

## **LAND USE REPORT**

### **Paramount Self Storage 15750 Paramount Road, Rockville, MD Local Map Amendment and Conditional Use**

This Land Use Report is submitted by Paramount Self Storage LLC (the "Applicant") in connection with its request pursuant to Sections 7.2.1 and 7.3.1 of the Montgomery County Zoning Ordinance (the "Zoning Ordinance") for approval of a Local Map Amendment and Conditional Use to redevelop the existing, vehicular-oriented self-storage use on the property, located at 15750 Paramount Road in Rockville, Maryland (the "Property"), with a modern self-storage facility with potential ancillary ground floor retail use.

As discussed in greater detail below, the Property is currently improved with a dated, vehicular-oriented self-storage facility that was constructed circa 1974. Since its development in the 1970s, the Property has been re-zoned from an industrial zone, to the current Commercial/Residential ("CR") CR-2.0, C-0.5, R-1.5, H-120' zone.<sup>1</sup> The CR Zone does not permit expansion or redevelopment of the existing facility (beyond what exists today). However, the Applicant wishes to reinvest in the existing Property by redeveloping the existing self-storage use (which will remain) through new construction of a high-quality, modern self-storage development that will continue to meet the needs of the surrounding community, while also advancing the County's urban design objectives (the "Project"). As such, the Applicant is seeking a Local Map Amendment to rezone the Property to Commercial/Residential Town Floating zone ("CRTF") and to secure Conditional Use approval to accommodate the proposed Project.

Subsequent to approval of the Local Map Amendment and Conditional Use applications, the Applicant will seek Sketch Plan and Site Plan approval from the Montgomery County Planning Board for the Optional Method of Development Project. The Project, which is described in more detail below, will significantly improve the existing conditions of the Property. The proposed redevelopment of the existing self-storage use will provide needed, additional self-storage space to support the surrounding community, especially given the lasting demands placed on one's personal residence as a result of the recent increase in work-from-home opportunities. In addition to meeting additional storage demands for the surrounding residential and business community, the Project represents the first redevelopment in the Metro South neighborhood since the Sector Plan was adopted in 2006 and will serve as a catalyst for redevelopment in the surrounding area. Toward this end, the Project has been strategically designed to provide for flexibility in Phase Two, both through the location of the Phase Two building, at the corner of the intersection, and incorporation of flexible ground floor space. This flexibility will allow the Applicant to respond to then current market demands, should other nearby properties redevelop in the interim. As demonstrated herein, the Project will satisfy all applicable standards of the Zoning Ordinance and

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<sup>1</sup> The Property was rezoned from I-1, Light Industrial to the Transit Oriented Mixed-Use (TOMX-2) zone in connection with the 2006 *Approved and Adopted Shady Grove Sector Plan*. The Property was subsequently re-zoned to the CRT 1.5, C-0.5, R-1.25, H-90'T Zone in connection with the 2014 District-wide Map Amendment No. G-956. Most recently, in connection with the *Approved and Adopted 2021 Shady Grove Sector Plan Minor Master Plan Amendment*, the Property was rezoned to the CR-2.0, C-0.5, R-1.5, H-120' Zone.

substantially conform to the goals and recommendations of the *2021 Approved and Adopted Shady Grove Sector Plan Minor Master Plan Amendment*.

## **I. Property Description**

### **A. Site Location and Existing Conditions**

The Property is located in the southwest quadrant of the intersection of Somerville Drive and Paramount Drive in Rockville, Maryland. The Property is more particularly known as Parcel H-2 in the "Derwood, Somerville Addition" subdivision, as recorded among the Montgomery County Land Records ("Land Records") at Plat No. 10829 and is comprised of approximately 91,476 square feet (or approximately 2.1 acres) of land area. The Property is an irregular shaped corner lot that has an angled boundary along Paramount Drive which, in part, dictates the building placement along the street.

The Property currently is improved with a series of one-story exterior accessed storage buildings, outdoor vehicular storage, and associated surface parking. According to the Maryland State Department of Assessments and Taxation ("SDAT") records, the existing buildings were developed circa 1974 and collectively, have approximately 38,097 square feet of above grade floor area. Specifically, the existing facility consists of 11 separate storage structures with interior vehicular circulation and parking. The existing structures are grandfathered under Section 7.7.1.A and may remain in their existing condition. However, these structures fail to activate and engage the street. The existing buildings completely turn their back on Somerville, with a long blank wall along this frontage. Although the building fronting on Paramount has individual access doors for the units along the street, this façade is stark and uninviting with painted red CMU and solid metal doors. There are no streetscape improvements along either of the Property's frontages and the aging, existing facility is largely impervious and does not provide any stormwater management.

Vehicular access to the Property is currently provided via two curb-cuts, with one on Paramount Drive and the other on Somerville Drive. The Applicant is proposing to maintain two existing access points, and is only proposing to shift the curb cut on Paramount Drive slightly to align with the existing access on the opposite side of the street and provide additional spacing with the driveway to the south.

As discussed further below, the Applicant is proposing to raze the existing structures on-site to improve the Property with modern self-storage facility. The proposed self-storage buildings will feature high-quality building materials, fenestration, and architectural elements to foster visual interest along both street frontages. The Applicant also proposes new landscaping and pedestrian connections to further activate the streetscape and improve the pedestrian environment at this corner location. These improvements will transform the existing self-storage use and be the first reinvestment in the Metro South Neighborhood since the Shady Grove Sector Plan was approved almost 20 years ago. As such, the Applicant believes that the proposed Project will serve as a catalyst for other nearby redevelopment.

## **B. Zoning and Permitted Uses**

As shown on the certified zoning map, submitted concurrently with this Report, the Property is currently zoned CR-2.0, C-0.5, R-1.5, H-120'. Pursuant to Section 59.3.1.6 of the Zoning Ordinance, self-storage is a limited use in the CR Zone, which restricts new self-storage uses to the basement or cellar of a mixed-use building. Thus, the Applicant is seeking approval of a Local Map Amendment to rezone the Property from CR to the CRTF Zone. Sections 59.3.1.6 and 59.5.3.3.A.2 of the Zoning Ordinance permit Self-Storage as a Conditional Use in the CRTF zone, subject to the use standards contained in Section 59.3.6.8.D of the Zoning Ordinance. Retail/Service Establishments (5,001-15,000 sf) is a permitted use in the CRTF Zone.

## **C. Surrounding Zoning and Land Uses**

The Property is surrounded generally by a mix of commercial, light industrial and auto-centric industrial uses. The Property's immediate surroundings are more specifically described as follows:

- North: Confronting the Property to the north, across Somerville Drive, is an approximately 4.86 acre property that is currently utilized as an auto towing and recovery facility, zoned CR-2.5, C-0.5, R-1.75, H-120. Paramount Drive terminates at the rail tracks one block to the north of the Property.
- South: Several auto-centric commercial uses are located directly to the south of the Property, including multiple fast-food restaurants with drive-thrus and fast casual restaurants. The properties to the south are zoned CR-2.0, C-0.5, R-1.5, H-120'.
- East: Confronting the Property to the east, across Paramount Drive, are several commercial uses—including auto service centers and car dealerships—surrounded by expanses of surface parking. The Toyota service center that lines the majority of the confronting Paramount Drive frontage is located within the Rockville Municipal boundaries. The Nissan dealership just beyond, with access to Paramount Drive, is zoned IM-2.5, H-50'. Closer to the intersection of Somerville Drive and Paramount Drive are several single-story commercial buildings and a large surface parking lot, zoned CR-2.0, C-0.5, R-1.5, H-120'.
- West: Abutting the Property immediately to the west is a vacant ±1.57 acre property, farther beyond are several commercial and industrial uses, all zoned CR-2.0, C-0.5, R-1.5, H-120'.

