

# DRAFT

April \_\_, 2025

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Mayor Monique Ashton and  
Councilmembers of the Rockville City Council

Chair Jaime Espinosa and  
Commissioners of the Rockville Planning Commission

111 Maryland Avenue  
Rockville, Maryland 20850

**Re: 255 Rockville Pike - Project Plan Amendment and Level 2 Site Plan Applications**

Dear Mayor Ashton and Councilmembers of the Rockville City Council and Chair Espinosa and Commissioners of the Rockville Planning Commission:

Our firm represents 255 Rockville Pike LLC (the “Applicant”), which owns 255 Rockville Pike (the “Property”) in the City of Rockville (the “City”). Applicant is requesting approval of the referenced Project Plan Amendment application to allow for: (i) a broader approval for renovation vacant office building on the Property with commercial uses and (ii) as an alternative to new commercial uses in the existing building, the phased residential redevelopment of the Property with a maximum of approximately 550 multifamily units in one or more new buildings, including adaptive reuse of the existing parking structure. Both redevelopment options are discussed in detail below. Conceptual approval of commercial and residential uses on the Property as requested in the Project Plan Amendment will allow the Applicant to quickly respond to market conditions and thereby facilitate the transformation of the Property’s vacant office building into an assets for the Town Center.

The Applicant is also submitting, for concurrent review with the Project Plan Amendment, a Level 2 site plan application for the first phase of residential redevelopment with approximately 285 multifamily units (the “Site Plan,” and collectively with the Project Plan Amendments, the “Applications”).

As discussed in greater detail below, the Applications comply with the relevant provisions of Chapter 25 of the City Code (the “Zoning Ordinance”).

## **Background**

### The Property

The Property is generally bounded by E. Middle Lane to the north, Rockville Pike (Maryland Route 355) to the east, Truck Street to the south, and Monroe Street to the west. The Property is addressed 255 Rockville Pike and is more specifically known as Parcel 2-F, Rockville Town Center subdivision as shown on a plat of resubdivision recorded among the Land Records for Montgomery County as Plat No. 19531 on October 18, 1994. According to publicly available information from the Maryland State Department of Assessments and Taxation, the Property has a property land area of 109,107 square feet (2.50474 acres) and is improved with a 144,609 square-foot office building. The City’s zoning map depicts the Property as classified in the PD-RCI (Planned Development-Rockville Center, Inc.) zone. The recommended equivalent zone for PD-RCI is Mixed Use Transit District (MXTD). The Property is subject to the recommendations of

the 2025 Rockville Town Center Master Plan Update approved in January, 2025 (the “2025 Town Center Plan”).

The Property is located within the core of Rockville Town Center and along the Rockville Pike commercial corridor. It is convenient to a wide array of uses, including residences, offices, retail, restaurants, public facilities, and Rockville Town Square. The Project has a direct connection to the Rockville Metrorail/MARC/Amtrak station via the Rockville Pike pedestrian bridge. This includes what is commonly known as Promenade Park, a portion of which is located on the Property (and therefore privately owned by Applicant) where public access is provided by easement. The balance of Promenade Park is controlled by the City as part of the right-of-way dedication for Truck Street. The Rockville transit station offers heavy rail service between Shady Grove and Glenmont (Metrorail Red Line), Washington, DC and Martinsburg, WV/Frederick, MD (Brunswick Line), and Washington, DC and Chicago, IL (Capitol Limited), as well as bus service on several Metrobus lines (Routes T2, Q1, Q2, Q4, Q5, and Q6) and RideOn lines (Routes 45, 46, 47, 48, 49, 52, 54, 55, 56, 59, 63, 81, 101, 301 and FLEX). The Property also has direct access to Rockville Pike, which serves as the prominent commercial corridor between Bethesda and Gaithersburg.

An aerial image of the Property outlined in red from MC Atlas is shown below:



The Property is the last remaining vestige of the Rockville Mall, which was constructed in the early 1970s as part of a federally supported urban renewal program that closed within a decade of opening. The Property was thereafter redeveloped in the 1980s as the Commons at Courthouse Square and then Rockville Metro Center. A significant portion of the Rockville Mall structure

