

Resolution No.: 20-928
Introduced: September 9, 2025
Adopted: September 30, 2025

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
IN MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: District Council

SUBJECT: APPLICATION NO. H-157 FOR AMENDMENT TO THE ZONING ORDINANCE MAP, Elizabeth Rogers, Esquire, Attorney for the Applicant, Paramount Self Storage, LLC; OPINION AND RESOLUTION ON APPLICATION; Tax Account No. 04-00776845.

Opinion

Paramount Self-Storage, LLC (Applicant or Paramount) filed two applications on August 16, 2024. The first, Local Map Amendment (LMA) Application No. H-157, seeks to rezone approximately 2.1 acres of property from the CR-2.0, C-0.5, R-1.5, H-120' (Commercial Residential) to CRTF-2.75, C-2.75, R-1.5, H-120' (Commercial Residential Town Floating). Exhibit 1. The second seeks conditional use approval to operate a self-storage facility. The Hearing Examiner prepared a separate Report and Decision approving the conditional use application. The subject property is located at 15750 Paramount Drive, Rockville, Maryland 20855, and is further identified as parcel H-2 in the "Derwood" subdivision (Tax Account No. 04-00776845).

Staff of the Montgomery County Planning Department recommended approval of the application, as did the Planning Board. Exhibits 44, 45. The Planning Board also approved Preliminary Forest Conservation Plan No. F20240710 (PFCP) at its meeting on May 22, 2025. Exhibit 45. The Hearing Examiner held a public hearing on June 12, 2025. No one appeared in opposition to the application. The Hearing Examiner left the record open for completion of the hearing transcript. The record closed on June 26, 2025.

The Hearing Examiner issued her report on August 8, 2025. She recommended approval of the application because it meets the standards for rezoning in the Zoning Ordinance and will be consistent with the coordinated and systematic development of the Regional District under State law. *Md. Land Use Art.*, §21-101(a) and (b). To avoid unnecessary detail in this Opinion, the Hearing Examiner's Report and Recommendation is incorporated herein by reference. Based on its review of the entire record, the District Council finds that the application meets the standards required for approval of the requested rezoning for the reasons set forth by the Hearing Examiner.

Subject Property

The subject property contains approximately 91,479 square feet of land (2.10 acres) and fronts Sommerville Drive to the north and Paramount Drive to the east. Exhibit 44, pp. 7-8. The parcel is an irregularly shaped corner lot abutting a vacant lot to the east, across Somerville Drive is a junkyard, diagonally across to the north-east is a vacant lot. The lot is developed with 11 separate one-story exterior access storage buildings built in 1974, outdoor vehicular storage, and associated surface parking. The property can be accessed either from Somerville Drive or Paramount Drive. The Somerville Drive side contains a 4-foot-wide sidewalk along the property frontage. Staff confirmed the lot contains no forest, wetlands, streams or floodplains.

Surrounding Area

The surrounding area is typically identified and characterized in a Floating Zone case. The boundaries are defined by those properties that will experience the direct impacts of the use. This area is then characterized to determine whether the Floating Zone Plan (FZP) will be compatible with the character of the impacted area.

The Hearing Examiner agreed with Staff and the Applicant in defining the neighborhood boundary as “Metro South”, adopting the neighborhood for this FZP the area as that described as “Metro South” in the *2021 Shady Grove Sector Plan Minor Master Plan Amendment* (Sector Plan or Plan). Metro South is bounded by CSX Railroad tracks to the north, Redland Road to the west, Paramount Drive to the east, and Frederick Road (MD 355) to the south. Rockville’s city limit is the southern boundary to the Metro South neighborhood.

The Hearing Examiner agreed with Staff and the Applicant that the area is a mix of commercial, light industrial, and “auto-centric” uses, noting the existence of automotive services, storage facilities, retail businesses, car dealerships, gas stations, and fast-food retailers. The District Council agrees with the Hearing Examiner’s characterization and so finds the surrounding area is appropriately identified as matching the Metro South footprint and containing light industrial and auto-centric uses.

Proposed Development

The Applicant plans to continue the self-storage use and proposes a phased construction schedule. The first phase will remove the old structures and construct a four-story self-storage building totaling approximately 159,640 square feet of gross floor area. Exhibit 44, pp. 11-12. The second phase will construct a six-story building of approximately 122,400 square feet with the ground floor of the structure designed to provide flexible space that can be used as retail in the future. *Id.* The new buildings will consist of up to 282,040 square feet of development, including a minimum of 17 vehicle parking spaces and a minimum of four loading spaces. *Id.*

Criteria for Approval

Every application for rezoning to a Floating Zone must be accompanied by an FZP that meets certain requirements. *Zoning Ordinance*, Section 59-7.2.1.B.2.g. The Applicant has filed an FZP (Exhibit 51) and related documents.

As stated, a Floating Zone application must meet the standards required by the Zoning Ordinance and State law. Generally, these standards fall into five categories: (1) conformity to the applicable Master Plan, (2) compatibility with adjacent uses and the surrounding area, (3) the adequacy of public services to support the proposed development, (4) technical requirements regarding whether the property is eligible to apply for a Floating Zone, and (5) whether the FZP meets the development standards of the zone requested.

Substantial Conformance with the Master Plan¹

The property sits within the boundaries of the Sector Plan. The Plan's vision statement "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." *Plan*, p. 2.

Planning Staff determined that the project satisfies several of the Plan's specific neighborhood recommendations for Metro South, including retail and other active uses at strategic locations and on-site renewable energy generation. Additionally, the project promotes incremental infill redevelopment that breaks up large blocks, creates amenities for pedestrians, and connects to adjacent areas. Additionally, the project follows the Plan's recommendation of street-oriented buildings connected by safe pedestrian access.² Staff also determined that the project will provide significant streetscape improvements and an area for open space as called for in the Plan. Exhibit 44 pp. 15-16.

The Applicant's land use report also identified the specific urban design recommendations from the Plan, noting the project is an important first step toward implementing the infill redevelopment, providing specific streetscape improvements, facilitating pedestrian connectivity, and proposing high quality architecture. Exhibit 23, pp 10-11. The Applicant's land use expert Mr. La Vay also opined that the project is in substantial conformance with the Sector Plan. T. 50. Specifically, Mr. La Vay pointed out that in addition to the property-specific requirements, the reservation of a 16-foot-setback provides for future open space connection, and the redevelopment satisfies the "street-oriented buildings" recommendation. T. 51-52. Mr. La Vay also opined that

¹ Section 59-7.2.1.E.2.a. of the Zoning Ordinance requires the District Council to find that the FZP "substantially conforms with the recommendations of the applicable master plan, general plan, and other applicable County plans." Section 59-7.2.1.E.2.b requires the FZP to be "in the public interest", which includes a review of conformity with County plans and policies and whether the development will be consistent with the coordinated and systematic development in the Regional District under State law. Section 59-7.2.1.E.2.c requires the application to further the intent of Floating Zones. The intent of Floating Zones incorporates compliance with the applicable master plan. *Zoning Ordinance*, §59-5.1.2.A.1.

² Staff recognizes that implementation of that vision will be incremental, particularly at the Metro Neighborhoods where working with multiple ownerships will be a challenge.

the sustainability goals of the Plan are also satisfied by the decrease in impervious surface, addition of on-site renewable energy, and expansion of the tree cover. T. 52.

The District Council finds that the FZP conforms to the Master Plan, as did the Hearing Examiner. The proposed improvements provide reinvestment in an existing property and represents the first redevelopment in the area since 2006. The project furthers the Plan's urban design and sustainability goals. The redevelopment will provide a community service that is both beneficial and important to multi-family residential use and to the existing uses in the area. In addition, the proposed redevelopment will provide modern stormwater management and onsite renewable energy that also align with the Plan goals.

Compatibility with Adjacent Uses and the Surrounding Area

Multiple standards for approval require the District Council to find that the FZP be compatible with adjacent uses and the surrounding area.³ The existing self-storage use will not change, but will improve. Exhibit 44, p. 26. Planning Staff found that the FZP would be compatible with adjacent development and the surrounding area because the proposed design connects to the existing urban fabric and allows for integration of future buildouts of the adjacent properties. *Id.* The Applicant's land use expert reiterated that the underlying use is not changing, and it remains compatible with the industrial and commercial nature of the surrounding properties, including the tow lot across the street. Mr. La Vay further pointed out that it will also be compatible with what could come to the area in the future. T. 77. Ms. Brown, the Applicant's architecture expert, opined that the building's architectural design and location, focusing on a building that activates the surrounding streetscapes to be compatible with the future mixed-use neighborhood as envisioned by the Sector Plan. The Hearing Examiner agreed with this analysis.

The District Council finds that the proposed development will be compatible with adjacent properties and the surrounding area in terms of scale, density, and design for the reasons stated by the Hearing Examiner. The project design complements the surrounding uses and revitalizes the site. Bringing the structures forward to the street creates an urban streetscape feel and blocks the parking/loading from the public view. In addition, the underlying use will remain the same and continue to be compatible with the surrounding commercial and light industrial uses.

Adequacy of Public Facilities/Public Interest

To approve a Floating Zone, the District Council must find that public facilities will be adequate to serve the FZP.⁴ Staff advised that a transportation impact study is not required to

³ The FZP must further the intent of Floating Zones in general and the CRTF Zone in particular. *Zoning Ordinance*, §§59-7.2.1.E.2.c; 59-5.1.2.C; 59-5.3.2. Floating zones are intended to (1) establish compatible relationships between new development and existing neighborhoods through limits on applicability, density, and uses, (2) provide development standards and general compatibility standards to protect the character of adjacent neighborhoods; and (3) allow design flexibility to mitigate any negative impacts found to be caused by the new use. *Id.*, §59-5.1.2.C. One purpose of the CRTF Zone is to provide "provide mixed-use development that is compatible with adjacent development." *Id.*, §59-5.3.2.C. Similarly, Section 59-7.2.1.E.2.d of the Zoning Ordinance requires the Council to find that the FZP is "compatible with existing and approved adjacent development."

⁴Section 59.7.2.1.E.2.e requires that an Applicant demonstrate traffic generated from the proposed development "does not exceed the critical lane volume or volume/capacity ratio standard as applicable under the Planning Board's LATR

satisfy the LATR because the project generates less than 50 new net peak hour person trips, per the 2020-2024 Growth and Infrastructure Policy and the LATR Guidelines. *Zoning Ordinance*, Section 59.7.2.1.E.2.e; Exhibit 44, p. 21. The Applicant conducted a trip generation study and determined that pursuant to LATR guidelines, the project generates less than 50 new peak hour trips, making the site exempt from providing quantitative auto, transit, bicycle, or pedestrian analysis. Exhibit 14a. Having no evidence to the contrary, the District Council determines that there is adequate traffic and transit capacity to serve the proposed development, as did the Hearing Examiner.

Uncontroverted evidence establishes that most other public facilities are adequate as well. The Applicant's expert in land use planning testified that gas, electric, water, and sewer utilities are located at the property. He also testified that fire and police stations are within an acceptable distance from the site. T. 85. The District Council finds that these public facilities are adequate to support the proposed development.

Stormwater Management/Environmental Issues

Stormwater management and environmental issues factor into the rezoning review for several reasons: (1) stormwater management is a public facility that must be adequate to serve the use, (2) an intent of Floating Zones is to ensure that development meets basic sustainability requirements such as "environmental protection and mitigation," and (3) the County Code requires approval of a Preliminary Forest Conservation Plan before the Council may act on a rezoning application. See, *Zoning Ordinance*, Sections 59-5.1.2.B.3.e, 59.7.2.1.E.2.b; *Montgomery County Code*, Section 22A-11(a)(1).

Currently, no stormwater management exists on the Property. T. 36. The Applicant received approval of their stormwater management concept plan from the Department of Permitting Services, Water Resources on December 9, 2022. T. 49-50. The concept meets required stormwater management goals. Exhibit 9.

The Applicant seeks to construct a net zero energy site, using on-site renewable energy via rooftop solar photovoltaic systems, and will provide additional greenspace and landscaping to promote sustainability and activate the pedestrian environment. Exhibit 44, p. 21. Mr. La Vay, Applicant's expert, identified the net zero energy plan as well as the decrease in impervious area and expanded tree cover. T. 52.

No forests, wetlands, streams, floodplains, or large specimen trees exist on the property. Exhibit 44, pp. 8. 21. Planning Staff determined the proposed forest conservation plan conforms with environmental guidelines. *Id.* pp. 37. The Planning Board approved the Preliminary Forest Conservation Plan on May 22, 2025. Exhibit 45.

Guidelines, or, if traffic exceeds the applicable standard, that the applicant demonstrate an ability to mitigate such adverse impacts . . ." The adequacy of other facilities is part of the Council's determination that an application will be "in the public interest..." and that it be "it will be consistent with a coordinated and systematic development of the Regional District" under State law. *Zoning Ordinance*, §59-7.2.1.E.2.b; *Md. Land Use Art.*, §21-101(a) and (b). The intent of the Floating Zones is to "implement comprehensive planning objectives by...ensuring that the proposed uses are in balance with and supported by the existing and planned infrastructure..." *Zoning Ordinance*, §59-7.2.1.E.1.b; 59-5.1.2.A.2.

The Hearing Examiner concluded that the application met the intent of the Floating Zone to maximize sustainable development. Hearing Examiner found that this purpose of the Commercial/Residential Town Floating Zones has been sufficiently met at the rezoning stage.

The Intent and Standards of the Zone as set forth in Section 59.5.1.2.⁵

The District Council must determine whether the FZP fulfills the intent of the Floating Zones. Several of these have already been addressed. The balance of those (from Section 59-5.1.2) are:

Section 59-5.1.2.A.3. Implement comprehensive planning objectives by:

3. allowing design flexibility to integrate development into circulation networks, land use patterns, and natural features within and connected to the property; and

Staff concluded that the FZP meets this goal because the project incorporates phasing to allow design flexibility, enabling the Applicant to adapt their designs over the area over time and connect to the overall compatibility of the future surrounding development. Exhibit 44, p. 26-27 Expert testimony established that the FZP uses the flexibility of the floating zones at a maximum height of 80 feet less than the allowed 120 feet to be more compatible with the existing development. T. 79. Additionally, the Applicant's land use expert opined that keeping the two entrances ensures safe vehicular and pedestrian access and circulation allowing for easy egress to and from the property. T. 42. The District Council finds that the FZP meets this intent of the Floating Zones for these reasons, as did the Hearing Examiner.

Section 5.1.2.B. 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; ...

The Applicant's land use expert opined that much has changed since the COVID pandemic with people working from home and how business operations have changed making self-storage an important part of any community, especially in an urban environment. T. 58. Both Staff and the Applicant identify that substantial environmental improvements that will occur on site with the redevelopment including, solar, cool roof, stormwater management, a net zero energy facility,

⁵ The intent of Floating Zones contained in Sections 59-5.1.2.A.1 and 2 and 59-5.1.2.C of the Zoning Ordinance has already been addressed in the Council's findings relating to the compatibility of the FZP with surrounding uses, the adequacy of public facilities, and creation of a sustainable development. The balance of the Floating Zone intent clauses is discussed here.

additional green space, and landscaping. Exhibit 44, p. 26 and Exhibit 23, p. 15. The District Council finds that the FZP meets this intent of the Floating Zone, as did the Hearing Examiner.

The Applicability of the Zone (Section 59.5.1.3.)

Section 59.5.1.3. of the Zoning Ordinance sets up a series of threshold tests to determine whether a site may apply for a Floating Zone. Prerequisites are not required for a property with a non-Residential base zone. *Zoning Ordinance*, Section 5.1.3.B.