## **II. Proposed Development**

The Applicant is proposing to re-zone the Property to the CRTF Zone, to accommodate reinvestment and redevelopment of the existing aging self-storage use with a modern facility, with the potential for ancillary neighborhood serving retail use on the ground floor. The Project will activate and enhance the Property's external street frontages both through the building design and

streetscape improvements. Notably, the Applicant's proposal represents the first redevelopment in the Metro South neighborhood of the Sector Plan since the Plan's adoption in 2006. The subject Applications proposes to implement many of the Sector Plan's priorities as it relates to activating and enhancing the streetscape; retrofitting auto-centric development; enhancing pedestrian and bicyclist mobility; and promoting sustainability through stormwater management, tree canopy and energy generation. The proposed Project will provide additional, needed self-storage space, in a modern, secure facility, to serve the surrounding community and support future development in the area. The Applicant is hopeful that these improvements and overall redevelopment of the Property will catalyze redevelopment in the surrounding neighborhood.

Specifically, the Applicant is proposing to comprehensively redevelop the aging, vehicular oriented, industrial looking self-storage buildings on the Property with four and six-story self-storage buildings featuring high-quality architectural elements, building materials, and improved site design. The proposed redevelopment will provide significant environmental benefits by decreasing the amount of impervious area that exists on-site today (*i.e.* approximately 76% proposed, as compared to 93% existing imperviousness); providing stormwater management, where none currently exists; and including rooftop solar photovoltaic system(s) to offset the energy consumed on-site and create an energy net zero facility. As discussed in greater detail below, the Project will significantly improve pedestrian circulation by providing streetscape improvements along both street frontages, where no sidewalks exists today, along with additional street trees to add to the overall tree canopy in the Plan area. The resulting redevelopment will transform this aging industrial site into a high-quality, modern facility with enhanced site design that will contribute to the much-anticipated revitalization of the Metro South neighborhood, in accordance with the goals and objectives of the Sector Plan.

The Project will be constructed in two phases. The first phase will include development of a four-story, modern self-storage building, totaling approximately 159,640 square feet of gross floor area ("Phase One"). The Phase One building is sited on the southern portion of the Property with frontage on Paramount Drive. The leasing office will be constructed at the ground floor of the Phase One building, with ample transparency and a direct pedestrian entrance from the street, to activate the pedestrian environment. The second phase proposes the construction of a second, six-story building, comprised of approximately 122,400 square feet ("Phase Two"). The Phase Two building will be located on the northern portion of the Property closer to the intersection of Somerville Drive and Paramount Drive, which will define and activate this corner. As discussed in greater detail below, the ground floor of the Phase Two building has been designed to provide flexible space that can be devoted to either self-storage or a retail use, if the surrounding area and market support (at Applicant's sole determination). A covered drive/loading aisle is proposed within the building to facilitate safe and efficient vehicular circulation and access to storage units in both buildings. This loading aisle conceals the majority of customer loading activity from the public. The Phase One building will extend over the central drive aisle and conceal the associated parking and loading from view. Additional parking and loading is provided at the rear of the site, with the buildings covering from above.

In the interim, the Applicant proposes to provide limited outdoor storage on the northern site area that is proposed for the Phase Two building, which will allow for the temporary storage of vehicles, accessory to the self-storage use. The limited outdoor storage will be visually screened by enhanced perimeter landscaping and will result in visual and environmental improvements, including new stormwater management to treat the interim condition (as compared to the aging existing site conditions), which will functionally and visually benefit the surrounding neighborhood. Importantly, the phasing has been strategically designed to preserve flexibility and allow the Applicant to respond to any changes in market demand that may occur between construction of Phase One and Phase Two. As noted herein, the Applicant hopes that the Project will serve as a catalyst for other nearby redevelopment. And as such, wants to preserve the flexibility to respond to any changes through the building programming and design of Phase Two.

### **A. Architecture and Site Design**

The Project provides an important opportunity to transform the existing, aging, industrial self-storage use, into a modern self-storage facility that will revitalize the Property, and catalyze redevelopment of adjacent properties in the surrounding Metro South neighborhood. As part of this redevelopment, particular attention and detail have been paid to improving the site design and the relationship of new buildings with the Somerville Drive and Paramount Drive streetscapes.

Redevelopment of the aging facility prioritizes activation of the streetscape through strategic siting of the proposed buildings and implementation of high-quality architectural elements along all facades. Specifically, the buildings have been strategically located and pulled up to the surrounding streets to define the pedestrian environment. Articulated facades and fenestration along street frontages will foster visual interest and aide in the reduction of the overall building massing. The Project has also strategically located the leasing office along Paramount Drive, with ample transparency, to provide both visual porosity and physical activity along the street. Additionally, the ground floor façade of the Phase Two building along Somerville Drive has been designed to provide visual activation of the street with storefront glass that will either provide views into the retail space or visual amenities within the window boxes. The architectural design along this façade further breakdowns the building massing and focus on pedestrian scale with the incorporation of ground floor level fenestration patterning, the use of canopies, and vertical green screen. The enhanced massing breakdown is designed to be reminiscent of multi-family architectural forms in order to be harmonious with future development while still maintaining the same materials, color palette, and rhythms of the phased architectural design. The building architecture, in combination with the streetscape improvements (described below) will dramatically improve the industrial, existing conditions into a more modern, urban environment. These design elements are detailed and shown on the architectural plans submitted concurrently with this Report.

Self-storage is a critical use to support the County's economic development goals and housing targets. Self-storage provides necessary support to many businesses in the community. Self-storage also supports residential development. As mentioned above, COVID-19 changed the way many work. The increase in work-from-home opportunities has placed significant additional demands on one's personal residence. As a result, the need for self-storage facilities has increased

and that demand continues to persist. As such, the Applicant is seeking to construct two new self-storage buildings, one four-story, and one six-story, incorporating high-quality architectural elements and building materials. Specifically, the intentional selection of complimentary materials and color palette will offer appropriate variation along the building facades. Integral color, textured masonry is proposed along the building's base with a contrasting insulated metal panel on the upper floors. The highly energy efficient insulated metal panels will also incorporate a rhythmic and playful projecting fin system that adds fluctuation of the building plane along the facades. Profiled metal panels of varying widths, space, and contrast color to the predominate background material are proposed to continue the breakdown of the building massing. Fenestration surrounded by contrasting exterior insulation finishing system are proposed at multiple locations to provide key emphasis and visual interest. Variations in the building's roofline will further reduce the building massing and promote the overall quality design. These design elements, along with the proposed building landscaping, will provide a compatible transition to the surrounding properties.

With regard to massing, the Project responds to applicable development standards required by the Zoning Ordinance. As demonstrated by the Floating Zone and Conditional Use Plans, the building heights will remain compatible with the surrounding neighborhood, below the 120 foot allowance of the underlying Euclidean zone. Specifically, the Phase One building will have a maximum height of four stories and the Phase Two building will have a maximum height of six stories.

## **B. Open Space**

Pursuant to Sections 59.5.3.5.D.2.b and 59.4.5.4.B.1.a, based on the Property's Tract area and number of existing/proposed right-of-way frontages, 5% of the net lot area must be provided as public open space. In accordance with this requirement, the Project will include a minimum of 5% or 4,574 square feet public open space. As recommended by the Sector Plan,<sup>2</sup> the Open Space is primarily located along Somerville Drive and near the building entrance on Paramount Drive. Additionally, although not counted toward the public open space, the Applicant is also providing area for a future pedestrian connection along the western side of the Property, which will function as public open space when the surrounding properties redevelop and the full connection can be made.

## **C. Parking and Circulation**

The Project will provide a sufficient number of on-site parking spaces to accommodate all users of the Property. Pursuant to Sections 59.5.3.5.D.1 and 59.6.2.4 of the Zoning Ordinance, one (1) parking space is required for each 10,000 SF of gross floor area of Storage Units without Driveway Access, plus one (1) parking space per each employee. The Project includes approximately 282,040 total square feet and is expected to have up to two employees on-site at any given time, including one office employee and one resident manager for each building. As such, a minimum of 25 parking spaces are required to be provided on-site for the self-storage use.

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<sup>2</sup> The Master Plan recommends "support[ing] using internal pedestrian connections to satisfy public open space requirements." (See page 39).