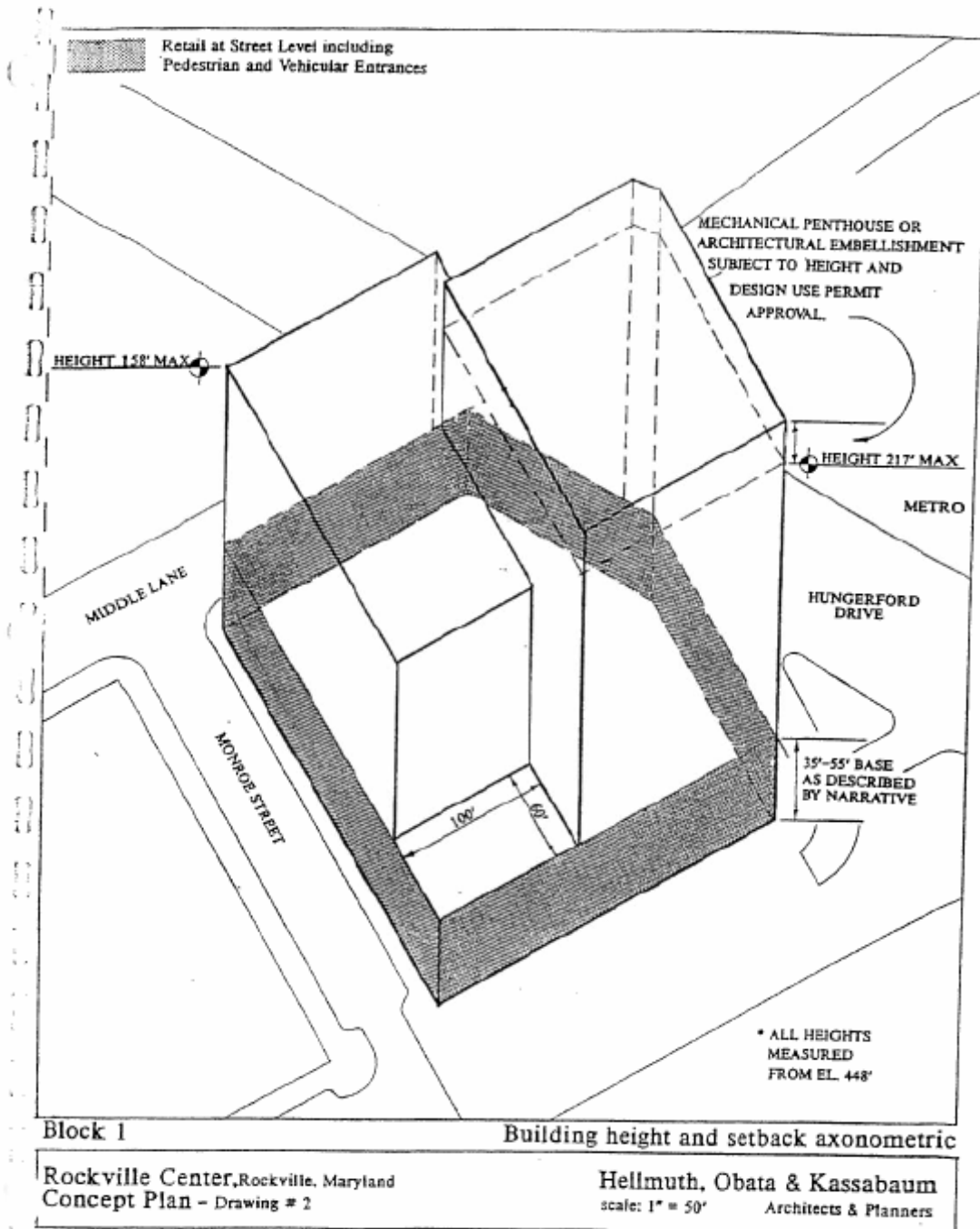
was demolished by 1996 and redeveloped with the Rockville Center, Inc. (RCI) project starting in the late 1990s and with the Rockville Town Square project in 2007. The Property's improvements, however, remained and were used by Montgomery County government as office space. Montgomery County eventually relocated these offices to other locations and the Property has been vacant since 2021. Applicant purchased the Property at auction in 2024.

#### Prior Development Approvals

As the Property is zoned in one of the City's planned development zones, it is regulated by certain governing documents with specific terms for how development will proceed. § 25.14.07.d.1 of the Zoning Ordinance. Specifically, the Property's PD-RCI zoning is regulated in accordance with the amended preliminary development plan approved by the Mayor and Council by Resolution No. 10-05 on May 2, 2005 (the "2005 Resolution"). The 2005 Resolution constitutes an approved amendment to Preliminary Development Plan PDP94-0001 (the "PDP"). The PDP, as initially approved, permitted redeveloping the Property (identified therein as Parcel 2-F) as one of five blocks in the Rockville Town Center subdivision (identified therein as Block 1) with a mixed-use structure containing 493,825 square feet of office and retail and a maximum building height of 217 feet:

Resolution No. 10-05

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A subsequent 1996 PDP amendment (PDP94-0001A) shifted land uses and densities among the five blocks, with the density of Block 1 reduced to a total of 430,961 square feet:

BLOCK	LAND USES	GROSS FLOOR AREA
1	Office	403,461 SF
	Retail	<u>27,500</u> SF
	Subtotal	430,961 SF

A March 7, 2001 amendment to the PDP (PDP94-001C) reduced the approved amount of office uses to permit 9,200 square feet of restaurant uses while maintaining the overall amount density:

BLOCK	LAND USES	GROSS FLOOR AREA (PREVIOUSLY APPROVED)	APPROVED GROSS FLOOR AREA
1	Office	403,461 SF	394,261 SF
	Retail	27,500 SF	27,500 SF
	Retail (Restaurant)		9,200 SF
	Subtotal	430,961 SF	430,961 SF
2	Office	430,961 SF	

