



PLANNING COMMISSION

Wednesday, June 14, 2023

7:00 PM

Rockville City Hall

Mayor and Council Chambers

Meeting No. 09-2023

AGENDA

Suzan Pitman
Eric Fulton
Shayan Salahuddin

Sam Pearson
John Tyner, II

Jim Wasilak, Staff Liaison
Nicholas Dumais, Assistant City Attorney

Virtually via WebEx

Watch LIVE on Comcast Cable Rockville Channel 11
and online at <https://www.rockvillemd.gov/>
See page 3 for more information

1. Review and Action

- A. Mandatory Referral Application STP2023-00458, to Establish a Worker's Training Center Within a Portion of the Existing Office Building and Install Solar Carport Structures Within the Existing Parking Lot and Solar Arrays on the Rooftop, at 14645 Rothgeb Drive in the I-L (Light Industrial) Zone; CASA, Inc., Applicant**

2. Recommendation to Mayor and Council

- A. Recommendation to the Mayor and Council on Zoning Text Amendment TXT2019-00255, to Allow Accessory Dwelling Units (ADUs) as Conditional Uses in Single Dwelling Unit Zones; Mayor and Council of Rockville, Applicants**
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3. Approval

A. Adoption of Revised Rules of Procedure

4. Commission Items

A. Staff Liaison Report

B. Old Business

C. New Business

D. Minutes Approval

1. April 12, 2023

2. April 26, 2023

3. May 10, 2023

E. FYI/Correspondence

5. Adjourn

HYBRID MEETING AND PUBLIC HEARING PROCEDURE

The Planning Commission will be meeting in person in the Mayor and Council Chambers at Rockville City Hall. The public is invited to participate in person or virtually via Webex. Anyone wishing to participate virtually may do so per the instructions below.

PLANNING COMMISSION ONLINE MEETING and PUBLIC HEARING PROCEDURES**I. Pre-meeting Platform: Webex**

- A. Applicant Access: Provided by Planning and Development Services/IT
- B. Access for Oral Testimony and Comment: Provided by PDS/IT (see below)

II. Pre-Meeting Preparations/Requirements:**A. Written Testimony and Exhibits –**

Written testimony and exhibits may be submitted by email to Jim Wasilak, Staff Liaison to the Planning Commission, at jwasilak@rockvillemd.gov or by mail to:

Rockville Planning Commission
111 Maryland Avenue
Rockville, MD 20850

and must be received no later than nine (9) days in advance of the hearing in order to be distributed with the Planning Commission briefing materials.

Written testimony and exhibits received after this date until 4:00 pm on the day before the hearing will be provided to the Planning Commission by email.

B. Webex Orientation for Applicants

Applicants must contact the planning case manager assigned to the Application no later than five (5) days in advance of the hearing in order to schedule Webex orientation, which must be completed prior to the hearing.

C. Oral Testimony by Applicants and the Public

- i. Applicants – Applicants must provide to the planning case manager a list of presenters and witnesses who will testify on behalf of the Application. The list must be provided to the PDS Staff project manager no later than five (5) days prior to the date of the hearing.
 - ii. Public Testimony/Comment on an Application – Any member of the public who wishes to comment on an application must submit their name and email address to the Staff Liaison to the Planning Commission Jim Wasilak (jwasilak@rockvillemd.gov) no later than 9:00 am on the day of the hearing to be placed on the testimony list.
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Members of the public who seek technical assistance from City staff must submit their name and email address to Jim Wasilak no later than two (2) days in advance of the hearing so that an orientation session may be scheduled.

If a member of the public is unable to meet the deadline to be placed on the testimony list, they can submit written testimony to the Staff Liaison to the Planning Commission by email to jwasilak@rockvillemd.gov.

III. Conduct of Online Meeting and Public Hearing:

A. Rules of Procedure –

The Meeting and Public Hearing will be held in accord with the Planning Commission Rules of Procedure, including the order of testimony and applicable time limits on testimony. The Rules may be viewed here:

<https://www.rockvillemd.gov/DocumentCenter/View/2023/Planning-Commission---Rules-of-Procedure?bidId=>

B. Oral Testimony –

During the hearing, the Chair will sequentially recognize each person on the testimony list and ask the host to allow the speaker to speak. Each speaker must wait to be specifically recognized by the Chair before speaking.

If during the hearing a party wishes to speak, or a speaker wishes to request the opportunity to engage in cross-examination following specific testimony, the party must contact the Staff Liaison/Host by email at jwasilak@rockvillemd.gov with the specific request. The Host/Staff Liaison will inform the Commission. The Chair will determine if the party may be heard.

C. Continuance of Hearing –

The Planning Commission, at its discretion, reserves the right to continue the hearing until another date.

HELPFUL INFORMATION FOR STAKEHOLDERS AND APPLICANTS**I. GENERAL ORDER OF SESSION FOR DEVELOPMENT APPLICATIONS**

1. Staff presentation
2. City Board or Commission comment
3. Applicant presentation (10 min.)
4. Public comment (3 min, or 5 min for the representative of an association)
5. Planning Commission Discussion and Deliberation
6. Decision or recommendation by vote

The Commission may ask questions of any party at any time during the proceedings.

II. PLANNING COMMISSION BROADCAST

- Watch LIVE on Comcast Cable Rockville Channel 11 and online at: www.rockvillemd.gov
- Replay on Comcast Cable Channel 11:
 - Wednesdays at 7:00 pm (if no live meeting)
 - Sundays at 7:00 pm
 - Mondays, Thursdays and Saturdays at 1:00 pm
 - Saturdays and Sundays at 12:00 am (midnight)
- Video on Demand (within 48 hours of meeting) at: www.rockvillemd.gov/VideoOnDemand.

III. NEW DEVELOPMENT APPLICATIONS

- For a complete list of all applications on file, visit: www.rockvillemd.gov/DevelopmentWatch.

VI. ADDITIONAL INFORMATION RESOURCES

- Additional resources are available to anyone who would like more information about the planning and development review process on the City's web site at: www.rockvillemd.gov/cpds.

Maryland law and the Planning Commission's Rules of Procedure regarding ex parte (extra-record) communications require all discussion, review, and consideration of the Commission's business take place only during the Commission's consideration of the item at a scheduled meeting. Telephone calls and meetings with Commission members in advance of the meeting are not permitted. Written communications will be directed to appropriate staff members for response and included in briefing materials for all members of the Commission.



Agenda Item #:	<u>1</u>
Meeting Date:	<u>June 14, 2023</u>
Responsible Staff:	<u>Christopher Davis</u>

SUBJECT:

Mandatory Referral Application STP2023-00458, to Establish a Worker's Training Center Within a Portion of the Existing Office Building and Install Solar Carport Structures Within the Existing Parking Lot and Solar Arrays on the Rooftop, at 14645 Rothgeb Drive in the I-L (Light Industrial) Zone; CASA, Inc., Applicant

RECOMMENDATION

(Include change in law or Policy if appropriate in this section):

Staff recommends approval of the Mandatory Referral application to establish a Worker's Training Center and complete installation of solar panel arrays, based on the required findings and conditions of approval detailed in this staff report.

Overview

Case: Mandatory Referral Application STP2023-00458

Location: 14645 Rothgeb Drive

Staff: Christopher Davis, Senior Planner
Community Planning and Development Services
240.314.8201
cdavis@rockvillemd.gov

Applicant: CASA, Inc.

Filing Date: April 21, 2023

Recommendation

Staff recommends that the Planning Commission conduct a Review of the Mandatory Referral Request. Staff recommends approval, subject to the recommended conditions in this report.

Background

The application is being processed as a Mandatory Referral in accordance with applicable state law governing the construction of public buildings and structures. The Rockville Planning Commission's review is to determine consistency with the "Plan" as defined under Section 3-205 of the Land Use Article of the Annotated Code of Maryland, specifically as it relates to location, character, and extent of the proposed site development. Pursuant to the Land Use Article, the Planning Commission has 60 days from the date of submittal of the application to render its decision on the project or it is deemed to be approved. The applicant may appeal the decision of the Planning Commission to the legislative body (Montgomery County Council), which can vote to overturn the ruling by a two-thirds vote and proceed with the project.

Project Description

Programmed Use of the Building

CASA, Inc., tenant of the subject property owned by Montgomery County, (also known as the "Applicant"), proposes interior renovations to the existing 13,993 square foot office building in order to establish a worker's training center within a portion of the building. The training center will occupy 6,791 square feet of the building, with 7,202 square feet of the remaining floor area being retained as office, all to be used by the Applicant. The interior renovations will include new partitions and mechanical, electrical, and plumbing systems for classrooms and training areas. According to the Applicant, the renovated space will include energy-efficient insulation, windows and HVAC units, along with ADA accessibility improvements. The proposed work will

include removing some existing exterior mechanical equipment, impervious concrete surfaces, and installing new windows. These specific interior improvements will be further evaluated at the time of building permit.



Aerial view of the subject property (provided via Eagleview ConnectExplorer)

Solar Panel Arrays

As part of the proposed improvements to the property, the Applicant will also install approximately 209 solar panel arrays on the roof of the existing building. As shown by the Applicant's submission, the roof panels will be attached to the roof via solar stack metal mounting fixtures which will be approximately twelve (12) inches in height.

The Applicant also proposes to install several freestanding solar panel carport structures within the existing parking lot. According to the Applicant, the carport structures will be composed of galvanized high-tensile strength steel and will be outfitted with lights beneath the carport canopies for evening illumination of the parking spaces. Three separate carport segments will be installed over the existing twenty-one (21) parking spaces in front of the existing building and will be approximately ten (10) feet in height. An additional carport structure will also be installed in the rear parking lot, which will cover nineteen (19) parking spaces and a connecting drive aisle and will be sixteen (16) feet in height. Both the roof mounted solar panels and the carport solar panel arrays will provide a renewable source of electricity to the building.



Proposed Site Plan with existing building outlined in orange and proposed solar carports shown in blue (site plan provided by applicant; markups by staff)

Site Description

Master Plan Land Use: CI (Civic and Public Institutional)

Zoning District: IL (Light Industrial)

Existing Use: Office

Parcel Area: 165,528 square feet (3.8 acres)

Surrounding Land Use and Zoning

Location	Zoning	Planned Land Use	Existing Land Use
North (Montgomery County)	N/A	Service Industrial	Commercial
South (City of Rockville)	IL	Civic and Public Institutional	Civic and Public Institutional
East (City of Rockville)	PARK	Public Park	Public Park
West (Montgomery County)	N/A	Service Industrial	Commercial

Previous Related Actions

This property was the subject of annexation petition X-76-76, which was approved by the Mayor and Council via resolution on March 7, 1977. The annexation formally expanded the city's boundaries to include the subject property, which was improved at the time with the existing building, constructed in 1975. The building served as the Montgomery County Animal Shelter from its initial construction, continuing after the site's annexation for several decades until 2014, when the Animal Shelter was then moved to a newer facility in Derwood. Following the animal shelter's departure, the building transitioned into an office use and appears to have been used as such since that time.

Project Analysis & Findings

Subject to Section 3-205 of the Land Use Article of the Annotated Code of Maryland, if a local legislative body has adopted a whole plan or a plan for one or more geographic sections or divisions of the local jurisdiction, a publicly or privately owned street, square, park or other public way, ground, or open space, or public building or structure, or public utility may not be constructed or authorized in the local jurisdiction or major geographic section of the local jurisdiction until the **location, character, and extent** of the development has been submitted to and approved by the Planning Commission as consistent with the Plan.

Location

The existing office building was constructed in 1965 and was the site of the Montgomery County Animal Shelter until approximately 2014, when the use of the building transitioned into office and appears to have been used as such since that time. As previously noted, the neighboring properties which compose the subject property and surrounding Planning Area 17 are primarily comprised of industrial, civic and private institutional and commercial and office space. The use of this property, along with the proposed improvements are consistent with the civic and public institutional land use policies identified in the Plan and with the designated, I-L (Light Industrial) zoning of the area. The improvements to complete interior renovations, add a worker's training center to the existing office use, and complete installation of exterior solar panel arrays will further enhance use of the existing building and be consistent with the

employment and commercial nature of the area.

Master Plan

The application is being processed as a Mandatory Referral in accordance with applicable state law governing the construction of public buildings and structures. As such, the Planning Commission's review of the proposal is to determine consistency with the Comprehensive Plan (the "Plan") as defined under the Section 3-205 of the Land Use Article of the Annotated Code of Maryland, specifically as it relates to location, character, and extent as it pertains to the proposed site development. As per the referenced state code, "Plan" means the policies, statements, goals, and interrelated plans, including the City's *Rockville 2040 Comprehensive Plan* for private and public land use, transportation, and community facilities documented in texts and maps which constitute the guide for the area's future development.

Land Use Map

The Plan's land use map designation of the property is for "Civic and Public Institutional" usage. The property is owned by Montgomery County and the proposed improvements will allow for the building to be used for public usage in concert with the Plan's land use recommendation.

Master Plan Compliance

This application is located within Planning Area 17. The *Rockville 2040 Comprehensive Plan* notes that Planning Area 17 is primarily comprised of industrial, civic and private institutional and commercial and office space. The use of this property, along with the proposed enhancements to the property, are consistent with the land use policies (civic and public institutional land use, I-L light industrial zoning) for the location within Planning Area 17, as stated in the *Rockville 2040 Comprehensive Plan*.

Along with location, this application is also consistent with the character and extent recommended in the *Rockville 2040 Comprehensive Plan* for this planning area, subject to staff's recommended conditions of approval further detailed later in this report. Planning Area 17 is primarily service industrial land use. As a result, many of these buildings are one to two stories in height and have simple building facades and materials, consistent with light industrial uses elsewhere in the City, County, and region. The neighboring property at 14654 Rothgeb Drive has a similar aesthetic, scale and size as other buildings in the surrounding area. The only exterior improvement proposed by the applicant is the addition of solar panels on the building roof and in the parking lot. These additions are consistent with the character elsewhere in the planning area, and the extent is consistent with the *Rockville 2040 Comprehensive Plan*. The installation of solar power equipment is also supported by Goal 2 of the Plan to cut greenhouse gas emissions and increase resiliency to climate change by expanding renewable energy resources.

Character

The existing two-story building has solely occupied this 3.8-acre property for nearly six decades for public use. The building is situated on the property in a manner that provides open areas on

all sides of the building and provides areas for access to the building and parking in the front and the rear to allow the site to function in a safe and efficient manner. The site is further characterized by landscaped yard areas to the front, sides, and rear of the building with downward slopes to the property's rear, accompanied by a number of existing mature trees. As most of the proposed improvements will be interior to the building and no major building construction is proposed, the character of the site will remain relatively unchanged, as the site is anticipated to service clients and employees in an office setting during normal business hours between 7am and 5pm, similar to other commercial uses in the surrounding area. While the proposed worker's training center will offer evening classes starting at 7pm, such activity is not anticipated to be detrimental to the character of the site or surrounding area, as the daytime operations of the subject building and surrounding properties are anticipated to be largely terminated by such evening hours. Furthermore, there are no residential properties in the immediate vicinity of this property which would be negatively impacted by evening use of the site.

While the proposed solar carport structures will provide new exterior structures to the site, such structures are not anticipated to inhibit the use or change the character of the property. Rather, the solar carport structures will allow the existing building to continue to be used in a productive manner and utilize a renewable energy source which will allow the building to be improved in its functionality and efficiency. While the carport structures will provide lighting for evening hours, the Applicant has indicated that such lighting will be designed to meet the national LEED requirements for light pollution reduction. Furthermore, the footing for the proposed carport structure will be aligned with the pavement striping to avoid conflict with use of the parking spaces. The proposed improvements will improve access to the front of the building via the Applicant's proposed construction of a five-foot-wide sidewalk from the front property line to the front building entrance. Providing this pedestrian connection will further support the public nature and character of the site by providing enhanced access to a public building.

Infrastructure/ Adequate Public Facilities Standards (APFS)

Transportation and Circulation

Traffic

The applicant proposes to continue the general office use of the building with additional interior and exterior modifications and alterations, and provision of solar panels on the building roof and in the parking lot. These proposed changes will generate no additional AM, PM or Sat peak hour trips.

Access

The subject property is currently being served by a shared vehicular access driveway off Rothgeb Drive that serves the abutting City of Rockville Maintenance Facility and the subject site. This access point is controlled by a stop sign on the access driveway. Rothgeb Drive is a two-lane undivided secondary industrial roadway and terminates in a cul-de-sac

north of the subject site. The intersection of Rothgeb Drive with East Gude Drive, approximately 0.23 miles south of the subject site, is controlled with a traffic signal. Along the entire length on the west side of Rothgeb Drive there is an existing sidewalk for pedestrians to use and gain access to existing bus stops along East Gude Drive, but no safe pedestrian accommodation is provided between this sidewalk and the subject site's main building entrance on the east side of Rothgeb Drive. To facilitate improved pedestrian connection from Rothgeb Drive to the front entry of the building, the Applicant's plans indicate the provision of a 5-foot-wide sidewalk from the front property line across an intervening landscape strip and behind a portion of the front lot parking spaces, which will represent an improvement to pedestrian facilities on the property.

Vehicular and Bicycle Parking

The subject site currently has forty-six (46) vehicular parking spaces and to provide for adequate turn around areas for emergency vehicles the provided vehicular parking will be reduced to forty-two (42) spaces. At present the site does not provide any short- or long-term bicycle parking. As further described later in this report, the property is not subject to the city's zoning regulations. However, during staff's review, it has been identified that the Zoning Ordinance would require provision of two (2) short term and four (4) long term bicycle parking spaces on the subject site. The short-term parking has to be within 50 feet of the main entrance, and an acceptable location for bicycle racks has been provided on the site plan for provision of the needed short-term and long-term bicycle parking spaces.

Transit

The site is served by existing Montgomery County Ride On transit routes #48 and #59 which have several stops along East Gude Drive, including one near the intersection of East Gude Drive with Rothgeb Drive. This transit stop is located approximately 0.25 miles from the subject property.

Water and Sewer

As a result of independently located water and sewer house connections, this site is separately served by Washington Suburban Sanitary Commission (WSSC) for water and City of Rockville for sewer. The project does not propose a change of use from existing office as defined by WSSC Design Guidelines, nor does it propose a change or increase to water and sewer demand.

Environment

Forest and Tree Preservation Ordinance (FTPO)

The site is not currently under a forest conservation plan (FCP). There is an existing FCP on the neighboring property to the north which included 6 significant tree replacements planted on the northern end of the forest stand, adjacent to the neighboring loading dock. An NRI/FSD has been submitted, pending approval upon resubmission. As currently proposed, the project is not disturbing greater than 5,000 square feet of land. However,

there are proposed impacts to critical root zones of existing, significant trees. As required by Chapter 10.5 of the Rockville City Code, these impacts will require a FCP (per condition #5).

In accordance with the FTPO, the 3.80-acre site is required to comply with the following ordinance requirements: forest conservation, minimum tree cover, and significant tree replacement. The site is in the Rock Creek Watershed, with no streams or wetlands on site. There is one forest stand on site that is 1.80 acres.

Forest Conservation

The site is required to meet a minimum of .51 acres (24,846 sf) of forest conservation.

Significant Trees

Consistent with the proposed site plan, no significant trees are currently proposed for removal. Per condition #5, the applicant is required to submit an FCP, at which time significant tree removals and replacements will be further evaluated.

Minimum Tree Cover

The minimum tree cover requirement is 15% of the tract area or .57 acres (24,829.20 sf) of tree cover. This requirement will be met at the time of forest conservation plan approval.

Stormwater Management

Stormwater Management (SWM) for this project will be provided in accordance with Chapter 19 of the Rockville City Code which exempts solar panels constructed on existing impervious areas. The remaining new and replaced impervious areas will utilize a stormwater management alternative measure, specifically monetary contribution, in lieu of providing on-site quality and quantity management.

Zoning Ordinance Compliance

As the site is owned by Montgomery County, improvements to the property are not subject to the City's zoning requirements. However, staff has reviewed the proposal in accordance with the Zoning Ordinance (the "Ordinance"). The site currently provides a total of forty-six (46) parking spaces where the Ordinance requires forty-seven (47) spaces. In order to provide adequate spacing for emergency fire vehicle turnaround movements, five (5) additional spaces are proposed to be removed from the rear parking lot, while one (1) additional ADA parking space will be provided near the front entry of building, resulting in an overall parking deficit of five (5) parking spaces from what the Ordinance would require.

Section 25.16.03.i.1 allows the Approving Authority of projects seeking approval of a site plan to defer providing the number of parking spaces required where it can be demonstrated that the use served does not need the number of spaces required due to:

- a) The age characteristics of the patrons or tenants served
- b) The unique character of the use being served;

c) Proximity to a transit station

The proposed use of this site will be unique in character in that it is a public site owned by Montgomery County and will be used by the Applicant for a worker's training center and associated office to provide services to its clients. The training center use will be unique in function because most vocational classes will be held during evening hours after 7pm. The Applicant has indicated that a significant number of visitors to the site will utilize public transportation and such travel arrangements will not create excessive demand on on-site parking facilities. The building's daytime activities will include services such as employment, legal and financial assistance programs between the hours of 7am and 5pm and such activities will not compete in demand for parking with the vocational classes which will be held later in the evenings. Given the alternative transportation options available with multiple Ride On bus routes within walking distance of the site and the unique function of the site where major site uses will operate at separate times of the day, such programming is understood to be less demanding upon parking as compared if the uses were to happen concurrently. Furthermore, the proposed removal of five (5) spaces would result in a 10.63 percent reduction in the required parking, which in staff's estimation would be acceptable given the unique combination and programming of the proposed uses.

Section 25.16.03.i allows the Approving Authority to defer providing the required number of parking spaces in order to enhance or preserve environmental features, such as preservation of significant trees or avoiding sensitive environmental areas. Several environmental constraints exist on the subject property including mature trees near the parking lot areas and the presence of increasingly changing grades towards the rear of the property. To further preserve the environment, staff finds that applicant's proposal complies with the intent of the parking deferral section of the code, as it will limit disturbance and avoid expansion of parking into these environmentally sensitive areas.

Extent

The establishment of the worker's training center will allow the Applicant the opportunity to further utilize the building within the confines of its existing footprint, rather than needing to complete new building constructions. As a result, the extent of the improvements will be limited to minor exterior site work for installation of the solar carport structures within the on-site parking areas and installation of the rooftop arrays. Such improvements are not anticipated to have any major adverse impacts to neighboring properties. The improvements are not anticipated to generate any significant noise or sight nuisances. As indicated by the Applicant's plans, the solar carport structures will be composed of durable materials and will be provided with lighting in a manner that will be actively reduced to avoid spill over onto neighboring properties. As previously indicated, while the site proposes to be slightly deficient in parking with respect to the Ordinance, the unique use of the property being used as a training center and the propensity for users to utilize alternative transportation options other than individual vehicles, provides reasoning where the site could function adequately with a 10.64 percent reduction in required parking.

Community Outreach

Public notifications of this application were sent to surrounding property owners, residents, and business tenants within 1,250 square feet of the subject property, mirroring notification procedures for major development projects in the city. As of the writing of this report, no public inquiries or comments have been received for this application.

Conditions

In summary, the proposed project is consistent with the Master Plan in terms of its location, character, and extent, as required by the Land Use Article, subject to the following conditions of approval:

- 1) The proposed site improvements, including the provision of an internal pedestrian walkway extending from the driveway entrance on Rothgeb Drive to the front entry of the building are to be constructed and implemented as generally shown on development plans submitted as part of this application.
- 2) Provide Stormwater Management (SWM) for all new and replacement impervious area as required by Chapter 19 of the Rockville City Code, entitled "Sediment Control and Stormwater Management" if the development creates or replaces 250 square feet or more of impervious area, or if the project involves 5,000 square feet or more of disturbed area. Applicant must submit a SWM application, minimum plan review fee and a sketch delineating and quantifying the new and replacement impervious area within the project's limit of disturbance. Monetary Contributions must be paid prior to issuance of building permit.
- 3) A sediment control permit (SCP) shall be required per Chapter 19 of the Rockville City Code if land disturbing activity involves 5,000 square feet or more of disturbed area or involves 100 cubic yards or more of excavation. If necessary, Applicant must submit a SCP application, detailed engineering plans, checklist, plan review and permit application fees to DPW for review, approval, and permit issuance. Erosion and Sediment Control plans shall be submitted on 24"x36" City base sheets at a minimum scale of 1"=30' unless otherwise approved by DPW. Post sureties for erosion and sediment control based on an approved construction estimate in a format acceptable to the Office of the City Attorney prior to issuance of the SCP. Approval is coordinated through DPW staff. SCP permit must be issued prior to issuance of a building permit. If, at any time during construction on the site, a sediment control permit is required or there is disturbance to a significant tree, then the applicant must comply with the requirements of the Forest and Tree Preservation Ordinance.
- 4) A Public Works permit (PWK) shall be required per Chapter 21 of the Rockville City Code to construct, excavate, drill, connect to, install, or plant any public improvement of a permanent or temporary nature in the City right-of-way or easement.
- 5) Due to the proposed impacts to CRZ's of significant trees associated with onsite

improvements, the applicant is required to obtain approval of a Final Forest Conservation Plan (Final FCP) prior to the issuance of any building, forestry, or public works permits. The applicant may submit these plans with the site plan signature set.