If the ground floor of the Phase Two building is devoted to a retail use, that would require 32 parking spaces.<sup>3</sup> The Overall Project provides 17 parking spaces on-site, and as such, is seeking a parking waiver pursuant to Section 6.2.10.

The Project also provides four (4) loading spaces (two with each phase), in accordance with the requirements of Section 59.6.2.8. The buildings have been designed to largely screen the parking from the street. As noted above, parking and loading will be provided along a central drive, which will be fully covered and concealed by the two buildings. Additional parking is located at the rear of the site, with the building cantilevered above. Collectively, more than adequate parking will be provided to accommodate all users of the Property, and ensure the Project does not impact the adjacent properties.

As previously described, vehicular access to the Property will continue to be provided via two-curb cuts, as exist today. The Applicant is only proposing to slightly relocate the curb cut on Paramount Drive, so as to align with the curb cut across the street. Additionally, the curb cuts have been narrowed in width to the maximum extent practicable, and the driveways are designed to be flush with the proposed sidewalk to prioritize the pedestrian streetscape. On-site circulation will be accommodated through the internal drive aisles that have been strategically located between the two buildings and at the rear of the site, in order to respond to comments received from M-NCPPC Staff. While the initial site design included an on-site drive aisle running parallel to Paramount Drive, located between the proposed self-storage buildings and the street, the Applicant has intentionally reworked the site design to allow for the creation of a strong street wall along both external street frontages, with the drive aisles located internal to the site. Additionally, the building architecture has been designed to conceal the required surface parking and loading spaces from the public realm. As described herein and shown on the plans submitted concurrently with this Report, the proposed parking and circulation will be safe, adequate and efficient.

#### **D. Civil Engineering**

From a civil engineering perspective, the Project complies with the requirements and goals of the CRTF Zone.

##### *i. Natural Resource Inventory/Forest Stand Delineation*

The Property is subject to the requirements of Chapter 22A of the Montgomery County Code (The "Forest Conservation Law"). A Natural Resources Inventory/Forest Stand Delineation ("NRI/FSD") (No. 420241430) was prepared for the Property and approved on March 14, 2024. The NRI/FSD demonstrates that there are no forested areas, 100-year floodplains, wetlands, or champion trees located on the Property. The Applicant is submitting a Preliminary Forest Conservation Plan concurrently with these Applications which proposes to meet the requirements of Chapter 22A through 0.36 acres of afforestation, via off-site banking or fee in lieu.

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<sup>3</sup> No designated parking for the retail use will be provided on-site.

The Property contains no floodplain, protected soils, endangered species, or other natural features that would impact development. The Property is not located within a Special Protection Area.

*ii. Stormwater Management Concept Plan*

The Project will result in significant improvements to the treatment of stormwater management, as no stormwater management currently exists on-site. The Project will comply with the requirements of Chapter 19 of the Montgomery County Code. Since the Project will disturb more than 5,000 square feet, the Applicant has prepared and submitted a Stormwater Management Concept Plan in connection with the Project. In accordance with applicable MDE Stormwater Management Regulations, the site will implement Environmental Site Design ("ESD") practices to the maximum extent practicable ("MEP"). Specifically, the Project proposes to incorporate micro-bioretenention facilities to the MEP to meet the stormwater management ESD requirements on-site. The location of the micro-bioretenention facilities are shown on the Stormwater Management Concept Plan.

*iii. Sediment and Erosion Control*

A Sediment and Erosion Control Plan will be prepared and submitted to DPS for approval after Stormwater Management Concept approval and prior to commencement of construction on the Property.

*iv. Adequate Public Facilities*

1. Traffic

As demonstrated on the Traffic Statement, submitted concurrently with this Report, the Project will result in fewer than 50 net new peak hour person trips (as compared to the existing conditions). The existing self-storage facility generates 5 AM peak hour person trips and 8 PM peak hour person trips. The proposed self-storage facility generates a total of 34 AM peak hour person trips and 56 PM peak hour person trips, resulting in only 29 AM net new peak hour person trips and 48 PM net new peak hour person trips. As such, the Project is exempt from Local Area Transportation Review ("LATR").

2. Other Services

The Property is not currently served by existing water or sewer. The Property is located within water and sewer categories W-1 and S-1. Water and sewer needs are expected to be met by the Washington Suburban Sanitary Commission ("WSSC") through connections to existing water and sewer lines. Specifically, the Project will connect to the existing water lines located within Paramount Drive. The Applicant will construct a sewer line extension within the Somerville Drive right-of-way to provide a connection to the existing sewer line in Redland Road. WSSC will evaluate the water and sewer capacity through a Hydraulic Planning Analysis in connection with future building permit applications.



Electric, gas, and telecommunications services will also be available. Other public facilities and services – including police stations, firehouses, and health care facilities – are currently operating in accordance with the Growth and Infrastructure Policy and will continue to be sufficient following completion of the Project.

### **III. Proposed Operations**

The Applicant’s affiliated management company, Self Storage Plus, will manage the self-storage facility under a management agreement with the Applicant. Self Storage Plus is a locally owned and operated Company. For over thirty years, Self Storage Plus has operated with a singular focus: providing best in class self-storage management. The facility will be staffed with knowledgeable professionals to oversee operations and deliver clean, secure self-storage space for the customers.

The facility’s business office is anticipated to be staffed Monday through Friday 9:30AM-6PM, Saturday 9AM-5PM and Sunday 10AM-4PM. The Project will feature controlled access through key pad protected automatic doors and security gates. Access to existing customers with a valid access code is provided 365 days per year between the hours of 6AM-10PM. The Project also features a comprehensive security camera system that can be monitored remotely by Self Storage Plus staff. The facility is designed to be well lit and features perimeter security in the form of fencing, gates and exterior building walls to secure its operation.

### **IV. Sector Plan and Design Guidelines Conformance**

#### **A. Sector Plan Conformance**

The Property is located within the boundaries of the 2021 *Approved and Adopted Shady Grove Sector Plan Minor Master Plan Amendment* (the “Sector Plan”).<sup>4</sup>

##### **i. General Sector Plan Recommendations**

As part of its overall vision, the Sector Plan “envisions the future of the Shady Grove Metro Station area as a mixed-use and pedestrian-oriented environment with attractive streetscapes, distinctive architecture, and a sense of place that is complemented by public facilities and amenities, and new mobility options” (See Sector Plan page 2). The Project is designed to accomplish just this – reinvest in an existing Property in a manner that significantly improves the Property’s appearance, enhances the pedestrian streetscape, and contributes to a sense of place within its immediate context. The Project implements many of the general goals and recommendations contained in the Sector Plan, including:

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<sup>4</sup> The 2021 Minor Master Plan Amendment provides a comprehensive amendment to the 2006 Approved and Adopted Shady Grove Sector Plan.

## Urban Design

- Promotion of incremental infill redevelopment that breaks up large blocks, creates amenities for pedestrians, and connects to adjacent areas. (*See Sector Plan page 22*).

The Project takes an important first step toward implementing the infill redevelopment that is recommended by the Sector Plan. The Project seeks to redevelop this dated, vehicular oriented, first-generation self-storage facility into a high-quality, modern self-storage development. The Project provides significant streetscape improvements and sets aside the area for the future inter-parcel connection. Collectively, these improvements will significantly transform the pedestrian environment (as compared to what exists today) and will begin to build-out the area's pedestrian network.

- The Sector Plan recommends street-oriented buildings connected by safe pedestrian access, but recognizes that implementation of that vision will be incremental, particularly at the Metro Neighborhoods where working with multiple ownerships will be a challenge. (*See Sector Plan page 24*).

The Project begins to establish this urban design framework by pulling the buildings up to the street, locating the parking and loading beneath the overall building footprints, and substantially screening loading areas from street views. The proposed building design incorporates ample articulation at the ground floor to help define and visually activate the pedestrian environment. The proposed streetscape improvements and future inter-parcel connection, combined with the building design, will facilitate pedestrian connectivity and enhance the pedestrian environment (where no sidewalks exist today).

- Create a pattern of interconnected streets and public open spaces, with street-oriented buildings. (*See Sector Plan page 24*).

