



PLANNING COMMISSION

Wednesday, June 26, 2019

7:00 PM

Rockville City Hall

Mayor and Council Chambers

Meeting No. 18-2019

AGENDA

Gail Sherman, Chair

Don Hadley	Anne Goodman
Charles Littlefield	John Tyner, II
Sarah Miller	Rev. Jane E. Wood

Jim Wasilak, Staff Liaison

Cynthia Walters, Deputy City Attorney

Eliot Schaefer, Assistant City Attorney

- 1. Briefing**
 - A. Review and Recommendation to Mayor and Council - Zoning Text Amendment TXT2019-00251 - Small Cell Antennas; Mayor and Council of Rockville, Applicants**

 - 2. Review and Action**
 - A. Presentation, Discussion and Approval of the 2018 Planning Commission Annual Report**

 - 3. Work Session**
 - A. Work Session 1: Comprehensive Plan, Draft for Planning Commission Public Hearing**

 - 4. Commission Items**
 - A. Staff Liaison Report**
-

B. Old Business

C. New Business

D. Minutes Approval

May 15, 2019

E. FYI/Correspondence

5. Adjourn

HELPFUL INFORMATION FOR STAKEHOLDERS AND APPLICANTS

I. GENERAL ORDER OF SESSION FOR DEVELOPMENT APPLICATIONS

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

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

II. PLANNING COMMISSION BROADCAST

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

III. NEW DEVELOPMENT APPLICATIONS

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

VI. ADDITIONAL INFORMATION RESOURCES

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

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



Agenda Item #:	A
Meeting Date:	June 26, 2019
Responsible Staff:	Deane Mellander

SUBJECT:

Review and Recommendation to Mayor and Council - Zoning Text Amendment TXT2019-00251 - Small Cell Antennas; Mayor and Council of Rockville, Applicants

RECOMMENDATION

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

Review the staff report and provide a recommendation on the text amendment to the Mayor and Council for the public hearing on September 9, 2019.



Overview

Case: Zoning Text Amendment TXT2019-00251

Location: City-Wide

Staff: Deane Mellander
Planning and Development Services
240-314-8224
dmellander@rockvillemd.gov

Applicant: Mayor and Council of Rockville

Filing Date: April 2, 2019

Background

The wireless industry got its start in the last quarter of the 20th century. Advances in electronic miniaturization made hand-held portable phones possible, which led to the initial pattern of cellular reception. Initially, the service was provided by what are now termed macro installations – installation of antenna support structures (typically, monopoles) spaced every few miles to provide overlapping service areas. If a user was mobile, the system would switch the carrier signal from one cellular antenna to the next to avoid signal drop.

As these installations proliferated, public pressure to regulate them increased. States and local jurisdictions began passing legislation intended to try and minimize the impact of these installations on the surrounding neighborhoods. In 1996, the Federal Government stepped in and passed the Telecommunications Act of 1996 (the “Act”), which gave the Federal Communications Commission (FCC) general authority to regulate the wireless industry. Under the Act, Federal law prohibits state and local regulations that “prohibit or have the effect of

prohibiting the ability of an entity to provide ... telecommunications service.” The Act applies to, among other things, the deployment of telecommunications infrastructure – including the deployment of small wireless facilities.

When the cellular system was initially designed it was for simple telephone service and there may have been one user per dwelling, and a few users at the place of employment or on the road. The macro sites were generally sufficient for this level of service.

A simple phone call does not use much bandwidth, but the proliferation of “smart” phones and other devices capable of video data streaming and the overall increase in the number of users means that the cell service areas need to be subdivided to maintain and increase the bandwidth service for both normal private user services but also to address future demands for public services such as self-driving vehicles. Today, there may be four or five users per dwelling, and many homes have replaced land line service with wireless. Many employers require most or all of their employees to carry cell phones to facilitate fast contact.

The pending introduction of a new fifth generation (“5G”) wireless system will substantially increase the size of the data stream. To accommodate this system, the number of cellular antenna locations will need to be substantially increased. This means that antennas will need to be located within several hundred feet of each other to provide full coverage.

On September 26, 2018, the FCC adopted a declaratory ruling and order (the “FCC Order”) broadly interpreting the Act and limiting or pre-empting local government authority on many issues related to the deployment of small cell wireless facilities. Although the FCC Order is being challenged in the courts by numerous local governments from across the United States, it went into effect on January 14, 2019. The City is a participant in one of the pending lawsuits.

Under the FCC Order, “small wireless facilities” are defined as facilities that: (i) are mounted on structures 50 feet or less in height including their antennas, or (ii) are mounted on structures no more than 10 percent taller than other adjacent structures, or (iii) do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater. Antennas for small wireless facilities can be no more than three cubic feet in volume, and other equipment associated with the facility can be no more than 28 cubic feet in volume.

The FCC Order permits local governments to establish aesthetic requirements for the installation of small wireless facilities. However, the aesthetic requirements must be (1) reasonable; (2) no more burdensome than those applied to other types of infrastructure deployments; and (3) objective and published in advance.

Additionally, the FCC Order also set “shot clocks” which are timeframes in which local governments must act on applications to install small wireless facilities. The FCC Order requires the City to act on an application to install a small wireless facility on an existing structure in sixty days and an application to install a small wireless facility on a new antenna support

structure in ninety days. If an application is not acted on within the applicable timeframes, the City could face a legal challenge and a court order that would allow the installation to occur as submitted.

City Zoning Regulations on Wireless Communication Facilities

The Mayor and Council adopted Zoning Text Amendment TXT2001-00191 in August 2001 to provide a comprehensive set of regulations for wireless telecommunications facilities in the City. This language is incorporated as Section 25.09.08, “Wireless Communication Facility” in the current Zoning Ordinance. The thrust of this section is to regulate the location and installation of macro antenna sites. These are typical multi-antenna installations mounted on monopole towers, lattice towers, or on the sides or roofs of buildings. Wireless facilities mounted on a new free-standing structure, i.e., a monopole or lattice tower, are required to obtain a special exception from the Board of Appeals. Facilities located on an existing building or structure are a conditional use, subject to compliance with the provisions of Sec. 25.09.08.b.

These macro sites, which usually consist of three large panel antennas facing in different directions for each carrier, generally provide wireless service coverage for a radius of about 2 to 4 miles. The spacing between the macro antenna locations is dependent on several factors, including elevation, density of wireless traffic, and intervening trees or structures that can attenuate the signal strength. In dense urban areas, there can be gaps in service because of the height and density of the built environment. Small cell antennas, which are a relatively new and evolving technology, serve several functions – they can fill in service gaps; provide additional service in high-traffic areas like city centers; and support 5G wireless service.

Under the current provisions for wireless communications facilities in Section 25.09.08, panel antennas, which can be up to two feet in width and six feet in height, may be mounted on existing buildings or structures that are at least 35 feet in height if used for nonresidential purposes, and 50 feet in height on a multi-family residential building. Antennas may also be located on a ground-mounted support structure, i.e., a monopole or other antenna support structure if the structure receives approval of a special exception by the Board of Appeals. In addition, if a ground-mounted support structure is proposed to be more than 50 feet tall in a residential zone or within 500 feet of a residential zone, or more than 199 feet tall in a nonresidential zone, the Mayor and Council must grant a waiver of the height restrictions under Section 25.09.08.e.3.

The proposed regulations cover small cell antennas intended primarily associated with the advent of 5G wireless service. In order to achieve the coverage intended by the FCC, there will need to be a network of antennas spaced perhaps 700 – 1,000 feet apart. The antennas themselves are small – limited to 3 cubic feet – but the support equipment can be larger. Several examples of current and proposed installations are shown in Attachment A. For single installations the equipment can often be mounted on the support structure or within the base of the structure (such as a light pole) if so equipped.

Analysis

Specific Zoning Ordinance Revisions

It is expected that the majority of small cell installations will be located on existing structures within the public right-of-way. Installations within the public right-of-way are regulated by authority of Chapter 21 of the City Code, "Streets and Public Improvements," not the Zoning Ordinance. These regulations have already been promulgated by the Director of Public Works (see Attachment B).

The intent of the proposed amendment is to revise the City's Zoning Ordinance to be in compliance with the FCC Order while also allowing the City to regulate the deployment of small cell antennas that are not within public right-of-way in a manner that meets the needs of the city. Small cell antennas can be much smaller than the typical tower-mounted cell antennas. Normally, only one omnidirectional antenna is needed.

The text amendment as authorized (see Attachment C) proposes to define small cell antennas as being no larger than three cubic feet in size, which is consistent with the FCC Order. Cumulative volumetric standards of 28 cubic feet are also proposed for equipment enclosures, which is also consistent with the FCC Order.

The definitions for the following terms: Antenna, Antenna support structure, Colocation, Wireless communication facility, and Wireless communication service, have all been revised to reflect the current terminology and to reflect the language in the FCC Order. A new definition for "Wireless communication facility, small" is proposed to be added to specifically address the regulation of small cell facilities in a manner consistent with the FCC Order.

The proposed text amendment revises the current language to essentially separate the regulations between small cell antennas and other types of antenna installations, including macro sites and monopoles. The language has also been revised to be consistent with the terminology contained in the FCC order. In some cases, the existing language has been reordered for better clarity of intent. The amendment also proposes to increase the allowable height of macro panel antennas from six feet to eight feet, in line with current industry practice.

A new subsection d is proposed to be added specifically to regulate the installation of small cell antennas on private or public property, outside of public right-of-way. For those installations outside of public rights-of-way to which the Zoning Ordinance will apply, the regulations can be summarized as follows:

- No small cell antennas can be located on a single family detached, semi-detached, or townhouse dwelling. No small cell antenna can be located on an accessory building or structure located on the same lot as a dwelling.

- Small cell antennas must be located at least 25 feet from a single-family dwelling, and 250 feet from another antenna support structure.
- Installations must be designed and located to minimize visual impacts, including use of stealth technology.
- Support equipment must be enclosed and cannot exceed 5 feet in height.
- Small cell antennas cannot exceed 3 cubic feet in volume, and support equipment cannot exceed an aggregate total of 28 cubic feet in volume.
- Where underground utilities are required, any equipment enclosures must be located below grade unless incorporated into the base of the support structure.
- No installations permitted on an historic structure or within a designated historic district where any portion of the installation except the antenna is visible from the ground.
- If the installation is no longer in use, it must be removed by the owner at their expense.
- No hazardous materials can be stored on the site.

The land use tables for the residential, mixed use and industrial zones are proposed to be amended to reflect the revisions in Article 9. Small cell antennas are added as a conditional use, subject to the new provisions. The current regulations for wireless facilities are still applicable in the RMD (Residential Medium Density) zones. In the industrial zones, the wireless provisions are proposed to be relocated within the tables from the Assembly and Entertainment section to the Industrial and Service Uses section to better reflect the characteristics of the use.

Under the FCC Order, the City is prohibited from requiring a wireless provider to prove that there is a gap in coverage and that a small wireless facility is needed in a particular location. Further, the FCC Order limits the City's ability to enact spacing and underground requirements.

Surrounding Jurisdictions

The staff notes that both Montgomery County and the City of Gaithersburg have adopted text amendments to regulate small cell antennas in a similar manner to what is proposed. The County has limited small cell antennas to six cubic feet with a maximum length on any side of four feet two inches. Antennas are allowed in the Commercial/Residential, Industrial, and Employment zones as a limited use and must be mounted at least 15 feet off the ground. Such antennas may be mounted on replacement utility poles, streetlight poles or site-plan approved parking lot poles. If located within the right-of-way, the Department of Permitting Services must approve the location for safety purposes. A text amendment to permit them in the residential zones did not pass in the last County Council term.