The Applicant's expert witness opined via the land use report that there are no prerequisites for a property already within the CR Zone. Exhibit 23, p. 16. The District Council agrees with the Hearing Examiner that there are no prerequisites required for this FZP.

The Purpose of Commercial/Residential Floating Zones (Purpose, Permitted Uses, and Permitted Building Types, Sections 59.5.3.2 through 59.5.3.4)

Zoning Ordinance Division 59-5.3 lists the Commercial Residential Floating Zones, specifies their purpose, lists the allowed uses and building types and sets forth the applicable development standards. Section 59.5.3.1. establishes the Commercial/Residential Town Floating Zone.

Purpose. The District Council has already found that the FZP is compatible with adjacent development, one of the purposes of the Commercial/Residential Zones. *Zoning Ordinance*, Section 5.3.2.C. The remaining purposes are:

Section 5.3.2. Purpose

The purpose of the Commercial/Residential Floating zones is to:

- A. allow development of mixed-use centers and communities at a range of densities and heights flexible enough to respond to various settings;*
- B. allow flexibility in uses for a site; and*
- C. provide mixed-use development that comparable with adjacent development.*

The Hearing Examiner found that the FZP was designed in response to the property's settings, maintains the existing use and will not only remain compatible with the community and surrounding properties, but improves the neighborhood consistent with the goals of the Plan. The FZP fulfills this purpose.

Uses and Building Types Permitted (Section 59.5.3.3 and 59.5.3.4): The CRTF Zone permits only the uses allowed in the CRT (Commercial/Residential Town Zone) and permits any building type. *Zoning Ordinance*, Sections 5.3.3.3, 59.5.3.4. The binding elements of the FZP limit the use of the property to self-storage and ancillary ground floor retail. The self-storage is permitted as a conditional use in the CRTF Zone, retail and any building type are permitted. *Zoning Ordinance*, Section 59.3.1.6. The FZP meets this standard.

Development Standards of the Zone (Section 5.3.5)

Density. The FZP complies with the maximum floor area ration as prescribed in Section 59-5.3.5.A.

Height and Setbacks. The Applicant presented expert testimony that CRTF zone's development standards are flexible and the only prescribed development standards are open space, density, parking, and landscaping. T. 60. Regarding setbacks they are established by the floating zone. T. 60. The Hearing Examiner included a maximum building height on the subject property to be limited to 80 feet as a binding element. The Hearing Examiner found the standards for height and setback to be met. The District Council does as well.

Lot size, parking, recreation, and open space. Lot sizes are not part of the District Council's review at the rezoning stage. *Id.*, Section 59.5.3.5. C. This site has a tract area of 2.10 acres. Exhibit 44, p. 7. No recreation is required for this application. *See* Section 59.5.3.5.D. The project does require 5% of open space. *See* Sections 59.5.3.5.D.1.b and 59.4.5.4.B.1.a. The Applicant proposes 12.1% of open space. Additionally, the Sector Plan shows the western edge of the property as a potential open space with a potential connection based on future redeveloped block grid. The project provides a 16-foot-wide setback and will allocate 4,700 square feet of future open space. Exhibit 44, p. 15. Article 59.6 of the Zoning Ordinance contains standards that regulate the number and design of parking spaces among other elements. As part of the conditional use application, the Applicant sought a parking waiver for 17 parking spaces, one of which will be dedicated ADA space, and 4 loading spaces for a total of 21 parking spaces. The Hearing Examiner granted a waiver to the parking requirement concurrent with conditional use application approval. *See Hearing Examiner's CU Report and Decision*, pg. 30. With the grant of the parking waiver, the District Council finds the FZP shows adequate parking.

Conclusion

Based on the foregoing analysis and after a thorough review of the entire record, the District Council concludes that the proposed reclassification and development will meet the standards set forth in the Zoning Ordinance, and that it will be consistent with a coordinated and systematic development of the Regional District under State law.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District located in Montgomery County, Maryland, approves the following resolution:

Local Map Amendment Application No. H-157, requesting reclassification from the existing CR-2.0, C-0.5, R-1.5, H-120' (Commercial/Residential Zone) to CRTF-2.75, C-2.75, R-1.5, H-120' (Commercial Residential Town Floating Zone), of property described as 15750 Paramount Drive, Rockville Maryland 20855, and is further identified as Parcel H02 in the "Derwood" subdivision, (Tax Account No. 04-00776845) is hereby **approved** in the amount requested and subject to the

specifications and requirements of the Floating Zone Plan, Exhibit 51, provided that the Applicant files an executed Declaration of Covenants reflecting the binding elements in the land records and submits to the Hearing Examiner for certification a true copy of the Floating Zone Plan approved by the District Council within 10 days of approval, in accordance with Sections 59.7.2.1.H.1.a. and b. of the Zoning Ordinance.

This is a correct copy of Council action.



Sara R. Tenenbaum
Clerk of the Council

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I. CASE SUMMARY

Applicant: Paramount Self Storage, LLC

LMA No. & Date of Filing: H-157, filed August 16, 2024



Current Zone: CR-2.0, C-0.5, R-1.5, H-120' (Commercial/Residential Zone).

Current Use: Approx. 91,476 square-foot area containing a series of one-story storage buildings, outdoor vehicular storage and associated surface parking.

Requested Zone: CRTF-2.75, C-2.75, R-1.5, H-120' (Commercial Residential Town Floating Zone). The existing buildings are currently grandfathered. Self-storage is only permitted in the CRTF zone. To redevelop and modernize the existing facility, the property must be rezoned to CRTF.

Proposed Use: Continue self-storage use, redeveloping the site with four and six-story self-storage buildings compromised of up to 282,040 square feet of storage, with the potential for retail use on the ground floor.

Consistency with Master Plan: Located within the *2021 Shady Grove Sector Plan Minor Master Plan Amendment*. Consistent with the Master Plan.

Neighborhood Response:	No neighborhood support or opposition received.
Planning Board Recommends:	Approval
Technical Staff Recommends:	Approval
Hearing Examiner Recommends:	Approval
District Council Votes Needed to Approve:	6

II. STATEMENT OF THE CASE

Paramount Self-Storage, LLC (Applicant or Paramount) filed two applications on August 16, 2024. The first, LMA Application No. H-157, seeks to rezone approximately 2.1 acres of property from the CR-2.0, C-0.5, R-1.5, H-120' (Commercial Residential) to CRTF-2.75, C-2.75, R-1.5, H-120' (Commercial Residential Town Floating). Exhibit 1. The second seeks conditional use approval to operate a self-storage facility. See CU 25-01, Exhibit 1. The Hearing Examiner prepared a separate Report and Decision for the conditional use application. The subject property is located at 15750 Paramount Drive, Rockville, Maryland 20855, and is further identified as parcel H-2 in the "Derwood" subdivision (Tax Account No. 04-00776845). *Id.*

Notice of the public hearing was mailed and posted on OZAH's website on April 22, 2025. Exhibit 34. The notice established a hearing date of June 12, 2025. The public hearing proceeded as scheduled on June 12, 2025. The Applicant presented three witnesses, one representing the Applicant and two expert witnesses. No additional witnesses appeared in either support or opposition of the Application. As the hearing was conducted in a hybrid format, Mr. Al Carr observed the hearing neither in support nor opposition via Zoom. T. 11-12. The Hearing Examiner held the record open for ten days only to receive the transcript of the proceedings. Upon receipt of the transcript, the record closed on June 26, 2024.

III. FACTUAL BACKGROUND

A. Subject Property

The subject property contains approximately 91,479 square feet of land (2.10 acres) and fronts Sommerville Drive to the north and Paramount Drive to the east. Exhibit 44, pp. 7-8. The parcel is an irregularly shaped corner lot abutting a vacant lot to the east, across Somerville

Drive is a junkyard, diagonally across to the north-east is a vacant lot. *Id.* An aerial photograph of the property is shown below. *Id.* at 8.



Staff Report – Exhibit 44, Figure 3

Today, the lot is developed with 11 separate one-story exterior access storage buildings, outdoor vehicular storage, and associated surface parking. *Id.* at 7. These structures contain approximately 38,097 square feet of above grade floor area. *Id.* These buildings were developed in 1974 with interior vehicular circulation and parking. Exhibit 23, p. 2. The property can be accessed either from Somerville Drive or Paramount Drive. The Somerville Drive side contains a 4-foot-wide sidewalk along the property frontage. *Id.* Staff confirmed the lot contains no forest, wetlands, streams or floodplains. Exhibit 44, p. 8.

B. Surrounding Area

The surrounding area is typically identified and characterized in a Floating Zone case. The boundaries are defined by those properties that will experience the direct impacts of the use. This area is then characterized to determine whether the Floating Zone Plan will be compatible with the character of the impacted area.

Staff defined the neighborhood boundary as being “Metro South”, identifying the neighborhood to be the same area as described as “Metro South” in the *2021 Shady Grove Sector Plan Minor Master Plan Amendment* (Sector Plan). *Id.* at 5. Metro South is “bounded by CSX Railroad tracks to the north, Redland Road to the west, Paramount Drive to the east, and Frederick Road (MD 355) to the south. Rockville’s city limit is the southern boundary to the Metro South neighborhood.” *Id.* The surrounding area is delineated in a graphic from the Staff Report shown on the following page.



Staff Report - Exhibit 44, p. 6, Figure 1

Applicant's land use report describes the neighborhood as a mix of commercial, light industrial and auto-centric industrial uses. Exhibit 23, p. 3. Staff note Sector Plan describes Metro South as containing a variety of light industrial uses, such as automotive services, storage facilities and retail businesses. Exhibit 44, p. 5. The property abuts a vacant lot to the west, an automotive junkyard to the north, a car dealership to the east and to the south, fast food retailers, gas stations and miscellaneous auto oriented retail services. *Id.*

Based on the record, the Hearing Examiner agrees with Staff that the neighborhood is a appropriately identified as matching the Metro South footprint per the Sector Plan and agrees with the Applicant's land use report that the neighborhood contains a variety of light industrial and auto-centric uses.

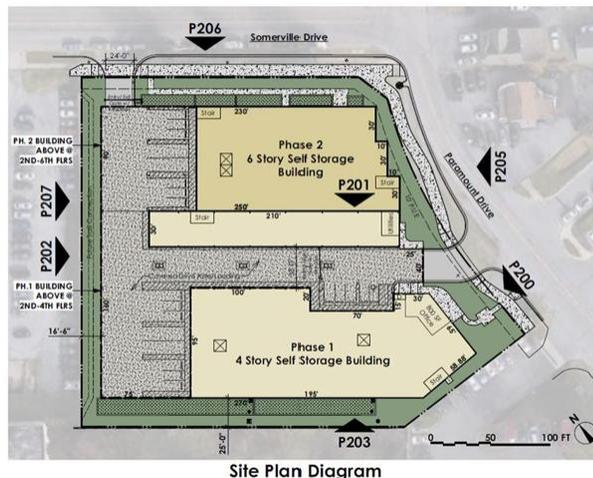
C. The Applicant's Proposal

Because self-storage is only allowed as a limited use in a CR zone, which requires storage to be in a basement or cellar of a building used for other purposes, the Applicant cannot update the existing self-storage site without a change from CR to the CRTF zone. Exhibit 44, p. 11. The Applicant plans to continue the self-storage use and proposes reinvesting and redeveloping the existing site with a modern self-storage facility with the "potential for ancillary neighborhood serving retail use on the ground floor." Exhibit 23, pg. 3. The renovation will take place in two phases with the old structures replaced by "four and six-story self-storage buildings featuring high-quality architectural elements, building materials and improved site design." *Id.* at 4. The new buildings will consist of up to 282,040 square feet of development, including a minimum of 17 vehicle parking spaces, and a minimum of four (4) loading spaces. Exhibit 44, p. 11. Staff described the construction phasing as follows:

The first phase of development will include a four-story self-storage building, totaling approximately 159,640 square feet of gross floor area ("Phase 1"). The Phase 1 building is situated on the southern portion of the Subject Property with frontage on Paramount Drive. The leasing office will be constructed on the ground floor of the Phase 1 building, with the entrance adjacent to the public open space that provides direct access for pedestrians from the street, to activate the pedestrian environment. Phase 1 will also provide an interim pervious surface parking lot that will be landscaped along the perimeter of the Property to limit views from the street. This parking lot is expected to be used for vehicle storage associated with self-storage use. Although vehicular parking is provided between the building and the street in the interim condition, the ultimate site layout places Building 2 along Somerville Drive which satisfies the zoning requirement of not placing parking between the building and the street.

The second phase proposes the construction of a six-story building of approximately 122,400 square feet (“Phase 2”) in size. The Phase 2 building will be located on the northern portion of the Subject Property at the intersection of Somerville Drive and Paramount Drive. The ground floor of the Phase 2 building has been designed to provide flexible space that can be devoted to a ground-floor retail use in the future when the immediate vicinity can support such a use. Exhibit 44, p. 12.

The project's design places modern facilities that frame the street and significantly reduce surface parking and drive aisles. *Id.* The redevelopment will activate the streetscape through strategically siting the proposed buildings and implementing high-quality architectural elements along all facades and the building locations will define the pedestrian environment. *Id.* Additionally, the Applicant anticipates that the proposed building will achieve a net-zero energy designation. *Id.*



Staff Report - Exhibit 44, part of Figure 7,
Site Plan Diagram

1. Floating Zone Plan

Under Zoning Ordinance §59.7.2.1.B.2.g., every application for rezoning to a Floating Zone must be accompanied by a Floating Zone Plan (FZP) that contains required information and often a list of “binding elements” that restrict future development of the property. The Applicants

have submitted the required plan. Exhibit 39¹.

Mr. Patrick La Vay testified on behalf of the Applicant and was admitted as an expert in land planning. T. 33. Mr. La Vay testified to the trapezoidal shape of the property and the goal of bringing the building up to the streets to the maximum extent possible with all the parking and loading operations internal to the site. T. 39. Additionally, Mr. La Vay explained the addition of flexible space facing Somerville will provide space for future retail should it be viable for the site. T. 40. The two curb cuts will remain, one located on each street with slight modifications, particularly on Paramount to more closely align the driveway with the one across the street. T. 40. The Applicant seeks "alternative compliance" to retain the two access points with upgrades to ensure safe vehicular and pedestrian access and circulation. T. 41. Mr. La Vay opined that the Planning Board would be the body required to approve the alternative compliance for two access points during the future site plan process. T. 42.



Exhibit 47, p. 17 - Phase 1 Rendering

¹ The Applicant resubmitted a new Floating Zone Plan, Exhibit 51 to correct a typo in the square footage requirement set forth in Binding Element 1. The maximum commercial density will not exceed 282,040 square feet.



Exhibit 47, p. 18 – Phase 2 Rendering

Binding Elements

The Staff Report includes three binding elements (Exhibit 44):

1. The proposed self-storage facility and ancillary ground floor retail will not exceed a maximum commercial density of 282,040² square feet.
2. Vehicular access to the Site will be limited to the two access points, as shown on the Floating Zone Plan.
3. The maximum building height on the Subject Property is limited to 80 feet.

2. Access

When asked if the two access points met all the standards for County DOT, Mr. La Vay testified that the two typical requirements would be spacing from the intersection and then site distance and both of those were deemed adequate as shown on Exhibit 31, and he further opined

² As previously noted above, the maximum commercial density in Binding Element 1 has been corrected to read 282,040 square feet NOT 284,040 square feet.

that the proposed site distance is adequate with proper signage. T. 43-44.

