether applying the development standard of the equivalent zone is consistent with good planning and design principles.

The Town Center Master Plan (TCMP) adopted by Mayor and Council on January 27, 2025 established three new character areas for Town Center and recommends that revised zoning should increase building heights to meet the city's housing goals and attract new residents to Town Center. The Core Character area, covering the Property, recommends heights up to 200 feet, beyond the current MXTD zone maximum height of 120 feet. The city is currently expecting to implement these zoning standards through the Zoning Ordinance Rewrite (ZOR). Thus, the development standard of the equivalent zone is not consistent with the city's planning goals for the Town Center area, and updates to such height

standards are anticipated with the adoption of the ZOR. The request is consistent with good planning and design principles.

(c) Whether applying the development standard of the equivalent zone is reasonable and practically feasible. The cost of applying the standard may, but does not necessarily, demonstrate that applying the development standards of the equivalent zone is reasonable or practically feasible; and

Given the planning goals expressed in the Comprehensive Plan to increase housing in Town Center, and the recommendations of the TCMP of increasing building heights to facilitate such housing production, it is not reasonable to apply the 120-foot maximum building height to the subject development as it would reduce the number of units that could be produced on the Property, contrary to the TCMP recommendations. Furthermore, given the specific size constraints of the Property previously mentioned, it is not practically feasible to recommend additional housing and building heights for the Property and then limit such Property by applying an inconsistent development standard.

(d) Such other factor as the Approving Authority reasonably deems appropriate.

The Applicant has indicated that the additional height is requested purposely to provide flexibility in final selection of construction materials (concrete versus steel construction) which have different floor-to-floor requirements. These material details are anticipated to be finalized later in the development process at the time of permitting when comparable construction costs can be better determined.

The Mayor and Council finds that the additional height requested by the applicant meets the criteria for approval of waiving the designated equivalent MXTD zone height standard as requested by the Applicant and is reasonable to facilitate final design of the project.

Flexible Parking Standards

As part of this Project Plan application, the Applicant requests a parking reduction pursuant to Section 25.16.03.h of the Zoning Ordinance to reduce the required number of parking spaces to zero (0) on-site spaces in the equivalent MXTD Zone. The Mayor and

Council, as the approving authority for Project Plan application, may authorize such a reduction if the request meets certain criteria specified in the Zoning Ordinance. It should be noted that the Mayor and Council adopted Zoning Text Amendment (ZTA) TXT2025-00269 on March 24, 2025, to implement the recommendations of the Town Center Master Plan through the establishment of three (3) Town Center interim comprehensive plan floating zones. The ZTA exempts properties in Town Center from minimum parking requirements through rezoning to a specific Town Center interim comprehensive plan zone. However, the Applicant is not requesting a rezoning of the Property with this Project Plan application, and thus the parking reduction is necessary to modify the parking requirement for this project.

For the proposed 147-unit multifamily building, the Applicant anticipates several different unit types to be provided, including studios (22 units), 1-bedrooms (81 units), 2-bedrooms (22 units) and 3-bedrooms (22 units), with the final unit mix to be determined later at the time of final engineering. Per Section 25.16.03 of the Zoning Ordinance, such unit mix would require a minimum count of 169 parking spaces. The Applicant proposes not to provide any on-site parking spaces nor any dedicated off-site parking spaces for the project and has provided justification for the parking reduction with this Project Plan application. Analysis of the request and recommendation are provided below.

Section 25.16.03.h.1

The Mayor and Council, in the approval of a project plan, or the Planning Commission, in the approval of a site plan within the MXTD, MXCD, MXE, MXNC and PD zones, have the authority to reduce the required number of parking spaces for uses in the building or buildings to be constructed provided that:

(a) A major point of pedestrian access to such building or buildings is within seven-tenths of a mile (3,696 feet) walking distance of a transit station entrance shown on the Washington Metropolitan Area Transit Authority (WMATA) Adopted Regional Rail Transit System; or

The site meets this criterion. The Property is within 1,500 feet walking distance of the Rockville WMATA Metro station and can be accessed via existing sidewalks on East

Middle Lane to MD 355 or East Montgomery Avenue to the MD 355 pedestrian overpass.

(b) There are three (3) or more bus routes in the immediate vicinity of the building or buildings; or

The site meets this criterion. The Property is served by four (4) bus routes in the immediate vicinity of the building including Ride-On bus routes 45, 55, 301 and Metrobus route M82.

(c) There is a major public parking facility available to the public within one thousand (1,000) feet of a building entrance; or

The site meets this criterion. There are several public parking facilities in the vicinity of the site including the Rockville Town Square Garages A, B and C located north of the Property and all within 800 feet of the site. Several other garages located within mixed-use buildings just to the east of the Property including those located at 44 Maryland Avenue (BLVD 44), 33 Monroe Street (BLVD Ansel), 255 Rockville Pike and 51 Monroe Street.