In Gaithersburg, the size limit is 2.5 feet wide by four feet tall. Gaithersburg also requires that any small cell antenna located on a multi-family building be at least 20 feet off the ground, with the minimum being 15 feet for any non-residential or mixed-use structure.

Community Outreach

Notice of the filing of the text amendment and Planning Commission meeting date was sent out

to the civic associations and homeowners associations via the City's listserv.

Recommendation

Within the regulatory framework set forth in the FCC Order, the proposed amendment will provide the City with some regulatory control over the location and design of small cell antennas deployed outside of the public right-of-way, and the regulations will be consistent with those already in place for installations within public rights-of-way and the FCC order. Staff therefore recommends that Zoning Text Amendment TXT2019-00251 be approved.

Attachments

- Attachment 1.A.a: Sample small cell installations (PDF)
- Attachment 1.A.b: Standards for Small Cell Installations in the Public Right-of-Way (PDF)
- Attachment 1.A.c: Final Draft of Text Amendment TXT2019-00251 (PDF)

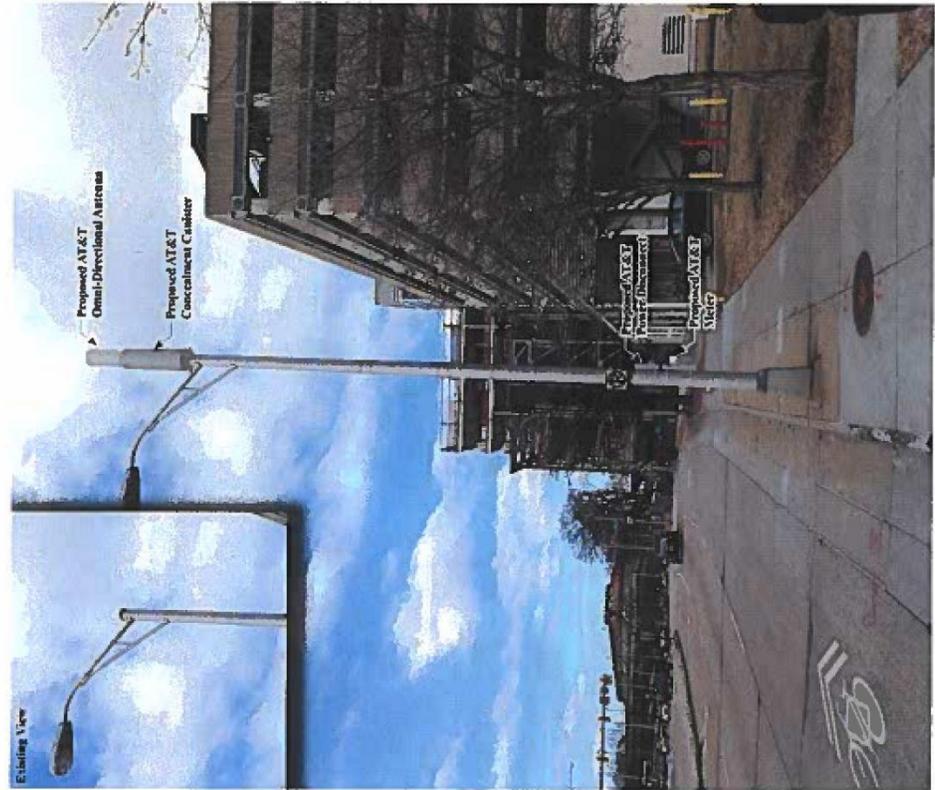
Jim Wasilak
Jim Wasilak, Chief of Zoning 6/19/2019

Examples of the AT&T Small Cell Equipment



BC JACOBS at&t Light Standard Antenna with Conical Simulation CRAN_RVWN_RFZZ_001

Small Cell Design – Metal Streetlight



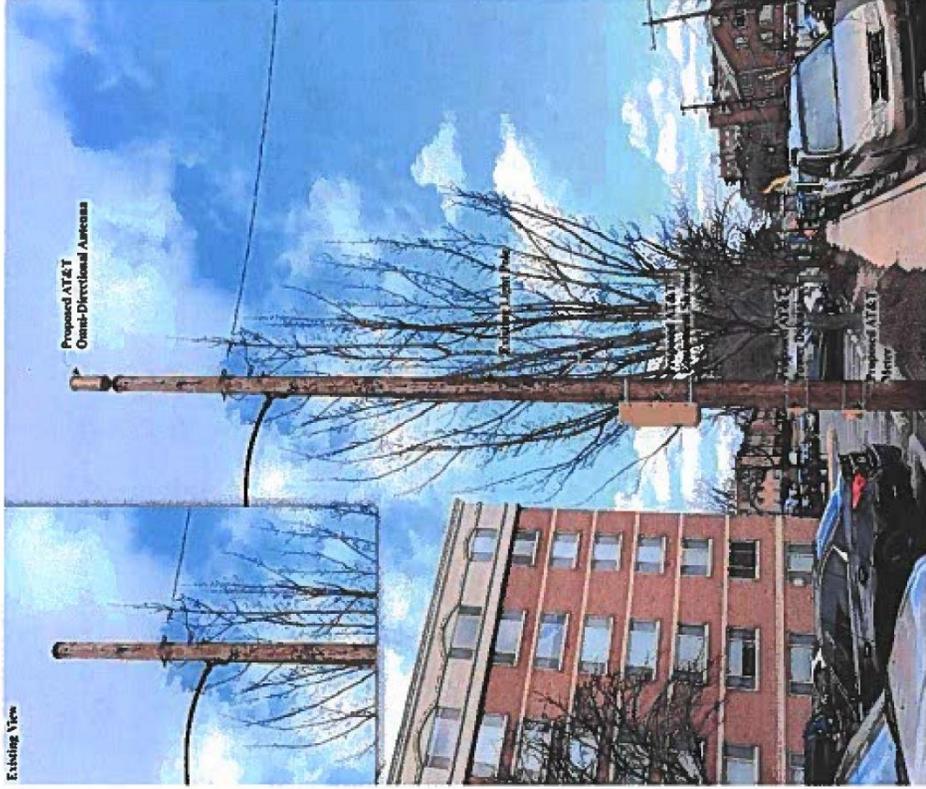
BC JACOBS at&t Light Standard Antenna with Conical Simulation CRAN_RVWN_RFZZ_001

Examples of the AT&T Small Cell Equipment



2100 Baltimore Road, Rockville, MD 20851

Small Cell Design – Wood Utility Pole



Wood Utility Pole Example



Attachment 1.A.a: Sample small cell installations (2641 : Zoning Text Amendment TXT2019-00251 - Small Cell Antennas)

PROPOSED VERIZON SMALL CELL INSTALLATION



Attachment 1.A.a: Sample small cell installations (2641 : Zoning Text Amendment TXT2019-00251 - Small Cell Antennas)

PROPOSED VERIZON SMALL CELL INSTALLATION

Small Wireless Facilities

Small Wireless Facility Standards

Height Standards

1. Small wireless facilities may not be mounted on structures greater than 50-feet in height including the antenna.
2. Small wireless facilities may not be mounted on structures more than 10 percent taller than other adjacent structures.
3. Small wireless facilities may not be mounted on existing structures which cause the structure to extend to a height of more than 50-feet or more than 10 percent taller than adjacent structures, whichever is greater.

Antenna and Other Small Wireless Equipment Size Standards

4. Each antenna associated with a small wireless facility can be no greater than 3 cubic feet in volume.
5. All other small wireless equipment associated with the small wireless facility (including any pre-existing equipment on the structure) may not be more than 28 cubic feet in volume.

Installation, Placement, and Design Standards

6. Small wireless facilities must not project over the roadway, pedestrian path or sidewalk and must be placed on a single side of the structure, unless approved by the Director of Public Works.
7. New poles or other structures that support small wireless facilities must maintain a minimum three (3) foot horizontal clearance from existing sidewalks and roadways and a minimum five (5) foot horizontal clearance from the outside edge of driveway aprons and handicapped ramps, unless a lesser clearance is approved by the Director of Public Works.
8. Any exterior attachments to structures (other than cabling), must be a minimum of eight (8) feet above grade, unless approved by the Director of Public Works.
9. Replacement poles must be the same height as the pole being replaced, unless a different height is approved by the Director of Public Works. Any replacement pole, including all required guying, may not intrude on any sidewalk or passageway more than the existing pole, and may not be more than 10 percent larger in circumference than the existing pole, considering the actual dimensions of the pole. Guy wiring must be comparable to that of the pole being replaced.
10. All small wireless equipment installed underground, at ground level, or on a pole must be placed in an enclosure.
11. All small wireless equipment must be consistent with industry standards.
12. Antennas must include shielding or otherwise be placed in an enclosure. If attached to a pole, the shielding or enclosure must be no more than the circumference of the pole at the point of attachment and, if attached to the top of the pole, designed to appear like a continuous vertical extension of the pole. Antennas must not extend more than 36 inches

Small Wireless Facilities

- in length, extending vertically from the base of the antenna, either at the top of the pole or structure, or on the related equipment housing, except that up to six (6) inches in additional height may be permitted for connectors.
13. All wires/cables must be located inside the structure, unless Applicant proves to the City's satisfaction that this is not practical, in which case the wire/cable must be installed in a conduit attached flush to the structure and painted with non-reflective paint of the same color as the structure on which it is installed or otherwise concealed to the extent possible. Whenever possible, the Applicant must utilize existing ducts, conduits, or other facilities for the installation of connecting fiber.
 14. All visible small wireless equipment placed on a structure, including antennas, must be painted with non-reflective paint of the same color as the structure on which it is sited so that the installation closely matches the existing paint. The Applicant must work with the structure manufacturer or owner regarding the specifics for the color match, and work with the equipment manufacturer regarding paint specifications as well as the method for cleaning the equipment and applying the paint. Antennas and shrouds must be painted to have the least visual impact possible; colors must be approved by the City as part of the permit. Paints must be lead and chromate free. Resistance to ultra violet light, road salt compounds, industrial chemical fumes, solvents for removal of graffiti off painted surfaces, flame or high temperatures, and corrosion.
 15. No writing, symbol, logo or other graphic representation which is visible from the nearby street or sidewalk is allowed to appear on any exterior surface of the small wireless facility unless allowed by agreement with the City, required by law or regulation, or as a City-approved concealment element. Notwithstanding the previous sentence, Applicant must tag all attachments to structures to allow for ready identification of the small wireless facility owner and type of attachment.
 16. No visible lighting is allowed on any small wireless facilities, except as required by law or as allowed by the City.
 17. Any new pole installed to support a small wireless facility must be consistent and compatible with surrounding poles and structures.
 18. Installation of small wireless facilities must not impact existing City street trees.
 19. Installation of small wireless facilities must not impact line of sight for vehicle or pedestrian movements.
 20. Installation of small wireless facilities must not create any Americans with Disabilities Act violations.
 21. Small wireless facilities must not interfere with the function of the pole or structure to which the equipment is attached or interfere with other public facilities, including but not limited to:
 - a. Signs
 - b. Traffic signals
 - c. Street lighting
 - d. Bike racks
 - e. Benches
 - f. Fire hydrants
 - g. Water meters
 - h. Sewer cleanouts
 - i. Stormwater facilities
 - j. Other utilities

Small Wireless Facilities

22. In an area of the city where utilities are underground, all small wireless equipment must also be placed in an underground vault.
23. Small wireless facilities must be placed, as much as possible, in line with other utility features and in a location that minimizes any obstruction, impediment, or hinderance to the usual travel or public safety on a right-of-way.
24. The Applicant must incorporate ambient noise suppression measures, place small wireless equipment in locations less likely to impact adjacent residences or businesses, or both, and must comply with all applicable noise regulations.
25. The City strongly encourages the collocation of small wireless facilities on existing structures. To minimize visual clutter, distractions to vehicular traffic, and the hazard of poles adjacent to roadways, free standing poles must be spaced a minimum of 250 feet apart on each side of a street. An exemption may be granted by the Director of Public Works if the Applicant can demonstrate that this restriction has the effect of prohibiting the provision of wireless services.
26. Small wireless equipment installed at ground level must incorporate concealment elements into the proposed design. Concealment may include, but is not limited to, landscaping and strategic placement in less obtrusive locations.
27. Small wireless equipment installed at ground level must be painted to have the least visual impact possible; colors must be approved by the City as part of the permit. Paints must be lead and chromate free. Resistance to ultra violet light, road salt compounds, industrial chemical fumes, solvents for removal of graffiti off painted surfaces, flame or high temperatures, and corrosion.