3. Environment

Staff determined there were no forests, wetlands, streams or floodplains on the property. Exhibit 44, pp. 8, 21. Additionally, Staff note the project seeks to be a net zero energy site, using on-site renewable energy via rooftop solar photovoltaic systems, introduce stormwater management where none currently exists and will provide additional greenspace and landscaping to promote sustainability and activate the pedestrian environment. *Id.* Mr. La Vay also testified to the net zero energy plan as well as the decrease in impervious area and expanded tree cover. T. 52.

Mr. La Vay also testified that the forest conservation plan was approved by the Montgomery County Planning Board May 29, 2025. *Id.* Mr. La Vay noted that because there is no existing forest at the site, nothing is being retained and afforestation is not feasible on the property. T. 47. The approved plan includes .36 acres of offsite mitigation. T. 47.

D. Community Concerns

Staff noted the Applicant held a meeting on Monday, May 5, 2025 with the Implementation Advisory Committee for Shady Grove (IAC). Exhibit 44, p. 23. Staff received the following questions and provided the following responses regarding the Application.

1. *Development Review Committee (DRC) comments state the Project is not in conformance with Sector Plan.* In summary, Staff explained that it is not uncommon for applications when first submitted to not meet all approval standards. But the Applicant responded to Staff's concerns and revised its submittal to align with the goals of the Sector Plan. *Id.*

2. *The building for Phase 2 is six stories high, which is taller than anything nearby. It*

would seem much more reasonable to have both structures be only 4 stories tall. This is an even bigger concern when you take into account that the overall structure of both buildings will basically take up the entire site. It will be a huge mass in that area. Staff responded that the current zoning permits a height of up to 120 feet which is consistent with surrounding zones and that the Phase 2 structure which is 6 stories in height will still be less than the 120 feet permitted in the current and proposed zone. Additionally, Staff noted that the higher structure will be constructed in the second phase allowing for a gradual increase in height. *Id.*

3. The IAC is worried that this development, while an improvement over the existing structures on the site, greatly decreases the likelihood of mixed-use residential development elsewhere in this block and on the other side of Somerville Drive and Paramount Drive. Staff responded to the concern regarding the potential impact on future mixed-use development explaining that the improved streetscape, sidewalks and open spaces will allow for future development to connect to this project and the zoning for the surrounding parcels remains unchanged. *Id.*

The Hearing Examiner received no letters either in support or opposition of the application from the public. On June 6, 2025, OZAH received a letter from Mr. Al Carr raising an issue for the Hearing Examiner as to whether the Applicant complied with the Maryland Annotated Code, General Provisions Article §5-842. Mr. Carr asserts in his letter that the Applicant failed to identify each of the holders of at least 5% interest of the business entity who has an interest in the subject property. In response to Mr. Carr's letter, Ms. Rogers, counsel for the Applicant, disagreed with Mr. Carr's assertion noting that a disclosure statement for Paramount Self Storage, LLC as the owner/Applicant was filed and that there are no individuals who have a direct ownership interest in Paramount Self Storage LLC. T. 18-19 and Exhibit 50.

Out of an abundance of caution, Ms. Rogers submitted 7 additional disclosures encompassing all entities and person with any indirect beneficial interest in Paramount Self Storage, LLC noting that there are no owners, members or other parties that have either a direct or indirect beneficial interest in the property that have made any contributions within the four-year election cycle preceding the submission of the application or during the pendency of the application. T. 19. Mr. Carr appeared at the hearing via Zoom only to observe and did not respond to Ms. Rogers argument or supplemental submission. No other community members appeared at the hearing nor did OZAH receive any additional correspondence regarding the application.

IV. FINDINGS AND CONCLUSIONS

A floating zone is a flexible device that allows a legislative body to establish development standards and uses for a particular district before “attaching” to individual properties. The zone may be applied to individual properties with the approval of a Local Map Amendment.

For approval, the District Council must find that the proposal will meet the standards required by the Zoning Ordinance and that it will be consistent with a coordinated and systematic development of the Regional District. *See, Md. Land Use Art.*, §21-101(a) and (b). While many of the site-specific requirements for development are addressed by later approvals, the Zoning Ordinance contains various standards, or “Necessary Findings” that the Council must make. These standards incorporate the requirements of other sections of the Zoning Ordinance, as set forth below.

A. The “Necessary Findings” Required by Zoning Ordinance §59.7.2.1.E.2.

1. Substantial Conformance with the Master Plan

Several sections of the Zoning Ordinance require an applicant to demonstrate that the

proposed rezoning conforms to the applicable Master Plan:

Section 7.2.1.E.2.a. For a Floating zone application the District Council must find that the floating zone plan will:

a. substantially conform with the recommendations of the applicable master plan, general plan, and other applicable County plans;

* * *

Section 59.7.2.1.E.2.b: ...further the public interest...

* * *

Section 59.7.2.2.c: ...satisfy the intent and standards of the proposed zone...

* * *

Section 59.5.1.2.A.1. (Intent of Floating Zones): Implement comprehensive planning policies by... furthering the goals of the general plan, applicable master plan, and functional master plan...

Staff concluded that the project substantially conforms to the *2021 Shady Grove Sector Plan Minor Master Plan Amendment* (Sector Plan or Plan). Exhibit 44, pp. 15-19. Staff quoted directly from the “Vision” statement of the Plan that “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”. Exhibit 44, p. 15. Staff determined that the project satisfied the following referenced Sector Plan and Metro South neighborhood specific recommendations.

- Promotion of incremental infill redevelopment that breaks up large blocks, creates amenities for pedestrians, and connects to adjacent areas.
- 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
- Envisions this area as a mixed-use residential area.

- Encourage retail or other active uses at strategic locations.
- Include on-site renewable energy generation.
- Include building design features that keep roofs cool – either green roofs or cool roofs.

Id.

Staff determined that the redevelopment of the site provides significant streetscape improvements and sets aside an area for the future inter-parcel connection along the site's western edge as "called for" in the Sector plan at page 27. Additionally, Staff found that this area of "potential open space" and the 16-foot side setback will transform the pedestrian environment and begin to build out the area's pedestrian network." *Id.* at 15-16. Staff also found that redevelopment of the property will take an under-utilized property and bring it into conformance with the urban design goals of the Plan and begin the neighborhood's transformation to a more mixed use and walkable area. *Id.* The redesigned building placement providing continued self-storage and retail space will provide services for the future "mixed-use residential area." *Id.* The project also satisfies the Plan's sustainability goals specifically the inclusion of on-site renewable energy generation through the use of rooftop solar photovoltaic systems along with the cool roof design and planned net zero energy designation. *Id.*

The Applicant's land use report also identified the specific urban design recommendations from the Plan noting the project is an important first step toward implementing the infill redevelopment, providing specific streetscape improvements, facilitating pedestrian connectivity, and proposing high quality architecture. Exhibit 23, pp 10-11. The Applicant's expert Mr. La Vay also opined that the project is in substantial conformance with the Sector Plan. T. 50. Specifically, Mr. La Vay pointed out that in addition to the property-specific requirements, the reservation of 16-foot-set-back to provides for future open space connection, the redevelopment satisfies the "street oriented buildings" recommendation, reserving space

flexible space for possible future retail. T. 51-52. Mr. La Vay also opined that the sustainability goals of the Plan are also satisfied by the decrease in impervious surface, addition of on-site renewable energy, and expansion of the tree cover. T. 52.

Conclusion: Aside from the explicit requirement to “substantially conform” to the Master Plan, OZAH has interpreted the “public interest” requirement as conformance to adopted County plans and policies, including the relevant master plan. The Hearing Examiner agrees with both Staff’s and Mr. La Vay’s characterization of the goals and recommendations of the Sector Plan.

The Hearing Examiner agrees with Mr. La Vay’s testimony the redevelopment will “provide a community serving use that is both beneficial and important to multi-family residential as well as some of the existing uses in the area.” T. 53. Given Mr. La Vay’s testimony that this project represents the first redevelopment in the area since 2006, the Hearing Examiner finds this project to be a first step towards achieving incremental redevelopment of Metro South as anticipated by the Sector Plan.

Given the extensive testimony, details from the Applicant’s Land Use Report and Staff’s determinations and having no evidence to the contrary, the Hearing Examiner finds that the FZP furthers the Plan’s urban design and sustainability goals for the reasons stated by Staff and incorporated above. The FZP is the first step towards achieving goals for the area as envisioned by the Sector Plan and furthers the public interest.

2. Compatibility²

Several sections of the Zoning Ordinance require the District Council to analyze the compatibility of the proposed FZP with adjacent uses and the surrounding area. The application must:

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;

* * *

Section 5.1.2.C. (Intent of Floating Zones). 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.***

* * *

Section 5.3.2.C. (Purpose of Commercial/Residential Zones). The purpose of the Commercial/Residential Zones is to ... provide mixed-use development that is compatible with adjacent development.

Section 7.2.1.E.2.d. be compatible with existing and approved adjacent development...

(remaining page intentionally left blank)

² Section 59.7.2.1.E.2.f also addresses compatibility, but only when the existing zone is a Residential Detached Zone: “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.” The CR Zone is not a residential detached zone. *Zoning Ordinance*, §59.2.1.3.C.1. For this reason, the Hearing Examiner does not address this standard.

Staff determined that the project ensures compatibility with the existing future neighborhood “by setting limits on applicability, density, and uses” to “maintain the character and integrity of the surrounding areas while accommodating future growth.” Exhibit 44, p. 26. Additionally, Staff found that the project adheres to specific CRTF development standards and compatibility guidelines further protecting the character of adjacent neighborhoods. *Id.* Further Staff found that the project’s connection to the existing urban fabric allows for integration of the future buildouts of the adjacent properties. *Id.*

Additionally, Staff note that the phasing of redevelopment project incorporates design flexibility, mitigates any negative impacts by providing justification for the parking waiver and mitigation for the two access points approved by MCDOT. Further this phasing flexibility enables the Applicant to adapt their designs to the area over time and connect to the overall compatibility of the future surrounding developments. *Id.* at 27.

Mr. La Vay opined that the existing use is compatible with the surrounding neighborhood and the proposed changes will provide an opportunity for an improvement in the neighborhood. T. 59. Mr. La Vay reiterated that the underlying use is not changing and remains compatible with the industrial and commercial nature of the surrounding properties, including the tow lot across the street and further pointed out that it will also be compatible with what could come to the area in the future. T. 77. Ms. Brown, the Applicant’s architecture expert, opined that the building’s architectural design and location focusing on a building that activates the surrounding streetscapes to be compatible with the future mixed-use neighborhood as envisioned by the Sector Plan. T. 100. Specifically, Ms. Brown opined that the project was designed to “establish that urban framework” pulling the building to the street and not have any parking between what is “the street and the pedestrian realm zone.” T. 101. Ms. Brown and Mr. La Vay both testified that the proposed redevelopment is compatible and

complies with requirements of the CRTF zone and with the current codes. T. 56, 76.

Mr. La Vay discussed Section 59.5.3.2.C of the Zoning Ordinance encouraging “flexibility in uses for a site.” T. 59. He further opined that allowing the use in existence today to continue, through the rezoning process meets the flexibility intent. T. 59. In addition, Ms. Brown confirmed the design features for the redevelopment, including the maximum height of 80 feet less than the allowed 120 feet will be compatible with existing development. T. 79.

Conclusion: Based on this record, the Hearing Examiner agrees with Staff and the Applicant's experts that the project meets the purposes of the CRTF Zone and that the proposed Floating Zone will provide flexibility to allow the use to continue and improve the site. The Applicant has used the design flexibility of the CRTF Zone to ensure compatibility with adjacent and surrounding properties. The remove of the old storage structures with modern structures moved closer to the street will provide the urban design feel and block the parking/loading from the public view. This standard has been met.

3. Public Infrastructure/Public Interest

Several sections of the Zoning Ordinance require an applicant for a Floating Zone to demonstrate that certain existing and planned infrastructure will be adequate to serve the property.

The Council must find that the application meets the following standards:

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...

* * *

Section 7.2.1.E.2.b: further the public interest...

* * *

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;

* * *

*Section 5.1.2.A.2: (Intent of the Floating Zones).
“...implement comprehensive planning objectives
by...ensuring that the proposed uses are in balance with and
supported by the existing and planned infrastructure...”*

Staff advises that a transportation impact study is not required to satisfy the LATR test because the project generates less than 50 new peak hour person trips. Exhibit 44, p. 21. In addition, the Applicant submitted a Traffic Statement in accordance with the 2020-2024 Growth and Infrastructure Policy and the 2023 LATR Guidelines to demonstrate that the development will generate fewer than 50 new net per person trips in the morning and evening peak times. Exhibit 24; T. 77-78, 85.

Mr. La Vay testified that other public infrastructure elements were adequate. Specifically, Mr. La Vay opined that there is adequate water, sewer, electric, and gas to serve the property and police, fire and ambulatory services are well within operation of local operating distances and have available services. T. 85. Additionally, as this project has no residential component, school impact is not at issue. T. 85. Staff also agreed with Mr. La Vay's assessment of the public infrastructure status. Exhibit 44, p. 34.

Mr. La Vay also testified that today no stormwater management plan exists on site. T. 36. Mr. La Vay further testified that a stormwater management concept plan has been approved by the Department of Permitting Services (DPS). T. 49-50. On August 26, 2024, DPS found the stormwater management plan for the property to be acceptable. Exhibit 9.

Regarding the satisfying public interest, Staff determined as follows:

The Project will further the public interest and provide a new neighborhood service to the surrounding Metro South neighborhood. The Project will establish

streetscape improvements that will allow for future connections as the area develops. Additionally, it incorporates renewable energy systems and cool roof materials to achieve net-zero energy designation. The project will provide new stormwater management facilities where none currently exists and will provide additional green space.

Exhibit 44, p. 25.

Conclusion: Based upon the uncontroverted testimony and evidence in this record, the Hearing Examiner finds that public infrastructure will be adequate to serve the proposed use at this stage and will be finally determined at a later stage of the development process.

Additionally, the Hearing Examiner finds the proposal to be in the public interest in that it will add stormwater management, be sustainably developed, updates an existing use, and provides a potential new retail use for the surrounding Metro South neighborhood.

B. The Intent and Standards of the Zone (Section 59.7.2.1.E.2.c)

As already stated, Section 59.7.2.1.E.2.c of the Zoning Ordinance requires the District Council to find that the FZP “satisfy the intent and standards of the proposed zone.” The Zoning Ordinance includes an “intent” clause for all Floating Zones and a “purpose” clause” for the particular zone requested. Several of these have already been analyzed in Part IV.A of this Report. The balance of the intent findings for Floating Zones and the purposes of the CRTF Zone are discussed below.

1. Intent of Floating Zones (Section 59.5.1.2)

The intent of Floating Zones is in Section 59.5.1.2 of the Zoning Ordinance. The Hearing Examiner has already discussed whether the application has met the intent Sections 59.5.1.2.A.1 and 2. This section discusses whether the FZP meets the remaining intents of the CRTF Zone.

Section 59.5.1.2.A.3 ... The intent of the Floating zones is to:

A. Implement comprehensive planning objectives by...

3. allowing design flexibility to integrate development into circulation

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

Staff found that the FZP meets this standard because the “Project furthers the goals and recommendations of the Sector Plan”. Exhibit 44, p. 26. Further Staff determined that the “Project has been designed to complement the future envisioned uses of the community”, the property’s use will not change and the “redevelopment will elevate the exterior façade with attractive and modern finishes and establish a street presence.” *Id.*

Mr. La Vay also pointed out that the use will remain the same as it is today and remain compatible with the surrounding uses. T. 59. Mr. La Vay further opined that removal of “first generation” unsightly low-rise facilities to a more modern -street oriented, pedestrian-friendly building improves the site design. T. 57. Additionally, Mr. La Vay agreed with Staff that keeping the two entrances ensures safe vehicular and pedestrian access and circulation allowing for easy entrance and exit to and from the property. T. 42.