The Project provides for a future pedestrian connection along the western side of the Property, which will function as public open space when the surrounding properties redevelop and the full connection can be made. This future connection begins to establish the interconnected streets and public open spaces envisioned by the Sector Plan.

- Consider different types of development, such as additional development on properties with growth capacity and existing uses that could remain. (*See Sector Plan page 24*).

The Property, in its existing condition, is significantly underutilized. The existing self-storage facility is an economically viable use that can be continued and remain in its current condition. However, instead of merely investing in capital repairs for the existing, grandfathered facility, the Applicant has chosen to pursue redevelopment on this site, which has growth capacity, to bring this Property into conformance with the urban design goals of the Sector Plan.

- Consider alternatives such as mid-block pedestrian connections to break larger blocks. (*See Sector Plan page 26*).

As discussed herein, the Project provides for the future inter-parcel pedestrian connection envisioned by the Sector Plan.

- Encourage quality building and site design elements. (*See Sector Plan page 22*).

As discussed in detail in Section II.A above, the proposed building architecture has been thoughtfully designed to promote the Sector Plan's goals for high-quality architecture and enhanced public realm.

### Sustainability

- Increase tree canopy. (*See Sector Plan pages 80, 87*).

There is currently no tree canopy on-site. The Project provides desirable, additional tree canopy in connection with the streetscape improvements along Somerville Drive.

- Decrease impervious areas. (*See Sector Plan page 80*).

The proposed redevelopment will decrease the amount of impervious area that exists on-site today (*i.e.* approximately 76% proposed, as compared to 93% existing imperviousness).

- Include on-site renewable energy generation. (*See Sector Plan page 86*).

The Project is proposed to include rooftop solar photovoltaic (PV) system(s) on the building(s). The energy generated by the proposed rooftop solar PV system, coupled with the building's energy efficient design, would exceed the proposed building's energy usage. Net-zero energy would be achieved.

- Improve water quality treatment through improved stormwater management practices, to create a built environment that contributes to cleaning the air and water, and making Shady Grove a more livable and sustainable community. (*See Sector Plan page 79*).

The Project will provide stormwater management on-site through the use of ESD to the MEP, where no stormwater management exists today. Additionally, a cool roof will be used that will reduce the heat island effect.

- Include building design features that keep roofs cool – either green roofs or cool roofs. (*See Sector Plan page 87*).

The Project incorporates high SRI value materials (*e.g.* white roof membrane) which mitigates the heat island effect.

- Use native vegetation in landscaping and tree planting to sequester carbon and reduce urban heat island. (See Sector Plan page 86).

No on-site landscaping exists today. As such, the Project significantly improves the existing condition by incorporating native vegetation in the landscaping along both Paramount and Somerville Drive, and provides trees in the pedestrian buffer along Somerville Drive and Paramount Drive.

- Promote an environment that minimizes light pollution. (See Sector Plan page 87).

The proposed building design locates parking and loading functions beneath the overall building footprint, therefore the building itself will screen the bulk of any lighting. Remaining lighting needed for general security, public safety, or decorative lighting will be provided via full cutoff lighting fixtures to minimize light pollution.

- Include sustainable design solutions to create an attractive public realm with integrated green features, and enhanced mobility and walkability. (See Sector Plan page 19).

The Project will promote pedestrian activity by providing streetscape improvements on both Somerville Drive and Paramount Drive. This, in connection with the potential future pedestrian connection on the western Property boundary, will significantly enhance mobility within the Metro South Area.

## ii. Metro South Neighborhood Recommendations

The Property is located in the Metro South neighborhood of the Sector Plan, which has seen little change or any redevelopment since the adoption of the 2006 Sector Plan. (See Sector Plan page 22). In fact, the Project will be the first reinvestment in the Metro South Neighborhood since the 2006 Sector Plan was adopted. It is the Applicant's hope that this redevelopment will help to catalyze future reinvestment and redevelopment in the area. The Sector Plan specifically recommends "incremental infill redevelopment that breaks up large blocks, creates amenities for pedestrians and connects to adjacent areas..." (See page 22). The Project will contribute to the Sector Plan's goals of modernizing the neighborhood through strategic, incremental infill redevelopment by redeveloping the aging, vehicular oriented self-storage use on the Property with a modern self-storage facility that activates the adjacent streetscapes and promotes pedestrian connectivity. The Applicant hopes that the Project will catalyze reinvestment in adjacent properties at this prominent corner location in the Metro South area. As discussed in this Report, the Applicant has strategically designed the Project's phasing to allow the Phase Two building, located at the intersection of Somerville Drive and Paramount Road, to be able to respond to any changes in the market that may occur as a result of Phase One.

The Project implements the following area-specific recommendations.

- Sector Plan acknowledges no new development has occurred in this area. (*See Sector Plan page 38*).

The Sector Plan recognizes that the Metro South neighborhood includes a variety of light industrial uses. Since no new development has occurred in the Metro South Neighborhood since the 2006 Sector Plan was approved, the Sector Plan recommended increased residential and non-residential development for all properties in this area. Additionally, given the disparate property ownership in the Metro South Area, the Sector Plan recommends flexibility toward the implementation of the recommended network of streets, with the exact location and character of the streets or pedestrian connections to be delineated during the redevelopment process. The Sector Plan also seeks to encourage active uses at strategic locations to promote pedestrian activity. The Project's building placement and orientation (including strategic location of the leasing office along Paramount Drive and transparent, flexible ground floor on Somerville Drive), along with significant streetscape improvements, will take an important first step toward creating a walking urban environment in this district. The Applicant hopes that the Project will catalyze redevelopment of the surrounding properties in the Metro South neighborhood.

- Sector Plan seeks to incentivize development in the Metro South area through increased residential and non-residential development for all properties. (*See Sector Plan page 38*).

This LMA seeks to implement this incentive in a manner that will allow the Applicant to redevelop the existing, grandfathered self-storage use into a modern self-storage facility that implements many of the urban design, mobility and sustainability recommendations of the Sector Plan.

- Envisions this area as a mixed-use residential area. (*See Sector Plan page 38*).

A mix of uses cannot always be provided on-site. In fact, the Sector Plan acknowledges that this vertical mix of uses is not always feasible. (*See Sector Plan page 24*). However, the Project can reinvest in the existing, grandfathered self-storage use on the Property to strengthen the non-residential uses in the neighborhood. Not only will the reinvestment hopefully serve as a catalyst for other nearby redevelopment, but the self-storage use will help to support future, desirable residential development. Moreover, centrally locating a community serving use, such as this, within proximity to future residential developments will help achieve the Sector Plan's goal of reducing greenhouse gas emissions, as proximal access between uses is critical to achieve this goal.

- Supports the creation of walkable north-south as well as east-west connections. (*See Sector Plan page 38*).

The Project provides a future inter-parcel pedestrian connection along the western property boundary, in furtherance of this objective.

- Support using internal pedestrian connections to satisfy public open space requirements. (See Sector Plan page 39).

As discussed herein, as recommended in the Metro South District, the Applicant has strategically located the proposed open space along the western property boundary to facilitate the future inter-parcel connectivity envisioned by the Sector Plan.

- Encourage retail or other active uses at strategic locations. (See Sector Plan page 39).

Ground floor retail and other active uses present numerous challenges when co-located with self-storage facilities. These challenges are compounded on this site, which has no visibility from the major roadways and limited passerby traffic, which are both essential to retail success. As such, the Property is not a strategic location for retail today.

However, the Project provides flexible ground floor space, which can be devoted to retail use if the surrounding area and market support. The Applicant will make this determination in the future. Regardless, the façade design will provide visual activation along the street and further enhance the pedestrian realm with storefront glass that will either provide views into the retail space or visual amenities within the window boxes. The updated architectural design further breakdowns the building massing and focus on pedestrian scale with the incorporation of ground floor level fenestration patterning, the use of canopies, and, vertical green screen. The enhanced massing breakdown is designed to be reminiscent of multi-family architectural forms in order to be harmonious with future development while still maintaining the same materials, color palette, and rhythms of the phased architectural design.

