

Resolution No. 15-25

RESOLUTION: To approve, with conditions,
Project Plan Application
PJT2025-00020

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

WHEREAS, on January 25, 2025, Comstock 33 Monroe, LC (the **“Applicant”**) filed Project Plan Amendment Application PJT2025-00020 (the **“Project Plan Application”** or **“Application”**), pursuant to Section 25.14.07.e.2 and Section 25.07.07 of the Zoning Ordinance, proposing an Amendment to the Rockville Center Inc. Planned Development (the **“PD”**) to permit the conversion of 13,011 square feet of previously approved street-level retail into 13 residential units (the **“Project”**) at the property located at 198 East Montgomery Avenue (the **“Property”**); and

WHEREAS, pursuant to Sections 25.07.03 and 25.07.07 of the Zoning Ordinance, the Applicant met all notice requirements and conducted two public area meetings; a pre-application area meeting held virtually on December 9, 2021, a post-application area meeting held virtually on February 25, 2025; and

WHEREAS, pursuant to Section 25.07.07 of the Zoning Ordinance, the Planning Commission and the Mayor and Council received briefings on the Application on April 7, 2025, and March 12, 2025, respectively; and

WHEREAS, pursuant to Section 25.07.07 of the Zoning Ordinance, the Planning Commission at its meeting on July 23, 2025, reviewed the Application, and after considering the information presented and testimony provided, voted to recommend that the Mayor and Council approve the Application, subject to certain conditions; and

WHEREAS, pursuant to Sections 25.05.03, 25.07.03 and 25.07.07 of the Zoning Ordinance, a duly noticed public hearing on the Application was held by the Mayor and Council on September 15, 2025, at which the Mayor and Council heard testimony and received evidence on the Application; and

WHEREAS, at its September 15, 2025 meeting, the Mayor and Council found and determined that approval of the Application, would promote the health, safety and welfare of the

citizens of Rockville, and the Mayor and Council made further findings set forth herein, based upon information presented and testimony provided as contained in the public record.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council approves Project Plan Application PJT2025-00020 to allow for the conversion of 13,011 square feet of previously approved street-level retail into 13 residential units on the Property, subject to the following conditions:

1. The proposed development must be designed and constructed in a manner consistent with the concept design, graphic conceptual representation, and all associated development tables included in the project plan set.
2. Notwithstanding any requirements or approvals, a future proposal to convert the 13 ground-floor residential units back to a commercial use shall not require a further amendment of the Planned Development, but may proceed to a Level 2 Site Plan application, or equivalent approval as required by the Zoning Ordinance then in effect.
3. Submission of a site plan implementing Project Plan Application PJT2025-00020 shall be submitted within one (1) year of this approval, by September 15, 2026.
4. The applicant shall comply with the conditions of DPW's Water & Sewer Authorization Approval Letter dated July 2, 2025.

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

1. Exhibit A: Project Plan dated December 26, 2024, and stamp received June 16, 2025;
2. Exhibit B: Project Plan Supplemental Documents;
3. Exhibit C: Natural Resource Inventory/Forest Stand Delineation;
4. Exhibit D: Water and Sewer Authorization Letter; and

BE IT FURTHER RESOLVED THAT, having considered the recommendations and findings of its Staff as presented at the public hearing on this Application and set forth in the Staff Reports on the Application presented to the Mayor and Council at its September 15, 2025 meeting,

which the Mayor and Council hereby adopt and incorporate by reference, except as modified herein, and upon consideration of the entire administrative record, the Mayor and Council, pursuant to Section 25.07.01.b.2 of the Zoning Ordinance, finds and determines, with the above conditions of approval, that:

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

The Applicant's proposed design seeks to produce additional housing units within the envelope of the existing building by utilizing existing ground-floor commercial space that has been vacant since 2021. The proposed conversion into 13 residential units would mostly involve interior alterations to the building and minor modifications to the building's exterior façade. These improvements will add new housing options to Town Center to assist in supporting the surrounding business district and will enhance the safety of the surrounding area by adding use and activity to the street-level of the building. The project will be required to abide by all applicable building and construction requirements to ensure public health and safety are maintained during and after the construction phase of the project. Therefore, the proposed conversion is not anticipated to adversely affect the health or safety of persons residing or working in the neighborhood of the project.