Conclusion: The Hearing Examiner agrees with Staff and the Applicant that the project has been designed to complement the surrounding uses in furtherance of the Sector Plan goals for Metro South. It is important to note the fact that the underlying use will not change and that today the use is compatible with the existing surrounding land uses. In addition, the removal of the “unsightly low-rise facilities” and replacing them with modern street forward designed structures will improve the not only the visual aesthetics but improve both pedestrian and vehicular circulation in and around the site.

B. 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 including:

- a. locational criteria,*
- b. connections to circulation networks,*
- c. density and use limitations,*
- d. open space standards,*
- e. environmental protection and mitigation; and*

Regarding the appropriate use of land Staff determined

The proposed Floating Zone complies with the maximum floor area ratio prescribed in Section 59-5.3.5.A and will permit desired reinvestment in the existing self-storage facility and future retail. The Project will introduce stormwater management to the Property, where none currently exists, and will provide additional green space and landscaping to promote sustainability and activate the pedestrian environment. The Applicant also proposes a cool roof and solar panels on the self-storage buildings, furthering the sustainability goals of the County.

Exhibit 44, p. 26

Mr. La Vay opined that so much has changed since COVID with people working from home and how business operations have changed making self-storage an important part of any community “especially in the sort of urban environment that we live.” T. 58. In addition to the Applicant's expert testimony on the appropriate use of land the Applicant's land use report identified the following as satisfying the basis sustainability requirements:

[T]he 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.

Exhibit 23, p. 15.

Conclusion: The Hearing Examiner agrees with Staff and the Applicant's experts that the project

meets the intent of the floating zones. This project will meet a community need for more storage space in response to today's changing live/work environment. The replacement of the first-generation limited space storage facility with a modern design and more accessible structure is an appropriate use of the land. The development satisfies the sustainability goals through creation of stormwater management and the net zero energy goal enhancing the environment for years to come.

2. Purpose of the Commercial Residential Floating Zones (Section 59.5.3.2)

In addition to meeting the intent of Floating Zones, the FZP must meet the purpose of the zone requested. The purposes of the CRTF Zone are in Section 59.5.3.2. The Hearing Examiner has already discussed Section

Section 5.3.2. Purpose

The purpose of the Commercial/Residential Town Floating zones is to:

- A. allow development of mixed-use centers and communities at a range of densities and heights flexible enough to respond to various settings;***
- B. allow flexibility in uses for a site; and***
- C. provide mixed-use development that is compatible with adjacent development.***

The Applicant's land use report stated as follows:

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.

Exhibit 23, p. 16.

Conclusion: The Hearing Examiner already found that the FZP furthers the purpose of §59.5.3.2.C in Part IV.A.2 of this Report (relating to compatibility of the use with surrounding development). The remaining purposes listed here are redundant of the findings already made.

The FZP has been designed in response to the property's setting, maintains the existing use and not only will remain compatible with the community and surrounding properties, but improve the neighborhood consistent with the recommendations in the Sector Plan. This standard has been met.

C. Applicability of a Floating Zone (§59.5.1.3)

Section 59.5.1.3. of the Zoning Ordinance sets up a series of threshold tests to determine whether a Floating Zone may be applied to properties current in an Agricultural or Residential Zone. The Hearing Examiner agrees with the Applicant, that there are no prerequisites for property already within the CR Zone. Exhibit 23, p. 16.

D. Development Standards and Uses Permitted in the CRTF Zone (Div. 59.5.3)

1. Uses and Building Types Permitted (§§59.5.3.3 and 59.3.3.4)

Section 59.5.3.3 of the Zoning Ordinance limits the uses permitted in the CRTF Zone to "only" those uses permitted in the CRT Zone. Self-storage is allowed as a conditional use in the CRT zone. The use is permitted so long as it receives conditional use approval pursuant to the standards set forth in the Zoning Code. A conditional use plan was submitted concurrently with the LMA application and will approved by the Hearing Examiner subject to certain conditions including approval of this LMA by the District Council.

2. Development Standards of the CRTF Zone

Section 5.3.5 Development Standards.

Staff found that the FZP meets the development standards of the CRTF (Zoning Ordinance, §59.5.3.5), as demonstrated in the table from the Staff Report (Exhibit 44, p. 28, shown on the next page). Staff note that the design of the development will be reviewed by the County Planning Board at the time of Site Plan review. Exhibit 44, p. 27.

Table 1: Development Standards for CRTF-2.75, C-2.75, R-1.5, H-120 Zone

	Required/Permitted	Proposed Phase 1	Proposed Phase 2
Tract Area	112,372 sf (2.56 ac)		
Previous ROW Dedications	20,893 sf (0.48 ac)		
Lot Area	91,479 sf (2.10 ac)		
Maximum Density (59-5.3.5.A.2)			
Commercial	309,023 (sf)	C-1.42 (159,640 sf)	C-2.51 (282,040 sf)
Residential	168,558(sf)		
Total	309,023(sf)		
Open Space 59-5.3.5.D.1.b / 59-4.5.4.B.1.a	5%	<u>12.1% (11,100 sf)</u>	
Building Height (max.)	120 ft	55 ft	80 ft

Staff Report, Exhibit 44, p. 28, Table 1

3. Requirements of Article 59.6

Article 59.6 of the Zoning Ordinance contains general development standards for most developments. These standards regulate the number and design of parking spaces, drive aisles, landscaping, lighting, and public and private open space. Staff generated a table identifying the required parking requirements for the requested zone which is shown on the following page. The Applicant has requested a waiver of the minimum parking requirements. The Hearing Examiner will approve the parking waiver in the concurrent conditional use application. Thus, the proposed parking will satisfy the development standard.

*Table 2: Parking Requirements for the CRTF-2.75, C-2.75, R-1.5, H-120 Zone**

	Required/Permitted	Proposed Phase 1	Proposed Phase 2
VEHICLE PARKING (min.) 59-6.2.4.B	15 spaces (Phase 1) 32 spaces (Phase 2)	11 spaces	17 spaces ²
ACCESSIBLE 59-6.2.3.B / COMAR 05.02.02	2 spaces	1 space	1 space
LOADING 59-6.2.8.B	2 spaces	2 spaces	4 spaces
Bicycle Parking Section 59.6.2.C			
Long term	1 space	0	1 space
Short Term	1 space	1 space	0

**Final parking counts to be determined at the time of Site Plan.*

² The Applicant is requesting an approval of a Parking Waiver to modify Zoning Ordinance Section 59.6.2.4.B, Vehicular Parking Spaces.

Staff Report, Exhibit 44, p. 28 – Table 2

V. RECOMMENDATION

For the foregoing reasons, the Hearing Examiner concludes that the proposed reclassification and Floating Zone Plan will meet the standards set forth in the Zoning Ordinance and that it will be consistent with a coordinated and systematic development of the Regional District, under State law. Therefore, I recommend that Local Map Amendment Application No. H-157, requesting reclassification from the existing CR-2.0, C-0.5, R-1.5, H-120’ (Commercial Residential) to CRTF-2.75, C-2.75, R-1.5, H-120’ (Commercial Residential Town Floating) located at 15750 Paramount Drive, Rockville, Maryland 20855 (Tax Account No. 04-00776845), be **approved** in the amount requested and subject to the specifications and requirements of the Floating Zone Plan (Exhibit 51), provided that the

Applicant files a final executed Declaration of Covenants reflecting the binding elements in the land records and submits to the Hearing Examiner for certification a true copy of the Floating Zone Plan approved by the District Council within 10 days of approval, in accordance with §§59.7.2.1.H.1.a. and b. of the Zoning Ordinance.

Issued: August 8, 2025.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'K Byrne', with a long horizontal flourish extending to the right.

Kathleen E. Byrne
Hearing Examiner

May 30, 2025

Ms. Khandikile Mvunga Sokoni, Hearing Examiner

Montgomery County Office of Zoning and Administrative Hearings
Stella B. Werner Council Office Building
100 Maryland Avenue, Room 200
Rockville, Maryland 20850

**Exhibit 45
LMA H-157**

SUBJECT: Local Map Amendment Application H-157
Paramount Self Storage, LLC

Dear Ms. Sokoni:

At its meeting on May 22, 2025, the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission reviewed Local Map Amendment Application H-157, a request to rezone the 2.56-acre property, located at 15750 Paramount Drive, Rockville, MD 20855, from the CR-2.0, C-0.5, R-1.5, H-120 Zone to the CRTF-2.75, C-2.75, R-1.5, H-120 Zone. The Planning Board also reviewed Preliminary Forest Conservation Plan No. F20240710, concurrently with the Local Map Amendment. During the hearing, the Planning Board received a presentation from its staff.

Staff concluded that the proposed the CRTF-2.75, C-2.75, R-1.5, H-120 Zone and the associated Floating Zone Plan substantially conform with the 2021 *Shady Grove Sector Plan Minor Master Plan Amendment*; satisfy all applicable requirements and findings for approval of a Local Map Amendment as specified in the Montgomery County Zoning Ordinance; and that the applicant has met the burden of proof by showing that the proposed zone is in the public interest and will not alter the character of the surrounding neighborhood.

On a motion by Commissioner Hedrick, seconded by Vice Chair Pedoeem, with Chair Harris and Commissioners Linden and Bartley voting in favor, the Board recommends (5-0) that Local Map Amendment H-157 be approved. The Board also approved Preliminary Forest Conservation Plan No. F20240710. We hope the Planning Board's recommendations and the staff report will be helpful to your proceedings.

Sincerely,



Artie L. Harris

Chair

Enclosure

**PARAMOUNT SELF STORAGE LLC
LOCAL MAP AMENDMENT H-157
FOREST CONSERVATION PLAN NO. F20240710
CONDITIONAL USE NO. CU202501**

Description

Local Map Amendment H-157, Preliminary Forest Conservation Plan F20240710, and Conditional Use Plan CU202501 request to re-zone the Subject Property from CR-2.0, C-0.5, R-1.5, H-120 to CRTF-2.75, C-2.75, R-1.5, H-120, to replace the existing self-storage use on site with a new six-story, 282,040 square-foot self-storage facility, built in two phases.

COMPLETED: 5/12/2025

PLANNING BOARD HEARING DATE: 5/22/2025

MCPB ITEM NO. 7

TL
HJ
MF
CS

Troy Leftwich, Planner III, Midcounty Planning, Troy.Leftwich@montgomeryplanning.org, (301) 495-4553

Halley Johnson, Planner II, Midcounty Planning, Halley.Johnson@montgomeryplanning.org, (301) 495-4557

Matthew Folden, Supervisor, Midcounty Planning, Matthew.Folden@montgomeryplanning.org, (301) 495-4539

Carrie Sanders, Chief, Midcounty Planning, Carrie.Sanders@montgomeryplanning.org, (301) 495-4653

LOCATION/ADDRESS

15750 Paramount Drive Rockville, MD 20855

MASTER PLAN

2021 Shady Grove Sector Plan Minor Master Plan Amendment

ZONE

Existing: CR-2.0, C-0.5, R-1.5, H-120

Proposed: CRTF-2.75, C-2.75, R-1.5, H-120

PROPERTY SIZE

112,372 sf (2.56 ac)

APPLICANT

Arcland Property Co., LLC

ACCEPTANCE DATE

August 8, 2024

REVIEW BASIS

Chapters 22A & 59

HEARING EXAMINER PUBLIC HEARING

June 12, 2025

 Summary:

Staff recommends approval of Local Map Amendment (LMA) H-157 to rezone the Subject Property from CR-2.0, C-0.5, R-1.5, H-120 to the CRTF-2.75, C-2.75, R-1.5, H-120 zone.

Pursuant to the Montgomery County Zoning Ordinance, self-storage is allowed as a conditional use in the CRTF zone. Staff recommends approval of the Conditional Use.

Staff recommends approval of the associated Preliminary Forest Conservation Plan with conditions.

Subsequent Sketch and Site Plan applications are required if the Local Map Amendment and conditional use are approved.

The Subject Property is already a recorded lot, a Preliminary Plan is not needed.

Staff recommends approval of the conditional use with conditions and transmittal of comments to the Hearing Examiner for a hearing scheduled for June 12, 2025.

The Applicant is requesting a Parking Waiver for providing less than the minimum number of vehicle spaces and Alternative Compliance to maintain the two existing vehicle access points.

Staff has received correspondence regarding this application.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

LOCAL MAP AMENDMENT NO. H-157

Staff recommends approval of Local Map Amendment H-157 and the associated Floating Zone Plan with the following binding elements:

1. The proposed self-storage facility and ancillary ground floor retail will not exceed a maximum commercial density of 284,040 square feet.
2. Vehicular access to the Site will be limited to the two access points, as shown on the Floating Zone Plan.
3. The maximum building height on the Subject Property is limited to 80 feet.

CONDITIONAL USE NO. CU202501

Staff recommends approval of Paramount Self Storage, LLC, Conditional Use No. CU202501, to replace the existing self-storage use on site with a new 282,040-square-foot self-storage facility, subject to the following conditions:

1. The Applicant must receive approval for Local Map Amendment H-157 from the District Council prior to approval of the conditional use for a self-storage facility on the Subject Property.
2. The self-storage facility and ancillary ground floor retail is limited to a total of up to 284,040 square feet.
3. The Applicant must provide a minimum of 17 vehicle parking spaces, 4 loading spaces, 1 short term bicycle space in Phase 1 and 1 long term bicycle space in Phase 2.
4. The Applicant can provide no more than 2 (two) site access points, per justification for Alternative Compliance, per Section 59-6.8.1 for Site Access.
5. Design all access points and alleys to be at-grade with the sidewalk, dropping down to the street level between the sidewalk and roadway.
6. Before the issuance of any building permit, the Applicant must obtain approval of a Project-based Transportation Demand Management Plan (TDM) from the Montgomery County Department of Transportation (MCDOT).
7. The Applicant must provide a Public Access Easement (PAE) on the western boundary for future adjacent open space improvements, the details and timing for which will be coordinated in connection with the Site Plan Application.
8. The Applicant must provide a Public Improvement Easement (PIE) for the portion of the sidewalk along Paramount Drive that falls on private property, which will be coordinated with the Site Plan Application.

FOREST CONSERVATION PLAN F20240710

Staff recommends approval of Preliminary Forest Conservation Plan No. F20240710 with the following conditions:

1. The Applicant must submit a Final Forest Conservation Plan (“FFCP”) for review and approval at the time of Site Plan and before obtaining a Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for this Subject Property.
2. No demolition, clearing, or grading is permitted on the Subject Property prior to the approval of the FFCP.
3. The FFCP must be consistent with the approved Preliminary Forest Conservation Plan.

SECTION 2: NEIGHBORHOOD & SITE DESCRIPTION

VICINITY/NEIGHBORHOOD

The Subject Property is located at 15750 Paramount Drive, Rockville, MD 20855 and is zoned CR-2.0, C-0.5, R-1.5, H-120. The 2021 *Shady Grove Sector Plan Minor Master Plan Amendment* (Sector Plan) defines the neighborhood as “Metro South” (outlined in dotted black in Figure 1) which includes a variety of light industrial uses, such as automotive services, storage facilities, and retail businesses. Metro South is bounded by CSX Railroad tracks to the north, Redland Road to the west, Paramount Drive to the east, and Frederick Road (MD 355) to the south. Rockville’s city limit is the southern boundary to the Metro South neighborhood. For the purposes of the proposed Local Map Amendment and Conditional Use, the defined neighborhood is coterminous with the Sector Plan defined “Metro South” neighborhood. The Metro South does not currently have any conditional use approvals.