Small Wireless Facility Conditions

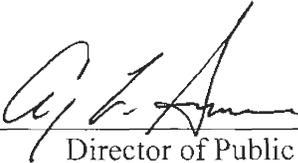
1. Applicant must be a member of "Miss Utility" and comply with state law regarding marking utilities.
2. Small wireless facilities located in public right-of-way must not cause a safety hazard to the public.
3. A small wireless facility must be removed from the public right-of-way within 90 days of the final Right-of-Way Access/Attachment payment to the City for the small wireless facility.
4. If a City project requires small wireless facilities to be removed or relocated, the Applicant must remove or relocate all equipment within 30 days' notice by the City at the Applicant's sole cost.
5. Applicant must obtain a permit from the City for any maintenance of small wireless facilities following initial installation.
6. Applicants for small wireless facilities may request a right-of-way agreement for multiple installations with the City.

Small Wireless Facilities

Submittal requirements

Applicant is required to submit the following information with the permit application:

1. Documentation certified by a Maryland Professional Engineer that the pole or other structure to which the small wireless equipment is proposed to be attached is structurally adequate to support the small wireless equipment.
2. Applicant must provide certified analysis showing that the proposed Facility satisfies the Federal Communication Commission ("FCC")'s Radio- Frequency (RF) exposure guidelines applicable on an individual basis, and on a cumulative basis (considering all frequencies, and all emitting sources as may be required by FCC regulations).
3. Applicant must provide a completed utility permit application and checklist.
4. Written authorization from the structure owner that demonstrates that the Applicant has the authority to install a small wireless facility on the structure.
5. All other information otherwise required by Chapter 21 of the City Code and for an application for a Utility Permit.

Approved by:  Date: 1/11/19
 Director of Public Works

*Addendum to City of Rockville Department of Public Works Standards and Details for Construction

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

Applicant: Mayor and Council of Rockville

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

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

Sec. 25.03.02. - Words and terms defined.

Antenna means any structure or device used to collect, receive, transmit, or radiate electromagnetic waves, including both directional antennae (such as panels, microwave dishes, satellite earth station antennae over two (2) meters in diameter), or diagonal measurement, and omni-directional antennae (such as whips). This term does not include end-user antennas two (2) meters or less in diameter or diagonal measurement and designed for:

1. End-user over-the-air reception, not transmission, of multi-channel multi-point distribution service;
2. Direct broadcast satellite service;
3. End-user reception of signals from an Internet service provider and end-user transmission of signals to an Internet service provider;
4. Mobile radios; or
5. Antennas permitted by right by 47 C.F.R. Section 1.4000, as amended.

Antenna support structure means a structure designed for the primary purpose of supporting one (1) or more antennae (including telescoping mast, tower, monopole, tethered blimp, or other support structure). The term includes structures located on buildings or other structures, ground-mounted, or tethered, and towers, as defined in 47 C.F.R. Section 1.40001(b)(9). Without limitation, the term does not include utility poles or structures, including public structures in the public right-of-way.

Collocation ~~means the use of a wireless telecommunications facility by more than one (1) wireless service provider~~ has the same meaning as in 47. C.F.R. Section 1.4001(g).

Equipment enclosure means, for purposes of a wireless communication facility, a freestanding or mounted structure, shelter, cabinet, or vault used to house and to protect the electronic equipment and associated equipment necessary for processing wireless communication signals. Associated equipment may include air conditioners, back-up power supplies, and emergency generators.

Small wireless communication facility – See *Wireless communication facility, small*.

Wireless communication facility means a facility fixed at a location temporarily or permanently for the transmission and/or reception of wireless communication services, consisting of one (1) or more antennas and the equipment at that location necessary to the provision or reception of wireless communication services, including, but not limited to, transmission cables and related equipment enclosures.

Wireless communication facility, small means a wireless communication facility that meets each of the following conditions:

1. The structure on which antenna facilities are mounted:

(a) is 50 feet or less in height; or

(b) is no more than ten percent (10%) taller than other adjacent structures; or

(c) is not extended to a height of more than ten percent (10%) above its preexisting height as a result of the collation of new antenna facilities; and

2. Each antenna, excluding associated antenna equipment, is no more than three (3) cubic feet in volume; and

3. All antenna equipment associated with the small wireless communication facility, excluding antennas, is cumulatively no more than twenty-eight (28) cubic feet in volume; and

4. The small wireless communication facility does not require antenna structure registration; and

5. The small wireless communication facility does not result in human exposure to radiofrequency in excess of the applicable safety standards specified by Federal law.

Wireless communication service means those personal wireless services as defined in the same manner as in Title 47, U.S. Code, Section 332(c)(7)(c), ~~as they may be amended from time to time~~ and such other services that consist of the transmission, or transmission, ~~and/or transmission and~~ reception of information by electromagnetic wave, digital signals,

broadcast television signals, analog signals, radio frequencies, or other communication signals.

Amend Article 8, “Accessory Uses; Accessory Buildings and Structures; Encroachments; Temporary Uses; Home-Based Business Enterprises; Wireless Communication Facilities”, as follows:

Sec. 25.09.08. - Wireless Communication ~~Facility~~ Facilities.

- a. *Purpose.* The purpose of this section is to provide a uniform and comprehensive set of standards for the development and installation of wireless communication facilities, related structures, and equipment.
1. The regulations and requirements contained herein are intended to:
 - (a) Regulate the placement, construction, and modification of wireless communication facilities in order to protect the health, safety, and welfare of the public and the aesthetic quality of the City; and
 - (b) Encourage managed development of wireless communication infrastructure, while at the same time not unreasonably interfering with the development of the competitive wireless communication marketplace in the City.
 2. This section is intended to promote the following objectives:
 - (a) To minimize the total number of wireless communication facilities and antenna support structures throughout the community through siting standards;
 - (b) To provide for the appropriate location and development of wireless communication facilities and related structures and equipment within the City, and, to the extent possible, minimize potential adverse impacts on the community;
 - (c) To minimize adverse visual and aesthetic impacts of wireless communication facilities and related structures and equipment through careful design, siting, landscape screening, and innovative camouflaging techniques, such as stealth technology, and utilizing current and future technologies;
 - (d) To promote and encourage shared use/~~collocation~~ of antenna support structures;
 - (e) To maintain and preserve the existing residential character of the City and its neighborhoods and promote the creation of a convenient, attractive, and harmonious community;
 - (f) To promote the safety of citizens and avoid the risk of damage to adjacent properties by ensuring that wireless communication facilities and related structures and equipment are properly designed, constructed, located, modified, maintained, and removed;
 - (g) To ensure that wireless communication facilities and related structures and equipment are compatible with surrounding land uses;
 - (h) To encourage: the location of antennas wireless communication facilities on existing buildings or other structures; collocation of new antennas on existing antenna support structures; camouflaged antenna support structures; ~~and~~

construction of antenna support structures with the ability to locate three (3) or more providers or users; the deployment of wireless communication facilities in a manner that does not require substantial alterations to existing structures that adversely affects the structure's appearance or the neighborhood; and

- (i) To maintain and ensure that a non-discriminatory, competitive, and broad range of high quality wireless communication services and high quality wireless communication infrastructure consistent with laws are available to the community.
- b. *Wireless Communication Facilities Entirely Within an Existing Building or Attached to Existing Structures.*: ~~Wireless communication facilities attached to the roof or side of a building, or attached to an existing structure must comply with the following:~~

1. Scope. This subsection applies to wireless communication facilities that (1) do not meet the definition of small wireless communication facility and (2) are entirely within an existing building or attached to an existing structure.

2. Development Standards.

- ~~1. (a)~~ The building or other structure on which a wireless communication facility to be installed must be at least thirty-five (35) feet in height if used for nonresidential purposes and fifty (50) feet in height if used for multiple unit dwelling purposes. In a mixed-use development, the multiple unit dwelling standard applies. Except as provided in subsection 25.09.08.e, wireless communication facilities are not permitted on any single unit detached dwelling or appurtenant accessory building or structure.
- ~~2. (b)~~ ~~The antennas and antenna support structures must be located and designed to minimize visual impacts through various methods, including, but not limited to, the use of stealth technology.~~ Antennas and antenna support structures must be installed according to the order of preference in subsections 25.09.08b.2.(b)(i) through (ii) below, with (ai) being the preferred option. Use of a lower preference location is permitted only if an applicant provides detailed justification as to why higher preference locations are not suitable.
- (ai) Antennas must be flush mounted on existing structures, or on either rooftop enclosures or the side of a building, and closely match the color and architectural treatment of the structure, enclosure, or building.
- (bii) Antennas must be flush-mounted on expanded rooftop mechanical equipment enclosures, with the enclosures and antennas designed to be consistent with the architectural treatment and color of the building.
- (c) The antennas and antenna support structures, regardless of location, must be located and designed to minimize visual impacts through various methods, including, but not limited to, the use of stealth technology.
- (i) Antennas must be enclosed with screening that is include shielding or otherwise be placed in an enclosure. The enclosures and shielding must be consistent with the architectural treatment and color of the building or structure.

(ii) Antennas and support structures must be painted or otherwise treated to minimize their visibility. Any paint used must be non-reflective paint of the same color as the structure.

(iii) No visible lighting is allowed on any wireless facility, except as required by law.

3. (c) Antennas and supporting structures are permitted to exceed the height of the building or structure to which they are attached by a maximum of nineteen (19) feet. The height above a building must be measured from the finished roof elevation, and not from the roof of any equipment enclosure.

4. (d) Antennas must comply with the following size standards:

(ai) Whip antennas must be no more than seven (7) inches in diameter; and

(bii) Panel antennas must be no more than two (2) feet wide and ~~six (6)~~ eight (8) feet long.

5. (e) Equipment enclosures must comply with the requirements of Section 25.09.08.e. An equipment ~~building or cabinet~~ enclosure may be located on the roof of a building provided it and all other roof structures do not occupy, in the aggregate, more than twenty-five (25) percent of the roof area.

6. (f) When an antenna is located on a stadium light or utility pole, the total height of the antenna plus the pole or light must not exceed one hundred twenty-five (125) percent of the average height of the lighting system at the stadium or run of poles within five hundred (500) feet of the pole on which the antenna is located.

(g) A wireless communication facility must be designed, installed, and maintained in compliance with all applicable provisions of the City Code including, but not limited to, provisions regulating noise levels, and permit and inspection requirements.

(h) When a wireless communication facility is no longer in use, the wireless communication facility must be removed at the expense of the facility owner. Failure to remove abandoned equipment will result in removal by the City at the expense of the owner.

(i) No hazardous material may be located at the site.

c. *Wireless Communication Facilities ~~Located on~~ Attached to Ground-Mounted Antenna Support Structures.*

1. *Scope.* This subsection applies to wireless communication facilities that (1) do not meet the definition of small wireless communication facility, and (2) are mounted on ~~free-standing ground-mounted~~ antenna support structures.