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

The project is not in conflict with the Rockville 2040 Comprehensive Plan. This project falls within Planning Area 1 of the Plan. On January 27, 2025, the Rockville Mayor and Council adopted the 2025 Rockville Town Center Master Plan as an amendment to the Comprehensive Plan, originally adopted in August 2021. Adoption of this updated plan repeals and replaces the Planning Area 1 chapter of the Plan and the 2001 Town Center Master Plan. With the exception of several specific properties, the 2025 Town Center Master Plan (TCMP) retains the existing land use policy established in the Plan for most properties in the Town Center. The 2025 Plan does not provide specific recommendations for the subject property. However, Mayor and Council finds the following compatibilities outlined in the Town Center Master Plan:

- Goal 1, Land Use: "Target appropriate areas for higher density residential developments to reach 3,000 new residential units by 2040. Provide a variety of

development types to adapt to marketplace demands and to address missing middle housing” (page 41). In response to changing market demands, the Applicant is proposing additional residential units in Town Center where additional residential density is encouraged by the TCMP.

- Action 1.1, Land Use: “There should be no requirement for ground floor retail, although street-facing, active ground floor uses, including residential or quasi-retail uses should be encouraged” (page 42). The Applicant is proposing a conversion from vacant ground floor retail space to residences as anticipated and encouraged by the TCMP.
- Housing Chapter: “The city encourages the development of a wide variety of unit types - this refers to different housing typologies (such as townhomes and multifamily apartment buildings) but also provides a mix of units within those typologies (studios, 1-bedroom units, 2-bedroom units, etc.). The city encourages unit mixes in development projects to contain the full range of unit types that the market can support of different sizes and layouts to accommodate the greatest variety of households” (page 60). The Applicant proposes 13 new residential units within the existing building that will include 1, 2 and 3-bedroom units to appeal to a variety of family sizes.
- Policy 12.1, Sustainability: “Encourage the adaptive reuse of buildings and coordinate with property owners to increase efficiency within existing buildings” (page 91). The Applicant proposes to adaptively reuse a ground-floor commercial space that has been vacant since 2021 by converting such space into 13 residential units, that will allow the property owner to more efficiently use such space within the existing building, consistent with this policy.

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

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

Schools

The property is served by the Richard Montgomery Cluster Area (Beall Elementary School, Julius West Middle School, and Richard Montgomery High School), and is located within a Infill School Impact Area. Using the corresponding Montgomery County FY2025-20230 Student Generation Rates, the proposed development will generate the following number of students:

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

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

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

Traffic and Transportation

With no changes proposed to the existing and built transportation and access infrastructure, and considering the proposed changes are resulting in fewer AM and PM vehicle trips, the approval of the proposed plan will have no impact to the existing and planned transportation infrastructure serving the site.

Access and Circulation:

1. Passenger Vehicle:

The development vehicular access will be provided to East Middle Lane to the north and East Montgomery Avenue to the south via existing service and parking driveways

on Monroe Street and Helen Heneghan Way. These roadways are classified as Business District roadways, and as such existing buffered sidewalks are provided along the site frontage on East Middle Lane, Monroe Street, Helen Heneghan Way and East Montgomery Avenue. Truck (loading and trash) access to the site will continue to be along the service driveway, with an entrance on Helen Heneghan Way and exiting onto Monroe Street. The loading area will accommodate head-in and head-out turning maneuvers without impacting the public right-of-way. The property is located within the designated Rockville Metrorail Transit Oriented Area, as defined by the CTR guidelines.

2. *Pedestrian Access:*

No changes to existing pedestrian access to existing sidewalks are proposed.

3. *Transit Access:*

The Rockville Metrorail/ MARC commuter train and Amtrack reginal train station, is located approximately 0.2 miles from the site. The WMATA Metrorail Red Line runs from the Shady Grove station in Rockville to Glenmont in Silver Spring by way of downtown Washington, DC. There are two (2) bus stops near the site, located on East Middle Lane at its intersection with Monroe Street. The bus stop serves one (1) WMATA bus route (T2) and three (3) Montgomery County Ride-On Bus routes (45, 55, 301).