These uses and densities for Block 1 were then reaffirmed in the 2005 Resolution:

Block	Land Uses	Prior Approved Gross Floor Area	Approved Gross Floor Area/DU
1	Office	394,261 SF	394,261 SF
2-F	Retail / Restaurant	36,700 SF	36,700 SF
	Subtotal	430,961 SF	430,961 SF

The City thereafter approved an amendment to the PDP on December 8, 2014 by adopting a Resolution No. 21-14 for granting a project plan amendment (the “2014 Resolution”), which once again affirmed the uses and densities for Block 1:

Block	Land Uses	Approved Gross Floor Area/DU
1	Office	394,261 SF
2-F	Retail / Restaurant	36,700 SF
	Subtotal	430,961 SF

City staff have confirmed the PDP has not been amended since the approval of the 2014 Resolution.

### **The Applications**

The Project Plan Amendment seeks to amend the PDP to allow two alternate development scenarios described below.

#### **Commercial Redevelopment of the Existing Building**

Since acquiring the Property, the Applicant has been approached by multiple parties seeking to renovate the interior of the existing building (which is approximately 150,000 square feet of floor area) to accommodate a variety of commercial uses including a grocery store with a food hall, large format retailers and an auto dealership (without service). In this regard, the building’s large parking garage, high visibility along Rockville Pike, and direct access to Metro



make it a very appealing location for certain types of commercial tenants. These parties have shown interest in a portion or all of the building for these uses and have proposed a range of options for exterior improvements.

However, as noted above, the PDP governing documents currently permit the Property's redevelopment with 394,261 square feet of office uses and 36,700 square feet of retail/restaurant uses (for a combined total of 430,961 square feet). In this regard, there is not sufficient flexibility in the existing approvals to allow the Applicant to quickly respond to market conditions and accommodate the needs of prospective tenants. In particular, the current approvals do not allow the entire area of the existing building renovation for retail and/or restaurant uses.

**Accordingly, the Project Plan Amendment requests that the entire area of the existing building (approximately 145,000 square feet) be approved for commercial uses, including, but not limited to, auto sales (without service), grocery, retail, and restaurant.** For example, if the Project Plan Amendment is approved as submitted, the Applicant could locate up to approximately 145,000 square feet of retail/restaurant uses in the existing building.

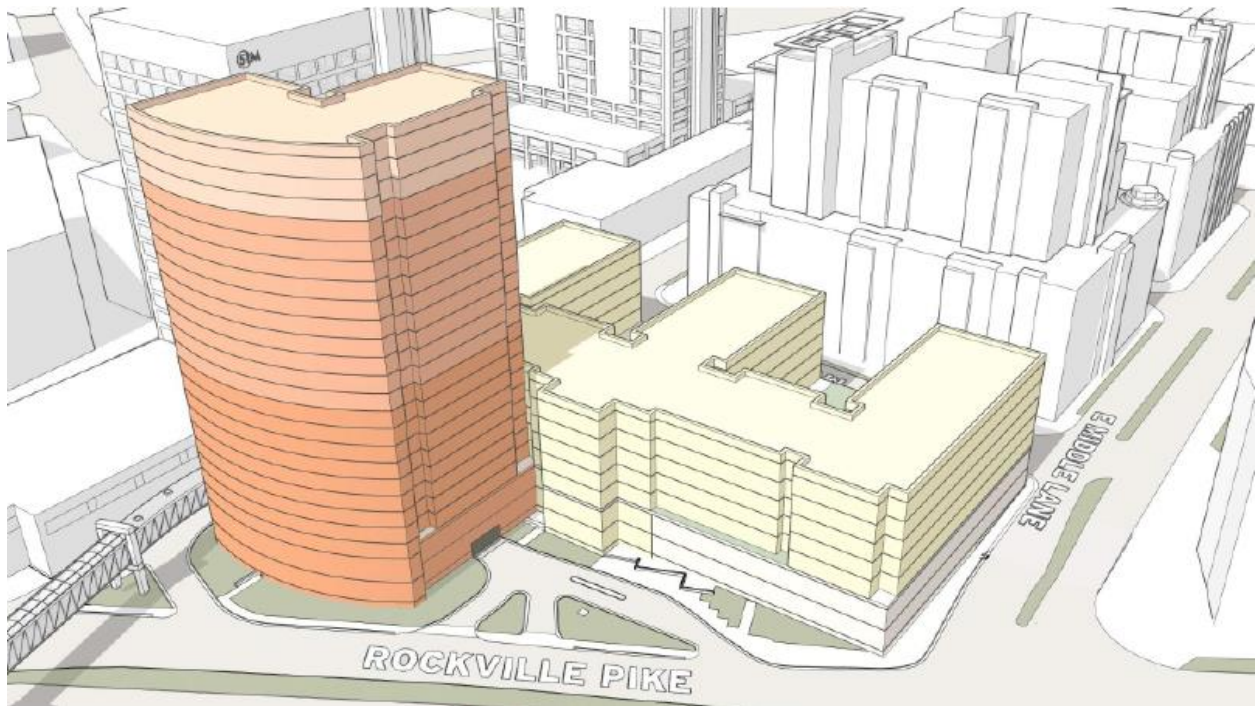
If the Applicant proceeds with renovation of the existing building for new commercial uses, the required development and permit approval process will be determined by the scope of the renovations and the nature of the proposed use.