(a) *Special exception.* Wireless communication facilities covered by this section require the approval of a special exception in accordance with the applicable provisions of article 15 of this chapter.

(b) *Additional findings required.* The following additional findings must be made for the granting of a special exception:

- (i) The location is selected ~~because is necessary for the public convenience and service and cannot be supplied with equivalent public convenience on a the wireless communication facility cannot be attached to an existing~~ ground-mounted antenna support structure or collocated on an existing ground-mounted antenna support structure; and
- (ii) For new ground-mounted antenna support structures to be located in a residential zone or within five hundred (500) feet of a residential zone, it must be demonstrated that a good faith effort has been made to locate the proposed ground-mounted antenna support structure in a nonresidential zone more than five hundred (500) feet from the residential zone, with adequate coverage and on an isolated site with minimal visual impact.
- (c) *Independent consultant.* The City may hire an independent consultant to review evidence submitted by the applicant, and the applicant must reimburse the City for the reasonable cost of hiring and utilizing such a consultant.

2. *Development Standards.*

- (a) The maximum height of the facility, including antenna and other attachments, is fifty (50) feet in a residential zone, or within five hundred (500) feet of a residential zone, and one hundred ninety-nine (199) feet in all other locations. Height must be measured vertically from the pre-disturbance ground level at the center of the support structure.
- (b) Monopoles are the preferred type of ~~freestanding~~ ground-mounted antenna support structure.
- (c) No commercial or promotional signs, banners, or similar devices or materials are permitted on antenna support structures.
- (d) The ground-mounted antenna support structure must be located and designed in a manner that is harmonious with surrounding properties, to the extent practicable. Antenna support structures must be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment. When practicable, available stealth structure design techniques must be used.
- (e) Wireless communication facilities must be located on City-owned property, if feasible.
- (f) Antenna support structures must be set back one (1) foot for every foot of height of the structure, measured from the base of the structure to each adjoining property line or right-of-way.
- (g) Lights are not permitted on antenna support structures unless they are required for aircraft warnings or other safety reasons, or to comply with applicable laws and regulations. If required, minimum lighting requirements must be applied, and strobe lights must be avoided unless specified by the Federal Aviation Administration or the Federal Communications Commission.
- (h) Outdoor storage of equipment or items related to the wireless communication facility is prohibited on sites with antenna support structures.

- (i) All antenna support structures erected as part of a wireless communication facility must be designed to accommodate collocation of additional wireless communication carriers. New antenna support structures of a height of one hundred fifty (150) feet or more must be designed to accommodate collocation of a minimum of four (4) additional providers either upon initial construction or through future modification to the antenna support structure. Antenna support structures of less than one hundred fifty (150) feet must be designed to accommodate collocation of a minimum of two (2) additional providers.
- (j) Prior to construction, each applicant must provide certification from a registered structural engineer that the structure will meet pertinent design, construction, installation, and operation standards, including but not limited to the applicable standards of the Electronics Industries Association (EIA), the Telecommunications Industry Association (TIA), ANSI, and the BOCA Code in effect at the time of the building permit application.
- (k) Upon completion of any sale or sublease of an antenna support structure, the owner of an antenna support structure must provide written notice to the City's Inspection Services Division.
- (l) The owner of a ground-mounted antenna support structure, at the owner's expense, must remove antenna support structures when a wireless communication facility is not used for wireless purposes for a period one hundred eighty (180) days in a 12-month period. The owner of a ground-mounted antenna support structure must immediately notify the City, in writing, of nonuse or abandonment of the structure upon its cessation as a wireless communication facility. Failure to remove an abandoned or unused ground-mounted antenna support structure will result in removal of the structure by the City at the expense of the owner.
- (m) When a ground-mounted antenna support structure is removed by an owner, said owner must apply for a demolition permit to remove the tower. A condition of the demolition permit is to restore the site to the standards required by the building code in effect at the time, at no expense to the City.

d. *Small Wireless Communication Facilities.*

1. *Scope.* This subsection applies to small wireless communication facilities.

- (a) *Small wireless communication facilities in the public rights-of-way.* Small wireless communication facilities located within the public rights-of-way must comply with all requirements, standards, and guidelines set forth in or promulgated under Chapter 21 of the City Code.
- (b) *Small wireless communication facilities outside of the public rights-of-way.* Small wireless communication facilities located outside of the public rights-of-way must comply with the development standards set forth in subsection d.2.

2. *Development Standards.*

(a) *Location.*

- (i) *A small wireless communication facility is prohibited from being attached to any single unit attached dwelling, single unit detached dwelling, semidetached*

dwelling, townhouse dwelling, or on any accessory building or structure located on a lot with such a dwelling.

(ii) Within a single dwelling unit residential zone, a small wireless communication facility must be located at least twenty-five (25) feet from a single unit dwelling and two hundred fifty (250) feet away from the nearest existing antenna support structure.

(iii) Except as otherwise provided in this section, a small wireless facility may be attached to any existing structure that is at least fifteen (15) feet in height, measured from grade. The antenna must be a minimum of fifteen (15) feet above grade.

(iv) A small wireless communication facility may be installed on a new antenna support structure, provided that the antenna must be a minimum of fifteen (15) feet above grade.

(b) *Concealment.*

(i) Small wireless communication facilities must be designed and installed to incorporate specific concealment elements to minimize visual impacts.

(ii) All antenna equipment must be placed in an enclosure.

(iii) Equipment enclosures, whether located on the structure or ground-mounted, and including any pre-existing equipment enclosures on the structure or ground, may not exceed five (5) feet in height.

(iv) Antennas must be shielded or otherwise be placed in an enclosure. If attached to a pole, the shielding or enclosure must be no larger than the circumference of the pole at the point of attachment and, if attached to the top of the pole, designed to appear like a continuous vertical extension of the pole. Antennas must not extend more than thirty-six (36) inches in length, extending vertically from the base of the antenna, either at the top of the pole or structure, or on the related equipment housing, except that up to six (6) inches in additional height may be permitted for connectors.

(v) For antennas not located at the top of a pole, the antennas must be flush mounted on existing structures and closely match the color and architectural treatment of the structure.

(vi) All wiring and cables must be located inside the structure or, if that is not practical, in a conduit attached flush to the structure and painted with non-reflective paint of the same color as the structure.

(vii) No visible lighting is allowed on any small wireless facility, except as required by law.

(vi) In residential zones where public utilities are located or are required to be located underground, equipment enclosures must be located below the existing grade unless the enclosure is incorporated into the base of the pole.

- (c) A small wireless communication facility may not be located on a historic structure, or in an historic district where any portion of the wireless communication facility, except the antenna, would be visible from the ground.
- (d) A small wireless communication facility must be designed, installed, and maintained in compliance with all applicable provisions of the City Code, including, but not limited to, provisions regulating noise levels, and permit and inspection requirements.
- (e) When a small wireless communication facility is no longer in use, the small wireless communication facility must be removed at the cost of the facility owner and the properties affected by the facility restored to its prior condition.
- (f) No writing, symbol, logo, sign, or other graphic representation which is visible from the public right-of-way is allowed to appear on any exterior surface of the small wireless communication facility; however, the owner of the small wireless communication facility must tag all attachments to structures to allow for ready identification of the owner and type of attachment.
- (g) No hazardous materials may be located at the site.

de. Equipment Enclosures ~~Located at Ground Level Standards for Wireless Facilities Other than Small Wireless Facilities.~~ Equipment enclosures ~~located at ground level~~ must comply with the following standards:

1. Each equipment enclosure that contains the equipment of a single provider must not exceed five hundred sixty (560) square feet of gross floor area and twelve (12) feet in height; if more than one (1) provider is to be accommodated in an equipment enclosure, a single equipment enclosure must be constructed to accommodate the maximum number of providers that are required to collocate on the antenna support structure, up to a maximum of ~~one thousand five hundred (1,500)~~ square feet in area and twelve (12) feet in height.
2. The equipment enclosure must conform to the applicable setback standards for main structures in the zone in which the property is located; setback standards for accessory buildings and structures in section 25.09.03 are not applicable to equipment enclosures.
3. The equipment enclosure must be screened to provide year-round screening. This standard may be met by one (1) or a combination of the following: fencing, walls, landscaping, structures or topography which will block the view of the equipment ~~shelter enclosure~~ as much as practicable from any street and/or adjacent properties. In areas of high visibility, fencing may be wrought iron, masonry, or other decorative fencing material.
4. Lighting associated with equipment ~~structures enclosures~~ must be directed so as to minimize any negative impact of such lighting on adjacent properties.
5. When constructed as a freestanding building, the design of the equipment enclosure must be coordinated with the design of the existing main building on the same lot or, if there is no building on the lot, with the buildings on an adjoining lot, to the extent practicable. In addition, the equipment enclosure must be constructed of non-reflective materials.

6. When attached to an existing building, the equipment enclosure must be designed in a manner that is harmonious with the existing building and surrounding properties. Any paint must be non-reflective paint of the same color as the building.
7. The equipment enclosure must be removed at the cost of the owner when the wireless communication facility is no longer being used by a wireless communication provider. Failure to remove abandoned equipment will result in removal by the City at the expense of the owner.

ef. *Waivers permitted.*

1. *Regulated satellite earth station antennas.*

- (a) Any person or entity seeking to install or erect a satellite earth station antenna subject to this section, other than an antenna specified in subsection 25.09.08.e.1(a)(ii) below, may apply for a waiver from one (1) or more of the provisions of this section 25.09.08, and the Board of Appeals may grant such a waiver pursuant to applicable procedures and standards if it is shown that:
 - (i) The provision(s) of section 25.09.08 at issue materially limit or inhibit the transmission or reception of satellite signals at the waiver applicant's property or the provision(s) at issue impose more than a minimal cost on the waiver applicant;
 - (ii) The waiver, if granted, would not result in any noncompliance with applicable laws, regulations, and codes (including, but not limited to, safety and building codes); and
 - (iii) The waiver sought is the minimum waiver necessary to permit the reception or transmission of satellite signals at the waiver applicant's property.
- (b) The Board of Appeals is authorized to grant a complete or partial waiver to any provision of section 25.09.08. In addition, the Board of Appeals may impose a lesser requirement instead of granting a complete waiver of any provision in this section if a complete waiver is not necessary to permit reception or transmission of amateur service communications at the waiver applicant's property, and the lesser requirement will allow the reception or transmission of satellite signals. The Board of Approval shall not condition a waiver upon an applicant's expenditure of a sum of money, including costs required to screen, pole-mount, or otherwise specially install a satellite earth station antenna, over and above the aggregate purchase or total lease cost of the equipment as normally installed, if such sum would be greater than the aggregate purchase or total lease cost of the equipment as normally installed.