Directly adjacent to the Subject Property is an automotive junkyard to the north, a vacant lot to the west, a car dealership to the east, and fast food retailers, gas stations, and miscellaneous auto-oriented retail services to the south. The surrounding zoning in the Metro South neighborhood consists primarily of CR-2.25, CR- 2.0, and IM-2.5. Aside from the Subject Application, there are currently no active or proposed development applications in the Metro South neighborhood. Across the CSX Railroad tracks (northwest) is the Shady Grove West multi-family, mixed use, and townhouse development.



Figure 1: Vicinity Map with Staff-defined neighborhood "Metro South" outlined in dotted black

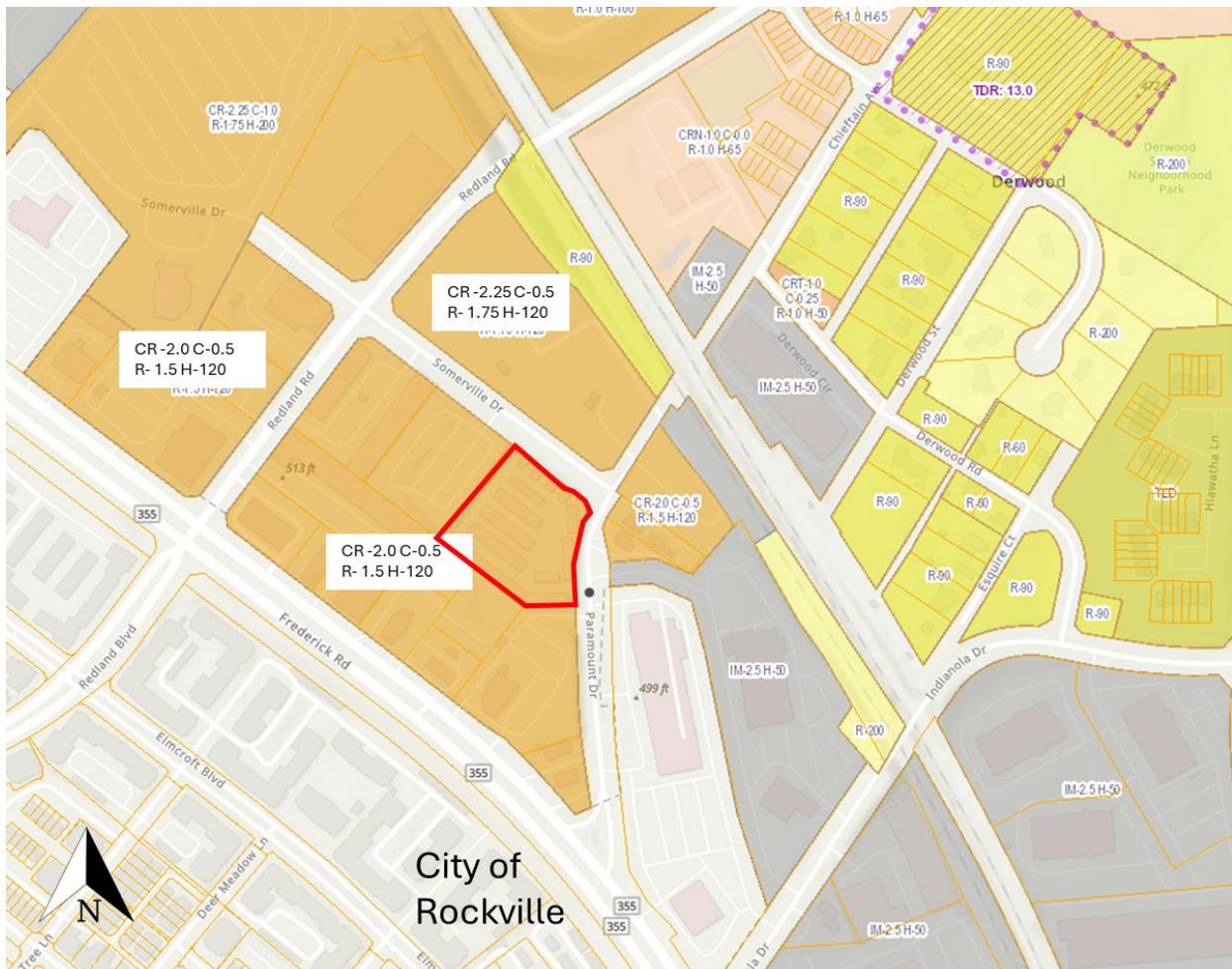


Figure 2: Zoning Map with Property outlined in red

PROPERTY DESCRIPTION

The Subject Property is located in the southwest quadrant of the intersection of Somerville Drive and Paramount Drive in Rockville. The Subject Property is known as Parcel H-2 in the "Derwood, Somerville Addition" subdivision, as recorded among the Montgomery County Land Records at Plat No. 10829. It comprises approximately 91,479 square feet (2.10 acres) of land. It is an irregular shaped corner lot that is bounded by Somerville Drive to the north and Paramount Drive to the east.

The Subject Property currently is improved with 11 separate one-story exterior access storage buildings, outdoor vehicular storage, and associated surface parking. In its existing configuration, the development has approximately 38,097 square feet of above grade floor area. Currently, there are two access points; one from Somerville Drive and one from Paramount Drive. Somerville Drive has an existing four-foot-wide (4 ft) sidewalk, while Paramount Drive is an open section roadway with no sidewalks along the Property frontage.

Natural Resources Inventory No. 420241430, approved on March 14, 2024, determined that there were no forest, wetlands, streams, or floodplains on the Subject Property.



Figure 3: Subject Property



Figure 4: Street view from Paramount Drive, looking northwest.



Figure 5: Street view from the intersection of Paramount Drive and Somerville Drive, looking southwest.



Figure 6: Street view from Somerville Drive, looking southeast.

SECTION 3: PROJECT DESCRIPTION

ZONING HISTORY

The Subject Property was previously zoned Transit Oriented, Mixed Use (TOMX-2) under the Zoning Code in effect prior to October 29, 2014. The Subject Property's zoning was changed from TOMX-2 to CRT-1.5 as part of the Zoning Code rewrite in 2014. The Property's zoning was changed again, to its current designation of CR-2.0, C-0.5, R-1.5, H-120, through the 2021 *Shady Grove Sector Plan Minor Master Plan Amendment*.

The Property is currently improved with a dated, vehicular-oriented self-storage facility built in the 1970s.

PROPOSAL – LOCAL MAP AMENDMENT H-157

The Applicant seeks approval to rezone the Subject Property from CR-2.0, C-0.5, R-1.5, H-120 to CRTF-2.75, C-2.75, R-1.5, H-120 for the future development of a two (2) phased, six-story, self-storage facility comprised of up to 282,040 square feet of self-storage use and ancillary ground floor retail. In the proposed CRTF zone, self-storage is a conditional use, and the Applicant is applying for the self-storage conditional use concurrent with the Local Map Amendment application. A Preliminary Plan is not required. However, the Applicant will need approval for a Sketch and Site Plan, if the Hearing Examiner approves the conditional use and County Council approves the LMA.

Self-storage is allowed as a limited use under the Property's existing CR zone. However, Section 59-3.6.8.D.2.a.ii.a requires self-storage in the CR zone to be in a basement or cellar of a building used for other purposes. The Applicant is unable to accommodate this requirement, and is therefore proposing to change the zone of the Subject Property from CR to the CRTF zone. The CRTF zone only allows self-storage under the requirements of a conditional use, without requiring the self-storage to be located within the basement of a multi-use building.

PROPOSAL – CONDITIONAL USE CU202501

The Applicant seeks approval of a conditional use application on the Subject Property. Under the proposed local map amendment, described above, the Applicant seeks to redevelop the Subject Property with an expanded self-storage use and potential future ancillary neighborhood serving ground floor retail use. The Project will activate and enhance the street frontages both through the building design and streetscape improvements. The Applicant is proposing to redevelop the aging, vehicular oriented, industrial looking self-storage with a two (2) phased four- and six-story self-storage building with ancillary ground floor retail. The Project will consist of up to 282,040 square feet of development, include a minimum of 17 vehicle parking spaces, and a minimum of four (4) loading spaces.

The first phase of development will include a four-story self-storage building, totaling approximately 159,640 square feet of gross floor area (“Phase 1”). The Phase 1 building is situated on the southern portion of the Subject Property with frontage on Paramount Drive. The leasing office will be constructed on the ground floor of the Phase 1 building, with the entrance adjacent to the public open space that provides direct access for pedestrians from the street, to activate the pedestrian environment. Phase 1 will also provide an interim pervious surface parking lot that will be landscaped along the perimeter of the Property to limit views from the street. This parking lot is expected to be used for vehicle storage associated with self-storage use. Although vehicular parking is provided between the building and the street in the interim condition, the ultimate site layout places Building 2 along Somerville Drive which satisfies the zoning requirement of not placing parking between the building and the street.

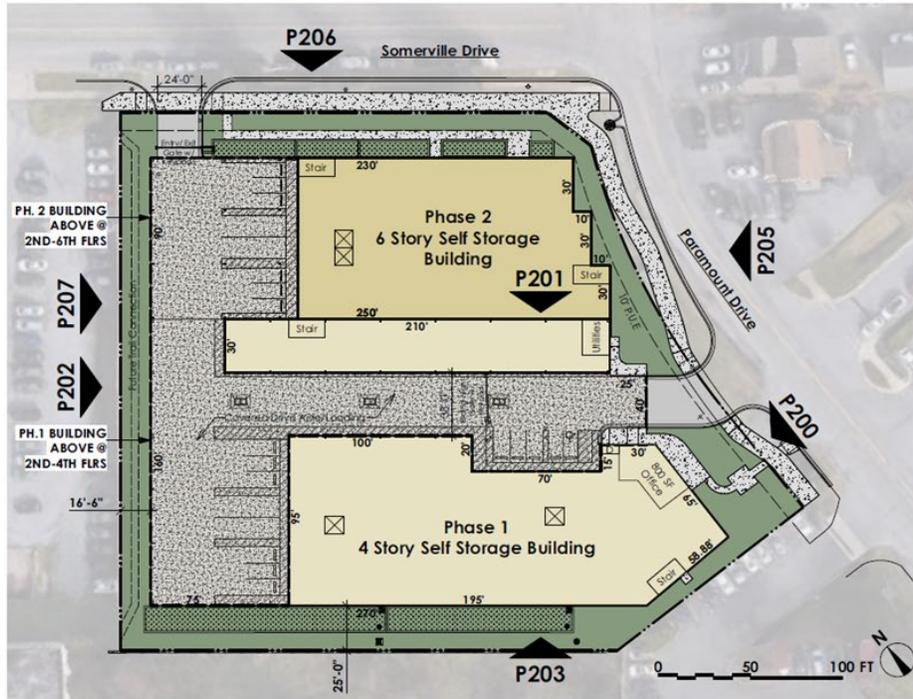
The second phase proposes the construction of a six-story building of approximately 122,400 square feet (“Phase 2”) in size. The Phase 2 building will be located on the northern portion of the Subject Property at the intersection of Somerville Drive and Paramount Drive. The ground floor of the Phase 2 building has been designed to provide flexible space that can be devoted to a ground-floor retail use in the future when the immediate vicinity can support such a use.

The proposed buildings will provide a covered drive/loading aisle to facilitate safe and efficient vehicular circulation and access to the storage units while also concealing the associated parking and loading from the street. Additional parking and loading are provided at the rear of the site.

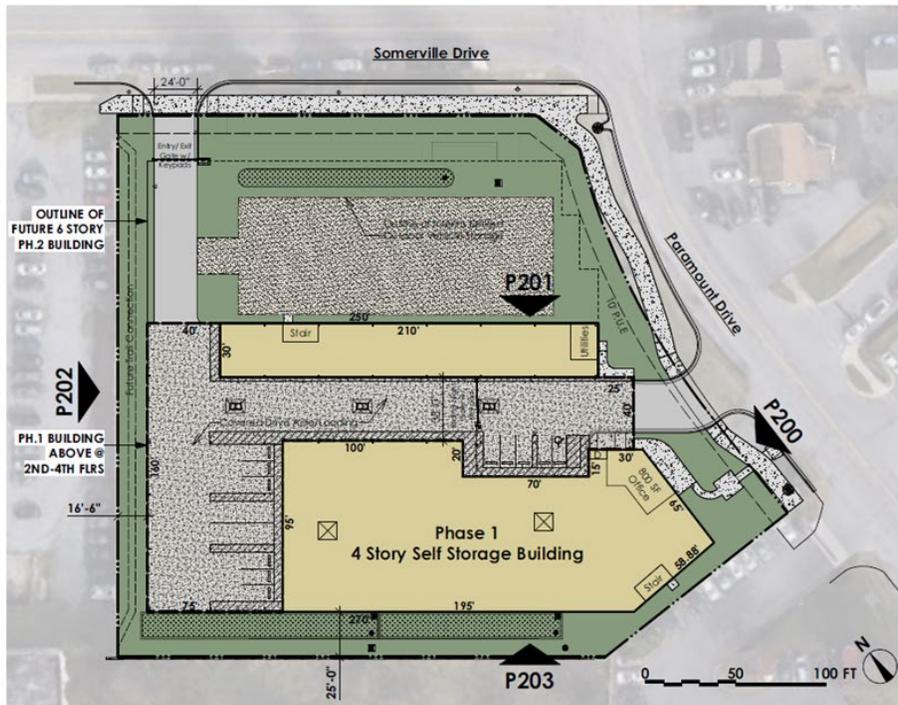
DESIGN

The Project will replace an outdated single-story self-storage facility with modern facilities that frame the street and significantly reduce surface parking and drive aisles. The Applicant anticipates that the proposed building will achieve a net-zero energy designation.

Redevelopment of the aging facility will activate the streetscape through strategically siting the proposed buildings and implementing high-quality architectural elements along all facades. Specifically, the buildings will front on the surrounding streets to define the pedestrian environment. The proposed buildings will include articulated facades and fenestration along both street frontages to foster visual interest and reduce the overall building massing. The Project proposes to locate the leasing office along Paramount Drive to provide visual porosity and physical activity along the street.



Site Plan Diagram



Site Plan Diagram

Figure 7: Phase 1 (bottom) and Phase 2 (top) Illustrative Site Plans

The first phase of development will include a four-story self-storage building on the southern portion of the Subject Property along Paramount Drive. The image below shows the ground-floor leasing office with a direct pedestrian entrance from the street.