- a. All submitted plans must use current City tree tables, FTPO notes and details.
 - b. Plans must not contain overwrites and must be prepared per the general structure/requirements for forest conservation plans.
- 6) Before pruning or cutting any trees within the right-of-way, the applicant must obtain and submit to the City Forester an MDNR (Maryland Department of Natural Resources) Roadside Tree Permit for the work.
- 7) Final FCP must be generally consistent with the approved site plan.
- 8) Before the issuance of any sediment control permit or building permit, the applicant must obtain a forestry permit. Before the issuance of the forestry permit, the applicant must:
 - a. submit the FTP permit application and fee;
 - b. obtain approval of a Final FCP;
 - c. pay to the City any approved fee-in-lieu consistent with the requirements of the FTPO;
 - d. execute a five-year warranty and maintenance agreement in a form acceptable to the City;
 - e. post a bond or letter of credit approved by the City for eligible forestry improvements per the FTPO;
 - f. execute and record a forest conservation easement in a form acceptable to the City;
 - g. submit GIS data for the recorded forest conservation easement in a form acceptable to the City; and
 - h. submit a non-native invasive management plan for review and approval by City staff.
- 9.) Provide the following revisions to the signature set plans:
 - a. Revise the Fire Access Plan Autoturn Exhibit plan sheet to show movements and specifications consistent with the "Aerial Platform Fire Truck" - AT729 apparatus specifications previously communicated through staff markup comments.
 - b. Revise the Fire Access Plan Autoturn Exhibit and Fire Access Plan plan sheets to show the proposed mountable curb and gutter consistent with what is shown on the submitted site plan sheet C-101.

- 10.) The pavement surface to be used for fire vehicle turnaround must be striped and indicated with signage "No Parking, Fire Department Turnaround" in traffic yellow paint with lines of sufficient width to be readily identifiable/readable by motor vehicle operators, pursuant to Section 22-33 of the Montgomery County Code.

Attachments

- Attachment 1.1.A: Aerial Map (PDF)
Attachment 1.1.B: Land Use Map (PDF)
Attachment 1.1.C: Zoning Map (PDF)
Attachment 1.1.D: Site Plan (PDF)
Attachment 1.1.E: Application Materials (PDF)
Attachment 1.1.F: Applicant Exhibits (PDF)

Jim Wasilak

Jim Wasilak, Zoning and Development Manager

6/7/2023





Attachment 1.1.B: Land Use Map (4598 : Mandatory Referral STP2023-00458 CASA, Inc.)

Land Use Policy Designations

- RD - Residential Detached
- RA - Residential Attached
- RF - Residential Flexible
- RM - Residential Multiple Unit
- RO - Residential and/or Office

- O - Office
- C - Commercial
- CRM - Commercial and Residential Mix
- OCRM - Office, Commercial and Residential Mix
- CI - Civic and Public Institutional

- I - Private Institution
- P - Public Park
- OSP - Open Space Private
- SI - Service Industrial
- SRM - Service Industrial and Residential Mix
- Potential Future Park Asterisk



Zoning Overlays

-  Town Center Performance District
-  South Pike
-  Rockville Pike Core
-  Twinbrook Metro Performance District
-  Lincoln Park Conservation District
-  Planned Developments
-  Residential Clusters
-  Local Historic Districts
-  * Special Exceptions

Zoning Districts

-  R-400 - Residential Estate
-  R-200 - Suburban Residential
-  R-150 - Low Density Residential
-  R-90 - Single Unit Detached Dwelling, Restricted Residential
-  R-75 - Single Unit Detached Dwelling, Residential
-  R-60 - Single Unit Detached Dwelling, Residential
-  R-40 - Single Unit Semi-detached Dwelling, Residential
-  RMD-Infill - Residential Medium Density, Infill
-  RMD-10 - Residential Medium Density
-  RMD-15 - Residential Medium Density
-  RMD-25 - Residential Medium Density

-  PD - Planned Development
-  MXB - Mixed-Use Business
-  MXC - Mixed-Use Commercial
-  MXCT - Mixed-Use Corridor Transition
-  MXCD - Mixed-Use Corridor District
-  MXE - Mixed-Use Employment
-  MXNC - Mixed-Use Neighborhood Commercial
-  MXT - Mixed-Use Transition
-  MXTD - Mixed-Use Transit District
-  PARK - Park Zone
-  IL - Light Industrial

REFERENCE SYMBOLS

EXISTING/ DEMOLISHED

EXISTING WALL TO REMAIN

EXISTING WALL TO BE DEMOLISHED

EXISTING WALL TO BE SALVAGED

NEW CONSTRUCTION

NEW WALL

ROOM DESIGNATION:

OFFICE

ROOM NAME

101

ROOM NUMBER

150 SF

AREA

SECTIONS / DETAILS / ENLARGED PLANS

REFERENCE NUMBER

SHEET NUMBER

REFERENCE NUMBER

SHEET NUMBER

AREA OF DETAIL

ELEVATION REFERENCE SYMBOLS

INTERIOR ELEVATION:

1

ELEVATION NUMBER

A400

SHEET REFERENCE

EXTERIOR ELEVATION:

REFERENCE NUMBER

SHEET NUMBER

REVISION REFERENCE SYMBOLS

REVISION CLOUD / AREA OF DRAWING REVISIONS

REVISION DELTA & NUMBER

MATERIAL SYMBOLS

ALUMINUM

BATT INSULATION

BRICK

CONCRETE

CONCRETE MASONRY UNIT

EARTH

GLASS- CROSS SECTION

GRAVEL

GROUT

GYPSUM OR SAND

RIGID INSULATION

SEMI-RIGID INSULATION

SOLID SURFACE COUNTER

STEEL

WATER BARRIER

WOOD - ROUGH

WOOD - FINISH

WOOD BLOCKING

WOOD - SUBSTRATE PLYWOOD

MONTGOMERY COUNTY / CITY OF ROCKVILLE, MD

BUILDING CODES

CODE	CODE / EDITION
BUILDING	ICC INTERNATIONAL BUILDING CODE (IBC) / 2018
EXISTING BUILDING	MARYLAND BUILDING REHABILITATION CODE COMAR 09.12.58
LIFE-SAFETY	NFPA 101 / 2018
ACCESSIBILITY	MARYLAND ACCESSIBILITY CODE COMAR 09.12.53
ENERGY CONSERVATION	ICC INTERNATIONAL ENERGY CONSERVATION CODE / 2018
ELECTRICAL	NFPA 70 NATIONAL ELECTRICAL CODE / 2017
GAS	ICC INTERNATIONAL FUEL GAS CODE / 2018 NATIONAL FIRE PROTECTION ASSOCIATION 51, 54, 58
PLUMBING	ICC INTERNATIONAL PLUMBING CODE / 2018
FIRE PREVENTION	NFPA 1 / 2018
FIRE SPRINKLER	NFPA 13 / 2016
FIRE ALARM	NFPA 72 / 2016

PROJECT DESCRIPTION:
RENOVATION TO COMMERCIAL BUILDING: ALTERATION LEVEL 2

BUILDING DATA:

	EXISTING	PROPOSED
BUILDING USE GROUP:	B OFFICE	B OFFICE
CONSTRUCTION TYPE:	V-B	V-B

FIRE SUPPRESSION:	NONE	NONE REQUIRED FOR B USE PER NFPA 101 CHAPTER 38
FIRE ALARM:	THROUGHOUT	REQUIRED FOR B USE PER NFPA 101 CHAPTER 38

BUILDING GROSS SF:	EXISTING	EXISTING TO REMAIN	PROPOSED WORK AREA
GROUND LEVEL - OFFICE	3,745	3,745	0
MAIN LEVEL - OFFICE	3,457	3,457	0
MAIN LEVEL - TRAINING	6,791	6,791	6,791
TOTAL	13,993	13,993	6,791 (48%)

BUILDING HEIGHT:	MAXIMUM	PROPOSED
B USE GROUP	2 STORIES 40'	2 STORIES 23.5'

FIRE SEPARATION DISTANCE

PROPOSED 30' OR GREATER

FIRE-RESISTANCE RATING REQUIREMENTS (HOURS)

	REQUIRED	PROPOSED
PRIMARY STRUCTURAL FRAME	0 HOUR	0 HOUR
BEARING WALLS - EXTERIOR	0 HOUR	0 HOUR
BEARING WALLS - INTERIOR	0 HOUR	0 HOUR
NONBEARING WALLS & PARTITIONS - EXTERIOR	0 HOUR	0 HOUR
NONBEARING WALLS & PARTITIONS - INTERIOR	0 HOUR	0 HOUR
FLOOR CONSTRUCTION & ASSOCIATED SECONDARY MEMBERS	0 HOUR	0 HOUR
ROOF CONSTRUCTION & ASSOCIATED SECONDARY MEMBERS	0 HOUR	0 HOUR
EXTERIOR WALL BASED ON FIRE SEPARATION DISTANCE > 30'	0 HOUR	0 HOUR
STAIR ENCLOSURE - DOES NOT SERVE AS A COMPONENT OF THE MEANS OF EGRESS SYSTEM	0 HOUR	0 HOUR

STRUCTURAL DESIGN LOAD REQUIREMENTS

REFER TO STRUCTURAL DRAWINGS

MEANS OF EGRESS

NUMBER OF EXITS PER STORY PER IBC TABLE 1006.3.3(2):	MIN = 2	2
EXIT TRAVEL DISTANCE PER IBC TABLE 1006.2.1(2): (SEE PLANS FOR EXIT TRAVEL PATHS)	MAX = 200'	138' 6"
EGRESS DOOR SIZING:	MIN = 8.4" (0.2" x 108)	21.6" DOOR CLEARANCE
STAIRWAY TO ROOF NOT REQUIRED PER IBC 1011.12:	ONLY REQUIRED IN BUILDINGS FOUR OR MORE STORIES ABOVE GRADE PLANE	

OCCUPANCY LOAD PER IBC TABLE 1004.5

ROOM NO.	SPACE	USE	ROOM DIMENSIONS (APPROXIMATE)	AREA (SF)	OCCUPANT LOAD FACTOR		NO. OF OCCUPANTS
FIRST FLOOR: B BUSINESS USE							
120	NORTH CORRIDOR	CIRCULATION	110'-10" x 5'-0"	88	N/A		0
121	TRAINING CLASSROOM A	VOCATIONAL ROOM	16'-0" x 25'-11"	400	50	NET	8
122	BREAK	BUSINESS	15'-2" x 9'-7"	143	150	GROSS	1
123	IT WORKROOM	BUSINESS	7'-3" x 17'-3"	125	150	GROSS	1
124	PORCH	BUSINESS	7'-1" x 25'-5"	158	150	GROSS	0
125	OFFICE	BUSINESS	14'-10" x 5'-9"	78	150	GROSS	1
126	HEALTH LAB	VOCATIONAL ROOM	15'-8" x 11'-4"	200	50	NET	4
127	ELECTRICAL	EQUIPMENT ROOM	6'-8" x 5'-9"	37	300	GROSS	1
128	TRAINING CLASSROOM B	VOCATIONAL ROOM	22'-7" x 25'-7"	584	50	NET	12
129	BUILDING MAINTENANCE / VOCATIONAL LAB	VOCATIONAL ROOM	30'-10" x 39'-2"	1189	50	NET	24
130	PLUMBING TRAINING / VOCATIONAL LAB	VOCATIONAL ROOM	22'-7" x 32'-10"	743	50	NET	15
131	TRAINING HOUSE	VOCATIONAL ROOM	30'-10" x 15'-8"	483	50	NET	10
132	HVAC TRAINING VOCATIONAL	VOCATIONAL ROOM	22'-7" x 27'-3"	618	50	NET	13
133	ELECTRICAL TRAINING / VOCATIONAL LAB	VOCATIONAL ROOM	28'-10" x 23'-1"	713	50	NET	15
136	WEST CORRIDOR	CIRCULATION	14'-0" x 5'-0"	70	N/A		0
137	SERVER ROOM	EQUIPMENT ROOM	8'-0" x 7'-3"	57	300	GROSS	1
138	ENTRY	CIRCULATION	7'-9" x 3'-1"	24	N/A		0
SUBTOTAL - OCCUPANT LOAD FOR FIRST FLOOR							106

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June 1, 2023

ZONING REVIEW INFORMATION

ZONING DISTRICT: I-L LIGHT INDUSTRIAL

LOT	REQUIRED	PROVIDED
LOT AREA (MINIMUM)	N/A	165,528 SF
LOT WIDTH (MINIMUM)		
AT FRONT LOT LINE	25'	114'
AT REAR LOT LINE	10'	182'
HEIGHT (MAXIMUM)	40'	23.5'
COVERAGE		
MAXIMUM LOT COVERAGE	50%	7%
MINIMUM OPEN AREA	10%	14%

SEE THE SITE PLANS C100 FOR ADDITIONAL ZONING INFORMATION

MINIMUM PLUMBING FACILITIES PER IPC 403.1

B USE (ADULT TRAINING)	REQUIRED	PROVIDED
WATER CLOSETS:		
MALE	1 (1/75 x 52 MALES)	2
FEMALE	1 (1/75 x 52 FEMALES)	2
LAVATORIES:	1 (1/200 x 104 PEOPLE)	4
DRINKING FOUNTAINS:	0 (PER IPC 410.4)	2
SERVICE SINKS:	1 SINK	1

INSULATION MINIMUMS

(PER IECC TABLE C402.1.3 & TABLE C402.4)

REFER TO BUILDING SECTIONS ON A300 FOR THERMAL ENVELOPE

CLIMATE ZONE:	4A
INSULATION ENTIRELY ABOVE ROOF DECK:	R-30 ci
MASS WALL:	R-9.5 ci
UNHEATED FLOOR SLAB:	R-10 FOR 24" BELOW
FIXED FENESTRATION:	U-0.38
OPERABLE FENESTRATION:	U-0.45
ENTRANCE DOORS:	U-0.77
GLAZED FENESTRATION SHGC:	0.40
SKYLIGHT:	U-0.46
SKYLIGHT SHGC:	0.40

1 LOWER FLOOR EGRESS PLAN
SCALE: 1/16" = 1'-0"
0' 2' 5' 10' 20'

2 MAIN FLOOR EGRESS PLAN
SCALE: 1/16" = 1'-0"
0' 2' 5' 10' 20'

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CASA
ROCKVILLE
WELCOME
CENTER

14645 ROTHGEB DRIVE
ROCKVILLE, MD 20850

OWNER
MONTGOMERY
COUNTY
EOB 101 MONROE STREET
ROCKVILLE, MD 20850

TENANT
CASA DE MARYLA
BOB BREHM
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DESIGN TEAM

ARCHITECT
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STRUCTURAL ENGINEER
LINTON
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46090 LAKE CENTER PLAZA
SUITE 309
POTOMAC FALLS, VA 20165

MEP ENGINEER
BERA ENGINEERS
INC.
1357 TRAVILAH ROAD
SUITE A
ROCKVILLE, MD 20850

DRAWING ISSUE DATE

DESIGN DEVELOPMENT

DATE: 07.29.2022

SCALE: N/A

CODE SUMMARY
& NOTES

G001

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GENERAL DEMOLITON NOTES

A. REMOVAL OF A PARTICULAR ITEM(IE., WALLS, DOORS, ETC.) IS TO INCLUDE ALL RELATED ITEMS, ELECTRICAL, MECHANICAL, PLUMBING, AND HARDWARE. IT IS ALSO TO INCLUDE PATCHING OF ANY DAMAGES OR HOLES IN THE EXISTING TO REMAIN, AS A RESULT OF REMOVAL. CAP ALL LINES CAUSED BY REMOVED FIXTURES. CARE IS TO BE TAKEN NOT TO REMOVE MORE THAN IS NECESSARY TO ACCOMMODATE NEW CONSTRUCTION.

B. ANY SURFACES DISTURBED BY REMOVAL ARE TO BE RETURNED TO A LIKE NEW CONDITION WITH NEW MATERIAL TO MATCH SURROUNDING SURFACES.

C. REMOVE ALL DEBRIS PROPERLY FROM SITE. ALL DEMOLISHED MATERIAL EXCEPT THAT LISTED OR MARKED FOR SALVAGE SHALL BECOME THE PROPERTY OF THE CONTRACTOR. LOAD DEMOLISHED MATERIAL DIRECTLY ON TRUCKS OR INTO DUMPSTER FOR REMOVAL. DISPOSE OF DEBRIS LEGALLY. DO NOT BURN ON SITE. DO NOT ALLOW DEBRIS TO ENTER SEWERS. DO NOT LET PILED DEBRIS ENDANGER STRUCTURE. BLOCK EXITS OR ROADWAYS. UPON DISCOVERY OF ANY HAZARDOUS MATERIALS, NOTIFY THE PROJECT MANAGER OF TYPE, LOCATION AND EXTENT OF SAME.

D. PHASE CONSTRUCTION AND PROVIDE TEMPORARY BRACING AND SHORING AS REQUIRED TO CREATE A STRUCTURALLY SOUND ENVIRONMENT WHILE NEW CONSTRUCTION PROCEEDS.

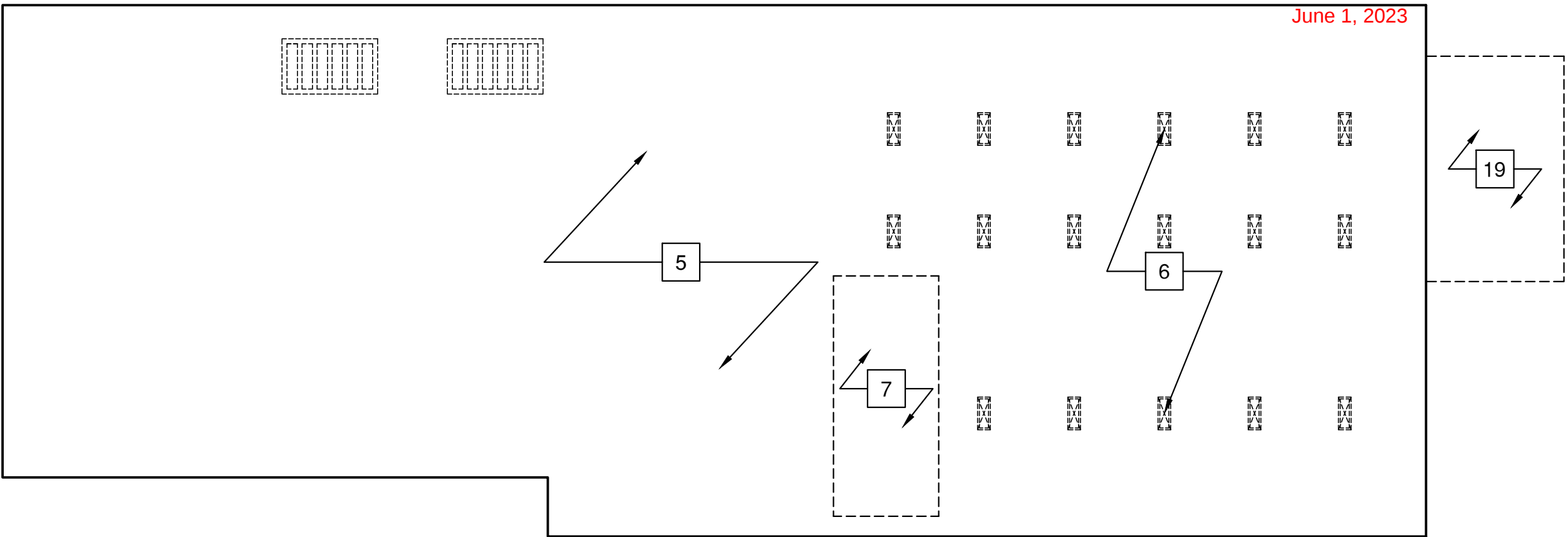
E. IN TRAINING CENTER REMOVE ACOUSTICAL CEILING TILES, MECHANICAL PLUMBING AND ELECTRICAL EQUIPMENT, CABINETS, FLOORING, AND CCTV.

F. REMOVE SPRAY COATING ON CONCRETE ROOF PANELS TO BE LEFT EXPOSED TO VIEW.

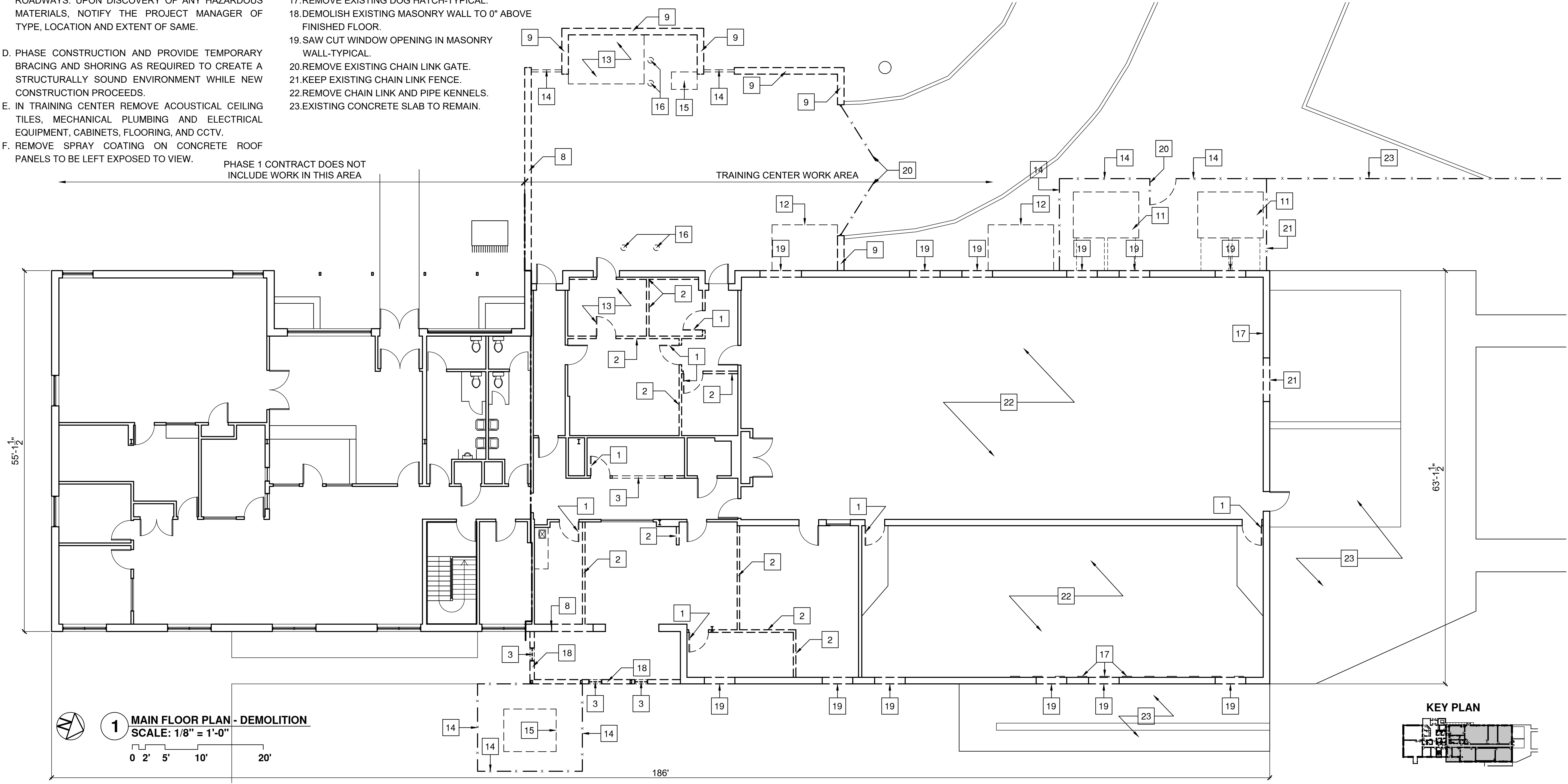
PHASE 1 CONTRACT DOES NOT INCLUDE WORK IN THIS AREA

DEMOLITION KEYNOTES

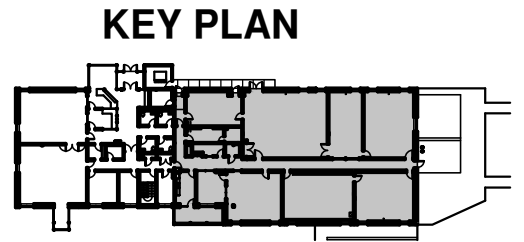
1. REMOVE EXISTING DOOR AND JAMB.
2. DEMOLISH EXISTING STUD WALL.
3. REMOVE EXISTING WINDOW.
4. REMOVE EXISTING FIXTURE.
5. REMOVE EXISTING ROOF MEMBRANE AND INSULATION. STRUCTURAL ENGINEER TO INSPECT ROOF FRAMING MEMBERS.
6. REMOVE EXISTING SKYLIGHT - TYPICAL.
7. REMOVE EXISTING SOLAR PANELS, DUNNAGE, AND SUPPORTS ABOVE ROOF.
8. DEMOLISH EXISTING MASONRY WALL DOWN TO 4" BELOW TOP OF PAVEMENT.
9. DEMOLISH EXISTING MASONRY WALL DOWN TO 16" ABOVE PAVEMENT.
10. PROVIDE OPENING IN EXISTING MASONRY WALL.
11. REMOVE COMPRESSOR, DUCTS, AND CONCRETE PAD.
12. REMOVE WOOD SHED AND CONCRETE PAD.
13. REMOVE CONCRETE SLAB, REPLACE WITH ASPHALTIC PAVING.
14. REMOVE EXISTING CHAIN LINK FENCE.
15. REMOVE EXISTING TRANSFORMER.
16. REMOVE EXISTING PIPE BOLLARD.
17. REMOVE EXISTING DOG HATCH-TYPICAL.
18. DEMOLISH EXISTING MASONRY WALL TO 0" ABOVE FINISHED FLOOR.
19. SAW CUT WINDOW OPENING IN MASONRY WALL-TYPICAL.
20. REMOVE EXISTING CHAIN LINK GATE.
21. KEEP EXISTING CHAIN LINK FENCE.
22. REMOVE CHAIN LINK AND PIPE KENNELS.
23. EXISTING CONCRETE SLAB TO REMAIN.