Trip Generation

Using the approved trip generation rates outlined in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, the proposed changes in use will generate 28 fewer trips in the morning peak hour (18 fewer inbound & 10 fewer outbound) and 64 fewer trips in the afternoon peak hour (32 fewer inbound & 32 fewer outbound)..

Water and Sewer

In a letter dated July 2, 2025 (see “Water and Sewer Authorization Letter” attachment) the proposed development received Water and Sewer Authorization approval from the Department of Public Works (DPW) for connection to the City’s water and sanitary sewer systems. The Water and Sewer Authorization Approval Letter lists project specific conditions of approval.

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

Mayor and Council has reviewed the proposed development for compliance with the Zoning Ordinance and finds that the development proposal is consistent with the Zoning Ordinance requirements. The project complies with the applicable development standards and design regulations of the governing PD-RCI documents and the equivalent MXTD

zone. The scope of the project is focused toward interior alterations to transform the existing vacant ground-floor retail space into 13 new residential units; exterior modifications will be limited to minor façade updates to create new residential frontages. In addition to authorizing the change in uses on the site, the project also meets the corresponding parking requirements for both automobiles and bicycle vehicles for the change in use. Beyond the proposed project scope, the overall building and site will continue to comply with the requirements as established by the PD-RCI governing documents and the equivalent MXTD zone as was approved with the previous Project Plan PJT2014-00003. As previously mentioned, the 2014 Project Plan approval designated the site to provide 32% of its units as MPDUs, exceeding the 15% minimum required. Under the current proposal, the site will continue to exceed the minimum requirements and no additional MPDUs are required with the current proposal.

No changes to bicycle access are proposed, and the project will meet the bicycle parking requirements required under City Code as noted later in this report. The existing access points along the Monroe Street frontage, allow for easy access to bicycle lanes along East Middle Lane and the signed shared roadway along Monroe Street which connect the site to an existing network of bike lanes and signed shared roadways near the site and provide access to Rockville Metrorail station (Red Line). A bi-directional Shared Use Path is also planned by the city along the Monroe Street frontage as part of the Fleet Street and Monroe Street Complete Streets project.

Pedestrian elements within the right-of-way shall be fully accessible and comply with the criteria for accessible routes in the 2010 ADA Standards for Accessible Design. Where the running slope of a sidewalk exceeds 1:20, such sidewalk or portion thereof shall comply with the requirements for ramps found in §405 of the 2010 ADA Standards for Accessible Design. Conformance with other requirements, including but not limited to other zoning requirements, city codes, and the building code, will be confirmed through the site plan, permit review, or other applicable process.

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

Stormwater Management

Stormwater Management (SWM) for this project will be provided by a monetary contribution in lieu of providing water quality volume, channel protection volume and water quantity management for the minimal new and replaced impervious areas associated with retrofitting the existing building.

Forestry

Forest Conservation

The subject property is subject to an existing forest conservation plan under FTP2006-00019. That plan met the required forest conservation requirements for the entirety of the subject property. There are no anticipated changes to the existing forest conservation plan, which will remain in effect.

Significant Trees

The NRI/FSD (see “Approved NRI Plan” attachment), 2025-22-NRI, that was approved by CPDS on March 3rd, 2025, identified nineteen (19) street trees on the subject property. These trees are not proposed for removal and will be preserved throughout the project.

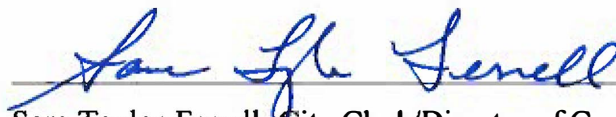
Street Trees and Lot Trees

The proposed application does not involve subdivision, and as a result the subdivision regulations are not applicable. However, street trees were previously provided in association with the development of the property and are in existence on the subject property. This was confirmed through a recent NRI/FSD.

Historic Resources

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

I HEREBY CERTIFY that the foregoing is a true and correct copy
of a Resolution adopted by the Mayor and Council at its meeting of
September 15, 2025.



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