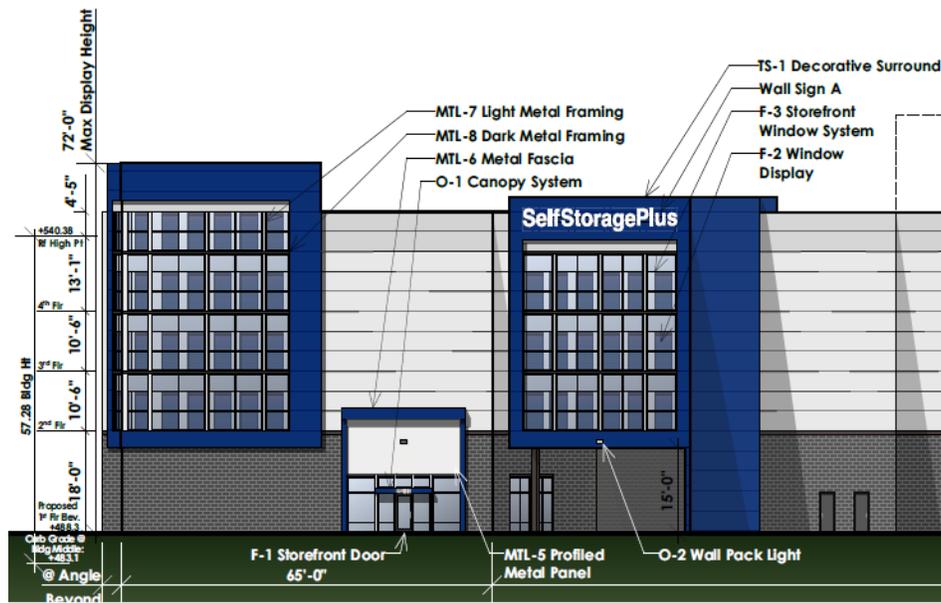


Figure 8: Rendering of Phase 1 View from Paramount Drive

The second phase will include the taller six-story self-storage building. This phase of development will front on Somerville Drive and will define the Site's prominent corner, as shown in the rendering below.

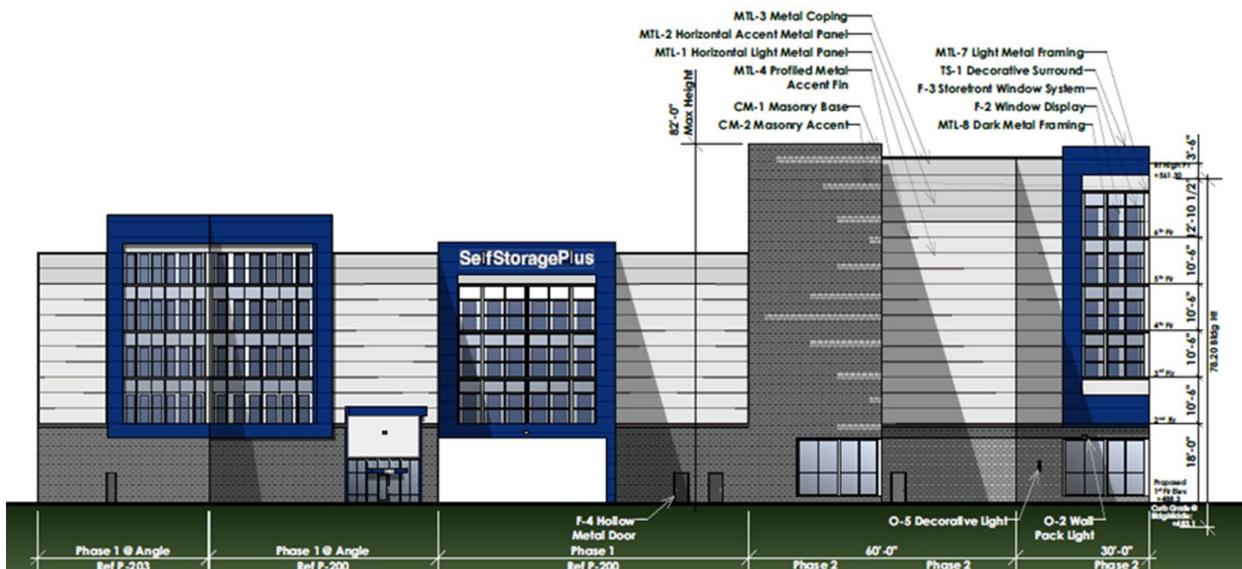


Figure 9: Rendering of Phase 2 View from Paramount Drive

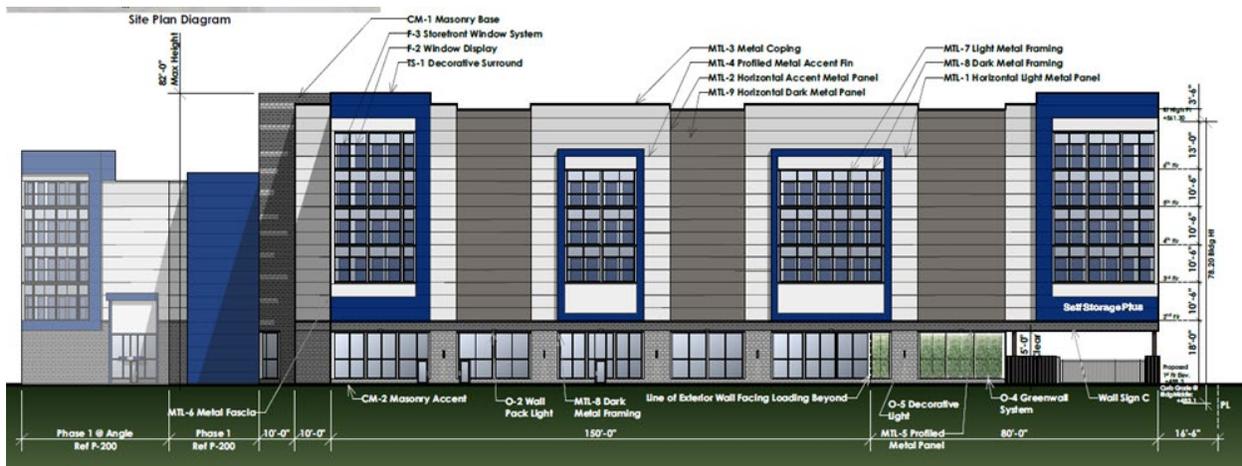


Figure 10: Rendering of Phase 2 View from Somerville Drive

The proposed self-storage buildings features an improved site layout and building design when compared to the existing condition. The proposed development will decrease the impervious area present on-site today, providing environmental benefits. The building façade will include color and textured masonry along the building’s base with contrasting metal panels on the upper floors. Variations in the building’s roofline will reduce the building massing. These design elements and the proposed landscaping will provide a compatible transition to the surrounding properties when redevelopment of those sites occurs in the future.

MASTER PLAN

The Subject Property is within the boundary of the 2021 *Shady Grove Sector Plan Minor Master Plan Amendment* (the “Sector Plan”). 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).

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

The Project seeks to redevelop a dated, auto-oriented, self-storage facility into an expanded and modernized self-storage facility. The Project provides significant streetscape improvements and sets aside an area for the future inter-parcel connection along the Site’s western edge, as called for in the Sector Plan (see Sector Plan page 27).

The Sector Plan shows the western edge of the Subject Property as a “potential open space” with a potential connection based on a future redeveloped block grid. The Project will provide a 16-foot side setback and will allocate 4,700 square feet of future open space (not counted towards public open

space). The activation and future connection of the open space will be established when the adjacent property is redeveloped.

Collectively, these improvements will transform the pedestrian environment and will begin to build-out the area's pedestrian network.

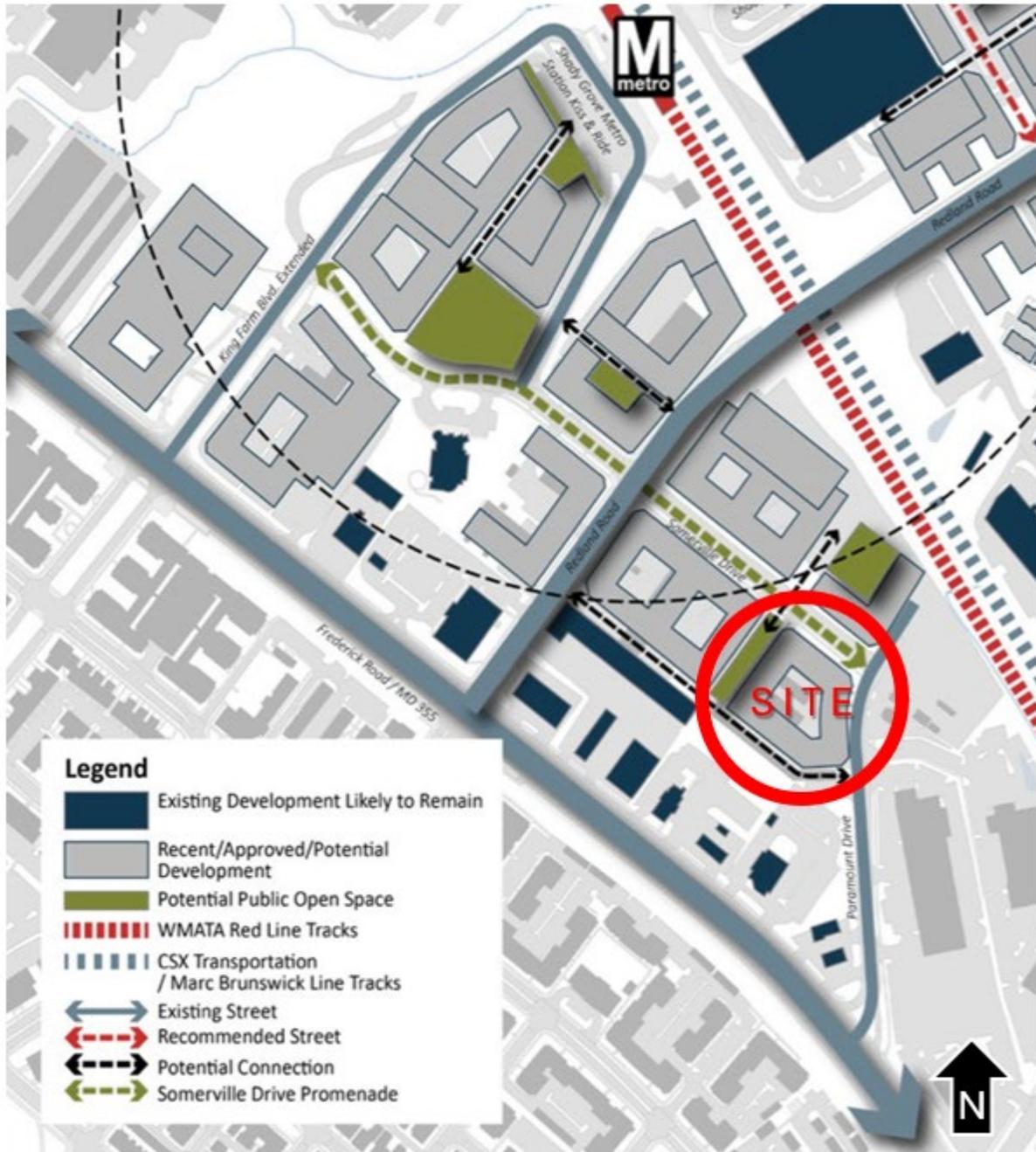


Figure 11: Sector Plan Connection Exhibit

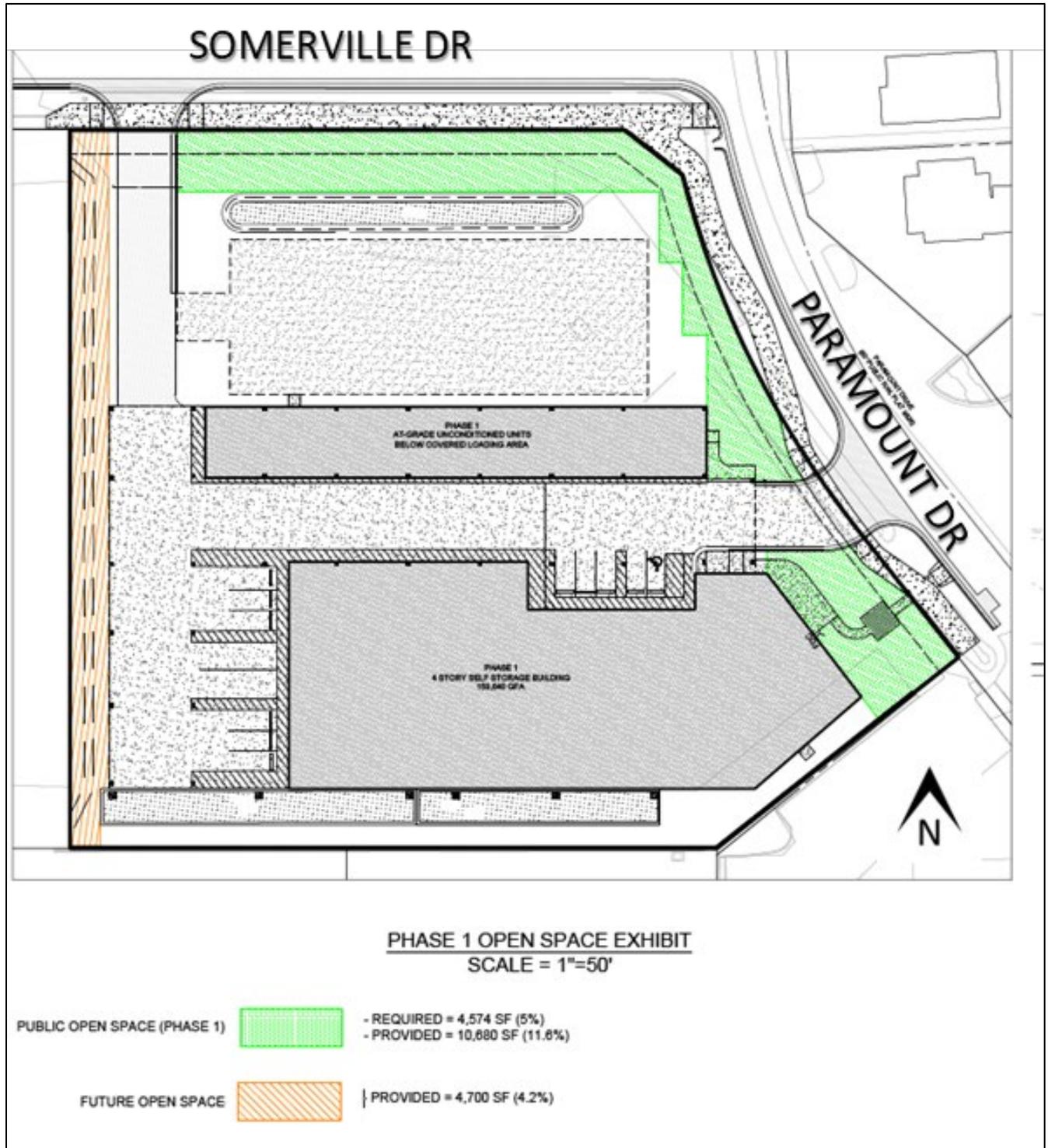


Figure 12: Open Space Exhibit

- 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. (Sector Plan, page 24.)

The Property, in its existing condition, is underutilized when considering its proximity to both the Shady Grove Metro Station and mixed-use King Farm neighborhood. The existing self-storage facility is an economically viable use that can be continued and remain in its current condition; however, the Applicant has chosen to pursue redevelopment on this Site to bring this Property into conformance with the urban design goals of the Sector Plan and begin the neighborhood's transformation to a more mixed-use and walkable area.

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

The Project will provide the retail use opportunity on the ground floor fronting the corner for Somerville Drive and Paramount Drive. As the area redevelops the building placement, streetscape improvements, primary self-storage use, and potential future ground floor retail use will provide services to the future “*mixed-use residential area*”.

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

The Project provides flexible ground floor space, which can be devoted to retail use when the surrounding area and market support that level of activity. 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 breaks-down the building massing and focuses on the pedestrian scale with the incorporation of ground floor windows and the use of canopies. The enhanced massing articulation is designed to be reminiscent of multi-family architectural forms in order to be harmonious with future development, as envisioned by the Sector Plan.