## **V. Zoning Ordinance Conformance**

### **A. Floating Zone Application**

#### *i. Intent*

Section 59.5.1.2 of the Zoning Ordinance states that Commercial/Residential Floating zones are intended to provide an alternative to development under the restrictions of the Euclidean zones mapped by Sectional Map Amendment. The Project responds to the following specific intentions of the Floating Zones:

1. Implement comprehensive planning objectives by (1) furthering the goals of the general plan, applicable master plan and functional master plans; (2) ensuring that the proposed uses are in balance with and supported by the existing and planned infrastructure in the general plan, applicable master plan, functional master plan staging and applicable public facilities requirements; and (3) allowing design flexibility to integrate development into circulation

networks, land use patterns, and natural features within and connected to the Property.

As discussed in detail in Section IV of this Report, the Project furthers the goals and recommendations of the Sector Plan. As discussed above in Section II.D, the public facilities will be more than adequate to accommodate the proposed development.

2. Encourage the appropriate use of land by (1) providing flexible applicability to respond to changing economic, demographic and planning trends that occur between comprehensive District or Sectional Map Amendments; (2) allowing various uses, building types, and densities as determined by a property's size and base zone to serve a diverse and evolving population; and (3) ensuring that development satisfies basic sustainability requirements.

The Sector Plan was published prior to the COVID-19 Pandemic, and as such, does not take into account the new challenges presented to families as a result of changes to our living and working environments. Given the demand for self-storage, the existing use will remain. The proposed Applications allow the Applicant to adequately respond to the current demand by providing additional, much-needed storage opportunities for the community, in a new, modern facility. The proposed Floating Zone complies with the maximum floor area ratio ("FAR") prescribed in Section 59.5.3.5.A and will permit desired reinvestment in the existing self-storage facility. Finally, the Project will provide substantial environmental improvements that go beyond basic sustainability requirements. The Project includes the use of on-site renewable energy (*i.e.* rooftop solar photovoltaic system(s)) to offset the energy consumed on-site, to create an energy net zero facility (which can be verified through an energy model). The Project also introduces stormwater management, where none currently exists, and will provide additional green space and landscaping to promote sustainability and activate the pedestrian environment.

3. Ensure protection of established neighborhoods by (1) establishing compatible relationships between new development and existing neighborhoods through limits on applicability, density and uses; (2) providing development standards and general compatibility standards to protect the character of adjacent neighborhoods; and (3) allowing design flexibility to provide mitigation of any negative impacts found to be caused by the new use.

As discussed in detail above, the Project has been designed to implement the goals of the Sector Plan and revitalize this area of the Metro South District. The proposed redevelopment will not change the Property's existing, grandfathered use as a Self-Storage facility. Instead, the proposed modifications will transform the existing, vehicular-oriented, industrial looking self-storage use into an attractive and modern facility. This modernization accommodates the self-storage needs of the surrounding community, while allowing other nearby properties to be developed with residential and commercial, community serving uses.

*ii. Applicability*

1. A Floating zone must not be approved for property that is in an Agricultural or Rural Residential Zone;

The Property is zoned CR and is thus, not in an Agricultural or Rural Residential zone.

2. If a Floating zone is recommended in a master plan, there are no prerequisites for an application;

The Sector Plan does not recommended the CRT Floating Zone for the Property. Thus, this subsection is not applicable.

3. When requesting a Floating zone for a property with a non-Residential base zone, there are no prerequisites for an application.

As stated previously, the base zone for this Property is non-Residential and, thus, no prerequisites are required.

*iii. Purposes of the CRTF Zone*

Pursuant to Section 59.5.3.2, the CRTF Zone is an appropriate zoning classification for the Property. The intent of the CRTF Zone is to accommodate flexible mixed-use development that allows for a variety of uses. The CRTF Zone provides an opportunity to accommodate flexible neighborhood amenities in a range of densities and heights, which allows for flexibility to respond to various settings and ensure compatibility with adjacent development. The proposed self-storage facility is a neighborhood amenity that has been carefully designed to ensure the building heights and massing promote the County's goals, as expressed through the Sector Plan.

**B. Conditional Use Standards – Self Storage (Section 59.3.6.8.D.2)**

Where Self-Storage is allowed as a Conditional Use, it may be permitted by the Hearing Examiner under Section 59.7.3.1. Conditional Use. There are no additional use standards. As such, the Applicant is submitting this application for Conditional Use approval, which, as discussed below, complies with the development standards of the Zoning Ordinance and required findings in Section 59.7.3.1.

**C. Development Standards**

Based on the pre-existing Euclidean Zone and the Property Tract area of approximately 2.1 acres, Section 59.5.3.5 of the Zoning Ordinance permits a maximum total density under a Floating Zone of up to 6.0 FAR, with a Commercial or Residential Density of 4.5 FAR. The proposed total density of 2.51 FAR, with a Commercial density of 2.51 FAR and a residential density of 0 FAR is well within the density allowed by the Zoning Ordinance.

As demonstrated below, the Project complies with the development standards for the CRTF Zone, as provided in Section 59.5.3.5 of the Zoning Ordinance.



	<b>Zoning Standard</b>	<b>Permitted/Required</b>	<b>Provided Per Plan</b>
Section 59.5.3.5.A	Density of Development	CRTF	
	(a) Maximum Overall FAR	6 FAR	2.51 FAR
	(b) Commercial or Residential Density	Commercial 4.5 FAR or Residential 4.5 FAR	2.51 Commercial FAR; 0 Residential FAR
Section 59.5.3.5.B	Height	Established by the Floating Zone Plan	Up to 120 Feet
Section 59.5.3.5.B	Setbacks (minimum)		
	Front Site Boundary	Established by the Floating Zone Plan	Phase One: 25feet (Paramount), 115 feet (Sommerville)  Phase Two: 10feet (Paramount), 25feet Somerville
	Rear Site Boundary	Established by the Floating Zone Plan	25 Feet
	Side Site Boundary	Established by the Floating Zone Plan	Phases One & Two: 16 feet (northwest), 9 feet (southeast)
Section 59.5.3.5.C	Minimum Lot Size	Established by the Site Plan Approval Process	91,476 Square Feet (or 2.1 acres)
Section 59.5.3.5.D.1.b; Section 59.4.5.4.B.1.a	Minimum Open Space	5% (4,574 Square Feet)	12.1% (11,100 sf)
Section 59.5.3.5.E.1	Minimum Public Benefit Points	50 Points (from Three Categories)	51 Points (from Three Categories)

The Property also conforms to the general development standards provided in Section 59.6.2 of the Zoning Ordinance:

	<b>Standard</b>	<b>Permitted/Required</b>	<b>Provided Per Plan</b>
Section 59.6.1	Driveway Access		
Section 59.6.2	Parking Requirements		
	Vehicle Parking Spaces	25 spaces (min) (for all Self-Storage) 32 spaces (min) (if retail included in Phase Two)	15 Spaces (Waiver request under 6.2.10)

	Bicycle Parking Spaces	None Required	N/A
Section 59.6.2.5	Vehicle Parking Design Standards		
Section 59.6.2.9	Parking Lot Landscaping and Outdoor Lighting (for more than 10 spaces)		
	Landscaped Area	5% of the total area of the surface parking lot	Complies, See Landscape Plans.
	Tree Canopy	25% at 20 years of growth	Complies. See Landscape Plans.
	Perimeter Planting Width	6 Feet	Complies. See Landscape Plans.
	Perimeter Planting Height	3 Feet	Complies. See Landscape Plans.