Phased Multifamily Redevelopment Including Adaptive Reuse of a Portion of the Existing Building and New Construction

As an alternative to commercial redevelopment, the Project Plan Amendment also requests approval of the phased redevelopment of the Property with entirely residential uses. Multi-family development is permitted in the PDP and the MXTD Zone, which is the equivalent zone under the PD-RCI. However, a Project Plan Amendment is necessary because the PDP shows the use of the Property as office/retail/restaurant as noted above.

If the Applicant proceeds with this phased residential redevelopment option (and subject to Site Plan approval discussed below), the initial phase is expected to contain approximately 300 multifamily units in an apartment building approximately 83 feet in height with adaptive reuse of the Property's existing structured parking facilities ("Residential Phase 1"). A potential second phase of residential redevelopment would replace a portion of the first phase apartment building with a new apartment tower for a net increase of approximately 250 multifamily units, for a total redevelopment of approximately 550 dwelling units ("Residential Phase 2," and collectively with Residential Phase 1, the "Residential Project"). The maximum building height of the Residential Project's potential second phase will be a minimum of 217 feet as currently permitted under the PDP and the 2014 Resolution, with potential height increases allowed by the final adopted version of the future Rockville Town Center Master Plan and implementing sectional map/zoning text

amendments.<sup>1</sup> The Property's redevelopment with both the initial phase (shown in yellow) and the potential second phase (shown in peach) is illustrated in the following image:



The procedure for amending the PDP's governing documents to accommodate the Residential Project requires filing the Project Plan Amendment. § 25.14.07.e.2 of the Zoning Ordinance.

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<sup>1</sup> The 2025 Town Center Plan recommends building heights of 235 feet in the Corridor Character Area (which includes the Property), with a bonus height program that permits 100 additional feet of height for providing 5% additional affordable housing and an additional 15 feet for providing an additional 5% open space/public use space with climate resilience features (for a combined total bonus height of 50 feet, thereby permitting a maximum building height of 250 feet in the Town Center core). This bonus height program would be implemented through the adoption of sectional map/zoning text amendments subsequent to the approval of the Town Center Master Plan.

The Site Plan comprises Residential Phase 1 anticipated in the Project Plan Amendment. As noted above, Residential Phase 1 involves demolishing the office levels in the Property's existing commercial structure, modifying columns, footings, and the podium slab to permit the adaptive reuse of the Property's existing structure parking facilities, and constructing a new apartment building with a maximum height of 83 feet. As shown in the materials shown in the Site Plan application, the Residential Project's Residential Phase 1 apartment building will include a prominent lobby entrance from Rockville Pike, offer ground floor dwelling units with direct pedestrian access to and from Monroe Street, integrate new enhanced public spaces (including the portion of Promenade Park on the Property), and contain private amenities for tenant use. The Site Plan also proposes Residential Phase 1 will maintain the three existing access points from Rockville Pike to permit safe and efficient circulation for a variety of users (tenants, visitors, package/food deliveries). (The Applicant is in discussion with the County Department of Transportation and City Public Works staff to possibly accommodate a stormwater management facility on the Property's Rockville Pike frontage needed for the County's proposed Bus Rapid Transit stations along the Pike. Included in the Application is an alternate plan for the entrance driveways that close one existing curb cut to allow for a stormwater management facility. The County would be responsible for implementing this alternate design, including obtaining any necessary approvals from the City.) The preliminary building elevations and floor plans included with the Site Plan illustrate Residential Phase 1 will serve as an attractive and engaging gateway to Town Center along Rockville Pike, encourage pedestrian connections between Town Center and the Rockville transit station, convey a modern architectural style harmonious with the BLVD

Ansel apartment building across Monroe Street, and include a wide range of apartment homes (junior one-bedroom units, one-bedroom units, one-bedroom units with a den, two-bedroom units, and three-bedroom units).

The Residential Project's potential Residential Phase 2 included in the Project Plan Amendment will be the subject of a future Level 2 site plan application for review and approval by the Planning Commission. As part of such Site Plan, additional details about the building architecture and design will be provided, and compliance with applicable development standards and requirements will be demonstrated as part of the review of such Site Plan application.

### **Required Findings**

The Zoning Ordinance contains the findings the Mayor and Council and Planning Commission must make prior to approving the Applications. §§ 25.07.01.b.2 & 25.07.01.a.3(a) of the Zoning Ordinance. The following section demonstrates how the Applications comply with these required findings.