2. *Wireless Communication Facilities for Amateur Service Communications.*

- (a) Any person or entity seeking to install or erect a wireless communication facility in the City for the purpose of engaging in amateur radio communications may apply for a waiver from one (1) or more of the provisions of this section 25.09.08. and the Board of Appeals may grant such a waiver pursuant to applicable procedures and standards if it is shown that:

- (i) The provision(s) of section 25.09.08 at issue preclude amateur service communications, do not reasonably accommodate amateur service communications at the waiver applicant's property or do not constitute the minimum practicable regulation to accomplish the City's health, safety, and welfare objectives;
 - (ii) The waiver, if granted, would not result in any noncompliance with applicable laws, regulations and codes (including, but not limited to, FCC regulations concerning amateur radio transmission and reception); and
 - (iii) The waiver sought is the minimum waiver necessary to reasonably accommodate amateur service communications at the waiver applicant's property.
- (b) The Board of Appeals is authorized to grant a complete or partial waiver to any provision of section 25.09.08. In addition, the Board of Appeals may impose a lesser requirement instead of granting a complete waiver of any provision in this section if a complete waiver is not necessary to permit reception or transmission of amateur service communications at the waiver applicant's property, and the lesser requirement:
- (i) Will not preclude amateur service communications; and
 - (ii) Is the minimum practicable regulation to accomplish the City's health, safety, and aesthetic objectives.
- (c) In determining whether to grant a complete or partial waiver of any provision in section 25.09.08 or to impose a lesser requirement, the Board must reasonably accommodate amateur radio communications.
3. *All Other Wireless Communication Facilities.*
- (a) The Board of Appeals is authorized to grant a waiver from any and all of the standards of this section 25.09.08, except for the height restrictions for a freestanding antenna support structure in subsection c. of this section, upon showing that compliance with this section would impose an undue hardship or prohibit or have the effect of prohibiting the provision of wireless communication services or would result in unreasonable discrimination among providers of functionally equivalent wireless communication services.
 - (b) Waiver requests from the height restrictions (subsection 25.09.08.c.2) for a freestanding antenna support structure may be granted by the Mayor and Council upon showing that compliance with this section would impose an undue hardship or prohibit or have the effect of prohibiting the provision of wireless communication services or would result in unreasonable discrimination among providers of functionally equivalent wireless communication services. When requesting a height waiver under this provision, the applicant must submit evidence to the Mayor and Council that the height requested for the freestanding antenna support structure is the minimum height necessary to provide adequate coverage for the area that is being served by the structure. The Mayor and Council, in reviewing any waiver request from this section, must also consider the impact that the increased height of the antenna support structure would have on properties in the

area surrounding the proposed structure, including, but not limited to, the visibility of the structure from residences and proposed methods of mitigating the visibility of the structure.

- (c) This subsection 25.09.08.ef.3. does not apply to antennas and wireless communication facilities specified in subsections 25.09.08.ef.1. and 2.

4. *Procedures for all waivers.*

- (a) Unless the Mayor and Council adopt by resolution different procedures for processing waivers from the height restrictions contained in subsection 25.09.08.ef.3., all waivers of this section must be processed in accordance with the procedures applicable to variances contained in section 25.06.03 of this chapter.
- (b) A waiver applicant must provide supporting evidence and all information requested by the City. The City may hire an independent consultant to review such evidence, and the applicant must reimburse the City for the reasonable cost of hiring and utilizing such a consultant.

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

* * *

25.10.03 – Land Use Tables

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

	Uses	Zones							Conditional requirements or related regulations
		Residential Estate Zone (R-400)	Suburban Residential Zone (R-200)	Low Density Residential Zone (R-150)	Single Unit Detached Dwelling, Restricted Residential Zone (R-90)	Single Unit Detached Dwelling, Residential Zone (R-75)	Single Unit Detached Dwelling, Residential Zone (R-60)	Single Unit Semi-detached Dwelling, Residential Zone (R-40)	

f. Miscellaneous uses	Small wireless communication facility	C	C	C	C	C	C	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	C	C	C	C	C	C	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication facility not entirely within an existing building or on the roof or side of a building, or attached to an existing structure, including, but not limited to, antennas on a freestanding ground-mounted antenna support structure	S	S	S	S	S	S	S	Subject to the requirements of Secs. 25.09.08 and 25.15.02.s

Amend Article 11, “Residential Medium Density Zones”, as follows:

25.11.03 – Land Use Tables

The uses permitted in the Residential Medium Density Zones are shown in the table below. Uses are subject to applicable conditions of site plan approval, and all special exceptions are subject to the requirements of Article 15.

	Uses	Zones			Conditional requirements or related regulations
		Residential Medium Density RMD-10	Residential Medium Density RMD-15	Residential Medium Density RMD-25	
* * *					
e. Miscellaneous uses	Public utility building and structure	S	S	S	See Sec. 25.15.02.n
	Publicly-owned or publicly-operated building and use, excluding sanitary landfill	C	C	C	Conditional use subject to a Level 3 Site Plan (Sec. 25.07.05)
	Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	C	C	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication facility not located entirely within an existing building or on the roof or side of a building, or attached to an existing structure, including, but not limited to antennas on a freestanding a ground mounted-antenna support structure	S	S	S	See Secs. 25.09.08 and 25.15.02.s

Amend Article 12, “Industrial Zones”, as follows:

* * *

6-6-11

25.12.03 – Land Use Tables

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial	Heavy Industrial	
		I-L	I-H	
* * *				
f. Assembly and entertainment	Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	C	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication freestanding ground-mounted antenna support structure	S	S	Subject to the requirements of Sec. 25.09.08 and 25.15.02.s
* * *				
g. Industrial and service uses	Warehouse, self-storage	C	C	Not permitted on a lot within 250 feet of any lot on which a public school is located
	Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	C	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication facility attached to a freestanding ground-mounted antenna support structure	S	S	Subject to the requirements of Sec. 25.09.08 and 25.15.02.s

Amend Article 13, “Mixed-Use Zones”, as follows:

* * *

25.13.03 – Land Use Tables

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
* * *										
f. Miscellaneous Uses	Publicly-owned or publicly-operated building and use, excluding sanitary landfill	P	P	P	P	P	P	P	P	
	Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	C	C	C	C	C	C	C	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication facility attached to a freestanding ground-mounted antenna support structure	S	S	S	S	S	S	S	S	See Sec. 25.09.08 and 25.15.02.s

Attachment 1.A.c: Final Draft of Text Amendment TXT2019-00251 (2641 : Zoning Text Amendment



Agenda Item #:	A
Meeting Date:	June 26, 2019
Responsible Staff:	Jim Wasilak

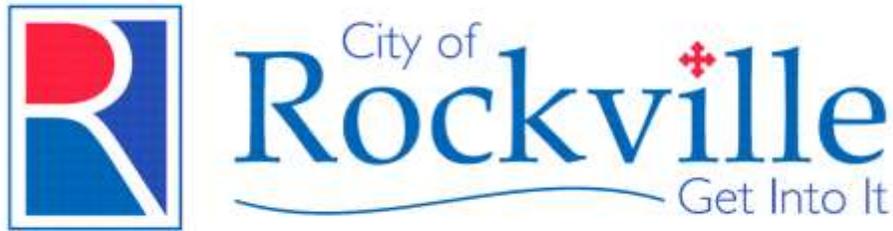
SUBJECT:

Presentation, Discussion and Approval of the 2018 Planning Commission Annual Report

RECOMMENDATION

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

Receive a staff presentation on the 2018 Planning Commission Annual Report and approve its submission to the Maryland State Department of Planning before July 1, 2019.



Planning Commission Staff Report

MEETING DATE: June 26, 2019

REPORT DATE: June 19, 2019

FROM: Jim Wasilak, AICP, Chief of Zoning

SUBJECT: Discussion and Approval of the Planning Commission's 2018 Annual Report

SUMMARY: The State of Maryland Land Use Article requires local jurisdictions to submit an annual report to the Maryland Department of Planning by July 1 of each year, covering the previous calendar year of activity by the Planning Commission.

DISCUSSION:

The Annual Report of the Planning Commission is the document by which the Commission reviews its performance during the preceding year, with focus on its zoning and development activities during that period and the major planning projects and issues considered by the Commission. The Report is submitted to the Maryland Department of Planning by July 1 of each year, in compliance with the State's Land Use Article annual reporting requirements for local jurisdictions.

This year's Annual Report also includes a report on the City's Adequate Public Facilities Ordinance (APFO) and Standards (APFS) but does not include a 5-year Mid-Cycle Planning Implementation and Development Process Report, which was submitted as part of last year's report. The requirement for a biennial APFO report was introduced in 2011; however, the Commission provides this information each year, covering significant actions and restrictions that occurred with respect to the APFO and APFS during each reporting year.

Summary of 2018 Planning Commission Actions

The 2018 Annual Report describes actions taken by the Planning Commission from development applications to zoning text amendments. The Commission considered two zoning text amendments regarding the floor area of retail uses in Champion Projects, and the sale and consumption of alcoholic beverages in a commercial indoor sport facility. The Mayor and Council later approved all map and text amendments recommended by the Commission. Several development applications were reviewed and approved by the Planning Commission in 2018 and are described and mapped in the full Annual Report. These applications were generally located along the city's commercial and transit corridors as significant residential or mixed-use projects on vacant and urban infill sites.

Long Range Planning initiatives described in the Annual Report include the city's progress with the Rockville 2040 Comprehensive Plan update and implementation of land use policies adopted in the Rockville Pike Neighborhood Plan in 2016. The Planning Commission also recommended a Comprehensive Master Plan Amendment that originated in the Stonestreet Corridor Study that will begin the transformation of that corridor to a mixed-use environment. The Annual Report also details modifications to the city's Adequate Public Facilities Ordinances and Standards by the Planning Commission in 2018 that affect development capacity and provision of public services in Rockville.

Finally, the anticipated workplan for the Planning Commission in 2018 is described as a conclusion to the Annual Report, highlighting the work staff expects the Planning Commission to accomplish by the end of the calendar year.

Staff Recommendation:

Staff recommends that the Planning Commission approve the 2018 Annual Report for submission to the Maryland Department of Planning.

Attachments

- Attachment 2.A.a: PC Annual Report 2018 Draft (PDF)
- Attachment 2.A.b: PC annual report cover letter (PDF)

Jim Wasilak
Jim Wasilak, Chief of Zoning 6/19/2019



City of
Rockville
Get Into It

Planning Commission

Annual Report 2018

Prepared June 2019

2018 MAYOR AND COUNCIL

Bridget Donnell Newton, Mayor
 Julie Palakovich Carr
 Beryl Feinberg
 Virginia Onley
 Mark Pierzchala

2018 PLANNING COMMISSION

Gail Sherman, Chair
 Anne Goodman
 Don Hadley
 Charles Littlefield
 Sarah Miller
 John Tyner, II
 Rev. Jane Wood

CITY MANAGER

Robert DiSpirito

DIRECTOR OF COMMUNITY PLANNING AND DEVELOPMENT SERVICES

Andrew Gunning (Acting March 2017 – February 2018)
 Jim Wasilak, AICP (Acting February – June 2018)
 Ricky Barker, AICP (June 2018 – Present)

CHIEF OF ZONING

Jim Wasilak, AICP

CHIEF OF LONG RANGE PLANNING AND REDEVELOPMENT

David Levy, AICP

PLANNING STAFF

Sheila Bashiri, Historic Preservation Planner
 Castor Chasten, Principal Planner
 Andrea Gilles, Principal Planner
 Barry Gore, AICP, Principal Planner
 Margaret Hall, Senior Planner
 Cynthia Kebba, Principal Planner
 Clark Larson, AICP, GIS Specialist
 Deane Mellander, Zoning Administrator
 Bobby Ray, AICP, Planning Supervisor
 Manisha Tewari, AICP, Principal Planner
 Punam Thukral, Planning Technician
 Ann Wallas, AICP, Planner III
 Nicole Walters, Senior Planner
 Brian Wilson, AICP, Principal Planner

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Attachment 2.A.a: PC Annual Report 2018 Draft (2725 : PC Annual Report for 2018)

CITY OF ROCKVILLE PLANNING COMMISSION

ANNUAL REPORT 2018

INTRODUCTION

The Annual Report of the Planning Commission is the document by which the Commission reviews its performance during the preceding year, with focus on its zoning and development activities during that period and the major planning projects and issues considered by the Commission. The Report is submitted to the Maryland Department of Planning in compliance with the State's Land Use Article annual reporting requirements for local jurisdictions.