2 ROOF PLAN - DEMOLITION
SCALE: 1/16" = 1'-0"



1 MAIN FLOOR PLAN - DEMOLITION
SCALE: 1/8" = 1'-0"



1.1.D

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DESIGN TEAM

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MEP ENGINEER
BERA ENGINEERS
INC.
1357 TRAVILAH ROAD
SUITE A
ROCKVILLE, MD 20850

DRAWING ISSUE DATE

DESIGN DEVELOPMENT

DATE: 01.03.2023

SCALE: 1/8" = 1'-0"

MAIN FLOOR PLAN
DEMOLITION

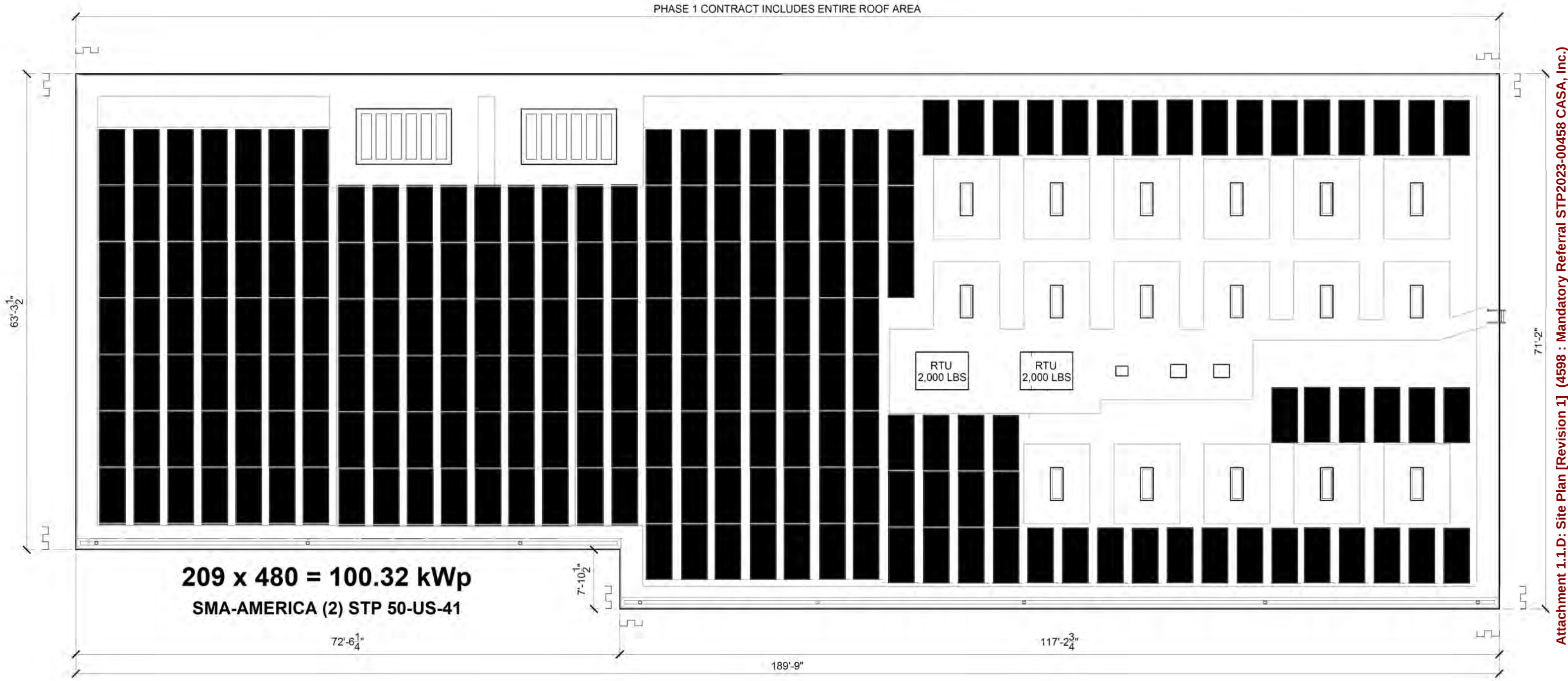
D101

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Attachment 1.1.D: Site Plan [Revision 1] (4598 : Mandatory Referral STP2023-00458 CASA, Inc.)

**CASA
ROCKVILLE
WELCOME
CENTER**

14645 ROTHGEB DRIVE
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EOB 101 MONROE STREET
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DRAWING ISSUE DATE

DESIGN DEVELOPMENT

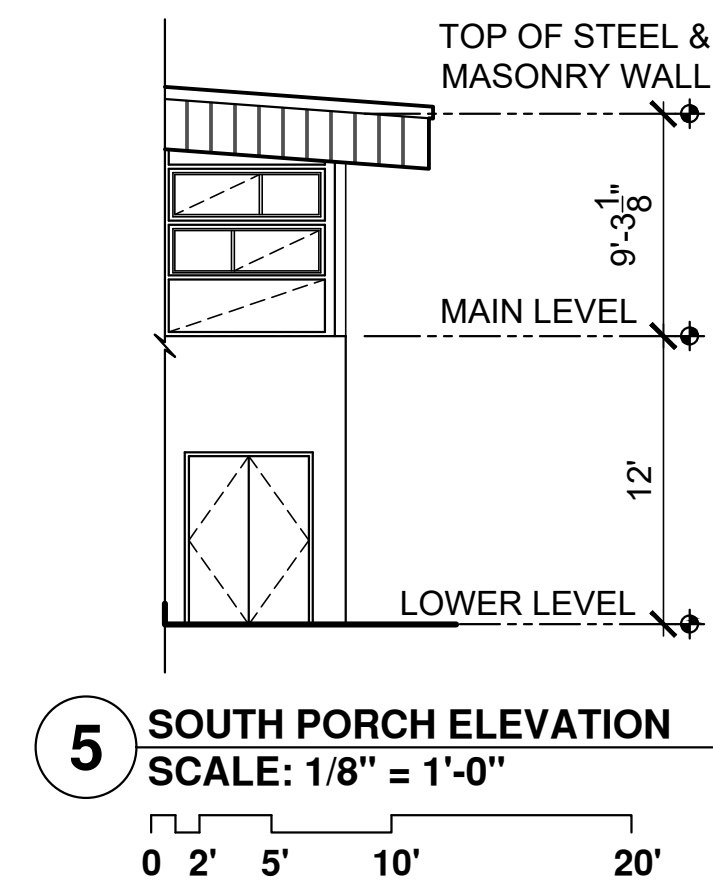
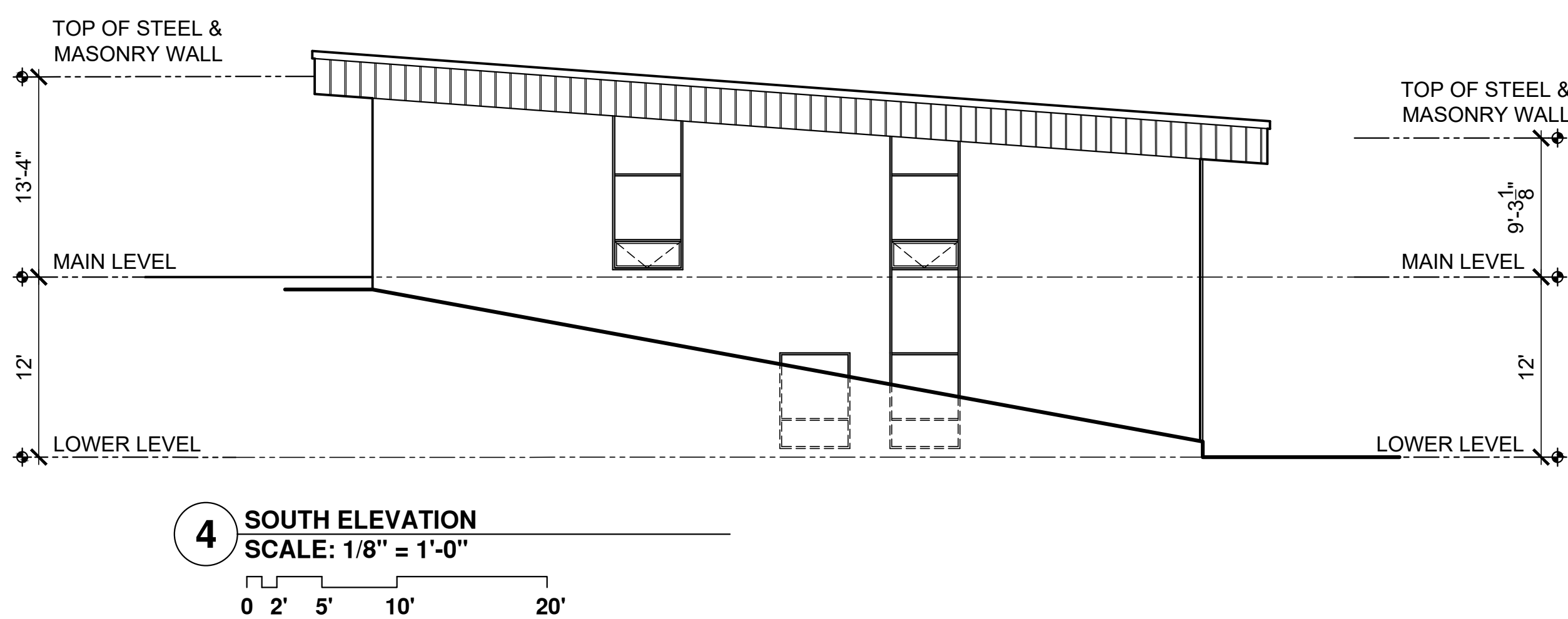
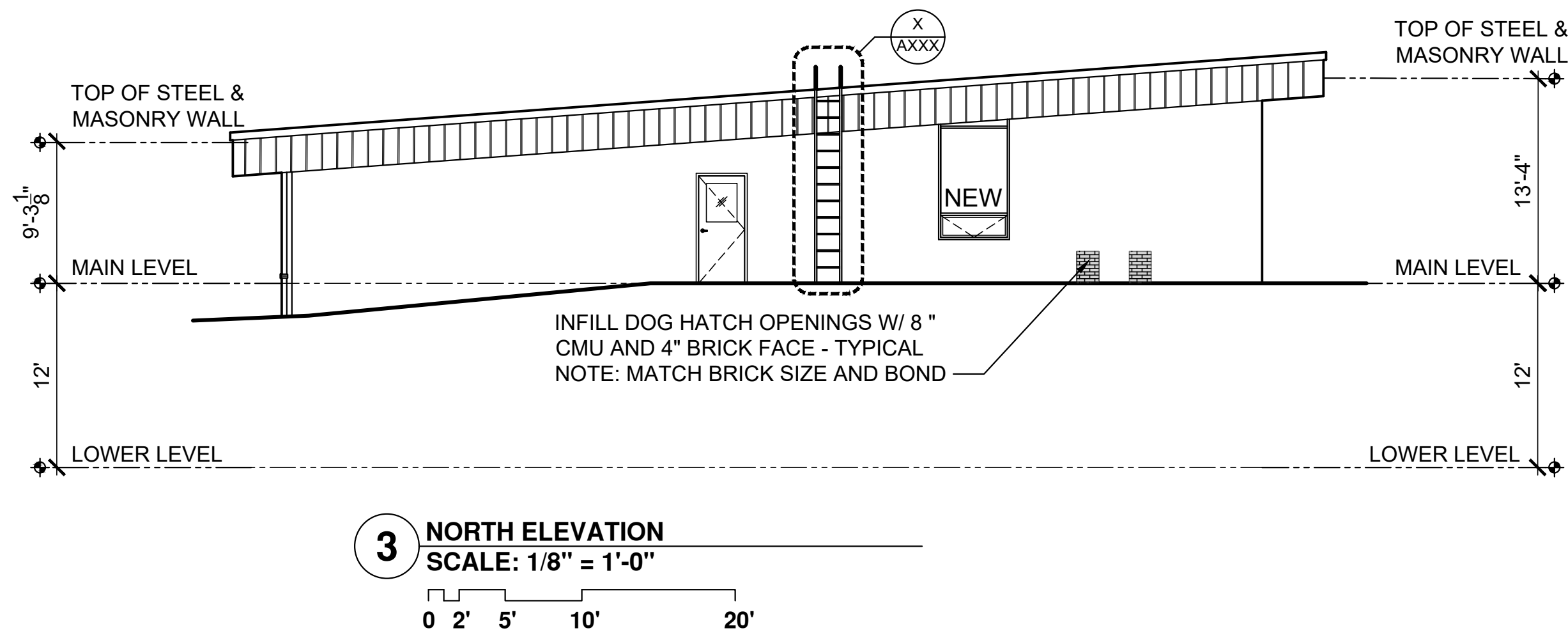
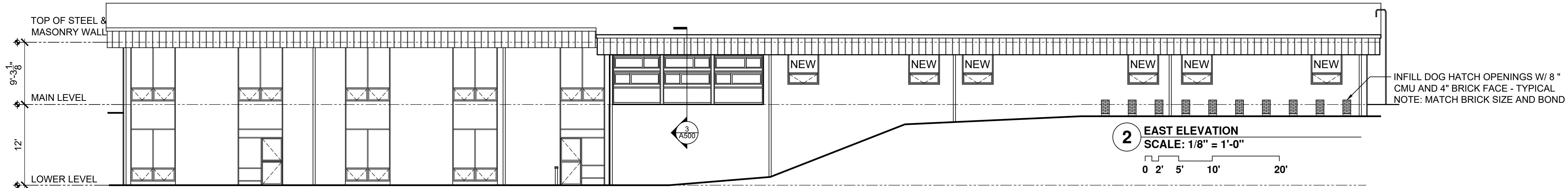
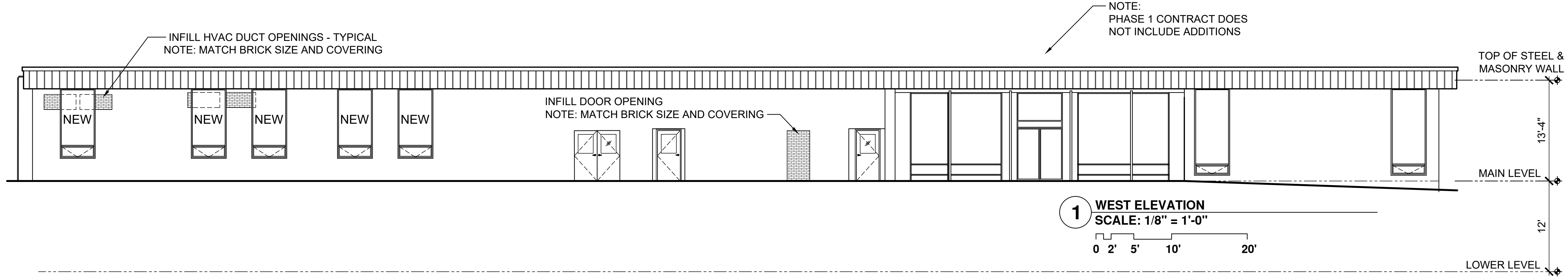
DATE: 01.03.2023

SCALE: $\frac{1}{4}" = 1'-0"$

ELEVATIONS
- PROPOSED

A200

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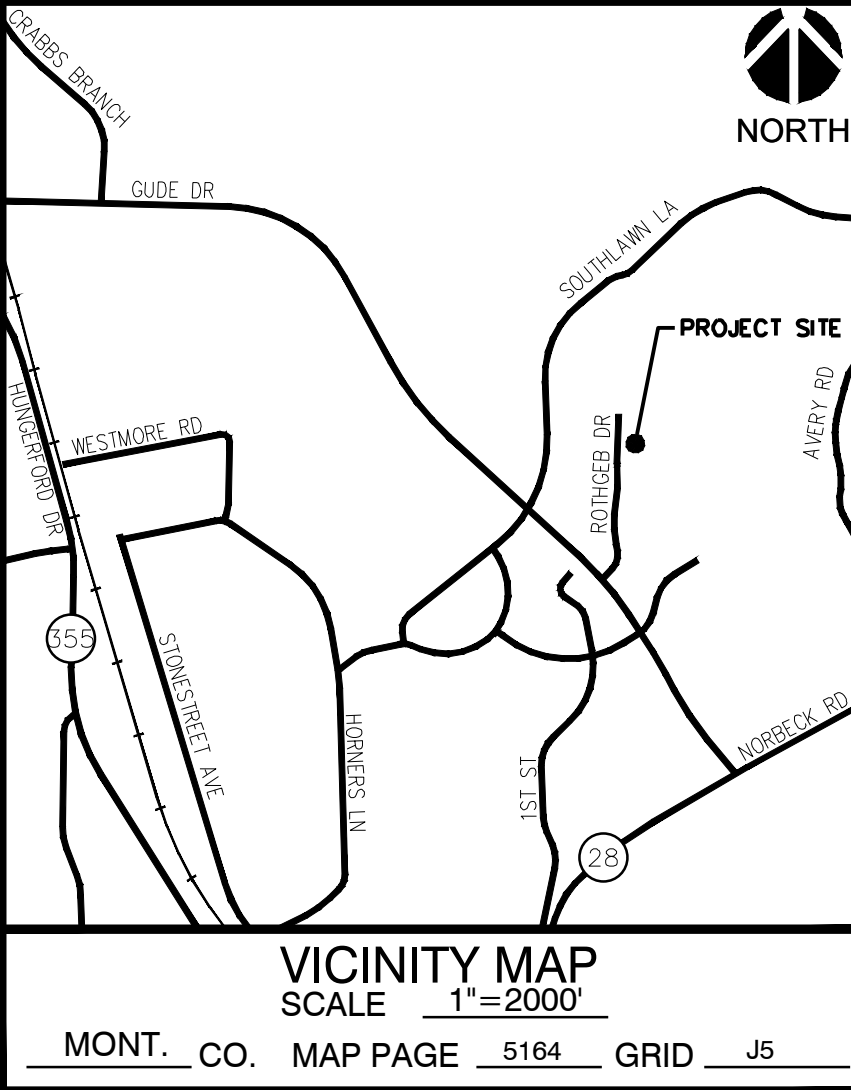
NOT FOR CONSTRUCTION



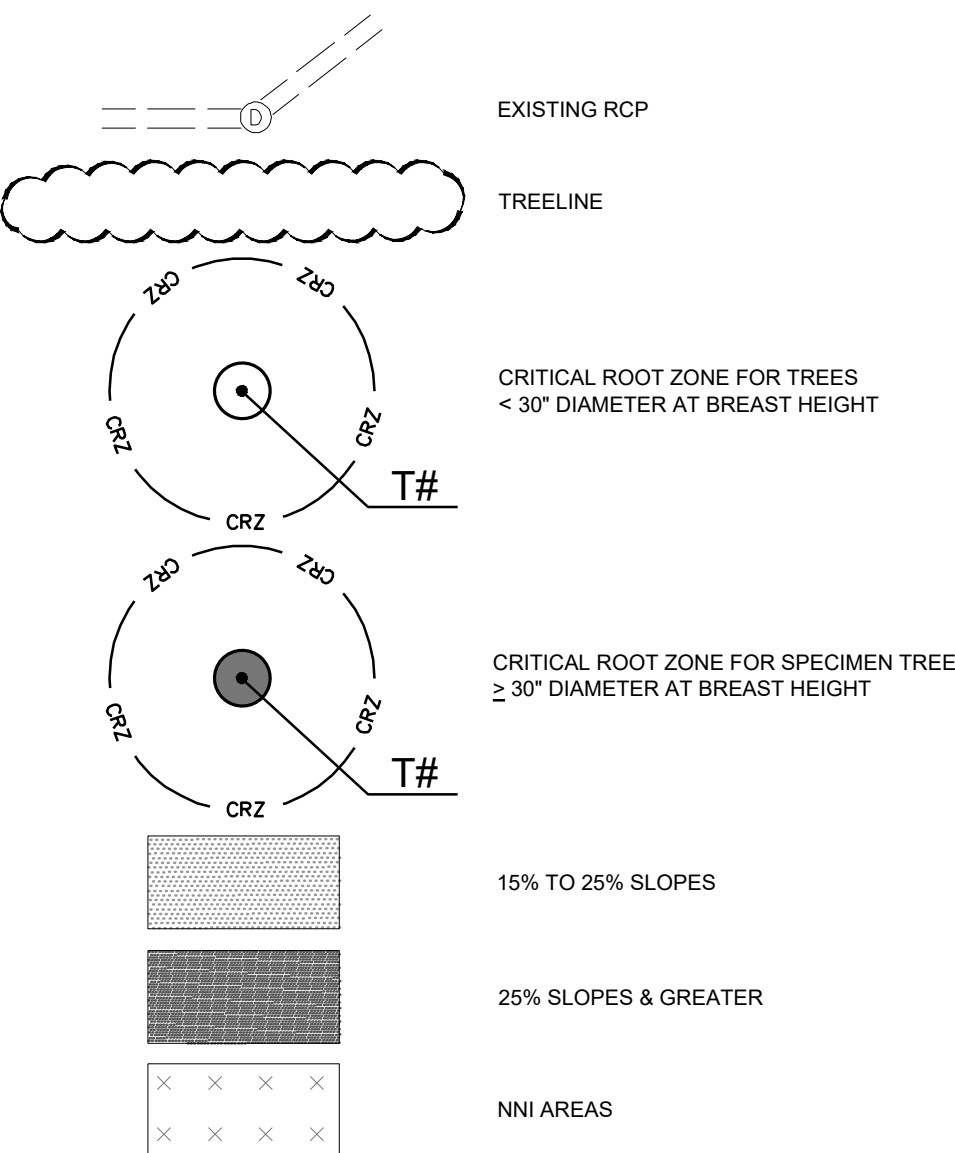
Community Planning & Development Services
Received
June 1, 2023

PROPERTY INFORMATION:
PARCEL NUMBER: P910
ACCOUNT NUMBER: 01601416
ADC MAP/GRID: MAP 5164 GRID J5
TAX MAP: GS51
WSSC GRID: 220NW06
TOTAL ACRES: 165,642.73 SF/3.80 AC

- GENERAL NOTES**
1. TOTAL TRACT AREA: 165,642.73 SF / 3.80 AC
 2. CURRENT ZONING: LIGHT INDUSTRIAL (IL)
 3. WATERSHED THAT THE SITE IS IN: ROCK CREEK WATERSHED
 4. FLOODPLAIN SOURCE: FEMA FLOOD MAP 24031C0332D
 5. THERE ARE NO STREAMS ON SITE.
 6. THERE ARE NO WETLANDS ON SITE. WETLAND SOURCE: NWI AND FIELD INVESTIGATION
 7. PER A LETTER RECEIVED FROM DNR ON _____, THERE ARE NO RARE, THREATENED, OR ENDANGERED SPECIES OBSERVED ON THE PROPERTY.
 8. A DBH TAPE WAS USED TO MEASURE THE DIAMETER OF TREES.
 9. THERE ARE NO STATE/COUNTY CHAMPION TREES ON OR ADJACENT TO THE SITE.
 10. THERE ARE NO KNOWN RECORDS OR READILY OBSERVABLE ARCHAEOLOGICAL, HISTORICAL OR CULTURAL FEATURES OR SCENIC OR HISTORIC ROADS ON OR IN THE IMMEDIATE VICINITY OF THIS PROPERTY.
 11. FIELD WORK WAS CONDUCTED BY ERIN BATLAS AND LAUREN GRAY OF A. MORTON THOMAS AND ASSOCIATES ON FEBRUARY 21, 2023.
 12. THE TOPOGRAPHY AND PROPERTY LINES SHOWN ON THIS PLAN ARE FROM A FIELD RUN SURVEY BY A. MORTON THOMAS & ASSOCIATES DATED JANUARY 2023, SUPPLEMENTED BY MONTGOMERY COUNTY GIS.



- LEGEND**
- PROPERTY LINE (PROJECT AREA)
 - PROPERTY LINE (PROPERTIES ADJACENT TO PROJECT AREA)
 - EXISTING CONTOUR
 - EXISTING BUILDING
 - SOILS TYPE
 - SOILS BOUNDARY
 - ESTIMATED LIMITS OF DISTURBANCE
 - EXISTING OVERHEAD TRANSMISSION LINE
 - EXISTING UNDERGROUND ELECTRIC LINE
 - EXISTING TELEPHONE LINE
 - EXISTING GAS LINE
 - EXISTING WATER LINE
 - EXISTING SEWER LINE
 - EXISTING STORM DRAIN LINE
 - CONCRETE CURB & GUTTER
 - RETAINING WALL



FOREST STAND NARRATIVE

THE CASA DE MARYLAND FACILITY IS LOCATED ON ROTHGEB DRIVE. THE BUILDING IS LOCATED IN THE CENTER OF THE PARCEL, WITH PARKING LOTS TO THE EAST AND WEST OF THE BUILDING, AND A DRIVEWAY TO THE SOUTH OF THE BUILDING. THERE IS ONE FOREST STAND ON SITE. THE FOREST STAND IS LOCATED TO THE NORTH, EAST, AND SOUTH OF THE BUILDING. THE STAND IS DOMINATED BY LIRODENDRON TULIPIFERA AND ACER RUBRUM. THE STAND IS TULIP POPLAR ASSOCIATION AND HAS A MIXED UNDERSTORY OF SMALL TREES AND SHRUBS. THERE IS MINIMAL HERBACEOUS COVER. INVASIVES ARE SPREAD THROUGHOUT THE FOREST STAND. INVASIVE SPECIES PRESENT INCLUDE LONICERA MAACKII AND SMILAX SP. THERE HAS BEEN LITTLE TO NO FOREST MANAGEMENT IN THE PAST OR CURRENTLY. AMT RECOMMENDS THAT AFTER SITE IMPROVEMENTS ARE COMPLETED, INVASIVES BE REMOVED AND MANAGED ACCORDING TO CITY OF ROCKVILLE STANDARDS.

THIS PLAN IS FOR NATURAL RESOURCE INVENTORY/EXISTING CONDITIONS/FOREST STAND DELINEATION PLAN PURPOSES ONLY

CERTIFICATION

I CERTIFY THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, AND THAT THESE DOCUMENTS WERE PREPARED UNDER MY SUPERVISION AND IN COMPLIANCE WITH THE FOREST CONSERVATION LAW REQUIREMENTS.