#### Project Plan Amendment

- 1. The Project Plan Amendment will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed project;*

Either of the redevelopment options proposed in the Project Plan Amendment will enhance the health and safety of those persons residing or working in the neighborhood of the proposed Residential Project. By expanding the uses allowed in the Property, the Project Plan Amendment

will facilitate the reuse (if commercial redevelopment is pursued) or replacement (if residential redevelopment is pursued) of an outmoded, vacant, and prominently visible structure. Both redevelopment options will provide new patrons for Town Center businesses and take advantage of the Property's location by offering convenient access to robust public transportation facilities, such as Metrorail, Metrobus, RideOn, and MARC. Redevelopment of the Property, either with new commercial uses in the existing building or residential development, will also significantly enhance the existing built environment with improved public spaces, including the portion of Promenade Park on the Property. The redevelopment will also revitalize the public realm around the Property with uses (store fronts or residential units) along Monroe Street that activate the street. Additionally, the Project Plan aims to facilitate connections between the core of Town Center and the Rockville transit station.

*2. The Project Plan Amendment will not be in conflict with the Plan;*

The Project Plan Amendment is also consistent with the recommendations for the Rockville Town Center planning area from the City's Comprehensive Plan Rockville 2040 (the "Comprehensive Plan"). The Residential Project is consistent with the Comprehensive Plan's recognition that once Montgomery County relocates their offices and the building and its parking garage becomes vacant (as has since come to pass), "it may be considered for major redevelopment." Comprehensive Plan, pg. 258. The Residential Project, if pursued, will "[i]ncrease the number of residents and housing density in Town Center, to provide additional housing options for residents across the full range of income levels and to provide additional

demand for the commercial uses in this mixed-use environment.” *Id.* at 263. The Residential Project’s improvements to the existing public realm and expanded open spaces within the Property’s boundaries will also advance the recommendation of the Comprehensive Plan to “[r]edesign Promenade Park as a pleasant and inspiring public space and connection between the Town Center core and an expanded pedestrian bridge to the Rockville Transit Station.” *Id.* at 260.

Additionally, either redevelopment option, combined with the Property’s location within the core of Town Center and along the Rockville Pike corridor, are harmonious with the Comprehensive Plan’s Land Use Policy Map designation of OCRM (Office, Commercial and Residential Mix), which is described as “the most flexible category, allowing a wide choice in mixing office, commercial, and residential uses,” will strengthen the horizontal mix of uses in the surrounding area. *Id.* at 20, 257. Furthermore, substituting approved but unbuilt commercial uses with new residential uses will advance the housing element of the Comprehensive Plan, which “recommends continued housing development in Rockville’s urbanizing areas” given the high cost of housing in the City, as well as implement the policies of promoting diversity in housing supply to meet market demand. *Id.* at 192, 198.

The Project Plan Amendment is also in conformance with the 2025 Town Center Plan. Redevelopment of the Property under either option is consistent with the identification of the Property as a “focus area” with the ability for transformational redevelopment that serves as a catalyst for Town Center.” 2025 Town Center Plan, pg. 36. Improvements to and expansion of

open spaces will also activate the portion of Promenade Park on the Property, as well as surrounding areas. *Id.* at 34, 37, 69.

The Residential Project would also help realize the 2025 Town Center Plan’s goal of 2,000 new units in the Town Center neighborhood without any accompanying requirement for ground floor retail. *Id.* at 41-42. Adaptive reuse of the building and/or the existing structured parking promotes the 2025 Town Center Plan’s policy of “[e]ncourag[ing] and allow[ing] flexibility for the adaptive reuse or rehabilitation of commercial properties as market demand changes over time[.]” *Id.* at 88. Amending the PDP as approved in the 2014 Resolution also implements the 2025 Town Center Plan’s recommendation “to create a flexible regulatory environment that allows Town Center to thrive by enabling development and allowing the market to dictate the ‘highest and best’ land uses over the next two decades.” *Id.* at 5; *see also id.* at 41 (“Modify zoning regulations within Town Center to allow and encourage innovative and creative development and remove unnecessary regulatory barriers to redevelopment.”).

*3. The Project Plan Amendment will not overburden existing and programmed public facilities as set forth in Article 20 of this chapter and as provided in the adopted adequate public facilities standards;*

The Project Plan Amendment will also comply with the City’s Adequate Public Facilities Ordinance codified in Article 20 of the Zoning Ordinance (the “APFO”), as well as the implementing Adequate Public Facilities Standards (“APFS”). With respect to transportation, replacing the Property’s existing approximately 145,000 square feet of office uses with 550



proposed multifamily units will result in a net reduction in AM and PM peak hour vehicle trips. The Project Plan Amendment includes a transportation report that offers an examination of existing conditions and a site access and circulation analysis in accordance with the City's Comprehensive Transportation Review ("CTR"), as well as a scoping intake form detailing the trip generation, the general site access concept, and transportation features. This information demonstrates the Residential Project will be supported by adequate transportation facilities. APFS, pg. 7.