#### D. Public Benefit Points

The Project will provide public benefits and address the Incentive Density Guidelines for the CRTF Zone. The Applicant is seeking incentive density above the Standard Method of Development and, as such, the Project will achieve at least 50 public benefit points from a minimum of three categories. It is anticipated that the Project will provide the following public benefits:

Public Benefit	Total Points Possible	Total Points Achieved
<b>Transit Proximity</b>	15	15
<b>Connectivity and Mobility</b>		
Minimum Parking	10	10
<b>Quality Building and Site Design</b>		
Architectural Elevations	20	10
Exceptional Design	10	5
<b>Protection and Enhancement of the Natural Environment</b>		
Cool Roof	10	5
Recycling Facility Plan	10	5
<b>Total Points (5 Categories)</b>		<b>50</b>

#### **a. Minimum Parking**

The Applicant is seeking a Parking Waiver through the Conditional Use approval to provide 17 parking spaces. As such, based on the calculation below, the Applicant is seeking 10 points for this category.

Maximum Allowed Spaces (A): 84 spaces

Minimum Required Spaces (R): 33 spaces

Proposed Spaces (P): 17 spaces

Formula:  $(A-P)/(A-R) \times 10 = ((84-17)/(84-33)) \times 10 = 13 = 10$  points

#### **b. Architectural Elevations**

As discussed above, the Project proposes to reinvest in the existing site by redeveloping the dated, vehicular oriented, single-story buildings with a modern self-storage facility ranging in height from four to six stories.

Per CR Incentive Density Guidelines, 10 points is appropriate for development that provides and is bound by architectural elevations as part of the certified site plan. The Applicant agrees to be bound by the following design parameters:

- Minimum percentage of transparency and floor to ceiling height along Paramount Drive (Phase One);
- Maximum separation between architectural features; and
- Maximum front building setback on Paramount Drive.

As such, the Applicant is seeking 10 points from this category.

#### **c. Exceptional Design**

The Project is seeking 5 points for Exceptional Design. The Applicant's reinvestment in the existing self-storage facility will transform the dated, vehicular oriented self-storage facility into a high-quality, modern self-storage development. The Project represents the first redevelopment in the Metro South neighborhood since the Sector Plan was adopted in 2006 and will hopefully serve as a catalyst for redevelopment in the surrounding area. The Project meets the criteria established by the Zoning Ordinance and the Commercial/Residential and Employment Incentive Density Implementation Guidelines for Exceptional Design, as discussed below:

- *Providing innovative solutions in response to the immediate context;*

As discussed in this Statement, the existing self-storage facility, which was constructed circa 1974, is dated and fails to implement the goals and objectives of the County, as expressed through the Sector Plan. The existing facility consists of 11 separate storage structures with interior vehicular circulation and parking. The existing buildings completely turn their back on

Somerville, with a long, blank wall along this frontage. Although the building fronting on Paramount has individual access doors for the units along the street, this façade is stark and uninviting with painted red CMU and solid metal doors. Nonetheless, the self-storage use of the property will remain unchanged, given the existing and projected future demand. To bring the long-standing use (which will remain) into conformance with the County's urban design objectives, the Applicant is proposing to redevelop the Property with an architecturally pleasing self-storage facility that better responds to the County's vision for the area to become a pedestrian friendly mixed-use neighborhood, while continuing to meet the self-storage needs of the surrounding neighborhoods. Although no change in use is proposed, the building architecture, in combination with the streetscape improvements (described below) will dramatically transform the industrial, existing conditions into a more modern, urban environment.

The Project's four-story and six-story buildings have been oriented to create a gradual transition from the adjacent properties that have a smaller scale while also being well positioned to fit in with future, larger scale development. Critical sightlines and street frontages have intentionally placed architectural features with increased amounts of glazing, internal illumination, and façade projections. The proportionate massing has been created using high quality materials with contrasting juxtaposition to one another.

- *Enhancing the public realm in a distinct and original manner;*

The Project will significantly transform and revitalize the site and the public realm. As noted above, the existing buildings are dated and turn their backs to the street with blank expressionless walls. There are also no streetscape improvements along either of the Property's frontages. The Project will significantly enhance the public realm by activating the Property's external street frontages both through the building design and streetscape improvements. The buildings have been pulled up to the street, which in combination with the new streetscape, will activate and improve the pedestrian environment. The Project also will feature high-quality building materials, fenestration, and architectural elements to foster visual interest along both street frontages. Building signage placement has also been an intentional design consideration.

- *Introducing materials, forms, or building methods unique to the immediate vicinity or applied in a unique way;*

With the goals of the Master Plan in mind, the Applicant is proposing to redevelop the single-story, vehicular-oriented, aging, existing buildings with four and six-story self-storage buildings featuring high-quality architectural elements, building materials, and improved site design. The architecture of the buildings has been designed to break down the building massing through use of differing building materials, colors and textures. The four-story and six-story building forms have been designed to create a cohesive design with one another while also providing a completed façade in the initial phase. The intentional selection of complimentary materials and color palette will offer appropriate variation along the building facades. Integral color, textured masonry is proposed along the building's base with a contrasting insulated metal

panel on the upper floors. The highly energy efficient insulated metal panels will also incorporate a rhythmic and playful projecting fin system that adds fluctuation of the building plane along the facades. Profiled metal panels of varying widths, space, and contrast color to the predominate background material are proposed to continue the breakdown of the building massing. Fenestration surrounded by contrasting exterior insulation finishing system are proposed at multiple locations to provide key emphasis and visual interest. Variations in the building's roofline will further reduce the building massing and promote the overall quality design.

- *Designing compact, infill development so living, working and shopping environments are more pleasurable and desirable on a problematic site*

Self-storage is a critical use to support the County's economic development goals and housing targets. Self-storage provides necessary support to many businesses in the community. Self-storage also supports residential development. The Applicant proposes to redevelop this aging, existing self-storage facility in a manner that will continue to serve the surrounding community and also positively contribute to the County's urban design objectives. This modern self-storage facility will provide fully covered loading/ drive aisles that will provide screening of loading activities from street frontages while also providing a highly sought after amenity of complete cover from the elements (sun, rain, wind, etc.) during loading activities. Additionally, the self-storage use is ideal given the site's one-block proximity to the railroad tracks which would be a noise nuisance to other use types. As such, the location of this existing self-storage use is well suited for the continuance of this community-serving use and will help to catalyze surrounding growth opportunities.

- *Integrating low-impact development methods into the overall design of the site and building, beyond green building or site requirements.*

The Applicant is proposing to include the use of on-site renewable energy (*i.e.* rooftop solar photovoltaic system(s)) to offset the energy consumed on-site, to create an energy net zero facility (which can be verified through an energy model). The Project also significantly improves the treatment of stormwater management on-site, through the introduction of modern stormwater practices, where none currently exist, and a significant reduction in impervious area (as compared to existing conditions).

#### **d. Cool Roof**

In accordance with the CR Incentive Density Guidelines, on sites larger than 1 acre, 5 points is appropriate for constructing any roof area that is not covered with vegetated roof with a minimum solar reflective index (SRI) of 75 for roofs with a slop at or below a ratio of 2:12. As such, the Applicant is seeking 5 points from this category.

#### **e. Recycling Facility Plan**

The Project proposes to incorporate a recycling plan and facilities that will meet or exceed the Executive Regulations 15-04AM and 18-04. In accordance with the CR Incentive Density requirements, five (5) points are appropriate for developments that meet this requirement.

#### **VI. Parking Waiver**

The Applicant respectfully requests approval of a Parking Waiver to modify Zoning Ordinance Section 59.6.2.4.B, Vehicular Parking Spaces. As discussed in detail in this Land Use Report, the Applicant is proposing to reinvest in the existing Self-Storage use through the redevelopment of this aging, vehicular oriented self-storage facility with a high-quality, modern self-storage development that will continue to meet the needs of the surrounding community, while also advancing the County's urban design objectives. In order to grant the proposed Parking Waiver, the Hearing Examiner must find that the proposed design satisfies the intent of Section 59.6.2.1., which is to ensure that adequate parking is provided in a safe and efficient manner. As discussed below, the Conditional Use satisfies this requirement.

Strict compliance with the Zoning Ordinance requires the provision of 25 parking spaces for the self storage facility, or up to 32 parking spaces if neighborhood serving retail is provided along Somerville Drive. The Conditional Use proposes 17 parking spaces. Thus, Petitioner is seeking a 15 space parking waiver from the vehicular parking requirements contained in Section 59.6.2.4.B.