ANDREW E. STREAGLE
LICENSE NUMBER MD RLA #3381



CONSULTANTS

REGISTRATION STAMP

OWNER

PROJECT TITLE

CASA De Maryland
14645 ROTHGEB DRIVE
ROCKVILLE, MD 20850

REVISIONS

MARK	DATE	DESCRIPTION

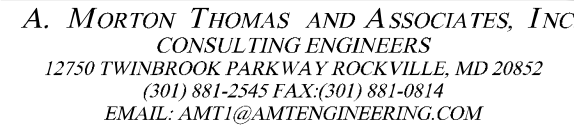
AMT FILE NO. 22-0785.001
DATE: 12-07-22
SCALE: 1" = 30'
DESIGNED BY: ELT
DRAWN BY: ELT
CHECKED BY: ABS

SHEET TITLE

NATURAL RESOURCE INVENTORY/FOREST STAND DELINEATION

SHEET

LN-101
SHEET 1 OF 2



CASA De Maryland
14645 ROTHGEB DRIVE
ROCKVILLE, MD 20850

[illegible]

SHEET TITLE

SHEET

SHEET 2 OF 2

MINIMUM TREE COVER			
TRACT AREA SF	ZONING	MTC REQUIRED %	MTC SF REQUIRED
165,528	Light Industrial	15	24,829.20

CITY OF ROCKVILLE FOREST CONSERVATION WORKSHEET						
CASA DE MARYLAND						
A. Total tract area ...						165642.73
B. Deductions						0.00
C. Net Tract Area				=		165642.73
LAND USE CATEGORY:						
ZONING: Place a "1" under the column corresponding to the correct zone of the site	R-400, R-200	R-80, R-75, R-60, R-150	RMD10, RMD15, RMD25	I-L, I-H, RPR, RPC, MXT, MXC, MXNC, MXB, MXE, MXCD, MXTD		
Zone: (choose only one)	0	0	0	1		
D. Afforestation Threshold ...					15%	x F = 24846.41
E. Conservation Threshold ...					15%	x F = 24846.41
EXISTING FOREST COVER:						
F. Existing forest cover (within net tract)				=		78386.38
G. Area of forest above conservation threshold				=		53539.97
BREAK EVEN POINT:						
H. Breakeven Point (amount of forest retained so that no mitigation is required)....=						35554.40
I. Clearing permitted without mitigation				=		42831.98

SOILS TABLE						
MAP UNIT SYMBOL	MAP UNIT NAME	K-FACTOR (WHOLE SOIL)	DRAINAGE CLASS	HIGH ERODIBILITY (Y/N)	HYDRIC INCLUSION %	HYDROLOGIC SOIL GROUP
1B	GAILA SILT LOAM, 3-6% SLOPES	0.43	WELL DRAINED	NO	5	B
2UC	GLENELG-URBAN LAND COMPLEX, 8-15% SLOPES	0.28	WELL DRAINED	NO	0	B
65B	WHEATON SILT LOAM, 0-8% SLOPES	0.43	WELL DRAINED	YES	0	B

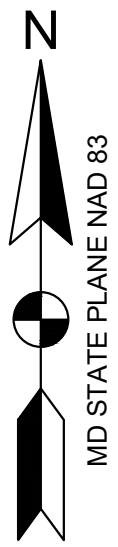
THIS PLAN IS FOR NATURAL RESOURCE
INVENTORY/EXISTING CONDITIONS/FOREST STAND
DELINEATION PLAN PURPOSES ONLY

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ANDREW E. STREAGLE
LICENSE NUMBER MD RLA #3381



Community Planning & Development Services
Received
June 1, 2023



AMT

A. MORTON THOMAS AND ASSOCIATES, INC.
CONSULTING ENGINEERS
12750 TWINBROOK PARKWAY ROCKVILLE, MD 20852
(301) 881-2545 FAX (301) 881-8814
EMAIL: AMT1@AMTENGINEERING.COM

CONSULTANTS

REGISTRATION STAMP

"I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 31196, EXPIRATION DATE 03/16/2025."

OWNER

MONTGOMERY COUNTY
EOB 101 MONROE STREET
ROCKVILLE, MD 20850

PROJECT TITLE

CASA, INC.
14645 ROTHGEB DRIVE
ROCKVILLE, MD 20850

REVISIONS

MARK	DATE	DESCRIPTION

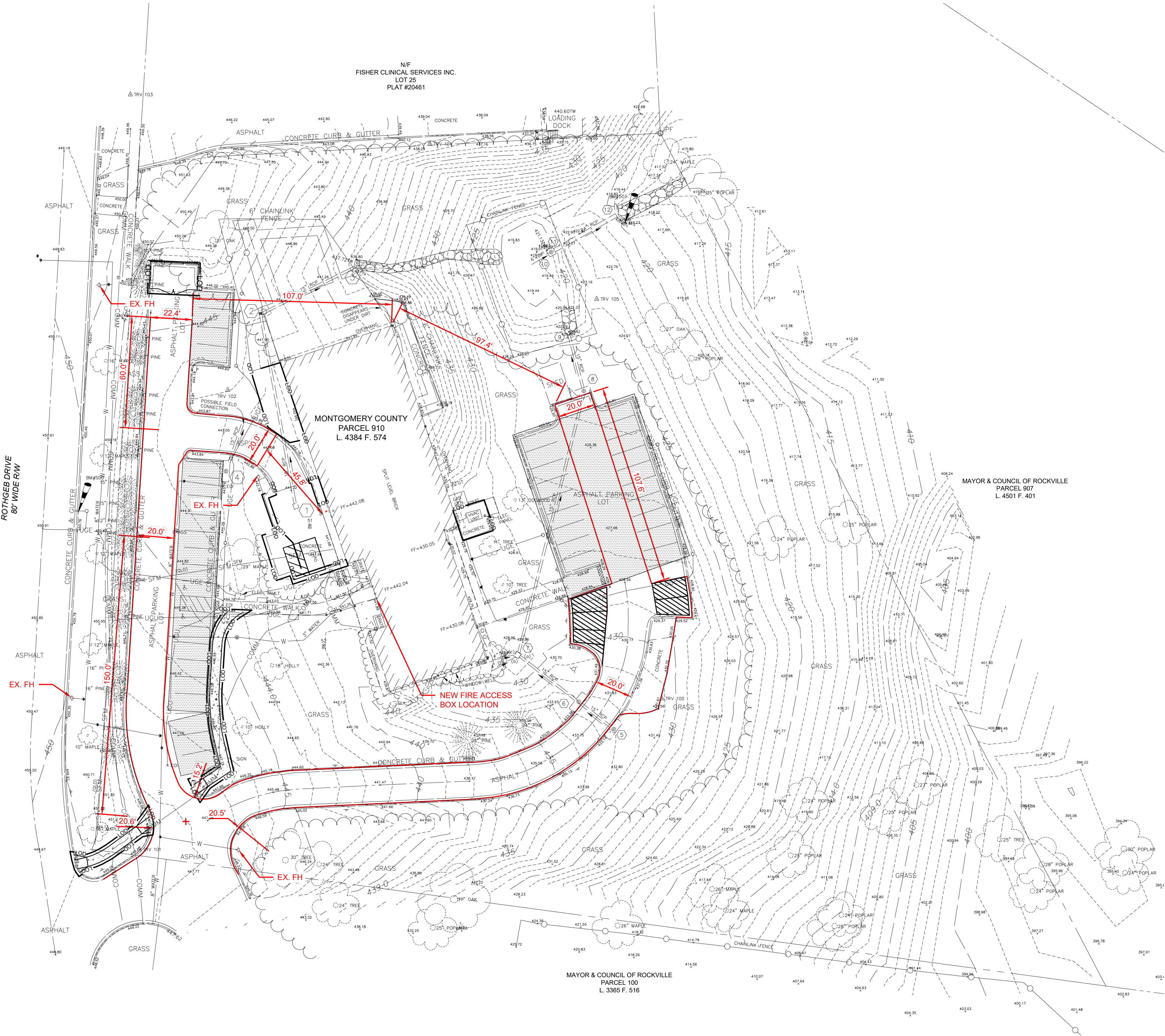
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DATE: 12-07-22
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DESIGNED BY: ELT
DRAWN BY: ELT
CHECKED BY: ABS

SHEET TITLE

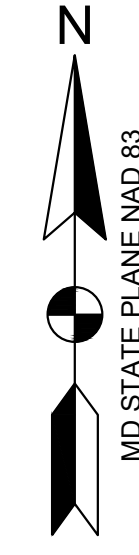
FIRE ACCESS PLAN

SHEET

SHEET OF



Community Planning & Development Services
Received
June 1, 2023



AMT
A. MORTON THOMAS AND ASSOCIATES, INC.
CONSULTING ENGINEERS
12750 TWINBROOK PARKWAY ROCKVILLE, MD 20852
(301) 881-5545 FAX (301) 881-8814
EMAIL: AMT1@AMTENGINEERING.COM

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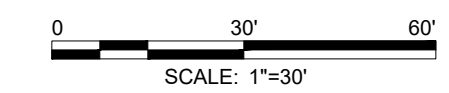
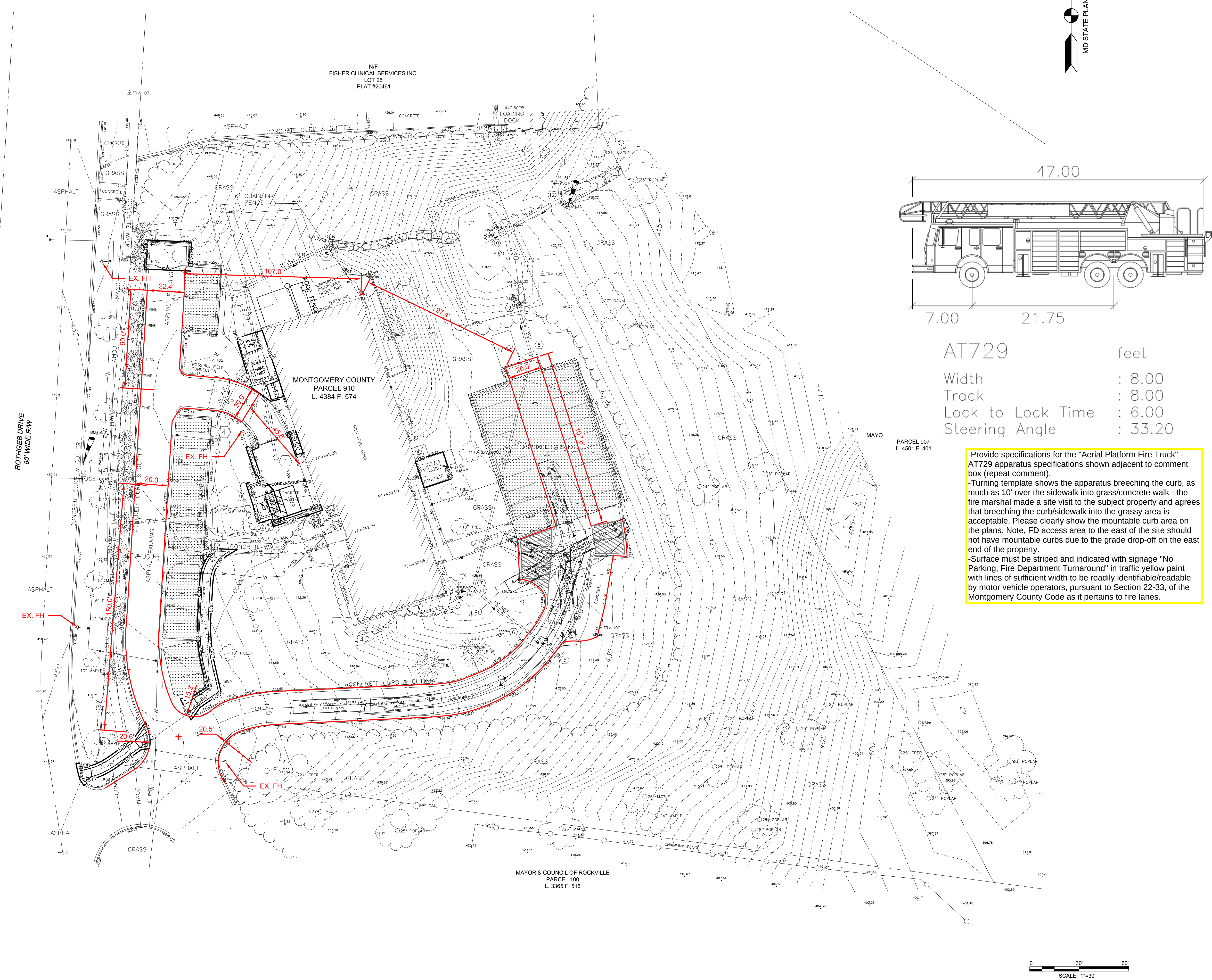
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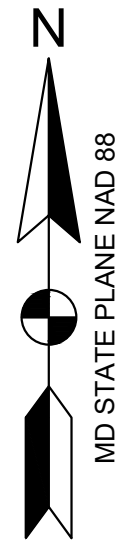
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AUTOTURN EXHIBIT**

SHEET

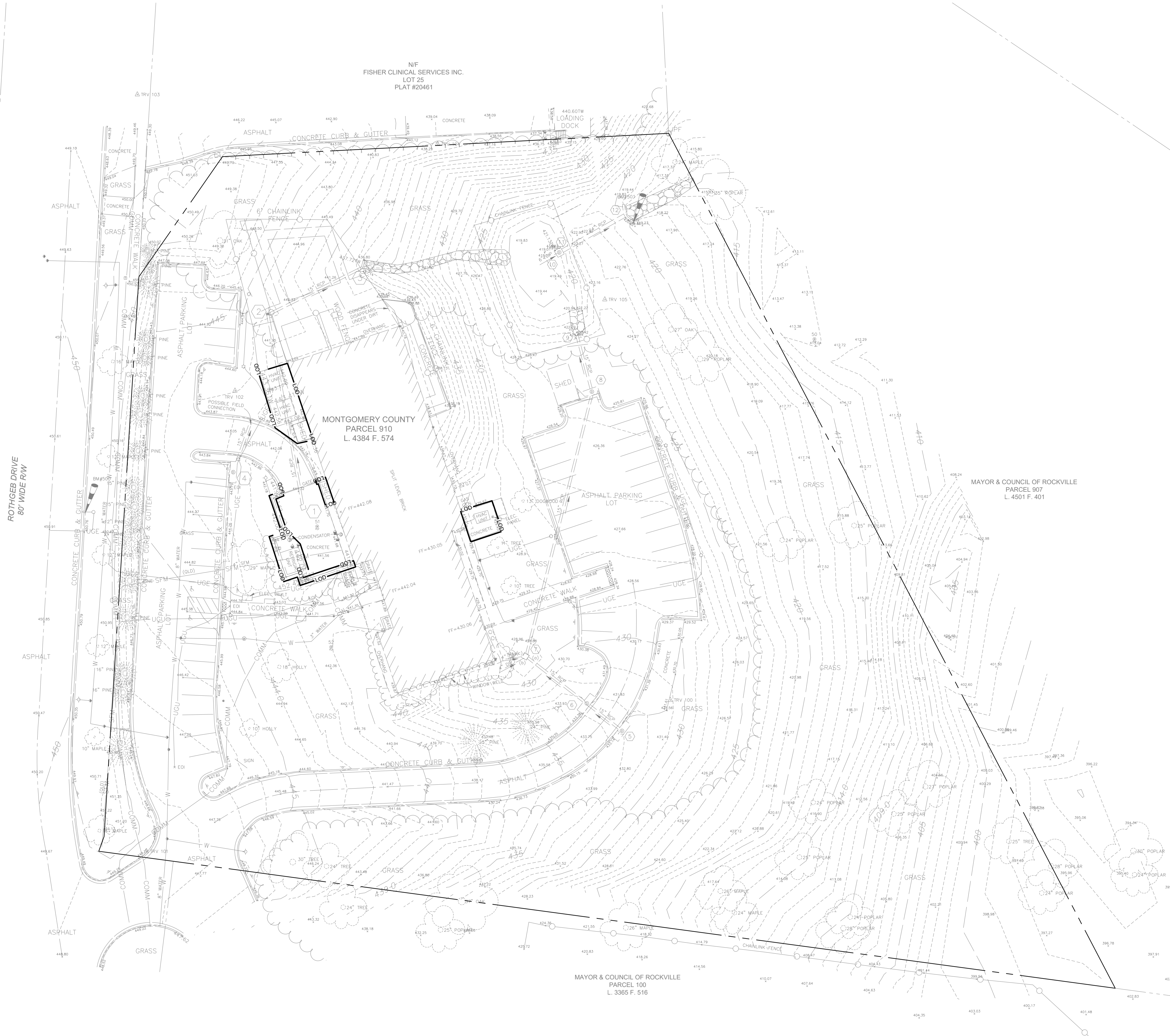
SHEET

OF





MD STATE PLANE NAD 88

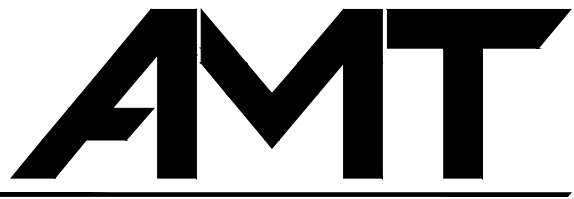


LEGEND:

- PROPERTY LINE
- TREE
- STUMP
- GRATE INLET
- STORM MANHOLE
- ROOF DRAIN
- SINGLE POST SIGN
- LIGHT POLE
- LAMP
- LIGHT POLE ROUND BASE
- GROUND LIGHT
- ELECTRIC BOX
- CABLE BOX
- TELEPHONE JUNCTION BOX
- HOSE BIB
- WATER VALVE
- FIRE HYDRANT
- WATER MANHOLE
- GAS TANK
- HANDICAP PARKING
- UTILITY VALVE
- BOLLARD
- MAILBOX
- TRAVERSE
- BENCHMARK
- CURB AND GUTTER
- UNDERGROUND UNKNOWN UTILITY PAINT
- UNDERGROUND SEWER FORCED MAIN
- UNDERGROUND WATERLINE PAINT
- UNDERGROUND COMMUNICATION LINE PAINT
- UNDERGROUND ELECTRIC PAINT
- OVERHANG
- CHAIN LINK FENCE
- WOOD FENCE
- EOI
- FF
- BUILDING
- TRUNCATED DOMES
- LIMITS OF DISTURBANCE

SURVEY NOTES:

- HORIZONTAL DATUM: MARYLAND STATE PLANE NAD 83/2011
VERTICAL DATUM: NAVD 88
U.S. SURVEY FEET
BASED ON RTK GPS OBSERVATIONS
- UTILITY DEPICTIONS SHOWN HEREON CONFORM TO QUALITY LEVELS AS DEFINED BY "CIASCE STANDARD 38-02". AN EFFORT HAS BEEN MADE TO DEPICT UTILITY AT QL "B". SOME UTILITIES MAY BE SHOWN AT QL "C" OR "D" AS NECESSARY AND ARE LABELED ACCORDINGLY.
- THE SUBSURFACE UTILITIES DEPICTED HEREON AT QUALITY LEVEL "B" REPRESENT THE REMOTELY SENSED INDICATION OF THE SUBSURFACE UTILITY. UTILITY PIPE SIZES AND CONFIGURATIONS (IF DENOTED) HAVE BEEN TAKEN FROM RECORD DRAWINGS AND ACCESSIBLE FIELD EVIDENCE. THE ACTUAL LOCATION, SIZE AND EXTENT OF ALL SUBSURFACE UTILITIES MUST BE DETERMINED THROUGH TEST HOLE OR OTHER QUALITY LEVEL "A" INVESTIGATION METHODS.
- PROPERTY LINES SHOWN HEREON ARE DEPICTED BASED ON COMPUTATIONS OF READILY AVAILABLE PUBLIC DOCUMENTS AND MINIMAL FIELD SEARCH AND DOES NOT CONSTITUTE A BOUNDARY SURVEY.
- SURVEY PERFORMED JANUARY 2023 BY A. MORTON THOMAS & ASSOCIATES, INC.



A. MORTON THOMAS AND ASSOCIATES, INC.
CONSULTING ENGINEERS
12750 TWINBROOK PARKWAY ROCKVILLE, MD 20852
(301) 881-5545 FAX (301) 881-8814
EMAIL: AMT1@AMTENGINEERING.COM

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OWNER

MONTGOMERY COUNTY
EOB 101 MONROE STREET
ROCKVILLE, MD 20850

PROJECT TITLE

CASA, INC.
14645 ROTHGEB DRIVE
ROCKVILLE, MD 20850

REVISIONS

MARK	DATE	DESCRIPTION

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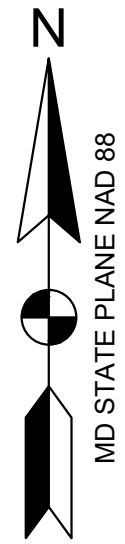
**EXISTING CONDITIONS
PLAN**

SHEET

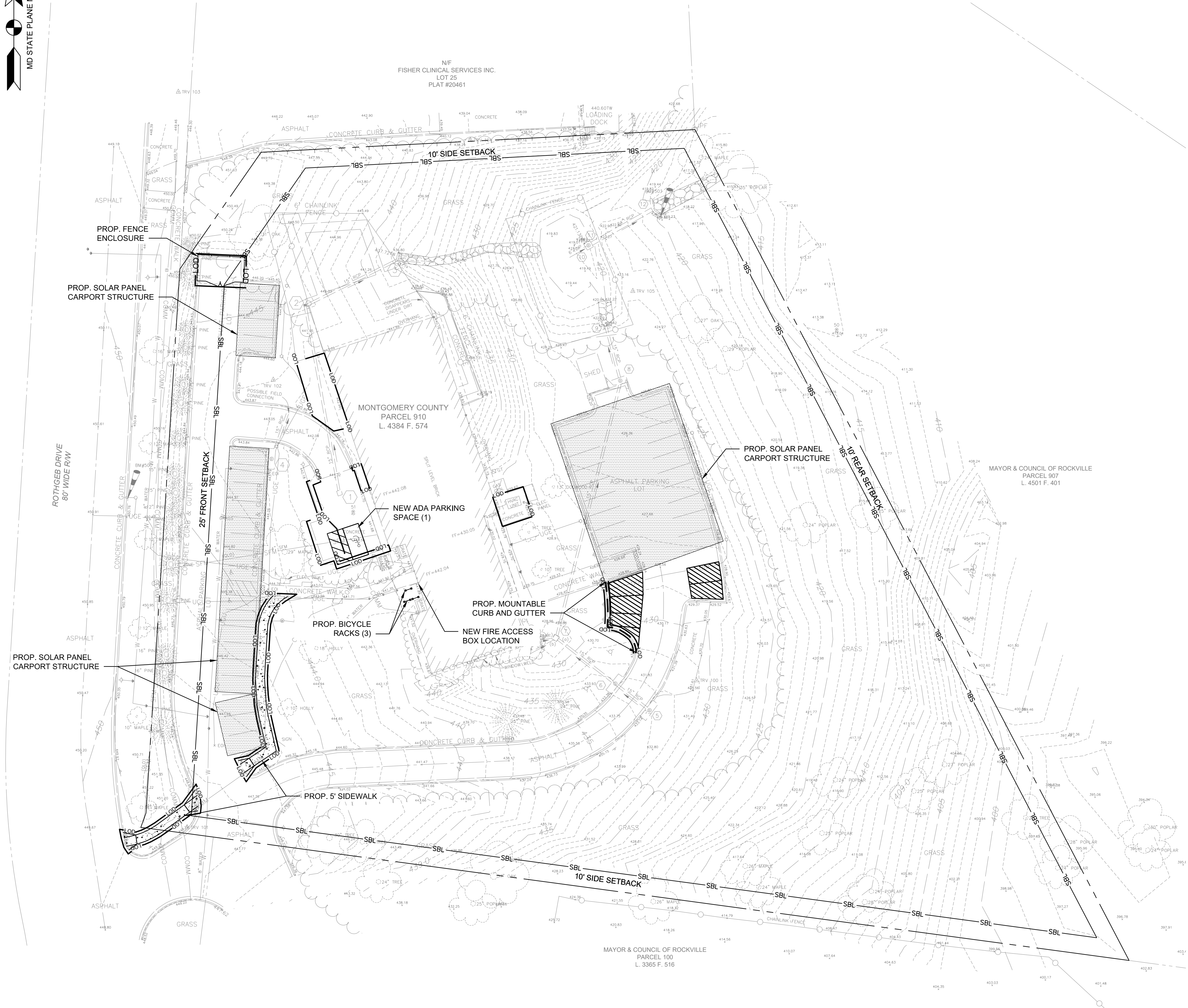
C-100

SHEET 1 OF

0 30' 60'
SCALE: 1"=30'



MD STATE PLANE NAD 88



LEGEND:

	PROPERTY LINE
	SETBACK LINE
	TREE
	STUMP
	GRATE INLET
	STORM MANHOLE
	ROOF DRAIN
	SINGLE POST SIGN
	LIGHT POLE
	LAMP
	LIGHT POLE ROUND BASE
	GROUND LIGHT
	ELECTRIC BOX
	CABLE BOX
	TELEPHONE JUNCTION BOX
	HOSE BIB
	WATER VALVE
	FIRE HYDRANT
	WATER MANHOLE
	GAS TANK
	HANDICAP PARKING
	MAILBOX VALVE
	BENCHMARK
	CURB AND GUTTER
	UNDERGROUND UNKNOWN UTILITY PAINT
	UNDERGROUND SEWER FORCED MAIN
	UNDERGROUND WATERLINE PAINT
	UNDERGROUND COMMUNICATION LINE PAINT
	UNDERGROUND ELECTRIC PAINT
	OVERHANG
	CHAIN LINK FENCE
	WOOD FENCE
	END OF (Q/LB) INFORMATION
	FINISH FLOOR ELEVATION
	BUILDING
	TRUNCATED DOMES
	CONCRETE SIDEWALK
	SOLAR PANELS
	LIMITS OF DISTURBANCE

GENERAL SITE NOTES AND INFORMATION

1. SITE TABULATION

OWNER: MONTGOMERY COUNTY EOB 101 MONROE STREET ROCKVILLE, MD 20850	APPLICANT: CASA, INC. 14645 ROTHGEB DRIVE ATTN: BOB BREHM (202) 906-0526
---	--

2. PROPERTY DATA

14645 ROTHGEB DRIVE
ROCKVILLE, MD 20850

TAX MAP 043 GRID 06
PARCEL P910
ELECTION DISTRICT: 04
SUBDIVISION: 0201

ZONING: I-L (LIGHT INDUSTRIAL)
CURRENT USE: OFFICE
PROPOSED USE: OFFICE (7,202 SF)
TRAINING CENTER (6,791 SF)

3. LOT COVERAGE

TRACT AREA: 3.80 ACRES OR 165,528 S.F.
TOTAL LOT COVERAGE: 42%
TOTAL LOT COVERAGE REQUIRED: 10% MIN. AND 50% MAX.