There will also be adequate projected public school capacity in five years to serve the students generated by the Residential Project, if pursued, per the APFS. Under the FY 2024-2025 Montgomery County Student Generation Rates published by the Montgomery County Planning Department, the Residential Project will generate 22 elementary school students, 9 middle school students, and 9 high school students.<sup>2</sup> The Residential Project will be served by Beall Elementary School, Julius West Middle School, and Richard Montgomery High School. The FY2025 School Utilization Report prepared by the Montgomery County Planning Department notes that in the 2029 test year (five years from now), there will be projected capacity at Beall Elementary School (66.4% utilization with excess capacity of 223 students), Julius West Middle School (98.0%

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<sup>2</sup> Specifically, these projections are based on the current infill multi-family high-rise student generation rates (0.039 ES, 0.016 MS, and 0.018 HS): 22 elementary students (0.039 x 550, rounded up to the nearest whole number), 9 middle school students (0.016 x 550, rounded up to the nearest whole number), and 9 high school students (0.018 x 550). Town Center is located within an infill area. 2025 Town Center Plan, pg. 94

The 2025 Town Center Plan also states "[a]ssuming all 2,000 target units within the planning area are multifamily, there is more than ample capacity within the existing school cluster to serve students generated by this new development." *Id.* at 95.

utilization with excess capacity of 28 students), and Richard Montgomery High School (96.3% utilization with excess capacity of 83 students), all of which is considerably less than the 120% utilization and seat deficit standards under the APFS. APFS, pg. 9. As such, the Residential Project complies with the APFS' school capacity requirements.

There are also adequate water and sewer services for the Residential Project.<sup>3</sup> The Property is located within the W-1/S-1 service categories and is currently served by public water and sewer facilities. The Applicant has included a Water and Sewer Authorization Application along with this application, which will be reviewed by DPW.

*4. The Project Plan Amendment will not constitute a violation of any provision of this Code or other applicable law;*

The Project Plan Amendment will comply with all applicable laws and regulations. The Zoning Ordinance provides that the designated equivalent zone for the Property's PD-RCI zoning is the Mixed-Use Transit District Zone (MXTD). § 25.14.29.b of the Zoning Ordinance. The MXTD Zone is appropriately "[i]ntended for use in areas near Metro stations, it allows for high-density development of retail, office, and residential uses consistent with the recommendations of the Plan." § 25.13.02 of the Zoning Ordinance. The uses proposed in the Project Plan Amendment

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<sup>3</sup> Pursuant to Section 24-12 of the City Code, water and sewer services are automatically deemed adequate for a change of use of the existing office building for other commercial uses.

(commercial, retail, restaurant, grocery, multifamily) are permitted by right in the MXTD zone and are consistent with the MXTD zone's intent. § 25.13.03 of the Zoning Ordinance.<sup>4</sup>

If the existing building is reused/renovated for commercial uses, the Applicant will process any required development plan approvals and demonstrate compliance with applicable development standards prior to issuance of any required permits. As shown on the plans submitted with the Project Plan Amendment, the Residential Project will provide a minimum open area of 15% (based on the inclusion of residential dwellings), with a minimum of 10% of the open area provided as public use space. § 25.13.05.b.1. The Residential Project will also meet the minimum 10-foot width at the front lot line and will not provide side or rear setbacks as permitted by MXTD development standards.<sup>5</sup>

With respect to building height for the Residential Project, the Project Plan Amendment proposes a maximum building height of at least 217 feet (as currently permitted by the PDP), with potentially additional height beyond the PDP limit as may permitted by the 2025 Town Center Plan and any associated sectional map/zoning text amendments. The maximum building height allowed in the MXTD zone is 120 feet, which may be increased to 150 feet by the Mayor and Council under certain conditions. §§ 25.13.05.b.1 & 25.13.05.b.2(a)(ii) of the Zoning Ordinance.

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<sup>4</sup> Under the nomenclature of the Zoning Ordinance, the Project's multifamily use is permitted by right as a "dwelling, multiple-unit" use, which includes apartment buildings. §§ 25.13.03 & 25.03.02 of the Zoning Ordinance.

<sup>5</sup> To the extent the Property abuts any land, it would be considered "non-residential" under § 25.13.05.b.1 of the Zoning Ordinance.

Thus, and to the extent required, Applicant requests a waiver of the equivalent zone standards for building height based on good cause as to why the Residential Project should be able to exceed the MXTD zone's maximum building height standard.

The Residential Project will also provide at least 15% of the total number of dwelling units as MPDUs as required pursuant to § 13.5-5(e) of the City Code.

For the Residential Project, a combined Pre-Application Stormwater Management Concept and Site Development Stormwater Management Plan is being submitted to the Department of Public Works concurrently with this application. The land disturbance associated with this application is entirely replacement of existing impervious area, the majority of which is related to improvements in the public right-of-way. The disturbed areas are spread throughout the site and frontage, with no practicable area to provide stormwater management facilities. Therefore, the Residential Project will provide a monetary contribution for the 3,190 square feet of replaced impervious area on the site in the amount of \$3,731.00. In accordance with the City SWM regulations, the Residential Project will also provide SWM for the impervious area in the contiguous public right-of-way, proportional to the amount of on-site land disturbance. This is 2,316 square feet of impervious area, generating a monetary contribution of \$3,198.00.