This year's Annual Report also includes a report on the City's Adequate Public Facilities Ordinance (APFO) and Standards (APFS) but not a 5-year Mid-Cycle Planning Implementation and Development Process Report, which was submitted with the 2017 Annual Report. The requirement for a biennial APFO report was introduced in 2011, yet the Commission provides this information each year, covering significant actions and restrictions that occurred with respect to the APFO and APFS during each reporting year.

The Smart Growth Goals, Measures and Indicators and Implementation of Planning Visions legislation (Senate Bill 276 and House Bill 295 [SB276/HB295]) requires jurisdictions that issue 50 or more building permits per year to report specified smart growth measures and indicators. The City of Rockville issued twenty-two (22) residential building permits in 2018 and is therefore not required to report on these measures.

SB276/HB295 also requires jurisdictions to establish a land use goal aimed at increasing the percentage of growth within their Priority Funding Area (PFA) and decreasing the percentage of growth outside their PFA. However, like all municipalities in the State, all land within the city limits is within the PFA and the City is therefore not required to establish a local land use goal.

Each of the City's land use initiatives in 2018 worked towards implementing the State Visions for sustainable communities that protects the natural environment, directs growth, maintains and improves infrastructure and involves citizens in all stages of the process.

PLANNING IN ROCKVILLE

The City of Rockville had a population of 61,209 in 2010 (US Census Bureau, Decennial Census), and an estimated 68,410 residents in 2017 (US Census Bureau, 2017 Population Estimates), making Rockville the third largest incorporated municipality in Maryland, behind the cities of Baltimore and Frederick. Rockville is about seven miles north of Washington, D.C. and is served by a transportation system that includes one interstate highway (I-270), two Metrorail stations within the City boundaries (Twinbrook and Rockville) and one just outside (Shady Grove), four state highways (Routes 355, 28, 586 and 189), a MARC and AMTRAK rail station (Rockville), in addition to local and regional bus service.

Rockville serves as the county seat for Montgomery County. The County Council and County Executive Offices are across the street from Rockville City Hall, as are the Circuit Court for Montgomery County and the District Court of Maryland.

The City of Rockville functions as an independent municipality, supplying many services for its citizens. The City controls its own planning and zoning authority, water and sewer services (serving much of the City, with WSSC serving some areas), police and public works departments, and recreation programs and facilities. The Montgomery County government provides services to Rockville residents for public schools, fire protection, local circuit court, additional police protection, transportation, health and other services.

Municipal Authority

The authority to plan for the City's development and to enact and enforce laws relating to land planning and zoning is derived from the Land Use Article of the Annotated Code of Maryland.

Land use planning in Rockville is the responsibility of five official bodies: The Mayor and Council, Planning Commission, Board of Appeals, Historic District Commission and Sign Review Board. The Mayor and Council adopts the Master Plan (Plan), enacts legislation to ensure compliance with the Plan, adopts amendments to the Zoning Ordinance and the Zoning Map, and funds capital improvements necessary to implement the Plan. The Board of Appeals considers applications for Special Exception uses, Variances from the Zoning Ordinance requirements and Appeals from administrative decisions related to planning and zoning.

The City's Zoning Ordinance, along with the State Land Use Article, states the powers and duties of the Historic District Commission (HDC). They include identifying and recommending properties deemed eligible for historic designation, reviewing and acting on applications for Certificates of Approval for work within designated historic districts, and providing courtesy review to the Planning Commission and Mayor and Council for projects within or adjacent to historic districts.

The Sign Review Board is comprised of three members and one alternate appointed for three-year terms. The Board reviews applications for sign permits and may grant modifications from sign regulations where applicable.

Planning Commission

The Planning Commission is the only one of the five official bodies with direct land use authority that is involved in all phases of the planning process. It has specific duties, such as the Approving Authority for subdivisions and site plans, as well as advisory responsibilities to the Mayor and Council and Board of Appeals.

The Planning Commission is made up of seven members with staggered five-year terms. Members are nominated by the Mayor and approved by the full body of the Mayor and Council. The Commission elects a Chairperson from its membership each year. The Planning Commission typically meets twice a month, on the second and fourth Wednesdays starting at 7:00 p.m., in the Mayor and Council Chambers of Rockville City Hall. All meetings are televised and streamed live online and available online via "on-

demand” the following day through the City’s website. All agendas and supporting documentation are posted on the website one week before each meeting.

Certain powers and duties of the Planning Commission are mandated by the State Land Use Article. The Commission is required to prepare a plan for the physical development of the City (Plan, also called Master Plan or Comprehensive Master Plan), which is recommended to the Mayor and Council for approval, including with modifications¹. The Commission also makes recommendations concerning public structures, improvements and land acquisition necessary for the execution of the Plan; recommends district boundaries for comprehensive zone classification of land; approves all subdivision of land; and consults with and advises public officials, agencies, civic, educational, professional and other organizations and citizens with respect to the protection or execution of the Plan.

Certain duties of the Planning Commission stem from its function as the originator of the Plan. The Commission reviews site plans for all proposed development, except for single-family or semi-detached residential development, for compliance with applicable regulations. For most other projects, the Commission approves a site plan, and subdivision plat if necessary, as prerequisites to the issuance of a Building Permit. Applications filed pursuant to Mandatory Referral by public entities are also reviewed by the Commission.

Applications for Project Plan applications, Map Amendments, Text Amendments, Annexations, and other City policy statements are forwarded to the Mayor and Council with the Commission’s recommendations. Similarly, the Commission reviews all applications for special exception uses for compliance with the Master Plan, and makes appropriate recommendations to the Board of Appeals. The Commission reviews sectional map amendments to designate historic districts and makes recommendations to the Mayor and Council for consistency with the Master Plan. Finally, the Commission must file an Annual Report on its activities with the Mayor and Council and the Maryland Secretary of Planning. This report fulfills that requirement.

PLANNING COMMISSION ACTIVITIES IN 2018

Zoning Ordinance and Map Changes

The City adopted a new Zoning Ordinance on December 15, 2008 with an effective date of March 16, 2009. A new Development Review Procedures Manual was published in July 2009, followed by further updates in 2011, based on recommendations by a city Communications Task Force in 2010, and 2013. The city has since adopted several text and map amendments to clarify issues such as nonconforming uses, signs and the development review process.

In 2018, the Planning Commission acted on two zoning map amendments and three zoning ordinance text amendments. One map amendment (MAP2017-00117) rezoned three open space parcels totaling 6.39 acres from the PD-CL (Planned Development - Chestnut Lodge) Zone to the Park Zone in order for the parcels to become public parkland. A second Map Amendment (MAP2018-00118) created a new historic

¹ An amendment to Maryland’s Land Use Article was enacted in 2015 which specifically allows the governing body to make modifications to recommended plans prior to adoption. The governing body may also approve, remand or disapprove the plan.

district overlay zone at a single-family dwelling in the Lincoln Park neighborhood. The Planning Commission recommended approval of the historic district overlay map amendment to the Mayor and Council on February 8, 2017, who approved it later that year. In early 2018, the Mayor and Council adopted the map amendment (MAP2018-00116) to apply a new zoning district, MXCT - Mixed-Use Corridor Transition, to certain properties within the Rockville Pike Neighborhood Plan area and rezone other properties within the plan area in accordance with the recommendations of the Plan. The Commission had provided comments to the Mayor and Council on the application in late 2017.

Two zoning text amendments were considered by the Planning Commission in 2018. One proposed increasing the floor area size limitation for retail establishments within Champion Projects to 100,000 square feet from 65,000 square feet. A second text amendment proposed to remove the limitation on the sale and consumption of alcoholic beverages within a commercial indoor multi-purpose sport facility, for which the Commission also recommended approval. Both Zoning text amendments were adopted by the Mayor and Council.

Development Review Activities

Changes in development patterns in the City of Rockville, whether originating in the public or private sector, require the approval of one or more types of development applications. A review of all such applications acted on in 2018 provides a snapshot of future changes in use of land within the city for that year. The approved development changes are consistent with all components of the adopted Comprehensive Master Plan, neighborhood plans, Zoning Ordinance regulations, and related City requirements.

Several subdivision plats were approved by the Rockville Planning Commission in 2018. A series of record plats were approved to create the residential building lots at the Reserve at Tower Oaks, a residential community that was previously approved to allow up to 375 units, including 30 detached homes, 128 multifamily units and 218 townhomes within the Tower Oaks Planned Development. This development replaced approved office development in the project. Other plats created buildable lots for projects previously approved or for future development.

One amendment to a Planned Development was recommended for approval by the Planning Commission in 2018 that will allow 65 townhouse units instead of 162 multifamily units that were previously approved to replace two approved office buildings in the King Farm Planned Development. This amendment is consistent with the recent trend in the planned community (and city at-large) to replace approved office use with residential development. Such flexibility in the portion of land uses was anticipated and approved in the original King Farm planned development and is now exercised through this approval.

Site Plans approved by the Planning Commission in 2018 included a new self-storage building within a predominantly service industrial area along North Stonestreet Avenue, and which represents the first new development in this area in two decades. Other site plan approvals of note include a 146-unit senior care facility on a portion of a site that was previously approved for office use, and approval to rebuild Maryvale Elementary School for an expanded campus that incorporates the Carl Sandburg Learning Center.

While these projects give some indication of the diversity of Rockville's current development trends, a better indicator was the consideration of Project Plan applications, which are for larger development projects and are approved by the Mayor and Council. Two major redevelopment projects were under review during 2018, including Twinbrook Quarter, an 18-acre project proposing up to 1,865 multifamily dwelling units, as well as office and retail at the Twinbrook Metro Station, and the Shady Grove Neighborhood Center on Shady Grove Road adjacent to King Farm, which proposes up to 1,666 multifamily units as well as retail and office use. The Planning Commission recommended approval of the latter project in 2018, and considered Twinbrook Quarter in early 2019. Both of these projects represent a new development pattern and density for their areas, in accordance with the Master Plan. A common characteristic among them being their location along one of the city's several commercial, transit and highway corridors. In addition, the project known as Rockville Metro Plaza, a three-building office and retail complex that contains the corporate headquarters of Choice Hotels, was approved to allow for conversion of its final unbuilt phase from office to residential.

A list of all the Planning Commission actions in 2018, including those mentioned above, appears on pages 12-15, with a map on page 16 locating each property that was the subject of an action.

Comprehensive Plan Development and Implementation

The City of Rockville Comprehensive Master Plan (CMP) was last adopted in November 2002.

Amendments to the CMP have been made since then as follows:

- East Rockville Neighborhood Plan (2004)
- Lincoln Park Neighborhood Plan and Conservation District Plan (2007)
- Twinbrook Neighborhood Plan (2009)
- Municipal Growth Element (MGE) (2010)
- Water Resources Element (WRE) (2010)
- Amendment to enable the City to join Montgomery Heritage Area, and adoption by reference of the Rockville chapter of the Montgomery County Heritage Area Management Plan (2013)
- Rockville Pike Neighborhood Plan (2016)
- Bicycle Master Plan (2017)

Comprehensive Master Plan (CMP) Update Initiative:

The Comprehensive Master Plan was reviewed in 2008-09 with the results conveyed to the State in October 2009. The review recommended that the Plan be revised using a two-part process with the first part being completion and adoption of the Municipal Growth Element (2010), Water Resources Element (2010), Heritage Area amendment (2013), and the Rockville Pike Plan (2016). Phase two involves a rewrite of the remaining portions of the Plan and is currently ongoing. The staff draft of the Master Plan was developed during 2018 and provided to the Planning Commission in December. Worksessions will begin in January 2019 to permit the Planning Commission to review the document and develop a public hearing draft. Planning Commission public hearings are expected to be held in May-June 2019.