4. PARKING DATA

USE CATEGORY	GROSS FLOOR AREA	UNIT MEASURE	REQUIRED	EXISTING	PROPOSED	REQUIRED
OFFICES (OTHER THAN MEDICAL OR DENTAL)	13,993 SF	PER 300 GROSS SF	1 SPACE	46	42	47

PARKING PROVIDED:
REGULAR (R) 39 SPACES (9'X18')
ADA VAN (V) 3 SPACES (8'X18')

5. FLOODPLAIN CERTIFICATION

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION FLOODPLAIN RATE INSURANCE MAP 24017-C0170-D, DATED MAY 4, 2015 THE SITE DOES NOT FALL WITHIN FEMA 100-YEAR FLOODPLAIN.

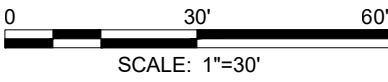
6. YARD SETBACKS

FRONT: 25 FT MIN.
SIDE: 10 FT MIN.
REAR: 10 FT MIN.

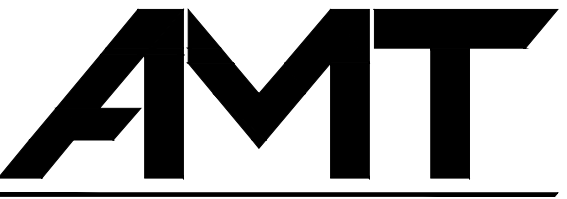
7. CONSISTENT WITH SECTION 298-4. ITEM R OF THE FOREST CONSERVATION ORDINANCE, EXISTING PAVED SURFACES HAVE BEEN SUBTRACTED FROM THE TOTAL TRACT AREA AND THE NET TRACT AREA IS LESS THAN 40,000 SQUARE FEET; THEREFORE, THE PROJECT IS EXEMPT FROM FOREST CONSERVATION REQUIREMENTS.

8. THERE ARE NO WETLANDS ON THE PROPERTY.

SITE INFORMATION	
LIMIT OF DISTURBANCE	3,590 SF
NEW IMPERVIOUS	822 SF
IMPERVIOUS REMOVAL	520 SF
WALL REMOVAL	168 SF (84 LF)



Community Planning & Development Services
Received
June 1, 2023



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REVISIONS

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AMT FILE NO. 22-0785.001

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SCALE: 1" = 30'

DESIGNED BY: ELT

DRAWN BY: ELT

CHECKED BY: ABS

SHEET TITLE

**MINOR SITE
PLAN AMENDMENT**

SHEET

C-101

SHEET 1 OF



Application for

Site Plan Application

STP

City of Rockville

Department of Planning and Development Services

111 Maryland Avenue, Rockville, Maryland 20850

Phone: 240-314-8200 • **Fax:** 240-314-8210 • **E-mail:** pds@rockvillemd.gov • **Website:** www.rockvillemd.gov

Type of Application:

☐ Site Plan Level 1 ☐ Site Plan Level 2 ☐ Site Plan Amendment (major) ☒ Site Plan Amendment (minor)

Please Print Clearly or Type

Property Address information 14645 Rothgeb Drive

Subdivision 0201 Lot(s) Block

Zoning I-L Tax Account(s) 0401601416 , ,

Applicant Information:

Please supply name, address, phone number and e-mail address for each.

Applicant CASA, Inc. 8151 15th Ave, Hyattsville, MD 20783. Contact: Bob Brehm (202) 906-0526 bbrehm22@gmail.com

Property Owner Montgomery County. Contact: David Dise Director Dept. of General Services 240-777-6191 david.dise@montgomerycountymd.gov

Architect Encore Sustainable Architects, 31 Light Street, Suite 500, Baltimore MD 21202

Contact: Ward Bucher, AIA Phone: (410) 624-5461, Email: ward@encoresustainablearchitects.com

Engineer A. Morton Thomas & Associates, Inc., 700 King Farm Blvd., Rockville MD 20850

Contact: Aaron Smith, P.E. Phone (301) 881-2545, Email: asmith@amtengineering.com

Attorney Marc Miller 117 Oronoco Street Alexandria VA 22314 (703) 778-0030 mmiller@dtm.law

LEED AP

Project Name CASA Rockville Welcome Center

Project Description Proposed community center and vocational training facility. (see attached project description / narrative)

STAFF USE ONLY

Application Acceptance:

Application # STP2023-00458

Pre-Application

Date Accepted

Staff Contact

3/4/2020

Application Intake:

OR Date Received 21 April 2023

Reviewed by

Date of Checklist Review

Deemed Complete: Yes ☐ No ☐

TO BE COMPLETED BY APPLICANT:

Proposed Post Submission Area Meeting Date _____

Location _____

Level of review and project impact:

This information will be used to determine your project impact, per sec. 25.07.02 of the Zoning Ordinance for Project Plan and Site Plan applications only. Point calculations are not required for applications that qualify as major or minor site plan amendments, per sec. 25.05.07 of the zoning ordinance.

Tract Size 3.80 acres, # Dwelling Units Total _____ Square Footage of Non-Residential 13,393

Residential Area Impact _____ %

Traffic/ Impact/trips _____

Points/Elements	1	2	3	4	Points
Tract size - Acres	1 or fewer	1.1 to 2.5	2.6 to 5	5.1 or greater	3
Dwelling Units	5 or fewer	6 to 50	51 to 150	151 or greater	1
Square Footage of Non-Residential Space	5,000 or fewer square feet	5,001 to 25,000 square feet	25,001 to 100,000 square feet	100,001 or greater square feet	2
Residential Area Impact	Up to 10% residential development in a residential zone within 1/4 mile of the project	Up to 50% of area within 1/4 mile of the project area is comprised of single-unit detached residential units	Up to 75% of area within 1/4 mile of the project area is comprised of single-unit detached residential units	Development is within single-unit detached unit area	1
Traffic Impact - Net new peak hour trips	Fewer than 30 trips	30-74 trips	75-149 trips	150 or more trips	1
Points Total*					8
The total of the points determine the level of notification and the approving authority .					

BASED ON THE POINTS TOTAL YOUR PROJECT WILL BE:

☐ Site Plan Level 1 (6 or fewer pts) ☒ Site Plan Level 2 (7-15 pts)

Proposed Development:

Retail _____ Sq. Footage Detached Unit _____ MPDU _____
 Office 13,393 Sq. Footage Duplex _____ Parking Spaces 46
 Restaurant _____ Sq. Footage Townhouse _____ Handicapped 2
 Other _____ Sq. Footage Attached _____ Estimated LEED or LEED-equivalent points. (As provided on LEED checklist.)
 Multi-Family _____
 Live-work _____
 Bicycle Parking: # Long Term _____ # Short Term _____ Total # Provided _____

Existing Site Use(s) (to include office, industrial, residential, commercial, medical etc.) _____

Previous Approvals: (if any)

Application Number

Date

Action Taken

A letter of authorization from the owner must be submitted if this application is filed by anyone other than the owner.

I hereby certify that I have the authority to make this application, that the application is complete and correct and that I have read and understand all procedures for filing this application.



04/04/23

Please sign and date

Attachment 1.1.E: Application Materials (4598 : Mandatory Referral STP2023-00458 CASA, Inc.)

Application Checklist:**Submitted:**

- ☐ Completed Application
- ☐ Application Filing fee (to include sign fee)
- ☐ Pre-Application Area meeting number _____ documentation (Notes From Area Meeting)
- ☐ Proposed Post Application area meeting date _____ including location _____
- ☐ A detailed site development plan prepared and certified by a professional engineer. (12) copies - (15) if on a state highway. Plan sheet size maximum 24" x 36" folded to 8 1/2" X 11"
- ☐ Preliminary building elevations and floor plans (3 copies), plan sheet size maximum 24" X 36" folded to 8 1/2" X 11"
- ☐ CTR (Comprehensive Transportation Review) report with fee via separate check (one copy to CPDS and one copy to DPW with fee)
- ☐ Landscape plan (6 copies, Plan Sheet size maximum 24" X 36" folded to 8 1/2" X 11")
- ☐ Preliminary Forest Conservation Plan (FCP)
- ☐ Copy of approved Pre-application stormwater management concept letter
- ☐ Development Stormwater Management Concept Package with fee via separate check
- ☐ Preliminary Sediment Control Plan with Fee via Separate Check
- ☐ Water and Sewer Authorization Application
- ☐ Copy of approved NRI/FSD (Natural Resources Inventory/Forest Stand Delineation) Plan. Approval is from the City Forestry Department)
- ☐ Project narrative to include a statement of justification that addresses compliance with:
 - Comprehensive Master Plan and other plan regulations
 - Mixed Use Development Standards, including Layback slope and shadow study (Section 25.13)
 - Landscaping, Screening and Lighting manual (Resolution No. 14-09)
 - Adequate Public Facilities (Section 25.20)
 - Parking (Section 25.16)
 - Signs (Section 25.18)
 - Public Use Space (Section 25.17.01)
 - Green Building Regulations (Chapter 5 of the City Code: Building & Building Regulations, Article XIV)
- ☐ Fire Protection Site Plan
- ☐ HDC Review and Action (if demolition is proposed) 240-314-8220
- ☐ Additional Information as requested by Planning Staff/Project Manager
- ☐ One CD of Application Materials (PDF)
- ☐ ELEED or LEED-equivalent credit checklist and supporting documentation.

Comments on Submittal: (For Staff Use Only)



Case: _____ 20 _____ - _____

City of Rockville Inspection Services Division

FIRE PROTECTION SITE PLAN

Fire Protection Site Plan

The Fire Protection site plan shall be an accurate, to-scale, representation of all structures on the project site, including pools, retaining walls and fences. This site plan shall be separate from other submitted plans and shall include:

- ❑ Project name, address, property lines, and grade lines.
- ❑ Name(s) for all roadways on/or immediately adjacent to the project area.
- ❑ Drawn to scale with compass (North Arrow) graphic representation.
- ❑ Legend identifying all symbols.
- ❑ Fire Department Access Box Location.

Building Code Summary requirements

- ❑ **Use Group** – Use Group per International Building Code (IBC)
- ❑ **Construction Type** – Type of construction per the International Building Code (IBC)
- ❑ **Fire Protection Systems** – Provide Fire Protection Systems to be installed
- ❑ **Height Calculations** – Provide calculations for allowable height per IBC and the designed height of the proposed building(s) shall be shown on the Fire Protection Site Plan.
- ❑ **Area Calculations** – Provide allowable area calculations per IBC and the designed area of the proposed building(s) shall be shown on the Fire Protection Site Plan.
- ❑ **Frontage Perimeter** – If frontage is used for an area increase, all portions of the building(s) exterior, including width, used in the frontage increase calculation must be indicated on the fire protection site plan. Overhead obstructions to fire department operations (e.g., power lines and trees) should be minimized within the 20' open area used for frontage calculations.

Fire Department Access summary requirements

- ❑ **Fire Department Access Roads** - Fire department access roads shall consist of roadways (where speeds do not exceed 35 mph), fire lanes, parking lot lanes, or a combination thereof.
- ❑ **20' width** – Fire department access roads shall have an unobstructed width of not less than 20 ft (6.1 m).
- ❑ **16'0" height** – For portions of the fire department access road that have overhead obstructions, provide callouts with the height of the obstruction measured from the driving surface.
- ❑ A fire department access road shall extend to within 50 ft (15 m) of at least one exterior door that can be opened from the outside and provides access to the interior of the building.
- ❑ **Perimeter Access** – Any portion of the building(s) or any portion of the exterior wall of the first story of the building(s) shall be no further from a fire department access road(s) than the distances indicated below. The distances shall be measured from the fire department

access road, along a path that reasonably could be expected to be walked by fire department personnel.

- ❑ **Non-sprinkler Building** – Shall not exceed 150 feet. Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46 m) from fire department access roads as measured by an approved route around the exterior of the building or facility.
- ❑ **Sprinkler Building** – Shall not exceed 450 feet. When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 13D, or NFPA 13R, the distance in NFPA 1, 18.2.3.2.2 shall be permitted to be increased to 450 ft (137 m).
- ❑ **Surface** – Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface. Materials and systems other than asphalt or concrete will require additional information subject to approval by Permit and Inspection Services Division.
- ❑ **Curb Cuts** – Fire Department Access Roads connecting to roadways shall be provided with curb cuts extending at least 2' beyond each edge of the fire department access road.
- ❑ **Multiple Access Roads** – More than one fire department access road shall be provided if access by a single access road could be impaired by vehicle congestion, condition of terrain, climatic conditions or other factors. Permit and Inspection Services Division shall make the final determination for the necessity of additional Fire department Access Roads.
- ❑ **Turnarounds** – All Fire Department Access Roads in excess of 150' must be provided with an approved means for fire department apparatus to turn around.
- ❑ **Obstructions to Fire Department Access** – Fire Protection Site Plan shall indicate gates, bollards or other obstructions to Fire Department Access in the roads. If these obstructions are designed to permit Fire Department Access, information regarding the method of access shall be provided.
- ❑ **Marking** – Provide any proposed signage pertaining to the Fire Department Access.
- ❑ **Fire Hydrants** – Show the location of all fire hydrants on the project site.
- ❑ The location of the Fire Department Connection (FDC or Siamese connection) should be shown if location of the FDC is known or anticipated. A fire hydrant is required to be within 100' of the FDC.
- ❑ **Fire Flow Data** – Provide calculations showing the required fire flows, per NFPA 1, Section 18.4. and documentation providing the anticipated fire flow provided on-site.

Means of Egress Summary Requirements

- ❑ **Exit Termination** – Show all exit points on the building(s), providing emergency egress for building occupants.
- ❑ **Exit Discharge** – Beginning at the exterior of the building(s), provide the following information for the exit discharge
- ❑ **Width** - The width of the walking surface shall be indicated and shall not reduce to less than is required based upon the occupant load.
- ❑ **Surface** – Walking surface materials must be stable, level, slip resistant and free of tripping hazards.
- ❑ **Path to a Public Way** – Provide the path of exit discharge from the exterior of the building(s) to a public way.
- ❑ **Special Provisions** – Provide special egressing arrangements (e.g., discharging into a secured, outside enclosure, or courtyard) for consideration by the Inspection Services Division.

Reference Codes: International Building Code, NFPA 1, *Fire Code*, and NFPA 101, *Life Safety Code*, should be used in developing the Fire Protection Site Plan.



Received

April 21, 2023

John Foreman
Development Services Manager
City of Rockville
111 Maryland Ave
Rockville, MD 20850

AMT Engineering and Encore Sustainable Architects are authorized to act as CASA's agents as part of the application process to complete building renovations, minor site improvements and installation of a PV array structure covering the parking lot in the back of the property and a second PV array on the building roof at 14645 Rothgeb Drive, Rockville, MD.

Signed,

Gustavo Torres

Name: Gustavo Torres
Title: Executive Director
Contact Info: gtorres@wearecasa.org

Cc: **Aaron Smith P.E., LEED AP**
Director of Site/Civil Engineering
A.Morton Thomas and Associates (AMT)
800 King Farm Boulevard 4th Floor
Rockville, MD 20850
ASMITH@amtengineering.com

Ward Bucher, AIA, APT
Principal
Encore Sustainable Architects
31 Light Street, Suite 500
Baltimore, MD 21202
ward@EncoreSustainableArchitects.com

Bob Brehm
Project Manager
bbrehm22@gmail.com
202-906-0526

Received
April 21, 2023



DEPARTMENT OF GENERAL SERVICES

Marc Elrich
County Executive

David Dise
Director

January 18, 2023

John Foreman
Development Services Manager
City of Rockville
111 Maryland Ave
Rockville, MD 20850

CASA and its agents are authorized to submit the necessary applications to complete interior renovations, minor site improvements and installation of a PV array structure covering the parking lot in the back of the property at 14645 Rothgeb Drive.

Sincerely,

Greg Ossont
Deputy Director

cc: Aaron Smith P.E., LEED AP
Director of Site/Civil Engineering
A.Morton Thomas and Associates (AMT)
800 King Farm Boulevard 4th Floor
Rockville, MD 20850
ASMITH@amtengineering.com

Ward Bucher, AIA, APT
Principal
Encore Sustainable Architects
31 Light Street, Suite 500
Baltimore, MD 21202
ward@EncoreSustainableArchitects.com

Bob Brehm
Project Manager
bbrehm22@gmail.com
202-906-0526

Office of the Director
101 Monroe Street, 9th Floor • Rockville, Maryland 20850
www.montgomerycountymd.gov

Attachment 1.1.E: Application Materials (4598 : Mandatory Referral STP2023-00458 CASA, Inc.)

Received

April 21, 2023

Appendix B: Scoping Intak Form

City of Rockville

**Comprehensive Transportation Review
Scoping Intake Form**

Project name:	CASA Rockville Welcome Center			
Permit number, if available:				
Property address:	14645 Rothgeb Drive Rockville, Maryland 20850			
Contact person:	David Dise, Director Department of General Services			
Contact phone number:	240-777-6191			
Contact e-mail address:	david.dise@montgomerycountymd.gov			
Existing and proposed land use density:	Use	Square Footage / Dwelling Units		
	Existing - General Office (Currently Occupied)	13,993 GSF		
	Proposed - General Office	13,993 GSF		
Trip generation:	Peak Hour Site Trips			
General Office	Peak Period	In	Out	Total (Fitted Curve)
Land use code: 710	AM	0	0	0
ITE or LATR: ITE (11th Ed.)	PM	0	0	0
	SAT	0	0	0
Proposed study area, including boundaries and intersections:	Existing: General Office: Peak Hour Trips: -31 (AM), -32 (PM), -7 (Sat) Proposed: General Office: Peak Hour Trips: +31 (AM), +32 (PM), +7 (Sat) Net New Peak Hour Trips: 0 (AM), 0 (PM), 0 (Sat) Provide On-Site Transportation Report Only			
Proposed access points:	One (1) existing access point via Rothgeb Drive			
Projected build out date:				
Statement of operations:	Community center and vocational training facility			

Attachment 1.1.E: Application Materials (4598 : Mandatory Referral STP2023-00458 CASA, Inc.)



DEPARTMENT OF PUBLIC WORKS
111 Maryland Avenue, Rockville, Maryland 20850, 240-314-8500
WATER AND SEWER
AUTHORIZATION APPLICATION (WSA)

For City Use:

CPDS Case # _____

WSA Case # _____

GENERAL PROJECT INFORMATION:

Project Name and Address: CASA, Inc. - 14645 Rothgeb Drive, Rockville, MD 20850

Property Description: Subdivision: 0201 Lot(s) and Block(s) N/A Parcel(s) P910

Tax ID(s): 01601416

Applicant: CASA, Inc. Contact Person: Bob Brehm

Address: 14645 Rothgeb Drive, Rockville, MD 20850

E-mail Address: bbrehm22@gmail.com Telephone No: 301-315-9090

Property Owner (if different from above): Montgomery County Contact Person: _____

Address: EOB 101 Monroe Street, Rockville, MD 20850

E-mail Address: _____ Telephone No: _____

Engineering Firm: A. Morton Thomas and Associates, Inc. Contact Person: Aaron Smith, P.E.

Address: 700 King Farm Blvd, 3rd Floor, Rockville, MD 20850

E-mail Address: asmith@amtengineering.com Telephone No: 301-881-2545

Submittal Requirements:

(Check to confirm that items have been submitted with package, if applicable)

- ☐ Corresponding CDPS Plan ☐ Preliminary profiles for sewer deeper than 15 feet
☐ Preliminary profiles for shallow sewer (less than 6 feet)

Requested Service:

(Check all that apply)

- ☐ Public Water Main Extension ☐ Water Service Connection ☐ Abandon Water Service Connection
☐ Public Sewer Extension ☐ Sewer Service Connection ☐ Abandon Sewer Service Connection
☐ Fire Hydrant ☐ Other: _____

Special Project Conditions:

(Check all that apply)

- ☐ Pressure Sewer ☐ Off Site Easement Required ☐ On-Site Easement Required
☐ Other (specify) _____

Current Use Information:

Specific Use	Unit (SF, each, etc.)	AWF/Unit (g.p.d)/per Use **	Average Demand (g.p.d)**
Office	13,993 SF	0.133 gpd/SF	1,769 gpd
		Total = 0.133	Total = 1,769 gpd

Proposed Use Information (include any Current Uses that are to remain):

Specific Use	Unit (SF, each, etc.)	AWF/Unit (g.p.d)/per Use**	Average Demand (g.p.d)**
Office	13,993 SF	0.133 gpd/SF	1,769 gpd
		Total = 0.133	Total = 1,769 gpd

**AWF = Average Wastewater Flow. Flow and demand rates to be used in calculating the AWF must be from the WSSC Pipeline Design Manual, latest edition. If WSSC flow rates are not available for a specific use, state the source below.
Source: WSSC Pipeline Design Manual, Appendix C, Table 19c

SIGNATURE OF PROPERTY OWNER/APPLICANT:

If Applicant is the Property Owner:

Property Owner's Signature: _____ Date _____
Name and Title (Please Print): _____

If Applicant is not the Property Owner:

I hereby certify that I am the Property Owner and I have authorized the filing of this application for review.
Property Owner's Signature: Aaron Smith Date 04/04/23
Name and Title (Please Print): Aaron Smith, PE / Director of Site/Civil Engineering

Updated July 9, 2019

Attachment 1.1.E: Application Materials (4598 : Mandatory Referral STP2023-00458 CASA, Inc.)



April 4, 2023

City of Rockville
Department of Community Planning and Development Services
111 Maryland Avenue, Rockville, MD 20850
cpds@rockvillemd.gov

Re: **Mandatory Referral - Project Narrative and Statement of Justification**
CASA, Inc. –Site and Building Improvements
AMT File No.: 22-0785.001

Introduction and Project Description

The applicant seeks to obtain an approved site plan for the property located at 14645 Rothgeb Drive, Rockville, MD 20850. In summary, building improvements are proposed for both interior and exterior parts of the existing building, all without modifying the footprint. Site improvements include solar panel arrays to be included on the existing build roof and in the parking lots, as shown on the site plan. The office building is located within the I-L Light Industrial Zone.

The rehabilitation and renovation will consist of 6,791 SF of the total 13,993 SF existing building for a worker's training center. Work will include new partitions, finishes, and mechanical, electrical and plumbing systems for classrooms and training areas. The renovated space will include energy-efficient insulation, windows and HVAC units, and ADA accessibility improvements. The renovation includes removing some existing exterior mechanical equipment, impervious concrete surfaces, and installing new windows.

Utility Improvements will consist of any necessary electrical feeds for the proposed solar arrays on the site.

In accordance with Chapter 19-12 of the City of Rockville Code, stormwater management will be provided via a fee-in-lieu, approved by the City.

Compliance with Comprehensive Master Plan

The minor amendment to the approved site plan is consistent with the city's comprehensive master plan. The existing building is located in zone I-L (Light Industrial) and the use will not change.

Compliance with Landscaping, Screening and Lighting Manual

The project will comply with the requirements of the Landscaping, Screening and Lighting Manual (Resolution 14-09). All proposed landscaping and screening are in accordance with the provisions of the forest and tree protection ordinance. Large existing trees within the property will be maintained to the extent practicable.

A Natural Resource Inventory is currently under review by the City of Rockville to demonstrate the project will meet the City of Rockville Forest Conservation requirements.

Adequate Public Facilities

There are adequate public facilities with respect to transportation, fire and rescue and sewer capacity to accommodate the proposed Project. The project will not impact any of the surrounding intersections and intersections will continue to operate at current congestion standards.

Public water and sewer are presently available and provided by the City of Rockville and the existing water and sewer services will remain for the proposed use.

Stormwater Management

Any required stormwater management will be addressed via a fee in lieu per the Rockville City Code, Division 3. - Stormwater Management Alternatives, Sec. 19-50. – SWM alternatives.b.5.

Parking

On-site parking is adequate for the applicant's use of the property; however, does not comply with the standards and requirements of Article 16. Calculation of required and provided parking is set forth in the notes of the site plan. No off-site vehicular traffic increase is expected per the provided CTR Scoping Intake Form. Existing occupants currently have adequate allotted parking spaces. Consequently, no additional parking spaces are believed to be necessary for the proposed use.

Signage

The project will utilize the existing signage located at the driveway entrance on Rothgeb Drive. All necessary signage will comply with applicable requirements of Article 18 of the zoning ordinance.

Public Use Space

No public use space is provided since the site is improved with existing buildings for which no expansion is proposed (Section 25.17.01.b.1).

Green Building Requirements

Renovation of the existing building will occur in a manner that is both environmentally sensitive and is in conformance with applicable City laws for "green buildings".