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

The Project is proposed to include rooftop solar photovoltaic (PV) systems on the buildings. 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. As a result of these systems, the Applicant anticipates that the proposed building will achieve a net-zero energy designation.

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

The Project incorporates high Solar Reflectance Index (SRI) value materials, such as a white roof membrane, which is intended to serve as a cool roof and mitigate the heat island effect.

Metro South Neighborhood Recommendations

The Subject Property is located in the Metro South neighborhood of the Sector Plan. It states in the Sector Plan the area “*has seen little change since the adoption of the prior 2006 Shady Grove Sector Plan*” (Sector Plan, page 22). This Project will be the first redevelopment in the Metro South Neighborhood since before the 2006 Sector Plan was adopted. The current 2021 Sector Plan specifically recommends “*incremental infill redevelopment that breaks up large blocks, creates amenities for pedestrians and connects to adjacent areas...*” (Sector Plan, 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 Subject Property with a modern self-storage facility that activates the adjacent streetscapes and promotes pedestrian connectivity to the future adjacent properties, when they develop.

TRANSPORTATION

MASTER PLANNED ROADWAYS

The *Master Plan of Highways and Transitways* (MPOHT) recommends a minimum 70-foot wide right-of-way for Paramount Drive and an 80-foot wide right-of-way for Somerville Drive. The Project will meet the minimum MPOHT's requirements and no additional dedication is required. Since, the Subject Property is already a recorded lot, a Preliminary Plan is not needed.

There are no bikeway improvements proposed in this location by either the 2018 *Bicycle Master Plan* or Sector Plan. The Applicant will construct the proposed sidewalk within a 10-foot wide Public Improvement Easement (PIE)¹, or other instrument determined by the County, along the Subject Property's frontage.

¹ PIE is required since the sidewalk could not be located in the right-of-way due to the overhead utilities not being able to be undergrounded because the power lines need to cross the CSX rail line at a certain point.

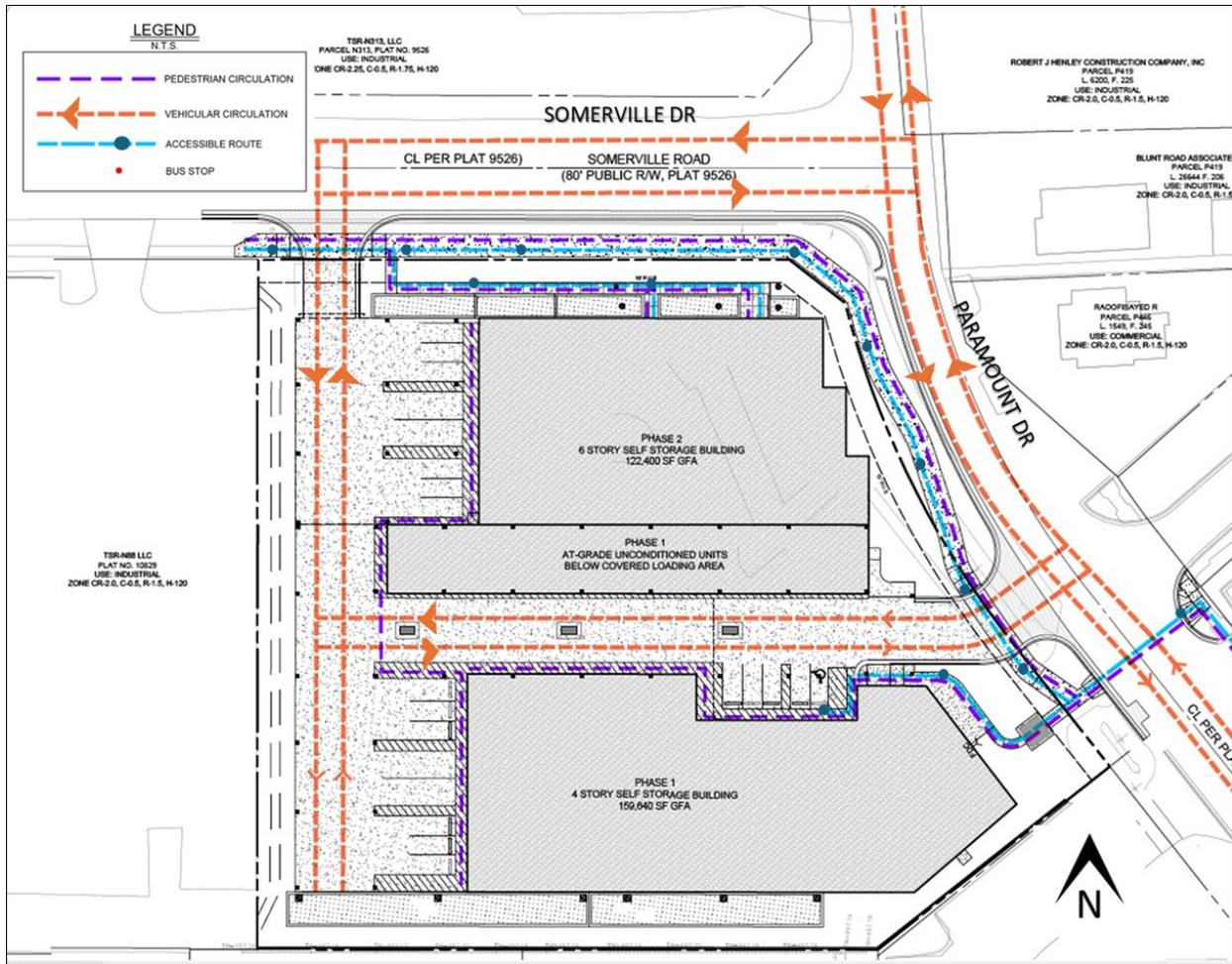


Figure 13: Circulation Plan

PEDESTRIAN FACILITIES

The MPOHT designates both Somerville Drive and Paramount Drive as Town Center Boulevards, requiring a minimum six-foot-wide (6 ft) landscape buffer and an eight-foot-wide (8 ft) sidewalk. The Applicant is providing a ten-foot-wide (10 ft) sidewalk along the Property’s frontage on Somerville Drive and Paramount Drive, with a seven-foot-wide (7 ft) minimum street buffer on Somerville Road and a nearly five-foot-wide minimum street buffer on Paramount Drive. Although the Somerville Drive section satisfies the minimum criteria set forth in the CSDG, the proposed Paramount Drive section is modified to accommodate an extensive number of utilities present within the right-of-way. These utilities are unique to this frontage because the overhead utilities are consolidated in this location before crossing the CSX rail line.

TRANSIT SERVICE

A bus stop is located at northeast quadrant Redland Road & Somerville Drive, about 400 feet west of the Site, that serves Ride On Routes 57 and 59.

PARKING

The Applicant proposes a minimum of 17 vehicle parking spaces on the Property, including one ADA space. Section 59-6.2.4.B requires 32 parking spaces for the proposed self-storage use and ancillary retail based on the square footage. The Applicant proposes to provide 17 parking spaces and is thus requesting a 15-space parking waiver from the requirements of Section 59-6.2.4.B. of the Zoning Ordinance.

Planning Staff support the parking waiver request for the provision of a minimum of 17 vehicle parking spaces (see justification on page 32 of this report).

The Project's bicycle parking, per Section 59.6.2.C, requires the Applicant to provide 1 long-term space and 1 short-term space. The Applicant will provide bike racks located at the main lobby entrance of Phase 1 that fronts on Paramount Drive; and the long-term space in Phase 2 associated with the ancillary retail.

LOCAL AREA TRANSPORTATION REVIEW

The Applicant submitted a transportation exemption statement that estimates the number of net new vehicle trips that would be generated during the peak hour in the morning and in the evening. Based on the transportation exemption statement, the proposed self-storage and ancillary ground floor retail uses will generate up to 29 net new person trips during morning peak hour and 48 during evening peak hour.

As a project accepted prior to January 1, 2025, the Application is subject to 2020-2024 *Growth and Infrastructure Policy (GIP)*. Because the Project generates fewer than 50 new peak hour person trips, a transportation impact study is not required to satisfy the LATR test. The Site is exempt from providing quantitative auto, transit, bicycle, or pedestrian analyses. As a result, the Project has satisfied the Local Area Transportation Review requirements.

ENVIRONMENT AND SUSTAINABILITY

The Site contains no forests, streams, wetlands, or their associated buffers. Findings for the Preliminary Forest Conservation Plan (FCP) No. F20240710 detailed in Chapter 22A compliance can be found in section 5 of this Staff Report. 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. 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.

SECTION 4: COMMUNITY CORRESPONDENCE

The Applicant held a meeting on Monday, May 5, 2025, with the Implementation Advisory Committee for the Shady Grove (IAC). As of the date of this Staff Report, Staff has received the following correspondence from the community. The following are questions and responses from Planning Staff:

1. *Development Review Committee (DRC) comments state the Project is not in conformance with Sector Plan.*

When the project was first submitted, Planning Staff had concerns that the proposal did not meet the intent of the Sector Plan, as noted in the DRC comments. However, the Applicant responded by improving the building design and materials and by proposing a retail use option that could be implemented in the future to activate the street and support the mixed-use goals of the Sector Plan. As outlined in the Master Plan section and throughout the report, the project now aligns with the goals of the Sector Plan.

It is common for projects not to meet all approval standards in the early stages of review. Through the collaborative Development Review process, the Applicant addressed the initial concerns, and Staff is now recommending approval to the Planning Board.

2. *The building for Phase 2 is six stories high, which is taller than anything nearby. It would seem much more reasonable to have both structures be only 4 stories tall. This is an even bigger concern when you take into account that the overall structure of both buildings will basically take up the entire site. It will be a huge mass in that area.*

The Sector Plan envisions this area as one that can accommodate larger-scale buildings and more substantial site coverage, helping to establish a new street wall and urban character. The current zoning allows for a maximum height of 120 feet, which remains unchanged under the proposed CRTF-2.75, C-2.75, R-1.5, H-120 zoning designation. This is consistent with surrounding zones, which also permit up to 120 feet in height.

While the proposed Phase 2 building is six stories (approximately 80 feet), it does not reach the maximum allowable height. This approach allows the project to remain compatible with both existing and future development patterns.

The phased development strategy also helps create a more gradual transition between current building types and anticipated future growth. Over time, as other sites redevelop, this building will likely become part of a broader context of similarly scaled structures.

3. *The IAC is worried that this development, while an improvement over the existing structures on the site, greatly decreases the likelihood of mixed-use residential development elsewhere in this block and on the other side of Somerville Drive and Paramount Drive.*

CS

While it is understood that there is a concern about the potential impact on future mixed-use development in the surrounding area, improving the streetscape with new sidewalks and improving open spaces will allow for future developments to connect to what this project will establish. The zoning for surrounding parcels remains unchanged, preserving their potential for future mixed-use projects.

SECTION 5: LOCAL MAP AMENDMENT FINDINGS AND ANALYSIS

Per Section 59-7.2.1.E.2 of the Zoning Ordinance, for a Floating zone application, the District Council must find that the Floating Zone Plan will:

a) *substantially conform with the recommendations of the applicable master plan, general plan, and other applicable County plans;*

The Subject Property is part of the 2021 *Shady Grove Sector Plan Minor Master Plan Amendment*, which aims to transform the Shady Grove Metro Station area into a mixed-use, pedestrian-friendly environment with attractive streetscapes and public amenities. The Project proposes redeveloping an outdated self-storage facility into a modern one, enhancing the streetscape and setting aside space for future connections. It includes significant improvements like a 16-foot side setback and 4,700 square feet of future open space. The Project aligns with the Sector Plan's goals of incremental infill redevelopment, promoting pedestrian connectivity, and providing flexible ground floor space for potential retail use. The Project will be the first redevelopment in the Metro South neighborhood since the 2006 Sector Plan, contributing to the area's modernization and pedestrian network development.

As stated, the Project substantially conforms to the 2021 *Shady Grove Sector Plan Minor Master Plan Amendment*, as well as the applicable master plan, general plan, and other relevant County plans, as explained in more detail throughout.

b) *further the public interest;*

The Project will further the public interest and provide a new neighborhood service to the surrounding Metro South neighborhood. The Project will establish streetscape improvements that will allow for future connections as the area develops. Additionally, it incorporates renewable energy systems and cool roof materials to achieve net-zero energy designation. The project will provide new stormwater management facilities where none currently exists and will provide additional green space.

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;*

Intent of Floating Zones

Per Section 59-5.1.2. of the Zoning Ordinance, the intent of the Floating zones is to:

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; and***

As discussed in the Master Plan section above, the Project furthers the goals and recommendations of the Sector Plan. The public facilities available in the area will be adequate to accommodate the proposed development. The Project has been designed to complement the future envisioned uses of the community. The proposed redevelopment will not change the Property's use as a self-storage facility. The proposed redevelopment will elevate the exterior façade with attractive and modern finishes and establish a street presence.

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, including open space standards and environmental protection and mitigation; and***

The proposed Floating Zone complies with the maximum floor area ratio prescribed in Section 59-5.3.5.A and will permit desired reinvestment in the existing self-storage facility and future retail. The Project will introduce stormwater management to the Property, where none currently exists, and will provide additional green space and landscaping to promote sustainability and activate the pedestrian environment. The Applicant also proposes a cool roof and solar panels on the self-storage buildings, furthering the sustainability goals of the County.

Ensure protection of established neighborhoods by:

- 4. *establishing compatible relationships between new development and existing neighborhoods through limits on applicability, density, and uses;***

- 5. *providing development standards and general compatibility standards to protect the character of adjacent neighborhoods; and***
- 6. *allowing design flexibility to provide mitigation of any negative impacts found to be caused by the new use.***

The Project aims to ensure that the self-storage with retail is compatible with the existing future neighborhoods by setting limits on applicability, density, and uses. This approach helps maintain the character and integrity of the surrounding areas while accommodating future growth.

To protect the character of adjacent neighborhoods, the Project adheres to specific CRTF development standards and compatibility guidelines. The Project will connect to the existing urban fabric while allowing integration for the future buildouts of the adjacent properties.

The Project incorporates design flexibility with phasing. The Project mitigates any negative impacts by providing justification for the parking waiver and mitigation for the two access points approved by the MCDOT. The phasing flexibility enables the project to adapt their designs to the area over time and connect to the overall compatibility of the future surrounding developments.

[Development Standards](#)

The design of the development will be finalized and reviewed by the Montgomery County Planning Board at the time of Site Plan review. The Project will meet the Development Standards for the CRTF Zone as illustrated in the table below.

Table 1: Development Standards for CRTF-2.75, C-2.75, R-1.5, H-120 Zone

	Required/Permitted	Proposed Phase 1	Proposed Phase 2
Tract Area	112,372 sf (2.56 ac)		
Previous ROW Dedications	20,893 sf (0.48 ac)		
Lot Area	91,479 sf (2.10 ac)		
Maximum Density (59-5.3.5.A.2)			
Commercial	309,023 (sf)	C-1.42 (159,640 sf)	C-2.51 (282,040 sf)
Residential	168,558(sf)		
Total	309,023(sf)		
Open Space 59-5.3.5.D.1.b / 59-4.5.4.B.1.a	5%	<u>12.1% (11,100 sf)</u>	
Building Height (max.)	120 ft	55 ft	80 ft

Table 2: Parking Requirements for the CRTF-2.75, C-2.75, R-1.5, H-120 Zone*

	Required/Permitted	Proposed Phase 1	Proposed Phase 2
VEHICLE PARKING (min.) 59-6.2.4.B	15 spaces (Phase 1) 32 spaces (Phase 2)	11 spaces	17 spaces ²
ACCESSIBLE 59-6.2.3.B / COMAR 05.02.02	2 spaces	1 space	1 space
LOADING 59-6.2.8.B	2 spaces	2 spaces	4 spaces
Bicycle Parking Section 59.6.2.C			
Long term	1 space	0	1 space
Short Term	1 space	1 space	0

*Final parking counts to be determined at the time of Site Plan.