Finally, as required by the City's Forest and Tree Preservation Ordinance (Chapter 10.5), a Preliminary Forest Conservation Plan (PFCP) for the Residential Project is being submitted

concurrently with these applications. The PFCP reflects replacement of the existing street trees on Monroe Street, and a fee in lieu for the 0.05-acre afforestation requirement. The projected fee in lieu is \$10,890.00.

If the existing building is reused/renovated for commercial uses, the Applicant will process any required development plan approvals and demonstrate compliance with any applicable stormwater management and forest conservation requirements prior to issuance of any required permits.

The Site Plan section below demonstrates how Residential Phase 1 of the Residential Project specifically complies with additional and applicable regulatory requirements. This includes how Residential Phase 1 will comply with the design guidelines applicable to all mixed-use zones, as well as the specific design guidelines for the MXTD zone (§§ 25.13.06 & 25.13.07.a of the Zoning Ordinance), how it will provide sufficient vehicular and bicycle parking facilities (Article 16 of the Zoning Ordinance), how all public use space will be accessible for use and enjoyment by the general public (§ 25.17.01 of the Zoning Ordinance), how all required landscaping and screening will be in accordance with applicable standards (§ 25.17.02 of the Zoning Ordinance), how utility equipment will be installed and placed with applicable standards (§ 25.17.03 of the Zoning Ordinance), how lighting will be provided with applicable standards (§ 25.17.04 of the Zoning Ordinance), how sidewalks will be incorporated with applicable

standards (§ 25.17.05 of the Zoning Ordinance), and how structures will comply with general regulations for shadows (§ 25.17.06.a of the Zoning Ordinance).

*5. The Project Plan Amendment will not adversely affect the natural resources or environment of the City or surrounding areas.*

The Project Plan Amendment will support the natural resources and environment of the City, as well as surrounding areas. If residential redevelopment is pursued, the Residential Project will replace an inefficient and long-vacant office building with new multifamily uses. This will serve as compact and infill development that also adaptively reuses existing building and/or structured parking facilities. The Residential Project's new apartment homes, some of which will have direct access to Monroe Street, will be located within convenient walking and rolling distance of robust public transportation services, as well as a range of jobs, retail, personal services, and community facilities. This proximity will promote transit-oriented living, encourage non-auto modes of transportation, facilitate connections between the core of Town Center and the Rockville transit station, and reduce reliance on single-occupancy vehicles. The Residential Project's new multifamily structure(s) will comply with the County's recently adopted Building Energy Performance Standards (BEPS) as applicable, in support of sustainable development strategies. New and improved open areas (both private and public) will integrate landscaped green spaces, while tree cover will be increased from existing conditions in accordance with the City's FTPO.

Site Plan for Phase 1 of the Residential Project

1. *The Site Plan will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed development;*

Phase 1 of the Residential Project will improve the health and safety of those persons residing or working in the core of Town Center. Applicant adopts and incorporates the content applicable to the Residential Project provided above for the Project Plan Amendment that supports this finding as it relates to the Site Plan. In addition, the Site Plan will thoughtfully meet the demand for housing with an anticipated unit mix (with MPDUs) that offers junior one-bedroom units, one-bedroom units, one-bedroom units with den, two-bedroom units, and three-bedroom units for a wide variety of household types. The Site Plan also maintains the Property's existing access points from Rockville Pike to accommodate safe and adequate vehicular circulation for residents, guests, and package/food deliveries, while move-ins will be appropriately handled with loading dock access from Truck Street. Residents living in ground-floor units along Monroe Street will have direct access to and from the street, thereby encouraging new street-level activity in this specific portion of Town Center. Residential Phase 1 is specifically designed to serve as a new attractive gateway to Town Center, provide additional ground level activity in Town Center's core, and encourage improved connections between Town Center and the Rockville transit station along an improved segment of Promenade Park located on the Property.

2. *The Site Plan will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood;*

The Site Plan will enhance the public welfare, as well as property or improvements in the Town Center neighborhood. Residential Phase 1 will transform an obsolete, vacant, and highly

visible office building with new residential uses along Rockville Pike, which is the City's most prominent commercial corridor. Residential Phase 1's multifamily apartments will help address the region's housing crisis and locate new homes (including affordable units) within close proximity to public transportation, employment, commercial uses, and community facilities. Residential Phase 1's new residents will enliven this area of Town Center, increase the existing sense of community, and provide needed customers for surrounding businesses, including restaurants, retail, and personal services. The Residential Project's proposed vehicular access points will accommodate safe, adequate, and efficient circulation patterns for drivers accessing the Residential Phase 1 building's parking facilities, making deliveries, and handling move-ins, while the Residential Phase 1 building's sidewalks will offer clear pathways for pedestrians, cyclists, and others.