BUDGETARY QUOTE DOCUMENT				Quote #:	B6753-Rev.1
Baja Construction Inc., 223 Foster St., Martinez, CA 94553				Date:	2/9/2023
Tel: (800) 366-9600, (925) 229-0732					
Customer:	Capital Sun Group, Ltd	Prepared for:	Albert Nunez	Estimator:	Wes Melton
Customer address:	No	Email:	solanmgrman@gmail.com	Email:	wmelton@bajacarports.com
Project:	Casa De Maryland Rockville Welcome Cente	Phone:	202-270-5000	Phone:	925-293-4516
Job site:	14645 Rothgeb Dr. Rockville, Mc	Sales person:	Paul Cerejo	Sales contact:	925-393-3571
Structure Description:				Prevailing wage:	
Cold formed Galvanized Hi Tensile 55 ksi Box Beam Solar Support Structures.					
Assumed Surface Condition:				Asphalt	
Design Load: taken from ATC website				Code: 2018 IBC	
Wind speed: 110 MPH				Risk Category: II	
Snow load: 25 PSF				Live Load: 20	
Building Data:		Customer Supplied PV Panel:		Customer Issued PV Design Layout:	
"TBD" Assumed Q.Antum, Q.Peak Duo XL-G10.2 480W		PORTRAIT		Tilt (DEG): 5	
Max Bay spacing: 18.00 ft		Total SQ FT: 14,755.14		Total No. of PV Panels: 580	
Max Clear Ht: 10 ft		Total No. of Structures: 4		Estimated Frames: 27	
Roof sheeting		Roof Trim		Primary Frame Finish	
Type of sheet: N/A		Type of Trim: N/A		G-90 Galvanized	
Finish: N/A		Finish: N/A		Secondary Frame and accessories Finish	
Gauge: N/A		Gauge: N/A		G-90 Galvanized	
Included Items:					
- Wet stamped engineering plans and calcs for materials supplied by Baja. - Materials, Labor and Equipment to install carport at non prevailing wage rates. - Freight for material delivery to jobsite. Customer to provide sufficient access to the jobsite and lay down area for material staging. - Framing members, columns, rafters, eave purlins and bracing designed and supplied utilizing Galvanized G90 finish hi-tensile strength light gauge steel. - Foundation work - drilling pier footings and concrete placement. Assumed 2000 psi soil bearing pressure. - Drilled footings shall be finished with a small concrete crown around the steel column for proper run-off. Broom Sweep Clean Up. - Ref drawings: layout and information used are from the email request received/revise on February 9, 2023 from Albert Nunez.					
Excluded Items:					
- Permits and permit fees. - Architectural site, civil, fire hazard analysis, PV solar design, electrical design plans, geotechnical reports. - Architect or Lead Design Professional in Charge of the General Project Design will be responsible for coordination of all design drawing packages and interface with the local jurisdiction plan check comments as the Owner Representative. Baja Engineer of Record will respond to all comments as it relates to the Baja designed steel structure only. - Third party inspections, lab verifications or costs associated with each. - PV installation, PV panels and attachment accessories. - Any electrical work scope, including the grounding of the primary structures. - Field Painting and touch up. - Water management materials, weathertight guarantee or warranty. - Prevailing Wage & Certified Payroll. - Concrete or asphalt saw cutting. Cold or hot asphalt patching. Resealing of asphalt. Restriping of parking stalls. - Surveying the structures. Customer to provide exact location of structures (4 corners of each structure) - Private underground line locates. - Removal and testing of contaminated spoils. Offsite relocation of spoils, Debris boxes or dumpsters - Special foundation drilling, rock excavation or anything other than what is stipulated under foundation inclusions above, alternate spread footings, collapsed footing conditions, water intrusion, any conditions where pier footing is not drillable under normal reasonable conditions such as an existing or planned stormwater management system, where the surface and the subsurface cannot be disturbed to avoid water running freely to the ground below. - Concrete wash out containers. Power Washing. - SWPPP, any Site prep, or finish grading work. - Large capacity drilling machinery. Crane rental or any special condition requiring extended reach equipment - Snow guards, cleats or snow management systems. - Safety cones, delineators, temporary traffic signs, temp. power, water hook up, Temporary construction fencing, Portable toilets (Including its maintenance and upkeep) - Design of anchorage system and supply of anchor bolts connection to parking garage and its installation is by others not Baja Construction. - Any Concrete, reinforcement rebar, dry packing of high strength grout under the base plate work. - Gutters, downspouts, elbows, EPDM gutter liners. - Performance Bonds. - Liquidated Damages. - Replacement of ground cover and/or re-seeding. - Restoration of existing surfaces - Demolition of any kind. - Spread footings. - Hard dig. - Spoils removal.					
General Notes:					
- If no geotechnical report was provided at time of bid. Assumes pier footing dimensions 30" diameter x 10'-0" depth under normal soil conditions. No spread footings. - Asphalt finished grade only - break the asphalt using a jack hammer equipped asphalt trowel bit (Asphalt or concrete sawcutting by others). - Assumed 2500 psi concrete industry standard 5 sack, 1" aggregate mixed. - Baja to call Underground Service Alerts for all public underground lines. - Assumes grade variance is not more than 6" across the width or depth. Site is considered level unless otherwise noted. The structure will be built to follow slope of the ground. - Assumes one move-in for mobilization, unless otherwise noted. Additional mobilization at the rate of \$5,000 each - Baja Construction should not be held responsible for damages to existing surfaces in construction areas. - Not per plans and specs - Baja reserves the right to retain ownership of its structural plans and calculations and only provides a nonexclusive license to use these on this project only, provided that Baja is the supplier, fabricator, and erector of the structures. Under no circumstances will any other contractor be permitted to use Baja's plans for fabrication, erection, or any other purpose. Baja shall have no responsibility for preparing any architectural plans, surveys, layouts site plans or likes.					
Base Bid Price:					
Engineering, Supplied and Installed Solar Support Structures:					
Option 1: PV Panel Installation-Direct mounted to secondary framing members.					
TOTAL					
Quotation is contingent on the material being released in 30 days or Mar. 15, 2023. In order for the material to be released for shipping, the following information must be received by Baja on or before Mar. 15, 2023: Approved /Permit Plans, Pre-Lien, & payment for engineering. In lieu of the approved plans a "Release Letter" will be acceptable. If all information required above is not received by Mar. 15, 2023, a change order will be issued based on the current market price of material. NOTICE: Baja Construction Inc. reserves the right to revise price due to freight and fuel escalations at time of procurement.					

1.1.F



QUOTE DOCUMENT

Baja Construction Inc., 223 Foster St., Martinez, CA 94553
Tel: (800) 366-9600, (925) 229-0732

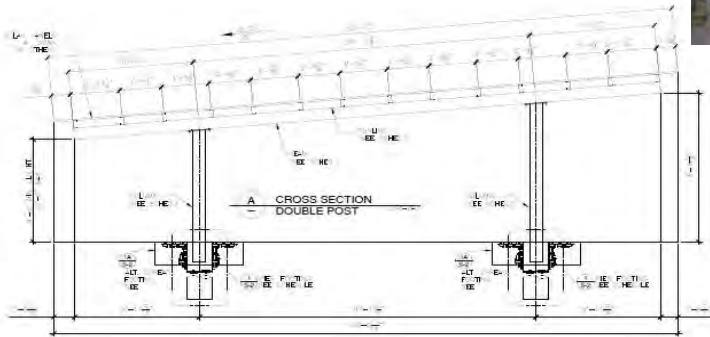
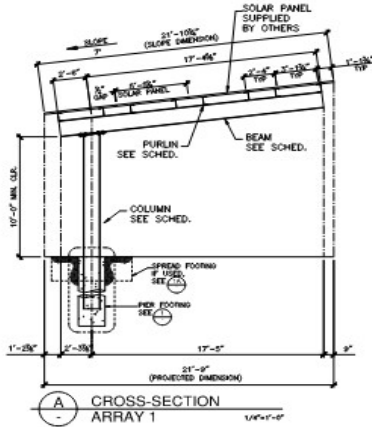
Quote #: B6753-Rev.1

Date: 2/9/2023

SUMMARY OF STRUCTURE DIMENSIONS

# of Bldg.	ARRAY	PV Panels	Structure Depth(FT)	Structure width (FT)	Bays		Carport Type	Area
1	1	52	29.28	45.36	3.00	@	18.00	SEMICANT
1	2	156	29.28	135.49	8.00	@	18.00	SEMICANT
1	3	32	29.28	28.03	2.00	@	18.00	SEMICANT
1	4	340	73.13	118.16	7.00	@	18.00	DBLPOST
4		580					Total SQ FT:	14,

Sample Sketch-(Schematic Detail Reference only) - Base Bid



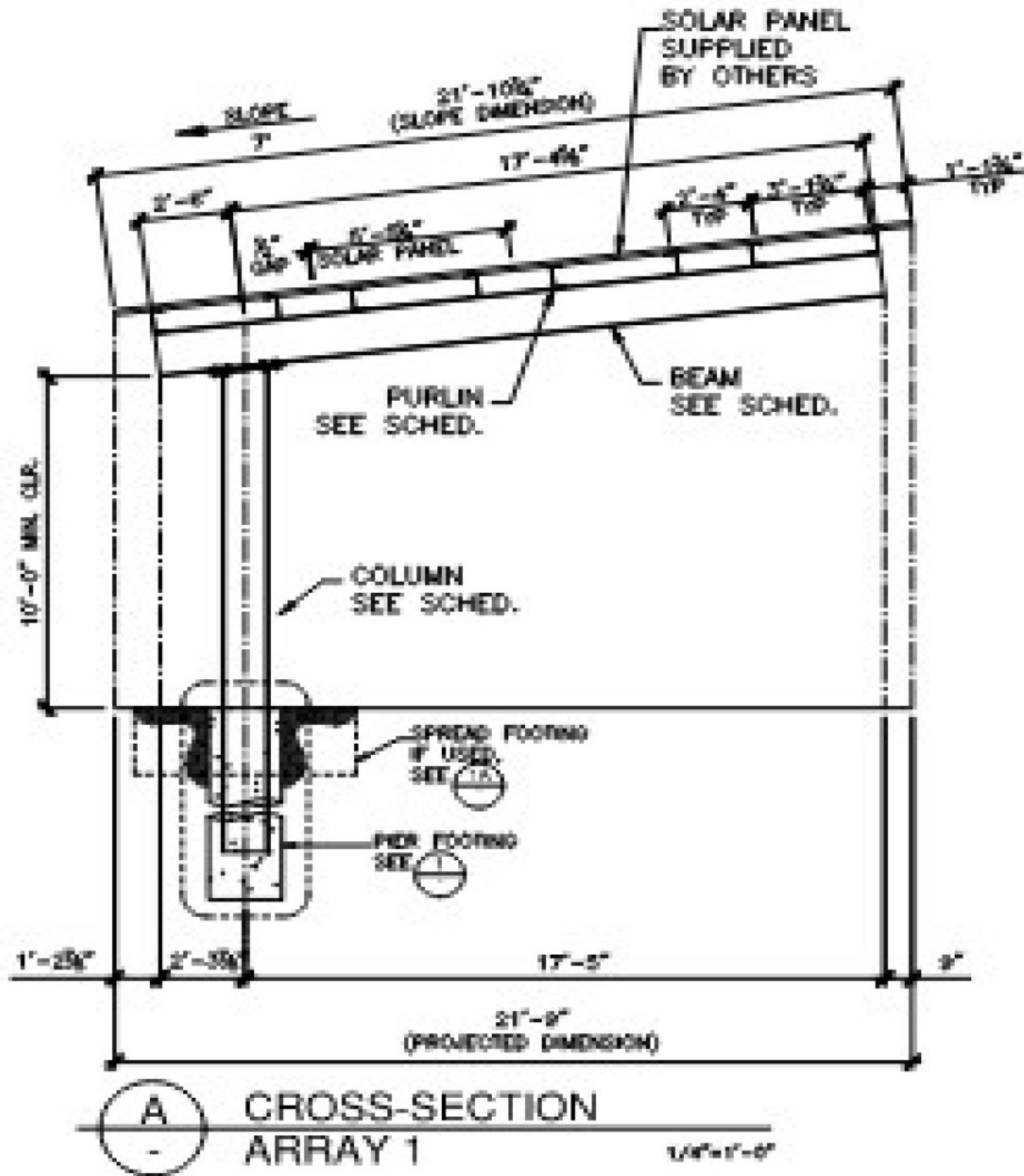


1.1.F

A CROSS SECTION
DOUBLE POST

Attac

Packet Pg. 48









SOLARSTACK® 101

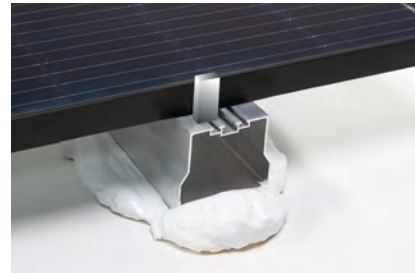
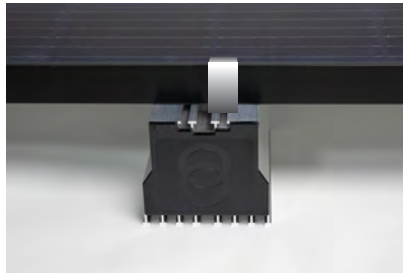
FOR CONTRACTORS

MIAMI-DADE COUNTY
APPROVED

NOA No. 21-0520.05

► What is Solar Stack?

Solar Stack is the only solar panel mounting system that avoids all roof penetrations and damage while meeting the strictest building codes in North America.

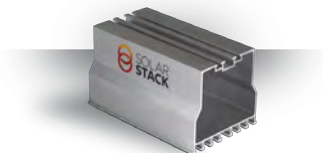


► How does it work?

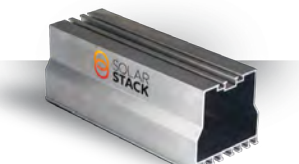
Solar Stack is attached to the roof membrane with spray polyurethane foam adhesive.



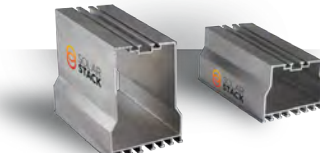
► Products



8" flush mounts (SS-8)



12" flush mounts (SS-12)



Tilt Mount, 5° slope (SS Tilt Kit)



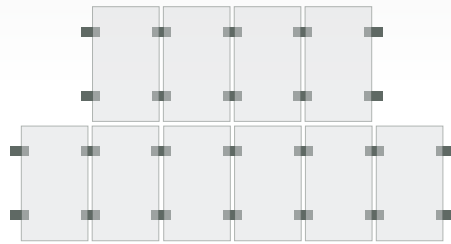
► How many Solar Stacks per panel?

Solar Stacks share in-between panels

To find the exact amount of SS needed, take the amount of panels x 2 + the amount of rows x 2 = number of Solar Stacks required.

$$\begin{array}{rcl}
 \text{amount of panels} & \underline{10} \times 2 & \underline{20} \\
 + & & \\
 \text{the amount of rows} & \underline{2} \times 2 & \underline{4} \\
 = & & \\
 \text{Solar Stacks required} & & \underline{24}
 \end{array}$$

NOTE: Calculation is same for either orientation.



Flush Mount (Portrait)



Tilt Mount (Landscape)



Flush Mount



Low

High

Tilt Mount



High

Low

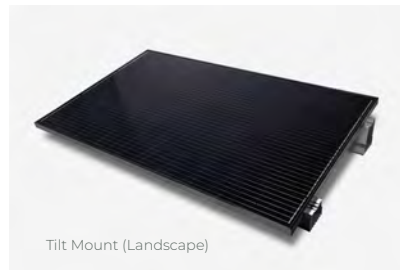
Tilt Mount

► What orientation are panels mounted?

- Panels can be mounted in landscape or portrait with flush Solar Stack mounts.
- Panels **must be mounted in landscape** when using Solar Stack tilt mounts.



Flush Mount (Landscape)



Tilt Mount (Landscape)

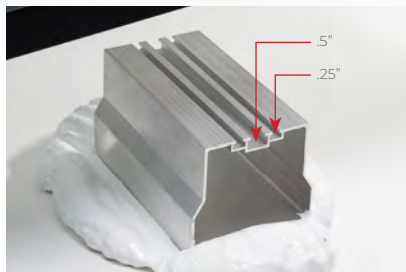


SOLARSTACK®



► How is Solar Stack attached to panels?

- Panels are attached directly to Solar Stack mounts. **Rails are not required.**
- Each Solar Stack has three mounting channels. Two .25" channels and one .5" channel. Clamps with a .25" t-bolt and .5" snapping clamps are compatible.
- Grounding hardware and micro-inverters can also be attached within these three channels.



► Foam

Each container weighs 38 lbs. It is preassembled and ready to use. Each container has enough adhesive to mount between (125-175 qty) SS-8 and SS Tilt Mounts, or (85-115 qty) SS-12.

TEMPERATURE GUIDELINES

- Chemical Storage Temperature | 50-100°F (10-38°C)
- Outside Application Temperature | 40-100°F (4-38°C)
- Internal Chemical Application Temperature | 70-90°F (21-32°C)
- Surface Application Temperature (Substrate) | 40-100°F (4-38°C)

**Internal chemical temperature must be at least 70°F when applying foam.*

Store in temperatures 70°F or above during winter months.

Once opened foam kits can be re-used but they have an expiration date of 30 days.

**Solar Stack should be installed by a Certified Solar Stack Installer. If you'd like to become a Certified Installer email or call us today!*

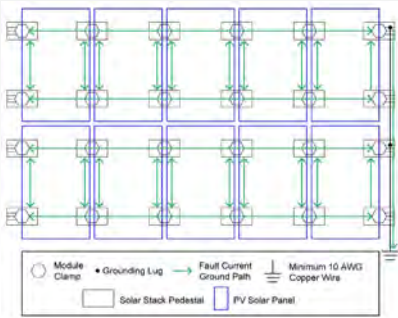
► Foam Primer

Adhesive primers must be applied to all single ply membranes (TPO, EPDM, PVC, etc.) after the roof has been cleaned and is dry. Please refer to our "coatings and primer" brochure for more information or email us at info@solarstack.com



► Grounding?

One grounding line is required per row of panels.



► Wire Management?

Wire management runs from micro inverter to micro inverter or wire management can be handled with wire clips on the under side of panels.



► Paint Foam

Each exposed Solar Stack (exposed to the sun, outside of array) must be coated with an outdoor acrylic paint for UV protection.



Solar Stack is the fastest and simplest installation system on the market

Training is recommended for any installation. Solar Stack offers hands-on and virtual training. Once trained, contractors are considered a Certified Solar Stack Installer. They will be featured on our website and will receive local leads.





COMPACT**FLAT** S10

AERODYNAMIC. STABLE. INTELLIGENT.

Compact and tested substructure for the single-sided stand-mounting of PV modules on flat roofs

The system, as part of the Compact**FLAT** product range, is an aerodynamic south-substructure for the fixing and aligning of framed PV modules on flat roofs. It is available with a choice of inclines of 10° and 15° and with different row spacing.

AEROCOMPACT®



The aerodynamic design boasts exceptional structural properties and requires considerably less ballast than other systems on the market. Due to the special “spring effect” of the feet, the substructure adjusts optimally to the conditions of the surface structure. Since the design is not rail-bound, water drainage is provided on all sides.

Like the Compact**FLAT S10plus**, the Compact**FLAT S10** also has a 25-year warranty, has been wind tunnel-tested, TÜV-certified in line with UL 2703, and is supplied with a pre-installed building protection mat. With special loading tests, all variants were tested and approved by TÜV Rheinland in accordance with UL 2703, as well as a fire test in line with UL 1703. The wire management solution for the string-wiring of module rows is UL-certified and available as an accessory with the substructure.

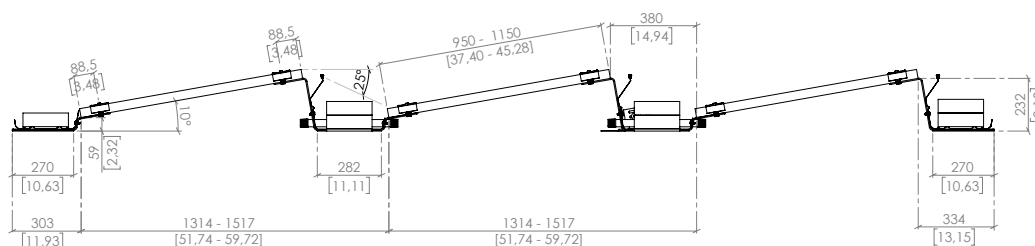
The Compact**FLAT S10** is stored in our 3D engineering software Aero**TOOL**. The AEROCOMPACT® customer center is able to issue clear and competent project reports based on empirical data (wind load, snow load, structural analysis).

The Compact**FLAT S10** is delivered partly pre-assembled, including a newly developed building protection mat – with long-term durability testing.

This system version with ballast trays is primarily used in areas with high wind loads and on roofs with a low point-loading capacity. The key advantages of this installation version are the extra ballast which can be installed for each module on the one hand, and the even distribution of point loads on the roof surface on the other. The ballastray can also be deployed if roof graveling is used as ballast. The gravel is then filled in the plate tray for weight.

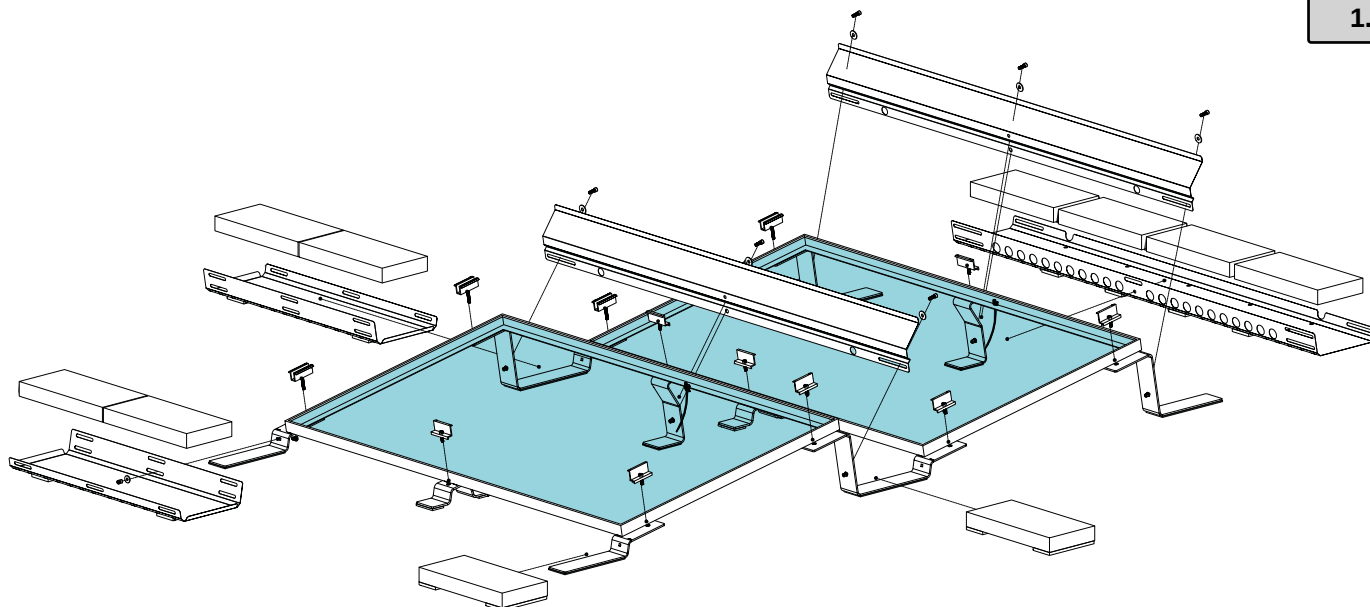
With only three main components, the Compact**FLAT S10** achieves an exceptional price-performance ratio. In addition to the attractive system price, the simple installation and high transport density of the innovative system saves time and resources.

S10 – 15.0" Inter-row spacing



TECHNICAL DATA

Description	Aerodynamic installation system for the stand-mounting of framed PV modules on flat roofs.
Scope of use	On foil and bitumen roofs with and without heat insulation beneath the sealing, as well as on concrete roofs; can be adapted for gravel and green roofs upon request
Module dimensions	37.4" to 45.3" x 59.0" to 88.6" (width x length)
Installation angle	10°, unilateral
Row spacing	Compact FLAT S10 (25° internal shading angle): 15.0"
Distance from the roof surface / floor surface	Approx. 2.4"; potentially less on gravel roof
Distance from roof edge	48.0" (less corner spacing upon request)
Max. building height	82 ft (adapted for taller buildings upon request)
Max. roof pitch	Up to 5° possible without roof anchors; above 5° only with roof anchors
Max. field size	12 x 10 rows; 120 modules
Min. field size	1 rows for every 2 modules
Wind load	Suction load up to 2.4 kN/m ²
Snow load	Pressure load of Compact FLAT S10 Standard up to 2.4 kN/m ² Pressure load of Compact FLAT S10 Alpin up to 4.4 kN/m ²
Design/stability verification	Software-supported based on wind tunnel analyses
On-site requirements	Sufficient structural load-bearing capacity of the roof structure and the building's supporting structure, as well as adequate compressive strength of the roof structure, must be ensured on site. The general terms and conditions, terms of warranty, and the user agreement apply.
Module approval	The list of approved modules is provided by AEROCOMPACT®; individual approvals through the module manufacturer
Components	Module clamps with grounding pins, flat-roof brackets, wind deflector plates, ballast stones; optional lateral plates, ballast trays, roof anchors
Materials	Bearing connecting parts made from aluminum EN AW 6060 T64; module clamps made from aluminum EN AW 6063 T66; screws made from stainless steel A2-70; wind deflector plates and ballast trays made from steel with aluminum–zinc coating; building protection mat made from polyester fleece



- › Module clamps with integrated grounding pins
- › No roof penetration necessary
- › Also suitable for roof edge areas
- › Main structure produced from aluminum and stainless steel
- › Water drainage provided on all sides
- › Optimum module ventilation
- › Pre-installed building protection mat
- › 700 kWp per truck or 40-foot container
- › Minimum order quantity only 2 kWp
- › Quickest installation: 1 kWp / 5 min. / 2 people
- › Optimized wind suction openings
- › Low transport costs
- › TÜV-certified as per UL 2703
- › Wind tunnel-tested
- › Engineered in Europe
- › General building inspectorate approval applied for
- › 25 years product warranty



< Scan QR code to watch installation video

AEROCOMPACT®

Headquarters USA

Aerocompact Inc. // 901A Matthews Mint Hill Road // Matthews, NC 28105, USA

Phone: +1 800 578 0474 // E-mail: office.us@aerocompact.com

www.aerocompact.com



Agenda Item #:	<u>1</u>
Meeting Date:	<u>June 14, 2023</u>
Responsible Staff:	<u>Jane L. Lyons</u>

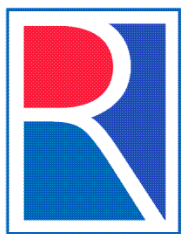
SUBJECT:

Recommendation to the Mayor and Council on Zoning Text Amendment TXT2019-00255, to Allow Accessory Dwelling Units (ADUs) as Conditional Uses in Single Dwelling Unit Zones; Mayor and Council of Rockville, Applicants

RECOMMENDATION

(Include change in law or Policy if appropriate in this section):

Staff recommends that the Commission discuss the proposed text amendment and any testimony, and provide a recommendation to the Mayor and Council as appropriate.