Rockville Pike Neighborhood Plan Adoption

The Rockville Pike Neighborhood Plan, was adopted in 2016, as an update to the City's 2002 Comprehensive Master Plan (CMP) and replaces the previous 1989 Rockville Pike Neighborhood Corridor Plan. The plan's focus is the creation of a mixed-use environment, more dense than the existing suburban development, supported by high-quality public amenities and facilities, and complemented by a transportation network that will support all transportation modes.

In addition to envisioning an expanded and more 'complete' roadway network, the Rockville Pike Neighborhood Plan refocuses the planned land use pattern with greater intensity and walkability around the Twinbrook Metro Station. The City has since received its first development application (Twinbrook Quarter) that takes advantage of the Rockville Pike plan and its zoning changes, which were adopted in early 2018.

Stonestreet Corridor Implementation

The recommendations of the Stonestreet Corridor Study for a portion of the study area, comprised of properties owned by Montgomery County Public Schools (MCPS) and Montgomery County were incorporated into a Comprehensive Master Plan amendment in 2018. The Plan Amendment recommended land use changes, including mixed use on a portion, and a mix of residential unit types on property adjacent to the single-family neighborhoods. The Planning Commission conducted a public hearing on the Plan Amendment in November 2018 and recommended approval of it to the Mayor and Council in December. The Mayor and Council subsequently adopted the Plan Amendment in March 2019.

DEVELOPMENT ACTIVITY IN 2018

Several major mixed-use and commercial developments completed construction in 2018. Occupancy of The Escher, a 328-unit apartment building at the Twinbrook Metro Station occurred in late 2018, while the adjacent 61-unit townhome development at 1902 Chapman Avenue continued construction. Just north of Rockville Town Square, a seven-story assisted living facility with 116 units at 285 N. Washington Street and six-story multi-family residential building with 275 units and just over 6,000 square feet of retail space were under construction, and was finalized in early 2018. An adjacent development, The Metropolitan with 275 apartments, was also completed in mid-2018.

Four (4) new single-family detached homes were completed in 2017, all but one replacing existing homes in established neighborhoods rather than being built as new homes on vacant lots. A total of 18 townhouse permits were issued within the King Farm.

DEVELOPMENT CAPACITY ANALYSIS

The City of Rockville participates in the Metropolitan Washington Council of Governments (MWCoG) growth forecasting process and has used the projections derived through that process in lieu of conducting a separate Development Capacity Analysis. All of the projections are based upon the current municipal boundaries and are therefore all located within a Priority Funding Area. The City participated in the MWCoG Round 9.1 process in 2017. Round 9.1 projected the following for the year 2045:

MWCoG Round 9.1 Projections (2017) – City of Rockville			
	2020	2045	Percent Change
Population	72,213	96,073	33.04%
Households	28,830	39,389	36.62%
Jobs	78,372	96,403	23.00%

ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO)

As part of the Mayor and Council's initiative for improved mobility and public services, the City has adopted an Adequate Public Facilities Ordinance (APFO) and Adequate Public Facilities Standards (APFS) to establish minimum standards for public facilities and services such as transportation (roads, transit, pedestrian facilities, bicycle facilities), schools, water, and sewer. New developments are required to perform studies to evaluate their impact on public facilities and mitigate unacceptable impacts prior to approval. The ordinance was first adopted November 1, 2005 and last amended December 4, 2017. The City's APFO can be found in Article 20 of the Rockville Zoning Ordinance. In late 2018, the Mayor and Council appointed a working group to look at school capacity concerns, with recommendations forthcoming in early 2019.

Comprehensive Transportation Review

The transportation test of the City’s APFO is the Comprehensive Transportation Review (CTR). The CTR evaluates the overall transportation system from a multimodal perspective. Transportation goals from the Master Plan form the basis for the methodology, standards and impact thresholds outlined in the CTR requirements. Each development application that generates more than 30 vehicle trips is required to include a Transportation Report that analyzes all components, including vehicle trip generation and distribution, intersection capacity analysis, and on-site transportation analysis and proposed mitigation of impacts on roads, bicycle and pedestrian facilities and transit systems. It is anticipated that the standards of the CTR may be modified as a result of the updated Master Plan for the City.

School Capacity Standards

The Montgomery County Council adopted a new Subdivision Staging Policy (SSP) in 2016, which became effective on January 1, 2017. The new SSP is more aligned with the city’s school capacity standard regarding the assessment of school capacity by applying the test to individual schools rather than an overall high school cluster. As part of this individual school test, the point at which a school goes into moratorium is a combination of exceeding the program capacity by 120% and exceeding a specified seat count. The seat deficit is 110 seats at the elementary level and 180 seats at the middle school level.

Student generation rates were also updated by the County in 2017. Under the previous SSP, the County divided school generation rates into four regions – North, Southwest (which includes Rockville), East, and County-wide. As part of the updated January 2017 SSP, the Planning Board revised the generation rates based on the most recent enrollment data. The 2017 generation rates are more accurate since the location

and housing type of virtually every MCPS student could be identified. The City adopted these rates along with changes to the City’s school standards to mirror the County standards on November 13, 2017.

One elementary school that serves students living in the City, Rosemont ES, continues to be shown in moratorium. This school serves an area of the City bounded by Redland Boulevard, Frederick Road, Shady Grove Road and Interstate 270. This area includes a portion of the King Farm and the Upper Rock developments as well as the proposed Shady Grove Town Center.

In 2018, elementary school capacity in the Richard Montgomery cluster was increased when the new Bayard Rustin ES opened in August. Capacity at the high school level in that cluster is approaching over capacity, with the projected capacity just under 120 %. In the Walter Johnson HS cluster, capacity at the high school level would exceed 120 %; however, the project to reopen the former Charles W. Woodward HS relieves that capacity.

School projections issued by Montgomery County Public Schools in late 2018 have shown potential capacity issues in the Richard Montgomery cluster at the high school level, and in the Walter Johnson HS cluster at both the high school and elementary school level, for the upcoming 2019-2020 school year.

Water and Sewer Standards

Water and sewer service is delivered to Rockville by two providers: the City of Rockville and the Washington Suburban Sanitary Commission (WSSC). This portion of the report provides information for properties that receive water and sewer service from the City of Rockville.

Rockville withdraws water from the Potomac River, treats the water and delivers it to the Rockville city limits for customer consumption. There are three sewersheds in Rockville: Watts Branch, Cabin John and Rock Creek. Rockville collects wastewater from customers using Rockville’s sewer pipes and discharges the wastewater into WSSC sewer pipes, which in turn discharge into District of Columbia Water and Sewer Authority (DC Water) sewer pipes for treatment at DC Water’s Blue Plains Advanced Waste Water Treatment Facility (Blue Plains).

Calendar Year 2018 Restrictions

The following restrictions were identified for projects approved during calendar year 2018:

- Capacity to treat and supply water from the Rockville Water Treatment Plant: None
- Capacity of the water transmission system to provide adequate fire flow: None
- Capacity to treat wastewater at Blue Plains: None
- Capacity of the sanitary sewer collection system to transmit wastewater flow: None

Cumulative Restrictions

The following is a cumulative list of restrictions, which have not yet been mitigated, identified since Rockville adopted an APFO and began tracking water and sewer deficiencies. These restrictions may place limits on development if they are not mitigated through capacity upgrades.

Water System

No water system deficiencies were resolved in 2018 by developers and there are currently no identified water system deficiencies; however, fire flow capacity is evaluated for each proposed development so future development may require the mitigation of a water system deficiency that has not been identified.

Wastewater System

There are four (4) deficient areas with 15 identified sewer segments that have flow restrictions. These restrictions are a result of inadequate capacity of the existing sewer pipes to convey peak wastewater flow.

The Water and Wastewater deficiencies are shown in the map exhibit found on the following page. The exhibit also identifies when the deficiencies are expected to be mitigated based on the adopted fiscal year 2019 Capital Improvements Program.

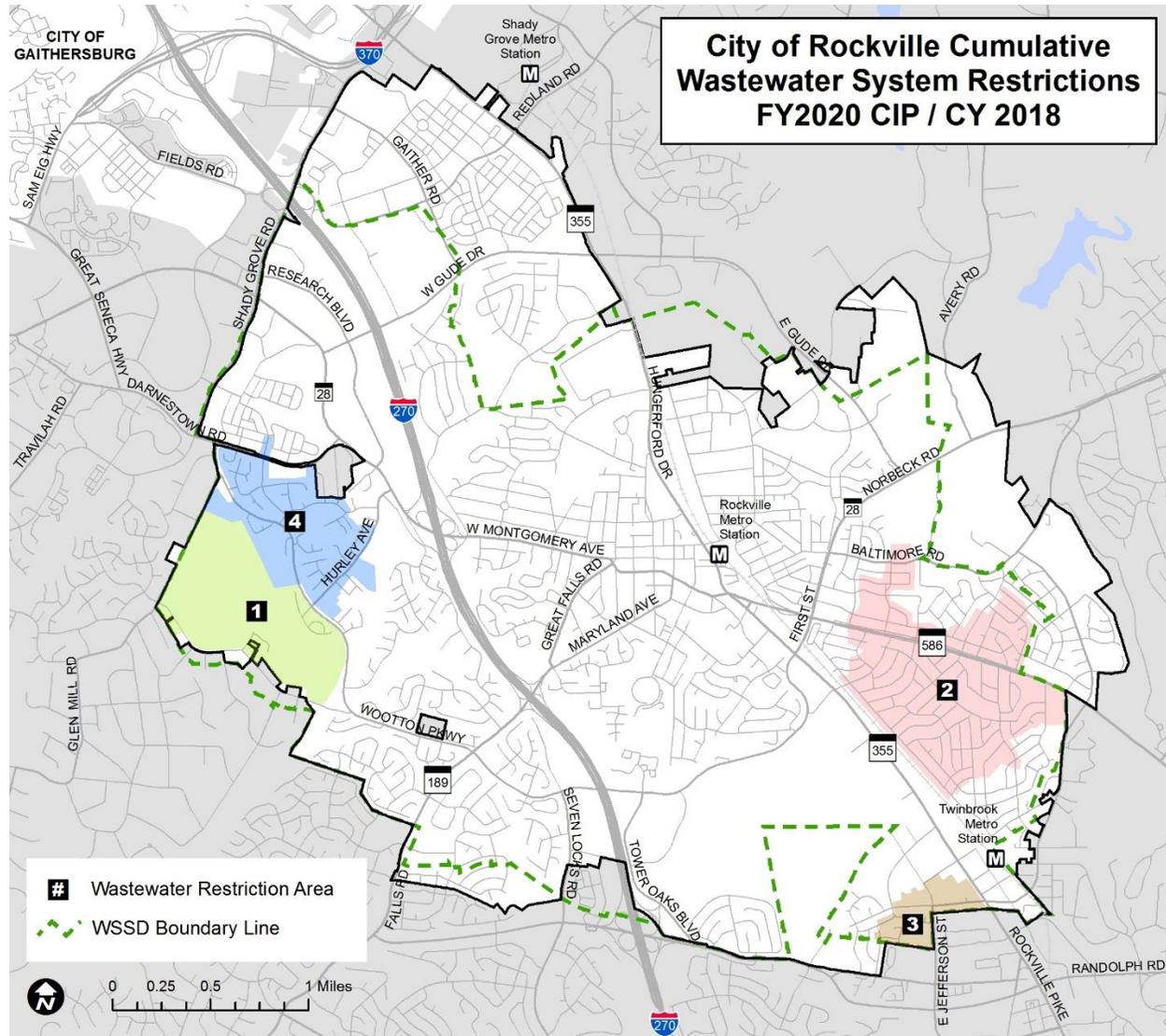
There are two primary means to resolve the sewer capacity restrictions in Rockville: (1) capacity upgrades through Rockville's Capital Improvement Program and (2) capacity upgrades by developers through permits issued by DPW. Capacity upgrades typically are accomplished by increasing the diameter of the sewer pipe, however alternate methods are considered when feasible. Rockville's FY2020 Capital Improvement Program, adopted by the Mayor and Council in May of 2019, includes construction funding to resolve three (3) deficient areas: Lakewood, Atlantic Avenue and Lorraine Drive. The Lakewood deficiency area (containing four segments) is scheduled to be resolved in FY2020, the Atlantic Avenue deficiency (one segment) is scheduled to be resolved in FY2023 and the Lorraine Drive deficiency (containing six segments) is scheduled to be resolved in FY2024.