The Residential Phase 1 building will enhance the existing built environment. The new apartment building will serve as a visually appealing landmark at a prominent entry point to Town Center. Residential Phase 1 will also improve the portion Promenade Park located within the Property, with welcoming landscaped and amenitized public spaces that will encourage walking and rolling connections between Town Center and the Rockville transit station. Private areas will be effectively incorporate for resident recreation and respite. Residential Phase 1's ground floor units along Monroe Street will have direct access to the street, thereby increasing opportunities for interaction. Residential Phase 1 will also incorporate an architectural design that is compatible



and harmonious with surrounding structures, especially the BLVD Ansel apartment building located at 33 Monroe Street across from the Property.

3. *The Site Plan will not overburden existing and programmed public facilities as set forth in Article 20 of this chapter and as provided in the adopted adequate public facilities standards;*

The Site Plan's Residential Phase 1 will be accommodated by adequate school capacity, transportation facilities, and water/sewer service. Applicant adopts and incorporates the content provided above for the Project Plan Amendment that supports this finding as it relates to the Site Plan. Additionally, Applicant notes that the Site Plan proposes approximately 300 multifamily dwelling units, which is within the maximum development envelope proposed for the Project Plan Amendment (550 multifamily dwelling units) and can be served by adequate public facilities in accordance with the City's APFO and APFS.

Specifically, sufficient projected capacity exists to accommodate the students generated by the Residential Phase 1 building (and the potential future Residential Phase 2 building) in five years' time at Beall Elementary School, Julius West Middle School, and Richard Montgomery High School.<sup>6</sup> The Residential Phase 1 building (together with the potential future Residential Phase 2 building) will result in a net reduction in AM and PM peak hour vehicular trips when compared to the Property's existing 145,000 square-foot office building. Applicant has included a Water and Sewer authorization, which will confirm that there are adequate public water and

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<sup>6</sup> The Residential Phase 1 building is expected to generate 12 elementary school students, five middle school students, and six high school students.

sewer facilities to serve the Residential Phase 1 building (as well as the potential future Residential Phase 2 building).

*4. The Site Plan will not adversely affect the natural resources or environment of the City or surrounding areas;*

The Site Plan's Residential Phase 1 will improve the natural resources or environment of the City and surrounding areas. Applicant adopts and incorporates the applicable content provided above for the Project Plan Amendment that supports this finding as it relates to the Site Plan. This includes, among other things, placing new housing near transportation facilities, jobs, retail, and community facilities, offering infill, compact, and transit-oriented development within the core of Town Center and along the Rockville Pike corridor, adaptively reusing a portion of an existing structure, building a modern apartment with state-of-the-art sustainability features, and incorporating new landscaped areas within public spaces (including the portion of Promenade Park on the Property) and private amenities for residents.

*5. The Site Plan will not be in conflict with the Plan;*

The Site Plan is entirely consistent with the recommendations of the Comprehensive Plan and the 2025 Town Center Plan. Applicant adopts and incorporates the content provided above for the Project Plan Amendment that supports this finding as it relates to Residential Phase 1. This includes, among other things, increasing housing density in Town Center, providing a variety of housing options at different ranges of affordability, recognizing the Property's redevelopment potential once the County vacated the premises, enhancing open areas accessible to the public (including the portion of Promenade Park on the Property), harnessing the Property's ability for

transformational redevelopment without requiring non-residential uses, and using flexibility in development review to respond to market conditions.

6. *The Site Plan will not constitute a violation of any provision of this chapter or other applicable law;*

Residential Phase 1 will comply with all applicable regulatory requirements from the Zoning Ordinance and the City Code. Applicant adopts and incorporates the applicable content provided above for the Project Plan Amendment that supports this finding as it relates to the Site Plan.

7. *The Site Plan will not be incompatible with the surrounding uses or properties.*

The Site Plan will be compatible with the surrounding uses and properties. The Site Plan's proposed residential use is consistent with nearby uses, including the recently constructed BLVD Ansel apartment buildings (confronting the Property at 33 Monroe Street). Phase I will strengthen the horizontal mix of uses within Town Center and along the Rockville Pike corridor by placing new housing near existing residences, offices, retail uses, personal services, and community facilities. The Site Plan constitutes infill, urban, and transit-oriented development, which is appropriate for the core of Town Center and along the Rockville Pike corridor. The Site Plan will also have a direct connection to the Rockville transit station, including Metrorail, Metrobus, RideOn, MARC, and Amtrak service), to promote alternatives to automobiles. Enhanced public spaces (including the portion of Promenade Park on the Property) and ground floor units with direct access to Monroe Street will support street-level activity and promote connections with surrounding uses, properties, and facilities. The Residential Phase 1 apartment building will also

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convey a modern architectural style that will serve as a new landmark gateway at a prominent entry point to Town Center.

## **Conclusion**

By transforming the Property's existing commercial structure with new infill, compact, and transit-oriented uses and enhanced public open spaces, the Applications will advance recommendations of the Comprehensive Plan, the recommendations of the 2025 Town Center Plan, and comply with the relevant requirements of the City Code.

Applicant looks forward to working with you and City staff during development review on this exciting development.

Sincerely,

**MILES & STOCKBRIDGE P.C.**

Scott C. Wallace

cc: Bob Elliott, 255 Rockville Pike LLC  
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