City of
Rockville
Get Into It

Planning Commission Staff Report

MEETING DATE: June 14, 2023

REPORT DATE: June 7, 2023

RESPONSIBLE STAFF: Jane Lyons-Raeder, Principal
Planner, Comprehensive Planning,
240-314-8259,
jlraeder@rockvillemd.gov

Jim Wasilak, AICP, Chief of Zoning,
240-314-8211,
jwasilak@rockvillemd.gov

SUBJECT: Zoning Text Amendment TXT2019-
00255, Accessory Dwelling Units

BACKGROUND: Mayor and Council have authorized the filing of a zoning text amendment to allow one accessory dwelling unit per single family residential lot as a conditional use.

DISCUSSION:
Definition

Accessory dwelling units (ADUs) are a secondary dwelling unit within a detached accessory building located on the same lot as a single unit detached dwelling. This use is not currently allowed.

Background

On January 23, 2023, Mayor and Council reauthorized the filing of the draft zoning text amendment (Attachment A), alongside a draft zoning text amendment related to accessory apartments (Zoning Text Amendment TXT2023-00263), which is being separately considered. The Planning Commission met on April 12, 2023, for a briefing on the draft ADU ZTA and postponed the agenda discussion item on May 10, 2023, in order to review the results of the West End Civic Association's survey on accessory apartments and accessory dwelling units (Attachment B).

Both ADUs and accessory apartments were previously included in Zoning Text Amendment TXT2019-00255. The Rockville 2040 Comprehensive Plan supports allowing one ADU or accessory apartment per residential lot.

Draft Ordinance Summary

See Attachment A for the full draft ordinance, as reauthorized for filing by Mayor and Council. Several notable elements of the draft ordinance are listed below:

- **Conditional Use:** The draft ordinance would allow ADUs as a conditional use in all residential detached zones.
- **Owner Occupancy:** Only one ADU would be permitted per lot, and the owner of the lot would be required to occupy either the ADU or main dwelling.
- **Size Constraints:** The gross floor area of the ADU must not exceed 50% of the gross floor area of the main dwelling unit or 750 square feet, whichever is less. An ADU cannot have a gross floor areas less than 400 square feet.
- **Appearance:** An ADU must be consistent with the appearance and character of the main dwelling unit by incorporating compatible materials and similar façade treatment, colors, window style and treatment, and roof design and pitch.
- **Parking:** The lot on which the ADU is located must include at least two off-street parking spaces, unless the lot is located within 7/10th of a mile walk distance to a Metro station, in which case the lot must include at least one off-street parking space. The Chief of Zoning may permit an ADU on a lot with no off-street parking spaces if the applicant demonstrates that sufficient on-street parking capacity is provided on the same block as the lot.

Discussion Points

The following are discussion points that the Commission may want to consider in making its recommendation to the Mayor and Council:

1. Non-Compliant Units

Staff recommends adding language to provide a grace period of 12 months upon adoption for non-compliant units to be brought into compliance and to allow non-compliant units created before adoption that cannot be brought into compliance due to gross floor area to be grandfathered into compliance. This would be consistent with the Commission's March 22, 2023, recommendation for accessory apartments.

To be consistent with the Commission's recommendation letter to Mayor and Council on accessory apartments, the Commission could also recommend that Mayor and Council investigate waiving any fees for non-compliant ADUs be brought into compliance in addition to exploring other incentive programs.

2. Name Simplification

With the potential adoption of this ordinance and the accessory apartment ordinance, the City could have both accessory apartments and accessory dwelling units. To improve clarity, staff recommends changing "accessory dwelling unit" to "detached accessory dwelling unit." This would also be aligned with the language in Montgomery County's zoning code and is commonly used in other jurisdictions around the region and country. This would be consistent with the Commission's recommendation on March 22, 2023, for accessory apartments to be changed to "attached accessory dwelling units."

3. Compatibility with the Main Dwelling Unit

The draft ordinance requires that the ADU be consistent with the appearance and character of the main dwelling unit by incorporating compatible materials and similar façade treatment, colors, window style and treatment, and roof design and pitch. This is more prescriptive than the Commission's March 22, 2023, recommendation for accessory apartments, which only requires compatibility. Staff recommends the simplified language consistent with the accessory apartment ordinance, such that the ADU must be compatible with the appearance of the main dwelling unit. The ADU would still be required to be compatible with other requirements of the zoning code and, if applicable, neighborhood design guidelines.

4. Parking Requirement Consistency with Accessory Apartment Requirements

Staff recommends striking language in the draft ADU ordinance that would require one or two off-street parking spaces, depending on proximity to a Metro station. A property owner would still be able to construct a new off-street parking space or spaces for an ADU, should they choose to do so. This is typically referred to as a market-based parking policy.

Given that on-street parking availability is current a concern throughout the City, even prior to the ability for ADUs to be constructed as a conditional use, staff suggests that the Commission could advise the Mayor and Council to reassess the City's parking permit program and make any resulting improvements.

Removing the requirement to provide off-street parking would allow the ADU ordinance to be consistent with the Commission's recommendation for the accessory apartment ordinance, better align with the expected number of cars generated by ADUs, reduce the costs associated with ADU construction, boost the number of ADUs constructed, and lessen the amount of new impervious surfaces. Further explanation of these points is elaborated below.

a. Consistency with Accessory Apartment Recommendation

The accessory apartment ordinance, as approved by the Commission for recommendation to the Mayor and Council on March 22, 2023, does not require off-street parking spaces. ADUs would not be expected to generate more vehicles than accessory apartments due to their similarly small sizes.

b. Draft Ordinance Requirements Are Not Aligned with Expected Car Generation from ADUs

In general, homes with ADUs or accessory apartments are not expected to have significantly more cars than single family detached homes without a secondary unit. Data from Montgomery County MVA registrations in 2019 shows that single family detached homes in R-60, R-90, and R-200 zones have an average of 2.1 vehicle registrations.¹ This rises by 0.4 registrations for addresses with an accessory dwelling unit or accessory apartments. Therefore, a requirement of two off-street parking spaces for properties located outside the 7/10th mile radius from Metro would be more than double the amount of parking shown to be likely.

<u>Jurisdiction</u>	<u>General Off-Street Parking Requirement for an ADU</u>	<u>Transit Area Off-Street Parking Requirement for an ADU</u>	<u>Transit Area Definition</u>	<u>Population Estimate</u>	<u>Population Density (per sq mi)</u>
Rockville (draft ordinance)	2	1	within 7/10 th mile walk distance from Metro station	67,139	4,907
Montgomery County, MD	1	0	within 1 mile of any Metrorail, Purple Line, or MARC station	1,055,000	2,153
Arlington, VA	1			N/A	N/A
Portland, OR	No parking requirement			641,162	4,642
Los Angeles, CA	1	0	half a mile walk from public transportation, within one block of a designated pick-up and drop-off location of a car	3,849,000	8,485

¹ https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190618/20190618_4.pdf

			share vehicle, located in an architecturally and historically significant district, or part of the proposed or existing primary residence or an accessory structure		
Washington, D.C.	No parking requirement, but if a parking space is being displaced by the ADU, that parking space must be replaced			712,816	11,535
Austin, TX	1	0	Less than or equal to a ¼ mile from an activity corridor	964,177	3,020
Minneapolis, MN	No parking requirement			425,336	7,962
Olympia, WA	No parking requirement			55,919	2,902
Durham, NC	No parking requirement			285,527	2,565
Fayetteville, AK	1 (only for ADUs with habitable space greater than 800 sqft)	N/A	N/A	95,230	1,808
Eugene, OR	No parking requirements			175,096	3,980
Vancouver, BC	No parking requirements			675,218	5,749
Gainesville, FL	No parking requirements			140,398	2,241

Figure 1. Comparison of ADU Parking Requirements

Still, ADUs would be expected to slightly increase the number of cars per property within the City. This begets the question of whether the increase would be enough to contribute significantly to on-street parking congestion without off-street parking requirements. The limited existing research on this topic points to a conclusion that ADUs would not significantly contribute to on-street parking congestion in the absence of off-street parking requirements.

A 2017 survey of homes with ADUs in Portland, Seattle, and Vancouver by the San Francisco chapter of the Urban Land Institute found that 12% of ADUs reported no off-street parking, 24% of had one off-street parking space, 34% had two, and 17% had three or more.² It should be noted that of the three cities, only Seattle had a parking requirement at the time, which was for one off-street space. This shows that even without parking requirements, homeowners are likely to still construct at least one space most of the time. Given the small number of ADUs with no off-street parking spaces, the researchers concluded that it is unlikely that the wave of ADU construction in those cities is “materially contributing to on-street parking congestion.”

² https://ternercenter.berkeley.edu/wp-content/uploads/pdfs/Jumpstarting_the_Market_--_ULI.pdf

Additionally, 2018 research from Seattle estimated that, assuming an over 164 percent increase in ADU production in some neighborhoods over a decade and that each ADU would have one on-street parking space, the total increase in on-street parking demand would range from approximately 2 percent to 21 percent.³ In no scenario did the increased parking demand resulting from ADU production exceed existing on-street parking availability. Seattle is more densely populated than Rockville (8,651 people per square mile compared to Rockville's 4,907 people per square mile) and would thus be expected to have more on-street parking congestion because of ADU construction.⁴ The same analysis conservatively estimated that eliminating parking requirements for ADUs would increase ADU production by 10 percent.

Finally, a survey of homeowners in Sacramento, California found that more than 75% of households have enough off-street parking available to park all their vehicles.⁵ When combining off-street and on-street parking supply, households had an average of 1.6 more parking spaces available to them than they have vehicles, which is more than enough to accommodate the average ADU tenant and their vehicle. Sacramento has a more similar population density to Rockville at 5,406 people per square mile.

c. Off-Street Parking Significantly Increases the Cost of ADU Construction

Off-street parking requirements add significant cost onto the construction of an ADU. The Urban Institute estimated \$3,000-\$5,000 per spot, excluding curb cuts.⁶ An estimate from Cascadian Architects for off-street parking requirements are between \$4,000 to as high as \$10,000 per ADU.⁷ According to Forbes, a driveway costs between \$1,700 to \$7,000 for materials and averages \$4,500.⁸

The high cost of off-street parking construction contributed to AARP labeling parking requirements as a "poison pill" for ADU construction in their 2020 Model State Act and Local Ordinance and recommending no parking requirements.⁹ A similar argument is made in the Urban Institute's ADU recommendations to the City of Alexandria, VA.¹⁰

The idea that parking fees results in fewer ADU applications is supported by research from California showing that localities without off-street parking requirements were more likely to receive frequent ADU applications than localities that had off-street parking requirements (31% versus 13%).¹¹ In the case that an ADU removes an existing

³ https://www.seattle.gov/Documents/Departments/Council/M-AppADU_FEIS_2018_appendices.pdf

⁴ World Population Review

⁵ https://www.researchgate.net/publication/358863171_Not_enough_parking_you_say_A_study_of_garage_use_and_parking_supply_for_single-family_homes_in_Sacramento_and_implications_for_ADUs

⁶ <https://www.urban.org/sites/default/files/publication/103275/designing-accessory-dwelling-unit-regulations.pdf>

⁷ <https://crosscut.com/2018/12/facing-high-housing-prices-renton-pushes-backyard-cottages>

⁸ <https://www.forbes.com/home-improvement/driveway/driveway-cost-calculator/>

⁹ <https://www.aarp.org/livable-communities/housing/info-2021/adu-model-state-act-and-local-ordinance.html>

¹⁰ <https://www.urban.org/sites/default/files/publication/103275/designing-accessory-dwelling-unitregulations.pdf>

¹¹ https://turnercenter.berkeley.edu/wp-content/uploads/2023/04/Pfeiffer_Regulating_ADUs_in_California.pdf

off-street parking space, AARP suggests the local government could require that the space be replaced on-site if required by the underlying zoning.¹²

In addition to cost, AARP points out that “the lot size, location of the primary residence and topography may make the construction of one or more parking spaces impossible.”¹³ This could more heavily penalize owners of smaller lots, who are more likely to have lower incomes than property owners of large lots.

d. Stormwater

Parking requirements for ADUs have the potential to marginally increase impervious surfaces and stormwater runoff if applicants are required to construct a new off-street parking space that did not previously exist. A market-based policy for ADU parking would go further to ensure that no extraneous impervious surfaces were added.

PUBLIC OUTREACH:

Notification regarding this Planning Commission meeting was distributed to community associations via City’s neighborhood listserv and to the community through Nextdoor.

At public hearings on July 15 and October 7, 2019, for the accessory buildings text amendment, testimony on both accessory apartments and accessory dwelling units was received. Mayor and Council held Discussion and Instructions sessions on April 20, 2020, and November 16, 2020, which included ADUs as part of those discussions. A public hearing was held on May 10, 2021, for Zoning Text Amendment TXT2019-00255, which at that time included potential changes to allow both ADUs and accessory apartments as conditional uses.

Historically, the Twinbrook Community Association, Lincoln Park Civic Association, and East Rockville Civic Association have been supportive of allowing ADUs as a conditional use. The West End Citizens Association (WECA) has not previously been in support of free-standing ADUs in accessory buildings. On May 9, 2023, the City received a summary of the results from a survey conducted by WECA regarding the proposed accessory apartment and accessory dwelling unit (ADU) ZTAs (see Attachment B).

According to the report on the survey results initiated and completed by WECA, the instrument was distributed to the community using the following methods:

1. Included as a link in an email send electronically to the members of the WECA email distribution list (commonly referred to as the WECA listserv) - 600 emails were sent for the initial distribution of the survey and for one reminder email.
2. Included as a link and QR code in the May 2023 WECA Newsletter which was hand-delivered to 1,600 homes in the West End.

¹² <https://www.urban.org/sites/default/files/publication/103275/designing-accessory-dwelling-unitregulations.pdf>

The survey garnered 185 responses. Among other findings, the feedback reflects approximately 1/3 of respondents supporting ADUs, 1/3 supporting ADUs being allowed with conditions, and 1/3 in opposition to ADUs being allowed. In other words, 67% of the surveyed residents support ADUs being allowed with or without conditions.

NEXT STEPS:

Staff requests that the Commission discuss the proposed amendment and provide a recommendation to Mayor and Council. Based on that recommendation, staff will put together a memo for review by the Chair on behalf of the Commission, for the Mayor and Council. The next step would be a public hearing before Mayor and Council, the date of which is yet to be determined.

Attachments

- Attachment 2.1.a: Draft Accessory Dwelling Unit Zoning Text Amendment (PDF)
- Attachment 2.1.b: WECA Report on Survey Responses for ADU & Accessory Apartment ZTAs (DOCX)
- Attachment 2.1.c: Public comment 2023 (PDF)

Jim Wasilak

Jim Wasilak, Zoning and Development Manager

6/7/2023

DRAFT 1/11/23

ATTACHMENT TO APPLICATION TO THE CITY OF ROCKVILLE FOR A
TEXT AMENDMENT TO THE ZONING ORDINANCE

Applicant: Mayor and Council of Rockville

The applicant proposes to amend the zoning ordinance adopted on December 15, 2008, and with an effective date of March 16, 2009, by inserting and replacing the following text (underlining indicates text to be added; ~~strikethroughs~~ indicate text to be deleted; * * * indicates text not affected by the proposed amendment). Further amendments may be made following citizen input, Planning Commission review and Mayor and Council review.

Amend Article 3, “Definitions, Terms of Measurements and Calculations,” as follows:

* * *

Accessory dwelling unit means a dwelling unit within a detached accessory building located on the same lot as a single unit detached dwelling. An accessory dwelling unit must be subordinate to the main dwelling unit on the lot and must contain a kitchen and facilities for sanitation and sleeping. An accessory dwelling unit is not an accessory use or a home-based business enterprise as defined in this Chapter.

* * *

Amend Article 9, “Accessory Uses; Accessory Buildings and Structures; Encroachments; Temporary Uses; Home-Based Business Enterprises; Wireless Communication Facilities,” as follows:

* * *

25.09.03 – Accessory buildings and structures.

* * *

b. Accessory dwelling units. In addition to the development standards in subsection 25.09.03.a, an accessory dwelling unit is subject to the following requirements:

1. Only one accessory dwelling unit is permitted on a lot.
2. An accessory dwelling unit must be consistent with the appearance and character of the main dwelling unit by incorporating compatible materials and similar façade treatment, colors, window style and treatment, and roof design and pitch.
3. An accessory dwelling unit must be permanently attached to the ground by a foundation.

4. The gross floor area of an accessory dwelling unit must be in accordance with the following:
 - (a) Except as provided in subsection 25.09.03.b.4(b), below, the gross floor area of an accessory dwelling unit must not exceed 50% of the gross floor area of the main dwelling unit or 750 square feet, whichever is less.
 - (b) Notwithstanding the foregoing, an Approving Authority must not require an accessory dwelling unit to have a gross floor area of less than 400 square feet, unless at the request of the applicant.
5. The lot on which the accessory dwelling unit is located must include at least two off-street parking spaces, unless the lot is located within 7/10th of a mile walk distance to a Metro station, as delineated in Figure 9: Pedestrian Facilities and Environment in the Rockville 2040 Comprehensive Plan, in which case the lot must include at least one off-street parking space. The Chief of Zoning may permit an accessory dwelling unit on a lot with no off-street parking spaces if the applicant demonstrates that sufficient on-street parking capacity is provided on the same block as the lot.
6. An accessory dwelling unit is prohibited on a lot that has an accessory apartment.
7. The owner of the lot on which an accessory dwelling unit is located must occupy either the accessory dwelling unit or the main dwelling unit on the lot, except for bona fide temporary absences not exceeding six months in any 12-month period.
8. Both the accessory dwelling unit and the main dwelling unit on a lot must remain under common ownership.
9. An accessory dwelling unit must have the same street address (house number) as the main dwelling unit.
10. Accessory dwelling units not in conformance with this section must be brought into compliance within 12 months of [date of adoption of this amendment].

bc. *Non-Residential Accessory Buildings and Structures* – Non-residential accessory buildings and structures are reviewed as part of the site plan review and subject to all requirements of the relevant zone and all conditions of the site plan approval.

* * *

Amend Article 10, “Single Dwelling Unit Residential Zones,” as follows:

25.10.03 – Land Use Tables

The uses permitted in the Single Dwelling Unit Residential Zones are shown in the table below. All special exceptions are subject to the requirements of Article 15.

	Uses	Zones							Conditional requirements or related regulations
		Residential Estate Zone (R-400)	Suburban Residential Zone (R-200)	Low Density Residential Zone (R-150)	Single Unit Detached Dwelling, Restricted Residential Zone (R-90)	Single Unit Detached Dwelling, Residential Zone (R-75)	Single Unit Detached Dwelling, Residential Zone (R-60)	Single Unit Semi-detached Dwelling, Residential Zone (R-40)	
a. Residential uses	Dwelling, single unit detached ¹	P	P	P	P	P	P	C	Conditional use subject to the requirements of the R-60 Zone
	Dwelling, semi-detached (duplex)	N	N	N	N	N	N	P	
	Accessory apartment	S	S	S	S	S	S	N	See Sec. 25.15.02.a.
	<u>Accessory dwelling unit</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>See Sec. 25.09.03.b</u>

Amend Article 14, “Special Zones,” as follows:

25.14.07 – Planned development zones.

* * *

b. *Uses.*

1. Only those uses specifically permitted by the applicable planned development governing documents are allowed in a planned development zone; except that accessory apartments and accessory dwelling units are permitted as set forth in the equivalent zones specified for those areas of the planned development designated for residential use.

* * *

From: Brian Shipley <shipley.brian@gmail.com>
Sent: Tuesday, May 9, 2023 11:07 AM
To: Planning Commission <Planning.Commission@rockvillemd.gov>
Cc: Jim Wasilak <jwasilak@rockvillemd.gov>; noreen bryan <noreen1945@yahoo.com>; Margaret
 Wagner <margaretmagner@nyc.rr.com>; Ellen Childs <ellen.childs@gmail.com>;
jane.m.pontius@gmail.com <jane.m.pontius@gmail.com>; Ajay Khetarpal <ajk@maxxum.org>
Subject: WECA Report on Survey Responses for ADU & Accessory Apartment ZTAs

WARNING - External email. Exercise caution.

Madame Chair and Members of the Planning Commission -

In response to the City's request for public input on the proposed zoning text amendments for Accessory Dwelling Units and Accessory Apartments, WECA conducted a community-wide survey of West End residents. The content of the survey was based on the proposed zoning revisions listed on the City's website at <https://www.rockvillemd.gov/2345/Accessory-Buildings-and-Dwellings>.

The survey was developed by a nine-member Committee, implemented using a Google Form, and distributed to the community through the WECA listserv of 600 emails and included in our May 2023 newsletter that is hand-delivered to 1,600 homes in the West End. The survey was open for 32 days, from April 5 to May 7, 2023.

The survey results represent the feedback received from the 185 individuals who completed the survey and do not represent the entire West End community, but we hope that the Planning Commission will consider the feedback we did receive when making recommendations to the Mayor and Council on the proposed zoning text amendments for Accessory Dwelling Units and Apartments.

A few highlights from the feedback received include that survey respondents:

- are pretty evenly split on allowing ADUs: approx. 1/3 say Allow; 1/3 Allow with Conditions; 1/3 Don't Allow
- strongly favor limiting ADU floor area (78% want limit to no more than 50% of main house area)
- support allowing long-term ADU rentals (68%), but the majority (56%) says No to short-term rentals
- favor limiting the number of occupants to fewer than Rockville's current zoning max occupancy for ADU (59%) and for Accessory Apartment (66%)
- very strongly do not want to subdivide ownership of lots (83%)
- strongly want property owners to live in one of the dwellings on their lot (72%)
- want a limit of 1 accessory dwelling (apartment or ADU) on a lot (64%)
- favor requiring additional parking space(s) on lots with ADU (58%) or Accessory Apartment (55%)

WECA intends to provide testimony at the May 10 Planning Commission meeting and looks forward to your questions.

Thank you

Brian Shipley, President, West End Citizens Association

Jim Wasilak

From: Robert DiSpirito <rdispirito@rockvillemd.gov>
Sent: Tuesday, January 31, 2023 1:57 PM
To: Ricky Barker
Cc: Jim Wasilak; Jenny Snapp
Subject: FW: Yes to ADU Proposal

From: Marc Grossman <marcgrossman2001@yahoo.com>
Sent: Tuesday, January 31, 2023 1:36 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: Yes to ADU Proposal

WARNING - External email. Exercise caution.

Dear Mayor Newton and Councilmembers,

I'm writing to express my ardent support of the ADU proposal. ADUs are the best way to both maintain the character of neighborhoods and increase density. They may not be a panacea to expanding affordable housing opportunities, but there is no doubt the opportunity to build ADUs will offer additional housing opportunities- many of which will be affordable by the sheer nature of the limitations offered.

The argument put forth that they will reduce canopy and may be used as Air BnBs rings hollow. The number one thing we can do to increase canopy in the city is to reduce the deer population and the majority of ADUs will not be Air BNBS.

Hoping you see this major legislative initiative through.

Best of luck.

Marc Grossman
 3 Duke Court
 College Gardens

Marc Grossman
marcgrossman2001@yahoo.com
 202 412 5698- (cell)

Trying to write The Farm at Our House?
 E-mail thefarmatourhouse@gmail.com

Attachment 2.1.c: Public comment 2023 (4597 : Accessory Dwelling Units)

February 27, 2023

Dear City of Rockville Mayor and Council,

I am submitting a protest to the proposal for allowing re-zoning of residential areas that allow conversion of single-family homes into accessory apartments and dwelling units (ADUs), and permitting such homes to be used as AirBnB and VRBO facilities. From personal experience, and from dealing with Rockville Code Enforcement, there is already an inability to regulate present ordinances for rental homes that are unlawfully over-occupied by non-related groups of people. The approval by the Mayor and Council to ease restrictions on single-family dwellings to be used as ADUs, AirBnB, and VRBO facilities will destabilize the residential nature of our neighborhoods with invested homeowners.

Individual Case

In my specific case, the house next door to me had anywhere from eight to nine (8-9) non-related individuals occupying the premises at any given time, with an overall number of about 20 different individuals moving in and out of the house over the past 10 months. This over-occupancy and high turnover resulted in the following nuisances and unsanitary practices that affected my property and the well-being of the occupants in my household:

- Trespassing onto my property resulting in hostile responses and intimidation from the tenants
- Trash in the rental property yards that blew all over the neighborhood
- Occupants of the house urinating in both front and back yards due to inadequate provision of bathroom facilities to accommodate the number of occupants in the dwelling
- Violation of City of Rockville noise ordinances and disturbing sleep of my household members
- Observance of drug trafficking
- A feeling of insecurity because of the transient nature of the occupants and their disorderly behavior

We reported these issues along with the dwelling's violation of overcrowding to Rockville Code Enforcement, who verified that there were too many unrelated individuals living illegally in the house, and therefore in violation of current Rockville occupancy ordinances. However, after the initial inspection, nothing changed. The house continues to remain over-occupied, and our safety concerns about the

unidentified tenants, their transient nature, and their disorderly behavior have still not been addressed by Rockville Code Enforcement.