In addition to the 17 parking spaces, the Petitioner is also proposing to provide four (4) loading spaces in accordance with the Zoning Ordinance requirements. However, for the self-storage use, loading and parking essentially operate as one and the same. As a result, from a practical perspective, there will be 21 parking spaces on-site for use by employees, visitors and patrons. Because these spaces function as both loading and parking, almost all of the spaces have been sized to meet loading design standards (which are larger than traditional parking spaces). While this is important for the operations, this results in reduced number of spaces on-site.

As discussed herein, retail would be challenging on this site today, under the current market and based on surrounding conditions. Nonetheless, the Applicant has designed the ground floor of the Phase Two building on Somerville Drive as flexible space, to accommodate ground floor retail if the surrounding area is redeveloped and future market conditions support. This retail, if supported, would be neighborhood serving retail that would draw heavily from the surrounding (future) developments. As such, no parking would be devoted to retail uses on-site. However, there is ample right-of-way width to accommodate on-street parking along both Somerville Drive and Paramount Drive.

Importantly, based on the Applicant's significant prior experience developing and operating self-storage facilities throughout the region, with this reduction, the parking provided on-site will continue to be more than adequate to accommodate anticipated demand. Ensuring there is adequate parking on-site is certainly important to the Applicant and the continued success of this facility. The Applicant, based on their significant experience operating other self-storage

facilities throughout the region, is confident that the proposed parking will be more than sufficient to accommodate on-site parking demand.

## **VII. Alternative Method of Compliance**

Pursuant to Section 6.8.1 of the Zoning Ordinance, the Petitioner is requesting approval of an alternative method of compliance for the site access requirements in Division 6.1, to allow the two existing vehicular access points to the Property to remain. Specifically, Section 6.1.4.E requires for non-residential roads, that “a vehicle must access a corner lot with only one driveway...” The Property currently has two essential driveways that have served the Property for over the past 40 years. These entrances are grandfathered today as an existing site condition under Section 7.7.1.A.1. The Applicant is seeking to retain the two existing access points, in order to provide safe and adequate internal vehicular circulation. These two access points are also essential to support the retail use, if provided, in the Phase Two building. The secondary access along Somerville Drive allows for access to on-site loading near the retail uses (if provided), without having to drive through the covered self-storage facility from Paramount Drive. The Applicant is only proposing modifications to the driveway access points to conform with current requirements. Specifically, the curb cut on Paramount Drive is being slightly relocated to align with the confronting driveway on the opposite side of the roadway, and to provide more separation with the adjacent driveway to the south. Additionally, the Applicant has narrowed the radii to the extent practicable and providing a flush pedestrian crossing.

The Hearing Examiner can waive the site access requirements of Division 6.1 if it is determined that there is a unique site, a use characteristic, or a development constraint, such as an existing building or structure, which precludes safe or efficient development under the requirements of Division 6.1. The retention of two access points, as exist today, satisfies the findings of Section 6.8.1, as demonstrated below:

- *Satisfy the intent of the applicable Division;*

The intent of Division 6.1 is to “ensure safe and convenient vehicular, bicycle, and pedestrian circulation within and between lots on the same block face and to reduce traffic congestion.” The proposed alternative method of compliance seeks to allow the Applicant to retain vehicular access off both Somerville Drive and Paramount Drive. This dual access is critical for the proposed self-storage use, which frequently necessitates visits by large trucks. To accommodate these trucks, the access points work in tandem to ensure that there is safe and convenient access to the Property. As such, the access points will improve safety by minimizing the internal turning and backup maneuvers required. In addition to the increased potential for vehicular conflicts without the two access points, the Applicant would be required to significantly increase the on-site vehicular impervious area, potentially resulting in other undesirable conflicts with the building form (*i.e.* requiring the buildings to be located farther from the street).

Additionally, the secondary access point on Somerville Drive is necessary to support the potential future retail use in the Phase Two building. The self-storage use requires a secure facility. As such, the Somerville Drive access allows direct access to on-site loading activities for, and

proximate to, the retail use (if provided) – otherwise, the retail tenants would need to drive through the secure, covered self-storage facility to access this loading.

- *Modify the applicable functional results or performance standards the minimal amount necessary to accommodate the constraints;*

As mentioned above, there is no way to meet the standard contained in Section 6.1.4 without significantly compromising the operations of the proposed self-storage facility and potential neighborhood serving retail. Without the proposed alternative method of compliance, the on-site circulation will be significantly impaired and may impede many of the County’s urban design objectives. Importantly, the Applicant is not proposing any new driveway entrances with these Applications. Rather, the Applicant seeks to maintain the two access points that currently serve the Property. As discussed above, the Applicant is only proposing modifications to the driveway entrances to meet current County requirements. Specifically, the Applicant is proposing to slightly relocate the curb cut on Paramount Drive, to align with the entrance on the opposite side of the street. Additionally, the Applicant will improve the curb cuts to meet current design standards (*i.e.* narrowing radii to the extent practicable and providing a flush pedestrian crossing).

- *Provide necessary mitigation, alleviating any adverse impacts; and*

The retention of two site access points will not cause any adverse impacts. Rather, the alternative method of compliance will allow the Applicant to accommodate adequate on-site parking, circulation and loading, to ensure there are no impacts on the surrounding roadway network.

- *Be in the public interest.*

The proposed alternative method of compliance is critical for maintaining adequate parking, loading and circulation on the Property and will thus facilitate the redevelopment of the Property. As noted herein, the Applicant is proposing to redevelop the existing, dated, vehicular-oriented self-storage use with a modern self-storage facility that will better meet the needs of the surrounding community. The two vehicular access points are essential to the success of the on-site retail use, if provided. As such, approval of this alternative method of compliance is in the public interest.

For all of these reasons the Petitioner respectfully requests approval of this alternative method of compliance, to allow for the retention of the existing site access points.

## **VIII. Local Map Amendment and Conditional Use Findings**

### **A. Section 59.7.2.1 Floating Zone Findings**

Pursuant to 59.7.2.1.A, a zoning map change to apply a Floating Zone to an individual property requires approval of a Local Map Amendment. Under 59.7.2.1.E., the District Council must find that the Floating Zone Plan will:



- i. *Section 7.2.1.E.2.a – Substantially conform with the recommendations of the applicable master plan, general plan, and other applicable County plans;*

As described in Section IV above, the Project substantially conforms with the recommendations of the Sector Plan.

- ii. *Section 7.2.1.E.2.b – Further the public interest;*

The Project will further the public interest and provide an important neighborhood service to the surrounding Metro South neighborhood. Self-storage provides essential support for small businesses and also helps to support residential development. As previously stated, the COVID-19 Pandemic created long-lasting impacts to the work environment (including increased remote work opportunities), resulting in additional pressures placed on one's personal residence and as a result, an increased demand for self-storage facilities. The Project addresses these needs through additional Self-Storage capacity.

- iii. *Section 7.2.1.E.2.c – Satisfy the intent and standards of the proposed zone and, to the extent the Hearing Examiner finds it necessary to ensure compatibility, meet other applicable requirements of this Chapter;*

As described in this Report, the Project will satisfy the intent, purpose, and specific standards of the CRTF Floating Zone and the Zoning Ordinance. For all the reasons discussed in this Report, the requested Floating Zone is appropriate at this location.

- iv. *Section 7.2.1.E.2.d – Be compatible with existing and approved adjacent development;*

As discussed in this Report, the proposed development will be compatible with existing and approved development in the surrounding area. The Property is surrounded generally by a mix of commercial, light- and auto-centric industrial uses (including an auto towing and recovery facility, auto dealership and service facilities), and vacant commercially-zoned property. The Project proposes to transform the existing, aging, industrial self-storage use, into a high-quality self-storage facility that will revitalize the Property, and represent a significant improvement within the surrounding context. Redevelopment of the aging facility prioritizes activation of the streetscape through strategic siting of proposed the buildings and implementation of high-quality architectural elements along public-facing facades. Particular attention and detail have been paid to improving the site design and the relationship of new buildings with the Somerville Drive and Paramount Drive streetscapes – which will elevate and transform the appearance of the Property and hopefully serve as a catalyst for other reinvestment in the area.