(d) Where the size of the lot is so small that meeting the parking requirement would prevent redevelopment; or

The site meets this criterion. The Property is approximately 0.42 acres and is relatively narrow in width at approximately 82 feet wide. The properties surrounding the site are characterized by widths of at least 150 feet. The Applicant has indicated that the narrowness of the property renders the property infeasible for meeting the site's parking requirement due to the dimensions needed to provide parking in accordance with the Zoning Ordinance and conflicts with meeting building and structural requirements. For example, the Applicant explored implementing an internal parking garage at the ground floor level and found that structural support columns would need to be located in areas that would conflict with drive aisle and parking spaces, thus making such garage area deficient to meet the parking requirements.

- (e) Where there is a bikeway in close proximity to the site and the applicant demonstrate that the uses in the proposed development are conducive to bicycle use; or*

This criterion is met. Existing separated bike lanes run along the Property's frontage along East Middle Lane. The abutting Maryland Avenue to the site's east is a signed shared roadway for the to accommodate both automobiles and bicycles. The location of the site within Rockville's urban center and its grid of blocks and streets makes the proposed residential development conducive to convenient bicycle usage to access neighboring businesses and destinations efficiently and safely through existing facilities. The existing facilities serving the site will help connect residents to MD355 to the east, Town Square and Montgomery College to the north, the Rockville Swim Center and local parks to the west and south, among other prominent areas in the city.

- (f) For any other good cause shown.*

The Applicant proposes a 100% affordable multi-family residential project that will bring additional affordable housing to Rockville as recommended by the Comprehensive Plan. The Town Center Master Plan (TCMP) further identifies the Property as a Focus Area property and specifically notes that, "any on-site parking requirements should be waived due the site's limited size, prime Town Center location, nearby structure parking options, and transit access." Such recommendation demonstrates the priority for housing in this location and the anticipation of reduced parking provisions for affordable housing at this location. While the project will be marketed without the need for parking, the Applicant has also provided a parking study demonstrating that there are several parking facilities in the vicinity of the site that offer parking opportunities for future residents who may choose to own a vehicle. The Applicant has indicated site constraints to this Property which make providing on-site parking infeasible, and reductions of the parking requirements will further facilitate production of a 100% affordable housing product on a unique parcel within Town Center, and in a location with access to several alternative methods of transportation.

The Mayor and Council finds that the request meets all six (6) of the established criteria in considering a reduction in parking standards in the equivalent MXTD zone, and that the proposed reduction of parking is consistent with recommendations of the TCMP. The Mayor and Council hereby approves the requested parking reduction.

5. The Application will not adversely affect the natural resources or environment of the City or surrounding areas.

Stormwater Management

Stormwater Management (SWM) for this project will be provided in compliance with the Pre-Application SWM Concept Approval Letter dated October 13, 2025. The Pre-Application SWM Concept Approval Letter lists project specific conditions of approval. The Project intends to meet the redevelopment requirements of on-site stormwater management for both Environmental Site Design (ESD) and Channel Protection Volume (CpV) through a stormwater management facility. The proposed ESD facility is a micro-bioretenention planter box located on the south side of the site. A monetary contribution is being provided by the applicant in lieu of providing on-site quantity management.

Forestry

This project must meet all requirements of Chapter 10.5 of the City's Forest and Tree Preservation Ordinance in addition to any additional City or State requirements.

The City approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) on April 4, 2025 (2025-24-NRI). The subject property is currently improved with a surface parking lot. The NRI/FSD did not delineate any onsite forest. Staff notes the property is subject to approved Forest Conservation Plans (FTP94-2 and FTP2006-00019).

The applicant received a Preliminary Forest Conservation Plan approval on 10/10/2025, with associated conditions that must be met at the time of Final Forest Conservation Plan.

Forest Conservation

The approved PFCP identifies that the project will result in removal of 6,600 square feet of forest conservation credit. The applicant proposes to provide fee-in-lieu of planting to mitigate the loss of the forest conservation credit. The applicant has provided justification for the use of fee-in-lieu in accordance with Section 10.5-24.

Significant Trees

There aren't any significantly sized (12" diameter or greater) trees onsite. The approved PFCP shows the removal of one tree on the subject property that was credited for replacement under a previous Forest Conservation Plan. The PFCP also shows the removal of 5 off-site trees that were also credited under a previous Forest Conservation Plan. These six removals will be mitigated through a fee-in-lieu of planting payment, by the applicant.

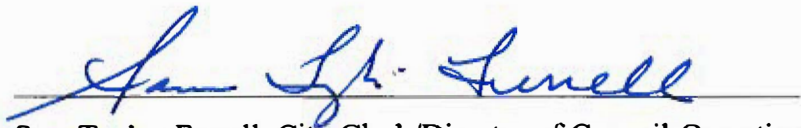
Street Trees and Lot Trees

The applicant is proposing to remove eight street trees on Maryland Avenue. The applicant is proposing to replace all eight street trees on Maryland Avenue with the proposed development.

Historic Resources

The property is not within a historic district and has no potential historic resources on site.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the Mayor and Council at its meeting of November 17, 2025.



Sara Taylor-Ferrell, City Clerk/Director of Council Operations