If present code currently in place cannot be enforced on a **single**-unit single family home by Rockville Code Enforcement (as in our case), how can we trust Rockville Code Enforcement to enforce any ordinances put forth in the future by the Mayor and Council that are supposedly used to protect the character and safety of our Rockville neighborhoods and residents for **multi**-unit single family homes? Dividing homes into multiple units, that could each be over-occupied, will only compound an already existing problem with no current way to enforce code.

Neighborhood Environmental Impact

Additional concerns include a city infrastructure that cannot support an increase in the number of neighborhood residents. Dividing single family homes into multi-unit dwellings will increase the burden on an already stressed infrastructure.

The water and sewer lines in the neighborhoods are already old and cannot handle additional stress of countless more users. In certain instances, the water pressure into a house will drop. Before approving the re-zoning of single-family dwellings, the City of Rockville must provide its residents with adequate study data that utilities infrastructures will not be negatively impacted for existing residents. Additionally, Rockville residents receive only one (1) trash pick-up per week. Increasing housing capacity would mean a need for additional trash pick-up during the week. Would this be feasible without having to pass the burden onto Rockville taxpayers and increasing our escrow costs?

Neighborhood parking is also another concern. If every individual in a multi-unit home drives a car, a house can have up to nine (9) cars per household, competing with neighbors for parking spaces. Thoroughfare for first-responder emergency vehicles and adequate space for passage of two vehicles traveling in opposite directions where one must yield to the side to accommodate egress will be limited. I and another neighbor can attest to experiences where after returning from a long day at work, we had difficulty finding a parking spot in front of our own homes. The argument that new neighborhood occupants will use public transportation by Rockville leaders and planning committees is an assumption that does not correlate with our real-life experiences. The rental home next to us brought four (4) new vehicles to the street, including three (3) work trucks. Those vehicles would park right up to the edge of

our driveway, making it physically difficult and unsafely obstructing roadside view for my family to get in and out of our own driveway.

An influx of new occupants would affect our already over-burdened school system. Meadow Hall Elementary school has needed to add multiple trailers to function as classrooms because the school is so over-crowded. Further increasing the burden on our schools only damages our children's learning experiences.

Economic Impact

The Mayor and Council's support of ADUs, AirBnB, and VRBO usages contributes to the long-term housing shortages experienced across our American communities in favor of a rental market, fueled by profit-seeking landlords. In a [February 2023 WTOP news article](#), Maryland Realtors who drive the ADU concept emphasize, "...little to no impact on local government infrastructure and open space," while chillingly taking no regard to the input of an ordinary homeowner such as myself who live with the consequences of an unregulated ADU next door, and without providing the research data to their "no impact" claims.

Finally, I don't believe this proposal has the full support of residents in Rockville neighborhoods, particularly those that are not HOA-governed, where the impact of ADUs would be felt. I have spoken with several of my neighbors, and none approve or support this idea. They all believe allowing the multi-unit dwellings would ruin the neighborhoods that drew them to Rockville in the first place.

Considering how Rockville Code Enforcement has so far failed to enforce present regulations for me on single-unit dwellings, I am skeptical that the Mayor and Council will be effective in enforcing any parameters they supposedly put in place to regulate ADUs, AirBnBs, and VRBOs in our residential communities. Our neighborhoods would deteriorate in the direction as described in [December 2022 in Los Angeles, CA](#), where government officials initially put regulations on ADUs, AirBnB, and VRBO units to placate its citizens towards gaining approval for the proposals, but have minimally taken action to keep its promise to residents and enforce said regulations.

Thank you for the opportunity to provide input and feedback on the matter, and please feel free to contact me if you would like to discuss further.

Respectfully,

Wendy Lee

Jim Wasilak

From: Jane Wood <revjanewood@verizon.net>
Sent: Wednesday, April 5, 2023 12:38 PM
To: Planning Commission; mayorcouncil
Subject: ADU's

WARNING - External email. Exercise caution.

Good afternoon, Planning Commissioners and Mayor and Council. I am not in favor of ADUs. I do not believe it addressed the problem of affordable housing in Rockville. Thank you, Rev. Wood

Attachment 2.1.c: Public comment 2023 (4597 : Accessory Dwelling Units)



Agenda Item #:	<u>1</u>
Meeting Date:	<u>June 14, 2023</u>
Responsible Staff:	<u>Jim Wasilak</u>

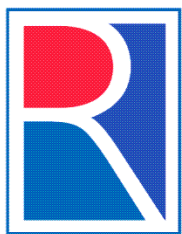
SUBJECT:

Adoption of Revised Rules of Procedure

RECOMMENDATION

(Include change in law or Policy if appropriate in this section):

Staff recommends that the Planning Commission review the revised Rules of Procedure and adopt them.



City of
Rockville
Get Into It

Planning Commission Staff Report

MEETING DATE: June 14, 2023

REPORT DATE: June 7, 2023

RESPONSIBLE STAFF: Jim Wasilak, AICP, Chief of Zoning,
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SUBJECT: Adoption of Revised Rules of
Procedure

DISCUSSION:

The Planning Commission have previously discussed the proposed revisions to the Rules of Procedure on April 12, 2023. The attached draft incorporates the following changes, as discussed at that meeting:

- Clarification that Commission meetings start promptly at 7:00 p.m., or at some other time determined by the Commission and properly noticed. It also provides flexibility to

the Chair to delay the start of a meeting for which there is a quorum, to accommodate a late commissioner or for other good cause.

- Briefing materials are to be provided in an electronic format, but printed versions of the materials must be provided upon request prior to the next meeting.
- Added a requirement that all commissioners must complete training on the Open Meetings Act and provide certification to the City Clerk within six months of appointment.

Staff recommends that the Commission review these changes, and if comfortable with the draft, adopt the revised Rules of Procedure.

NEXT STEPS:

Upon adoption, staff will post online and distribute as necessary.

Attachments

Attachment 3.1.a: Revised Rules of Procedure - Final Draft (Redline) (PDF)

Jim Wasilak

Jim Wasilak, Zoning and Development Manager

6/7/2023

PLANNING COMMISSION
City of Rockville, Maryland

RULES OF PROCEDURE
 [date]

CHAPTER I: GENERAL RULES

A. Authority

These Rules of Procedure of the Planning Commission of the City of Rockville, Maryland (the “**Rules**”) are adopted pursuant to Section 2-105(c)(1) of the Land Use Article of the Maryland Annotated Code and Section 24.04.02.d of the Rockville City Code.

B. Powers and Duties

The powers and duties of the Planning Commission (the “**Commission**”) are set forth in the Land Use Article of the Annotated Code of Maryland and the Rockville City Code, as may be amended.

C. Chair

1. *Election* – The Commission must elect a Chair from one of its appointed members to serve for a term of one calendar year, beginning on the Commission’s first meeting in January and running until the Commission’s last meeting in December. The election for the next year’s term must take place at the Commission’s first meeting in December or such other time as designated by a majority of the members. A Chair may be reelected.
2. *Role* – The Chair is the presiding officer at any meeting held by the Commission. The Chair may freely participate in debate and may call special meetings as needed. The Chair must designate a member of the Commission to serve in his or her absence. In the absence of such designee, a member selected by a majority of the Commission present at the meeting will preside.

D. Clerk of Commission

The Chief of Planning, as defined in Chapter 25 of the Rockville City Code (the “**Zoning Ordinance**”), will serve as the Clerk of the Commission (the “**Clerk**”). The Clerk will provide professional and clerical support to the Commission and fulfil the roles of the Clerk in these Rules and the Rockville City Code.

E. Majority Vote

Except as otherwise provided by law or in these Rules, any action of the Commission must be made by the affirmative vote of a majority of Commissioners present and voting on the

motion of a Commissioner that has been properly seconded by another Commissioner. Abstentions are not counted in the total number of votes that are cast.

F. Minutes

1. *Minutes Required* – Except as otherwise provided in this section, the Commission must keep written minutes of its meetings. The Clerk will prepare minutes of each meeting of the Commission and must submit them to the Commission for approval as soon as practicable after the meeting date. The minutes must include a list of parties of record as defined in the Zoning Ordinance, a brief summary of items discussed, and an accurate recording of the motions made and actions taken. The minutes must record the outcome of each vote taken by the Commission, and where a vote is by roll call, the minutes must include the vote of each member on each question. A Commissioner voting in the minority on any question may choose to have the reason for his or her vote indicated in the minutes and must state such reason immediately after the vote.
2. *Approval of Minutes* – A quorum of the Commission is required for approval of written minutes, but such quorum does not need to be made up of the same Commissioners present for the action taken that is the subject of the minutes to be approved. Before a Commissioner votes on the minutes of a meeting he or she did not attend, the Commissioner must certify that her or she has read or reviewed an audio or video recording of the meeting.
3. *Audio or Video Recordings* – Audio or video recordings of a meeting of the Commission will not typically serve in lieu of written minutes. However, if a Clerk has not brought written minutes of a meeting to the Commission within six months of the meeting, the Commission may vote to authorize a full and complete audio or video recording of a meeting to serve as the official record of that meeting, if such recording is publicly available.

G. Committees

The Commission may appoint Commissioners to serve on committees for specific purposes, including, without limitation, to advise the full Commission on specific issues such as master planning, urban design, zoning, neighborhood planning, subdivision regulations, or other issues that a majority of the Commission feels are necessary for further study.

H. Meetings

1. *Frequency* – The Commission will typically hold two regular meetings each month, on the second and fourth Wednesday of the month. Worksessions are typically scheduled for the second Wednesday of the month, as needed. Schedule adjustments are made regularly to avoid conflict with common public holidays. The Chair, in consultation with the Clerk, will determine if a regular meeting will take place based on the number of applications, review items, or other business that may come before

the Commission. The Chair may cancel any regular meeting if there is no business before the Planning Commission.

2. *Time* – Unless there is a lack of a quorum, regular meetings of the Commission begin promptly at 7:00 p.m., or at such other time as determined by the Commission and properly noticed. The Chair may delay the start of a meeting at which there is a quorum by up to ~~45~~thirty minutes to accommodate a late Commissioner or for other good cause. It is the goal of the Commission to end its meetings by 10:00 p.m. Agendas should be planned such that no scheduled agenda items will be taken up after 10:00 p.m. The Commission must vote to take up any item on that meeting's agenda after 10:00 p.m., unless the Commission is required by law to take up the item on the day of the meeting.
3. *Location* – The Commission may hold its public meetings in person or in a partially or completely virtual mode, through video conference, teleconference, or other electronic means consistent with the requirements of the Maryland Open Meetings Act. The location and format of the public meeting will be posted on the Planning Commission website and included in any meeting notice provided by City staff.
4. *Special Meetings* – The Chair may call a special meeting of the Commission following at least 24 hours' notice, if possible, to each member of the Commission and reasonable public notice as required by the Maryland Open Meetings Act.
5. *Agenda* – The Clerk must, with the concurrence of the Chair, prepare an agenda for each Commission meeting. Development applications must be placed on the Commission's agenda within a reasonable time following staff review. Items may be placed on future agendas by the Chair or at the request of two or more Commissioners. The Chair may, in his or her discretion, elect to postpone an agenda item that has been publicly noticed but that has not been placed on a published agenda, unless the item is required by law to be heard at the meeting for which it is noticed. In that case, the Chair must announce the postponement at the next regular meeting of the Commission. Once an agenda item is placed on a published agenda, it may only be removed at the request of two or more Commissioners or by the vote of the Commission at the meeting for which the item is scheduled.
6. *Public Notice* – The Commission's agenda for all regular meetings must be available in City Hall and on the City's web site at least seven days before the meeting. Individual agenda items must also be noticed as required by law. Notice of a meeting must also be posted at City Hall on the day of each meeting.
7. *Briefing Materials* – The Clerk must furnish the Commission with briefing materials in an electronic format at least seven days before the next regular meeting. At the request of a Commissioner, the Clerk must also provide that Commissioner with printed briefing materials before the next regular meeting. Copies of staff reports for such meetings must be available to the public at the same time. For correspondence or

- written testimony to be included in the Commission's briefing material, it must be received by the Clerk no later than nine days before the scheduled meeting.
8. *Quorum* – Four members of the Commission constitutes a quorum for the transaction of business.
 9. *Absences* – A Commissioner who does not plan to attend a scheduled meeting of the Planning Commission must notify the Clerk and the Chair at the earliest possible opportunity.
 10. *Removal of Commissioners* – Commissioners may be removed from the Planning Commission pursuant to Section 2-102 of the Land Use Article of the Annotated Code of Maryland.
 11. *Voting Order* – At the discretion of the Chair, voting will be by verbal vote, show of hands, or roll call, in which case the Chair will vote last.
 12. *General Order of Business* – The general order of business for a regular meeting is as follows but may vary from time to time at the discretion of the Chair.
 - Consent Agenda
 - Scheduled Matters (order may vary)
 - Public Hearings and Forums
 - Preliminary Subdivisions, Record and Ownership Plats
 - Site Plans
 - Recommendations to Board of Appeals or Mayor and Council (including project plans, special exceptions, and appeals)
 - Worksessions
 - Other Matters
 - Clerk Report
 - FYI and Correspondence
 - Old Business
 - New Business
 - Minutes
 - Adjournment
 13. *Rules of Order* – Except as provided in these Rules, the Commission will adhere to the latest edition of Robert's Rules of Order.
 14. *Consent Agenda* – The Clerk may place items on a consent agenda for adoption as a group with a single motion. An item may be removed from the consent agenda at the request of any Commissioner and will then be considered as a separate agenda item by the Commission. Items subject to quasi-judicial review may not be placed on the consent agenda.

15. *Open Meetings* – Meetings of the Commission must conform to the Maryland Open Meetings Act. All Commissioners must receive training on the Act and provide their training completion certificate to the City Clerk within six months of their appointment.

CHAPTER II: PUBLIC HEARINGS

A. Scope

This Chapter applies to the Commission's conduct of public proceedings and hearings on matters subject to quasi-judicial review, including, without limitation, site plans, project plans, preliminary subdivision plans, record plats, special exceptions, variances, administrative appeals, and waivers. At the Chair's discretion, this section may also be used as a guide to conduct meetings or public hearings on other matters not subject to quasi-judicial review.

B. Role of the Chair

As the presiding officer, the Chair must conduct each public hearing in a manner that permits the development of a complete record, provides a reasonable opportunity for interested parties to be heard, and ensures an efficient hearing. The Chair may call the hearing to order, rule on preliminary matters, set reasonable time limits on testimony, limit or exclude irrelevant or duplicative evidence or testimony, take actions to maintain decorum and order, close the public hearing or record, and take any other action authorized by these Rules to conduct the public hearing, subject to applicable laws and regulations.

C. Hearing Guidelines

Without limiting the authority and discretion of the Chair under these Rules, the Commission will typically conduct a public hearing consistent with the following guidelines:

1. *Staff Presentation* – City staff presents a summary of the application as proposed as well as the important issues addressed during the staff review process and the action staff recommends the Commission take. Staff should highlight any recommended conditions of approval for the application and provide any relevant information that has become available since the staff report was issued. The Commission may ask staff questions regarding the application and staff recommendation.
2. *Board or Commission Comments* – A representative of another City board or commission may present the official position or recommendation of that Commission. A representative's presentation is typically limited to five minutes. The Commission may ask the representative pertinent questions.
3. *Applicant Testimony* – The applicant or its designated representatives should present the rationale for the application, highlight important details not touched on by staff, and whether the conditions of approval are acceptable. Applicant testimony is

typically limited to fifteen minutes. If an applicant needs additional time, it should make that request to the Clerk in advance of the public hearing. The Chair may also grant the applicant additional time at the meeting. The Commission may ask the applicant team questions regarding the application and presentation.

4. *Public Testimony* – Members of the public and other parties interested in addressing the Commission may do so. A representative, speaking on behalf of an organization, including but not limited to a civic association, homeowners association, chamber of commerce, or governmental entity, is typically given five minutes to testify, while individuals and business entities are typically given three minutes. Only one person will be allowed five minutes to speak as a representative of a given organization. Speakers may cede speaking time to another speaker at the discretion of the Chair.
5. *Deliberation* – After the close of testimony, the Commission engages in discussion among its members. At this time, Commissioners may also ask questions of the applicant, interested parties, or City staff that are pertinent to the deliberation.
6. *Vote* – The Commission will conclude a public hearing with a vote on the application. At the discretion of the Chair and before a final vote, the Commission may take straw votes on certain issues. Straw votes are unofficial, and the Chair should announce them as such.

D. Evidence

A public hearing conducted under this Chapter need not conform to the rules of evidence or procedure governing judicial proceedings. The Commission may consider relevant evidence, which, based on its experience and expertise, has probative value and assists in reaching a decision. Hearsay evidence, if relevant, may be accepted. In reaching a decision, the Commission may also rely on the knowledge, experience, and observation of its members and facts in common knowledge.

E. Testimony Under Oath

Any person providing testimony to the Commission must provide his or her name and address or organizational affiliation for the record and swear or affirm that he or she is testifying truthfully. The Chair or the Clerk may administer the oath or affirmation, or a person may take the oath or affirmation in writing as part of the process of signing up to testify or submitting written testimony.

F. Cross Examination

The Chair, upon request, must permit any party of record, as defined in the Zoning Ordinance, (a “**Party of Record**”) to cross-examine a witness at the conclusion of that witness’ testimony. The questions on cross-examination must (a) be brief, (b) pertain only to the witness’ testimony, (c) be interrogatory and not argumentative, and (d) not be preceded by statement. The Chair may place additional terms and conditions on cross-examination to

ensure the orderly administration of the hearing and may reject any question as out of order or objectionable.

G. Decision

The Commission may approve or deny an application or other quasi-judicial matter over which it has final administrative authority. Failure to receive a majority vote for approval constitutes denial; failure to receive a majority vote for denial does not, however, constitute approval. An approved application may be subject to conditions the Commission deems necessary, pursuant to applicable law. Any member of the Commission who was absent during any portion of the public hearing or who was appointed after the hearing commenced may only vote if the member certifies on the record of the proceedings that the member reviewed the submitted evidence and listened to or watched a recording of the portion of the hearing for which the member was not present.

H. Notice of Decision

The Commission must provide written notice of an approval or denial of an application or other quasi-judicial matter as provided by law.

I. Recommendation

On those items which the Commission acts in an advisory capacity to another decision-making body, the Commission's recommendation will be sent to the appropriate decision-making body in the form of a memo from the Commission. The memo will report the vote of the Commission, any conditions the Commission would recommend for the approval of the application, and any discussion that the Commission deems important to explain the application or the vote. After the Commission votes on a recommendation at a public meeting, the Clerk will draft the memo, which must be signed by the Chair before transmittal to the appropriate decision-making body. At the request of any Commissioner, a draft memo must be brought back to the Commission at a public meeting for its approval before it is transmitted.

J. Withdrawal

An applicant may withdraw an application over which the Commission has final authority at any time before the Commission takes a final vote on the application.

K. Postponement and Continuance

1. *Postponement* – Before the start of a public hearing, the Chair may postpone the public hearing on any matter covered by these Rules at the Chair's discretion or at the request of any other Commissioner, City Staff, an applicant, or an interested party, unless the hearing may not be postponed by law.

2. *Continuance* – At any time after convening a public hearing, the Commission may vote to recess the hearing and continue it to another date, place, and time, unless the Commission is required by law to take immediate action on the item. Any Commissioner may move to continue a hearing on the Commissioner’s own initiative or upon the request of the City staff, the applicant, or any other interested person. If the date, time, and place of a continued hearing is announced on the record, no further notice is required.
3. *Public Notice of a Continued Hearing* – If the date, time and place of a continued hearing is not announced on the record at the public hearing when the continuance is granted, notice of the date, time and place of the rescheduled hearing must be provided in the same manner as the original notice of hearing was provided.

L. Public Ethics and *Ex Parte* Communications

1. *Public Ethics* – Commissioners must comply with Chapter 16 of the Rockville City Code, regarding public ethics.
2. *Ex Parte Communications* – Commissioners must not engage in *ex parte* communications with any person on any matter subject to quasi-judicial review that is pending before the Commission. If a Commissioner receives unsolicited communications about a pending matter outside of a public hearing, the member must disclose and describe the communications to the rest of the Commission at the earliest opportunity during the Commission’s proceedings on the matter. This subsection does not apply to a Commissioner’s communications with any member of City staff, the City’s legal counsel, or another Commissioner, subject to the requirements of the Maryland Open Meetings Act.

M. On-Site Inspection

Commissioners are encouraged to visit the sites of applications that are on the agenda. Applicants should facilitate access to the degree possible; however, Commissions must avoid any *ex parte* communications with the applicant or any other party regarding the pending application.

N. Reconsideration

1. *Petition to Reconsider* – A Party of Record may file a petition to reconsider a final administrative decision of the Commission with the Clerk no later than seven days after the date the original decision was issued in writing by the Clerk. Upon receipt, the Clerk must promptly transmit the petition to the Commission.
2. *Form of Petition* – A petition must be made in writing and must state fully all grounds for reconsideration including mistake of fact or law, inadvertence, surprise, fraud, or other good cause. The filing of a request to reconsider does not toll the period for seeking judicial review of the Planning Commission’s decision allowed under the Maryland Rules.

3. *Notice of Petition* – The party submitting a petition for reconsideration (the “**Petitioner**”) must also give written notice of the petition to all other parties of record in the matter on the same day it files the petition with the Clerk. Within five days of filing the petition with the Clerk, the Petitioner must submit to the Clerk a copy of the notice and a certification that the notice was provided to all Parties of Record.
4. *Response from Party of Record* – A Party of Record who has received notice of a petition for reconsideration may file a written response with the Clerk within seven days of the date of the notice provided by the Petitioner. Upon receipt, the Clerk must promptly transmit each response to the Commission.
5. *Consideration of Petition* – The Chair must schedule a petition for reconsideration for the Commission’s consideration as soon as practicable after the petition for reconsideration is filed. The Commission’s consideration of a petition for reconsideration: (a) does not require notice to the public or Parties of Record other than by publication as part of the Commission’s agenda; and (b) may occur without the appearance or testimony of any Parties of Record. The Commission may, however, question City staff or any Party of Record present to clarify points raised in the petition.
6. *Motion to Reconsider* – Any Commissioner in the majority of a decision subject to a petition for reconsideration may move to reconsider the decision based on the petition. Any Commissioner in the majority of a decision may also move to reconsider a decision without a petition for reconsideration, provided that such motion states the grounds for reconsideration and is made no later than the Commission’s next meeting following the date when the original decision was issued in writing by the Clerk. In considering a motion to reconsider, no public hearing is required. The Commission may grant a motion for reconsideration if it finds mistake of fact or law, inadvertence, surprise, fraud, or other good cause, and must state its reasons for such approval on the record. A motion to reconsider a decision passes if it receives the vote of a majority of the Commissioners present and voting and each Commissioner voting on the motion participated in the decision to be reconsidered or certifies on the record that they have read or reviewed the record of the proceeding.
7. *Notice of Public Hearing on Matters Reconsidered* – If the Commission approves a motion to reconsider a decision, the Chair must promptly schedule a public hearing on the matters to be reconsidered. At least fifteen days before the hearing, the Clerk must notify all Parties of Record of: (a) the Commission’s decision to reconsider its decision; (b) the date of the hearing; and (c) a reasonable summary of the reasons for reconsideration.
8. *Effect of Reconsideration* – The Commission’s approval of a motion to reconsider a decision voids the original decision. If no Commissioner moves to reconsider a decision subject to a petition for reconsideration, or if the Commission denies a motion to reconsider, the original decision remains in full force and effect.

9. *Hearing on Matters Reconsidered* – If the Commission approves a motion to reconsider, it must conduct a hearing on the matters reconsidered. The scope of the hearing must be limited to the reason the Commission cited for reconsideration of the decision and any other issues that the Commission deems to be relevant.
10. *Effect of the Commission's Decision After Hearing* – If after a hearing, the Commission determines that it will not change its original decision, the Clerk must reissue the original decision. If after a hearing, the Commission determines that it will change the original decision, the original decision must be revised based on such change and reissued. In either case, the appeal period shall run from the date of the reissuance.

O. Judicial Review

Unless another method of review is provided for by law, any Party of Record aggrieved by a final administrative decision of the Commission may seek judicial review of the decision with the Circuit Court of Montgomery County pursuant to Title 7, Chapter 200 of the Maryland Rules.

CHAPTER III: MISCELLANEOUS

A. Amending the Rules of Procedure

These Rules may be amended at any meeting of the Commission by the affirmative vote of at least four Commissioners, provided that notice of the proposed amendment is given to each member in writing at least two weeks before said meeting.

B. Time

In computing any period of time under these Rules, the day on which that period of time begins is not included.

C. Rules Not Jurisdictional

These Rules do not constitute jurisdictional requirements and do not confer rights or impose obligations not otherwise conferred or imposed by law. Failure of the Commission, its staff, or any party to comply with any provision of these Rules shall not invalidate any otherwise valid decision or action of the Commission.

D. Severability

The provisions of these Rules are severable, and if any court of competent jurisdiction holds any of their provisions invalid, the decision of such court shall not affect or impair any of the remaining provisions.

E. Conflict

Whenever any conflict occurs between these Rules, the Annotated Code of Maryland and the Rockville City Code, the Annotated Code of Maryland and the Rockville City Code shall prevail.

F. Effective Date

These Rules shall be effective after adoption by a majority of the full Commission and filing with the City Clerk and the Secretary of Planning for the State of Maryland.

Adopted June 1, 1988

Section III Amended September 26, 1990

Amended March 1997

Amended February 24, 2010

Amended July 14, 2010

Amended April 13, 2011

Amended July 27, 2011

Amended March 20, 2013

Amended May 9, 2018

Amended [date]