- v. *Section 7.2.1.E.2.e – Generate traffic that does not exceed the critical lane volume or volume/ capacity ratio standard as applicable under the Planning Board's LATR Guidelines, or, if traffic exceeds the applicable*

*standard, that the applicant demonstrate an ability to mitigate such adverse impacts; and*

The public facilities will be more than adequate to accommodate the proposed development. As demonstrated by the Traffic Statement, submitted concurrently with this Report, the Project will result in fewer than 50 net new peak hour person trips.

- vi. Section 7.2.1.E.2.f – When applying a non-Residential Floating zone to a property previously under a Residential Detached zone, not adversely affect the character of the surrounding neighborhood.*

This provision is not applicable to this Local Map Amendment application.

### **B. Conditional Use Findings (Section 7.3.1)**

To approve a Conditional Use application, the Hearing Examiner must find that the proposed development:

- i. Section 59.7.3.1.E.1.a - [The conditional use] satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended;*

The Conditional Use will comply with the requirements of the Floating Zone Plan.

- ii. Section 59.7.3.1.E.1.b – [The conditional use] satisfies the requirements of the zone, use standards under Article, and to the extent the Hearing Examiner finds necessary to ensure compatibility, meets applicable general requirements under Article 59-6;*

As fully discussed in Section V of this Report, the proposed use complies with the applicable requirements of the CRTF Zone and the general requirements of Section 59.6, with the exception of the Parking Waiver and Alternative Method of Compliance the Applicant is seeking to allow for the retention of two access points (as exist today).

- iii. Section 59.7.3.1.E.1.c – [The conditional use] substantially conforms with the recommendations of the applicable master plan;*

The self-storage use of the Property will remain unchanged as a result of these Applications. These Applications merely seeks to transform the aging, industrial, auto-oriented self-storage use into a modern facility that better promotes the County’s goals, as expressed through the Sector Plan. As discussed in detail in Section IV above, the Project is in substantial conformance with the goals and recommendations of the Sector Plan.

The Sector Plan “envision[s] the future of the Shady Grove Metro Station area as a mixed-use and pedestrian-oriented environment with attractive streetscapes, distinctive architecture, and a sense of place that is complemented by public facilities and amenities, and new mobility options.” The Project achieves the Sector Plan’s larger vision through reinvestment in an aging site that significantly improves the Property’s appearance with distinctive, high-quality architecture, enhances the pedestrian streetscape (where no sidewalks exist today), and contributes

to a sense of place within its immediate context. Additionally, the Project promotes many of the environmental objectives of the Sector Plan, including reducing the existing impervious area; providing stormwater management on-site, where none exists today; and incorporating a cool roof on the entire roof surface.

- iv. *Section 59.7.3.1.E.1.d – [The conditional use] is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan;*

The Project will continue to operate as a Self-Storage facility and the expanded use and accompanying improvements will remain compatible with the neighborhood's surrounding commercial and industrial uses. Importantly, the redevelopment will bring the Property into conformance with the County's goals, as expressed through the Sector Plan. Through the proposed reinvestment, the Applicant seeks to enhance and modernize the existing use and expand the Self-Storage opportunities available to the surrounding Metro South community.

- v. *Section 59.7.3.1.E.1.e – [The conditional use] will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity, or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area; a conditional use application that substantially conforms with the recommendations of a master plan does not alter the nature of an area;*

The Property is located within the Metro South neighborhood, and is surrounded by existing commercial and industrial properties. The surrounding neighborhood aligns with the Metro South delineation in the Sector Plan and is bounded by the CSX tracks to the north, Redland Road to the west, Frederick Road to the south, and Paramount Drive to the east (in addition to the three parcels on the east side of Paramount Drive – parcels P446, P419 and P393). The proposed Conditional Use, which will allow for the continuation of an existing self-storage use, will not affect the surrounding area adversely or alter the nature of the surrounding area (which is commercial and industrial).<sup>5</sup>

- vi. *Section 59.7.3.1.E.1.f – [The conditional use] will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the conditional use is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required and: (i) If a preliminary subdivision plan is not filed concurrently or required subsequently, the Hearing Examiner must find that the proposed development will be served*

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<sup>5</sup> There are Special Exceptions for three properties within the surrounding neighborhood that are consistent with the commercial and industrial character of the area. 15821 Frederick Road (CBA2022, S573, S573A, S573A0); 15805 Frederick Road (CBA2054); 15701 Frederick Road (CBA1999, CBA1999A, CBA1999B).

*by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage; or (ii) If a preliminary subdivision plan is filed concurrently or required subsequently, the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage; and*

The proposed Conditional Use will be served by adequate public facilities including police and fire protection, water, sanitary sewer, public roads, and storm drainage. As demonstrated by the Traffic Statement submitted concurrently with these Applications, the Project will result in fewer than 50 net new peak hour person trips. As such, a traffic study is not required. The Project contains no residential use and as such, will have no impact on public school capacity.

*vii. Section 59.7.3.1.E.1.f – Will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:*

- 1. The use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;*
- 2. Traffic, noise, odors, dust, illumination, or a lack of parking; or*
- 3. The health, safety, or welfare of neighboring residents, visitors, or employees.*

The Zoning Ordinance defines inherent adverse effects, as adverse effects that are created by the physical or operational characteristics necessarily associated with the particular conditional use, irrespective of its physical size or the scale of its operations. The Zoning Ordinance is clear that inherent adverse effects alone do not constitute a sufficient basis for denial of a Conditional Use, and must be evaluated in combination with non-inherent adverse effects. Non-inherent adverse effects are defined as adverse effects that arise from physical and operational characteristics that are not necessarily associated with the particular conditional use, or adverse effects that are created by unusual characteristics of the site.

The Applicant is proposing to continue the self-storage use on the Property through this reinvestment. This Land Use Report finds each of these inherent effects of the Conditional Use will continue to be acceptable and appropriate for the proposed location:

- Physical Buildings and Structures: As discussed in detail above, the Project will significantly enhance the appearance of the Property by improving its presence along Somerville and Paramount Drives through the construction of new modern self-storage facilities with high-quality building design and materials.
- Parking Facilities: Adequate parking will be provided on-site to accommodate all users of the Property, meet on-site demand, and ensure the Project does not impact the adjacent properties. There is also ample on-street parking. The on-site parking

has been strategically located so as to largely screened from view. As discussed herein, the parking/loading located along the central drive will be fully enclosed upon completion of Phase Two. Additional parking is located below the building overhang at the rear of the Property.

- Traffic To and From the Site by Staff and Patrons: The Applicant's Traffic Statement confirmed that the Project will result in fewer than 50 new net peak hour person trips. The Applicant seeks to retain the two existing access points to the Property, in their same approximate location. These access points will be improved to prioritize pedestrian circulation, by narrowing the curb radii to the extent practicable and creating a flush sidewalk crossing.

This Land Use report has not identified any additional inherent effects associated with the Self-Storage facility. As such, as illustrated above, the proposed Conditional Use will not result in adverse effects over and above the above-described inherent impacts.

Additionally, this Land Use Report has not identified any non-inherent adverse effects associated with the Conditional Use at the proposed location. This Land Use Report therefore finds that the Conditional Use will not cause undue harm to the surrounding neighborhood. The Conditional Use will not interfere with the use or enjoyment of the surrounding properties, result in undue traffic, noise, odors, illumination, or a lack of parking, and will not interfere in any way with the health, safety, or welfare of the visitors or employees.

## **IX. Conclusion**

As demonstrated by this Statement, the Project meets or exceeds all of the criteria and standards in the CRTF Zone, as set forth in Divisions 59-3, 59-4, and 59-6, and substantially conforms to the Sector Plan. The LMA and Conditional Use meet all of the findings required in Division 59-7 for approval of these Applications. For all of these reasons, and the information contained in this Report, the Applicant respectfully requests approval of these Applications.