² The Applicant is requesting an approval of a Parking Waiver to modify Zoning Ordinance Section 59.6.2.4.B, Vehicular Parking Spaces.

d) *be compatible with existing and approved adjacent development;*

The Project will be compatible with future envisioned Sector Plan goals for the area. The phased approach will allow for the existing adjacent undeveloped properties to integrate into the new streetscape that this project will establish.

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 demonstrates an ability to mitigate such adverse impacts; and*

The Project meets the requirements set forth in the 2020-2024 *Growth and Infrastructure Policy*. Mode-specific adequacy tests are not required because the project is not estimated to generate 50 or more net new peak hour person trips (see Transportation Section).

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.*

The Subject Property was not previously zoned Residential Detached, therefore this subsection is not applicable.

CONDITIONAL USE NO. CU202501

1. Per Section 59.7.3.1.E., to approve a conditional use application, the Hearing Examiner must find that the proposed development:

- a) 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, which has been submitted concurrently with the conditional use plan. The Subject Property is not subject to any other previous approvals.

- b) satisfies the requirements of the zone, use standards under Article 59-3, and to the extent the Hearing Examiner finds necessary to ensure compatibility, meets applicable general requirements under Article 59-6;**

i. Use Standards

A self-storage use is allowed as a conditional use in the CRTF Zone. Article 59-3 does not include any specific use standards.

ii. Development Standards

See Table 1 and 2 for Development Standards and Parking Requirements for the CRTF-2.75, C-2.75, R-1.5, H-120 Zone.

iii. General Requirements of 59-6

1. Access- 59-6.1

Pursuant to Section 59.6.8.1 of the Zoning Ordinance, the Petitioner is requesting approval of an alternative method of compliance for the site access requirements in Division 59.6.1, to allow the two existing vehicular access points to the Subject Property to remain. Specifically, Section 59.6.1.4.E requires for non-residential roads, that “a vehicle must access a corner lot with only one driveway...” The Subject Property currently has two essential driveways that have served the Site for over the past 40 years. 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 2 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.

Proposed Modifications:

- Slight relocation of the curb cut on Paramount Drive to align with the opposite driveway and increase separation from the adjacent driveway.
- Narrowing the radii and providing a flush pedestrian crossing.

Justification for Waiver:

i. Satisfy the intent of the applicable Division:

The intent of Division 59.6.1 is to ensure safe and convenient circulation for vehicles, bicycles, and pedestrians, and to reduce traffic congestion. The proposed alternative method of compliance allows vehicular access from both Somerville Drive and Paramount Drive, which is important for the self-storage facility that frequently requires visits by large vehicles. These dual access points improve safety by minimizing internal turning and backup maneuvers and reduce the need for additional impervious areas. Additionally, the secondary access point on Somerville Drive supports potential future ground floor retail use, providing direct access for loading activities.

ii. Modify the applicable functional results or performance standards the minimal amount necessary to accommodate the constraints:

Meeting the standard in Section 59.6.1.4 without the proposed alternative would compromise the operations of the self-storage facility and potential future ground floor retail. The Applicant seeks to maintain the existing two access points, with modifications to meet current County requirements.

iii. Provide necessary mitigation, alleviating any adverse impacts:

Retaining two access points will not cause any adverse impacts. Instead, the alternative method of compliance will provide safer onsite circulation and loading, preventing impacts on the surrounding roadway network. Specifically, the proposed changes include slightly relocating the curb cut on Paramount Drive to align with the entrance on the opposite side of the street and improving the curb cuts to meet design standards per MCDOT.

iv. *Be in the public interest:*

The proposed alternative method of compliance is essential for maintaining adequate loading and circulation on the Subject Property, facilitating its redevelopment. The proposed self-storage facility will better meet the needs of the surrounding community, provide a new safe streetscape, and the two access points are important for the success of the future ground floor retail use. Therefore, approval of this alternative method is in the public interest.

Planning Staff supports the request for Alternative Compliance to retain the two existing access points with modifications.

2. *Parking, Queuing and Loading-59-6.2*

The Applicant requests approval of a Parking Waiver to modify Zoning Ordinance Section 59.6.2.4.B, Vehicular Parking Spaces. To grant the Parking Waiver, the Hearing Examiner must find that the design satisfies Section 59.6.2.1, ensuring adequate parking in a safe and efficient manner.

This Proposed Project is required to provide 32 parking spaces for the self-storage facility, or up to 32 if neighborhood-serving retail is provided. The conditional use proposes 17 parking spaces, seeking a 15-space waiver.

Additionally, the Applicant proposes four loading spaces, which function as parking spaces, for a total of 21. These spaces are sized to meet loading design standards, reducing the total number of spaces.

Retail on this Site is challenging under current market conditions, but the ground floor of the Phase 2 building is designed as flexible space for future retail. No parking is devoted to the future retail use, however, ample right-of-way allows for on-street parking.

The Applicant is confident that the proposed parking will be sufficient to meet demand and ensure the facility's success.

Planning Staff supports the request for a Parking Waiver to provide 17 vehicle spaces and four loading spaces.

3. *Open Space*

Pursuant to Sections 59.5.3.5.D.2.b and 59.4.5.4.B.1.a, based on the Subject 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 exceeds the minimum public open space

requirement by providing 12.1% (11,100 square feet). The Open Space is primarily located near the building entrance on Paramount Drive (see Figure 12).

c) *substantially conforms with the recommendations of the applicable master plan;*

As stated in the Sector Plan section of this report, the Project substantially conforms with the recommendations of the 2021 *Shady Grove Sector Plan Minor Master Plan Amendment*.

d) *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 Subject 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 allow for the opportunity of active use at the street level in the future.

e) *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 Subject 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. 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.

f) *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 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***

A Preliminary Plan of Subdivision is not required, and Staff has determined that there are adequate public services and facilities to serve the proposed use as described below.

1) ***Transportation***

The Project meets requirements for master planned roadways and bikeways. No dedication is required because the Project's right-of-way meets minimum 70-foot wide right-of-way for Paramount Drive and an 80-foot wide right-of-way for Somerville Drive, per MPOHT requirements³. It meets the 2020-2024 *GIP* requirements mode-specific adequacy tests for any project not estimated to generate 50 or more net new peak hour person trips. As a result, the Local Area Transportation Review is satisfied without further analysis.

2) ***Other Public Facilities***

The proposed conditional use will be served by adequate public facilities including police and fire protection, water, sanitary sewer, public roads, and storm drainage. The Project contains no residential use and as such, will have no impact on public school capacity.

g) 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:

- i. ***the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;***
- ii. ***traffic, noise, odors, dust, illumination, or a lack of parking; or***
- iii. ***the health, safety, or welfare of neighboring residents, residents, visitors, or employees.***

³ Previous ROW Dedications include a total of 20,893 sf (0.48 ac) and Project reference Plat No. 10829

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 states 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 replace and expand the self-storage use on the Subject Property. Each of the following inherent effects of the proposed conditional use will continue to be acceptable and appropriate for the proposed location:

- Buildings and Structures: The Project will enhance the appearance of the Subject Property by improving its presence along both Somerville Drive and Paramount Drive through the construction of new self-storage facilities.
- Parking: After considering the Applicant's requested Parking Waiver, sufficient on-site parking will be provided to accommodate all users of the Property and ensure the Project does not impact adjacent properties. On-site parking has been strategically located to be screened from view following Phase 2 construction.
- Site Generated Traffic: The Applicant's transportation exemption 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.

There are non-inherent adverse effects associated with the proposed conditional use due to the Parking Waiver and Alternative Compliance for the two access points. However, the proposed conditional use will not cause undue harm to the surrounding neighborhood and will not interfere with the use or enjoyment of the surrounding properties.

PRELIMINARY FOREST CONSERVATION PLAN NO. F20240710

All Forest Conservation Law, Chapter 22A requirements are satisfied.

The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines.

Natural Resource Inventory/Forest Stand Delineation

Natural Resources Inventory/Forest Stand Delineation No. 420241430 was approved on March 14, 2024. The Property includes no streams, stream buffers, wetlands, forests, or other environmental features. The Subject Property is in the Rock Creek Watershed, a Use Class I stream. The NRI/FSD identifies areas of steep slopes 25% and greater located primarily on the northern and eastern boundaries, and off-site. The Subject Property does not contain specimen trees. There are no known occurrences of rare, threatened, or endangered species on the Property.

Environmental Guidelines

The Application is in conformance with the Environmental Guidelines as it does not contain any streams, wetlands, forests, or their associated buffers.

Forest Conservation Plan

Preliminary Forest Conservation Plan No. F20240710 has been submitted with Local Map Amendment Application H-157 and Conditional Use No. CU202501, Paramount Self Storage.

The Subject Property is requested to be rezoned CRTF-2.75, C-2.75, R-1.5, H-120 and is classified as Mixed-Use Development Areas as defined in Section 22A-3 of Chapter 22A of the Montgomery County Forest Conservation Law (FCL) and specified in the Trees Technical Manual. This results in an afforestation requirement of 15% of the net tract area and a conservation threshold of 15%. The Net Tract Area is 2.49 acres, including 2.10 acres tract area and 0.49 acres of off-site disturbance. There is no forest on the site; therefore, the forest mitigation requirement is for 0.37 acres of afforestation.

The Applicant proposes to fulfill their forest conservation mitigation via forest banking if available. Otherwise, the requirement will be met via fee-in-lieu.

SECTION 6: CONCLUSION

The Subject Applications meet all of the requirements established in the Zoning Ordinance and Chapter 22A Forest Conservation Law and substantially conform to the recommendations of the 2021 *Shady Grove Sector Plan Minor Master Plan Amendment*. Therefore, Staff recommends approval of the Local Map Amendment, Preliminary Forest Conservation Plan, and Conditional Use applications, with the conditions specified at the beginning of the Staff Report.

ATTACHMENTS

Attachment A: Forest Conservation Plan

Attachment B: Agency Letters

Date 02/07/2025

CU202501/H157-Paramount Self Storage LLC

MCDOT Reviewer: Deepak Somarajan

MNCPPC Reviewer: Troy Leftwich

deepak.somarajan@montgomerycountymd.gov

240-777-2194

We will not be preparing a formal letter for this plan in an effort to improve our responsiveness and streamline development reviews. These comments reflect MCDOT's official comments on this Plan.

Significant Comments: These comments shall be addressed at the preliminary plan:

1. Paramount Drive:
 - Per the Masterplan of Highways, this roadway is classified as a Town Center Street, with a proposed right-of-way of 70 feet and 2 travel lanes.
 - Dimension the right-of-way and provide a roadway cross-section to include a street buffer and a default 10-ft sidewalk.
 - The roadside ditch south of the proposed driveway should be filled in entirely, including the one extending into the adjacent property and on the other side of the existing driveway (adjacent property) within the right-of-way.
 - The proposed sidewalk should be extended and connected to the existing sidewalk across the street with handicap ramps.
2. Somerville Road:
 - Per the Masterplan of Highways, this roadway is classified as Town Center Street, a proposed right-of-way of 80 feet with 2 travel lanes.
 - Dimension the right-of-way and provide a roadway cross-section to include a street buffer and a default 10-ft sidewalk.
3. The plan shows a portion of the sidewalk near the proposed driveway on Paramount Drive outside the right-of-way. If additional dedication is required to include the sidewalk in the right-of-way, then the applicant shall provide the necessary dedication.
4. Per the Master Plan, the proposed streets in the Metro South neighborhood (B-9) could be public or private streets or linear open space. We agree with MNCPPC that a linear open space would comply with the master plan and defer to them for comments.
5. Is the applicant undergrounding the utilities along the frontage?
6. Proposed Driveways:
 - Paramount Drive: The centerline of the proposed driveway shall align with the centerline of the existing driveway across the street. The existing guy wire could be relocated to align the driveway.
7. Sight Distance:
 - The sight distance is an issue due to the parked vehicles along the roadway for both the proposed driveways. Submit a completed, executed MCDOT Sight Distances Evaluation certification form for all existing and proposed site

entrances onto County-maintained roads for our review and approval. Please refer to the new sight distance form: <https://www.montgomerycountymd.gov/dot-dir/Resources/Files/SightDistanceForm.pdf>.

8. Storm Drain Analysis:

- Submit a storm drain study for the portion of the subject site draining to the Montgomery County public storm drain system.
- Please refer to the storm drain checklist: <https://www.montgomerycountymd.gov/dot-dir/Resources/Files/StormDrainRevChecklist.pdf>

9. **Transportation Demand Management (TDM) Plan Requirements:**

TDM provisions of County Code 42A-26 apply to this development application. As per the county code, an owner or applicant for a development located in a District in a Red Policy Area must submit a Level 3 Project-based TDM Results Plan for a project with more than 40,000 gross square feet (gsf).

The Paramount Self Storage LLC project, located in the Greater Shady Grove TMD and Red Policy Area, proposes to develop more than 40,000 gsf. The Project includes approximately 282,040 total square feet and is expected to have up to 2 employees on-site at any given time and as demonstrated on the Traffic Statement, the Project will result in fewer than 50 net new peak hour person trips (as compared to the existing conditions).

In view of this fact, as cited in the TDM provisions of County Code 42A-26 (b) (5), a project with a gross square feet size disproportionate to its impact on traffic (e.g. large floor area warehouses with lower impacts) may be required to adhere to a Project-based TDM Plan Level lower than otherwise required by its size and location. Hence, we are recommending a Level 1 TDM Basic Plan subject to the approval of the MCDOT director. A Level 1 Basic Plan must include the following:

- Appointment of Transportation Coordinator (a person to work with MCDOT and TMD representatives to assist with the Department's efforts to achieve the NADMS and other commuting goals)
- Notification of the Transportation Coordinator's contact information and any changes to the information.
- Access to the Project (owner must provide space on-site by prior arrangement with MCDOT or TMD representatives to allow the Department to promote TDM)
- TDM Information (TDM-related information must be placed in a location visible to displayed in a location(s) visible to employees and other project users.)

The Plan must be submitted to and approved by MCDOT prior to issuance of any building permit by the Department of Permitting Services.

The Applicant shall coordinate with MCDOT Commuter Services Section (CSS) staff: Samuel Damesa at Samuel.Damesa@montgomerycountymd.gov or (240) 777-8384 and James Carlson at James.Carlson@montgomerycountymd.gov or (240) 777-8382 to implement the aforementioned recommendations of the Transportation Demand Management (TDM) plan for the new development project.

10. If a Preliminary Plan is required, pay the Montgomery County Department of Transportation plan review fee in accordance with Montgomery County Council

Resolution 16-405 and Executive Regulation 28-06AM (“Schedule of Fees for Transportation-related Reviews of Subdivision Plans and Documents”).

11. Design all access points and alleys to be at-grade with the sidewalk / sidepath, dropping down to street level between the sidewalk / sidepath and roadway.
12. We support the MNCPPC’s recommendation to underground utilities.
13. The applicant is responsible for relocating utilities along existing roads to accommodate the required roadway improvements.