Cumulative development approvals through December 31, 2018 require mitigating the Lakewood sewer restriction area. The mitigation of the Lakewood deficiency is planned to be completed through a combination of a City CIP project and developer funding.

There is one (1) deficient area with restrictions that are not programmed to be improved by a capital improvement project in the next five (5) years (FY20-FY24): Glenora.

Water and Wastewater System Restrictions Map

Note: System restrictions are included for the Rockville Water and Sewer Service area only, which is beyond the Washington Suburban Sanitary Commission (WSSC) service area, the green dashed line in the map below.



Wastewater Restriction Map Number	Area Name	Date of Planned Mitigation	How Mitigated
1	Lakewood	FY2020	Rockville CIP*
2	Atlantic Avenue	FY2023	Rockville CIP
3	Lorraine Drive	FY2024	Rockville CIP
4	Glenora	After FY2024	Rockville CIP

Water Restriction Map Number	Location	Date of Planned Mitigation	How Mitigated
None			

* Joint funding between Rockville and Developers

Attachment 2.A.a: PC Annual Report 2018 Draft (2725 : PC Annual Report for 2018)

DEVELOPMENT ACTIONS BY PLANNING COMMISSION

The following tables outline the development review actions taken by the City Planning Commission during 2018. A map of these actions is included below showing the location of each application, where applicable. See also Appendices C and D for a list of planning-related ordinances and resolutions adopted in 2018.

Map Amendments

Application #	Applicant, Request and Location	Action/Date
MAP2017-00117	Map Amendment to rezone 6.39 acres from the PD-CL (Planned Development – Chestnut Lodge) Zone to the Park Zone.	Recommended for approval by the Planning Commission on 4/11/2018; Approved by the Mayor and Council on 6/18/2018
MAP2018-00118	Sectional Map Amendment Application to apply the Historic District overlay zone to property at 214 Frederick Avenue, designating the property as historic.	Recommended for approval by the Planning Commission on 7/11/2018; Approved by the Mayor and Council on 12/10/2018

Plats - Subdivision

Application #	Applicant, Request and Location	Action/Date
PLT2018-00563 through PLT2018-00571	Final Record Plat Applications by EYA Development LLC for The Reserve at Tower Oaks Subdivision, Plats 1 through 9	Approved by the Planning Commission on 9/26/18; Recorded 11/28/18
PLT2018-00573	Ownership Plat Application by Investment Properties, Inc. to create two (2) ownership lots on Record Lot 5 of Rockville Pike Center subdivision, located at 1010 through 1066 Rockville Pike.	Approved by the Planning Commission on 7/25/18
PLT2018-00574	Final Record Plat Application by Columbia Transfer LLC for a single record lot identified as Lot 1, of the Two Brothers subdivision at 725 North Horners Lane.	Approved by the Planning Commission on 4/25/18, Recorded 6/20/18

Attachment 2.A.a: PC Annual Report 2018 Draft (2725 : PC Annual Report for 2018)

PLT2018-00575	Final Record Plat Application by RST Development LLC for a single record lot containing 19,841 square feet known as Rockville Town Center, Block 3, Lot 3 at 50 Monroe Place.	Approved by the Planning Commission on 11/9/18, Recorded 11/21/18
PLT2018-00576	Final Record Plat Application by Potomac Valley Ltd Partnership to resubdivide two existing lots to adjust the common lot line at 1235 Potomac Valley Road.	Approved by the Planning Commission on 9/12/18; Recorded 10/1/18

Project Plans

Application #	Applicant, Request and Location	Action/Date
N/A	Approval to allow 65 townhouse units in lieu of 162 multifamily residential units previously approved in the King Farm Planned Development	Recommended by the Planning Commission on 2/28/18 for approval; Resolution adopted by the Mayor and Council on 4/30/18
PJT2018-00009	Project Plan application by the Mayor and Council of Rockville to remove three open space parcels from the Chestnut Lodge Planned Development in order to become a public park	Recommended by the Planning Commission on 4/11/18 for approval; Resolution adopted by the Mayor and Council on 6/18/18
PJT2018-00008	Project Plan application to amend the existing Planned Development known as Rockville Metro Plaza to allow the third and final building to contain 240 multifamily units and retail, in lieu of office use. Developer has option to construct either multifamily or office.	Recommended by the Planning Commission on 7/11/18; Resolution adopted by the Mayor and Council on 1/7/19
PJT2017-00007	Project Plan application by Lantian/1788/Shady Grove 31 LLC to redevelop an office park with up to 330 townhouses, 1,336 multiunit dwellings, up to 390,000 square feet of office, hotel or institutional uses, and up to 170,000 square feet of retail uses.	Recommended by the Planning Commission on 12/12/18; Resolution adopted by the Mayor and Council on April 29, 2019

Attachment 2.A.a: PC Annual Report 2018 Draft (2725 : PC Annual Report for 2018)

Site Plans

Application #	Applicant, Request and Location	Action/Date
STP2018-00340	Mandatory Referral by Montgomery County Public Schools to permit the construction of lighted soccer fields at Julius West MS, 651 Great Falls Road	Approved by the Planning Commission on 4/4/18
STP2017-00320	Site Plan Application by The Village at Rockville to construct a new 132-unit independent living building at 9701 Veirs Drive	Approved by the Planning Commission on 4/25/18
STP2018-00343	Mandatory Referral Site Plan by Montgomery County Public Schools to construct a new elementary school at 1000 First Street to replace Maryvale ES.	Approved by the Planning Commission on 5/17/18
STP2018-00348	Site Plan Application by SSL Investment Partners LP to construct a 146-unit senior living facility at 25-35 West Gude Drive.	Approved by the Planning Commission on 9/12/18
STP2018-00354	Site Plan Application by Alvin L. Aubinoe to construct a 4-car garage at 107 West Jefferson Street.	Approved by the Planning Commission on 9/12/18
STP2018-00352	Site Plan Application by Poverni Sheikh Group for a self-storage warehouse and ground-floor retail at 204 North Stonestreet Avenue	Approved by the Planning Commission on 11/14/18

Time Extensions

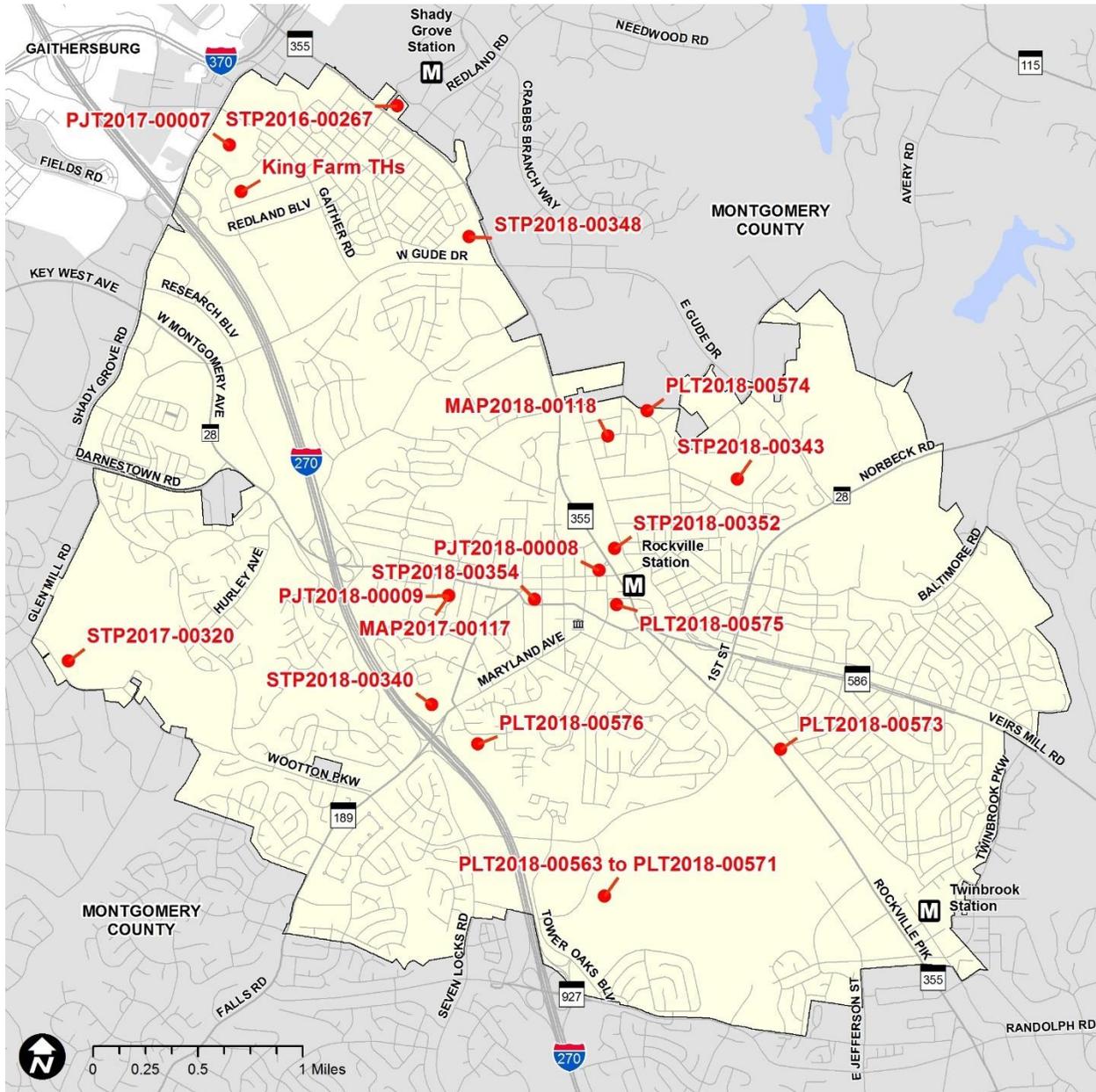
Application #	Applicant, Request and Location	Action/Date
STP2016-00267	Time Extension for a Level 2 Site Plan application by Silverwood Investments LLC, the first of two (2) time extensions, for a proposed 405-unit multifamily development located at 15931 Frederick Road in the MXTD (Mixed-Use Transit District) Zone.	One-year time extension approved by the Planning Commission on 4/4/18

Zoning Text Amendments

Application #	Applicant, Request and Location	Action/Date
TXT2018-00247	Zoning Text Amendment by the Rockville Mayor and Council to implement the recommendations of the Rockville Pike Neighborhood Plan, including new definitions, new MXCT Zone and revisions to Articles 13 and 17.	Recommended for approval by the Planning Commission on 10/11/17; Ordinance adopted on 1/22/18

TXT2018-00248	Zoning Text Amendment by the Rockville Mayor and Council to allow a retail tenant of a Champion Project to occupy up to 100,000 square feet of floor area. define different types of alcoholic beverage production, identify the zones where such uses may be located, and establish a parking standard for such uses	Recommended by the Planning Commission on 2/14/18; Ordinance adopted by Mayor and Council on 4/9/18
TXT2018-00249	Zoning Text Amendment by Sofive Inc. to remove the prohibition on the sale and consumption of alcoholic beverages on the premises of a commercial indoor multi-purpose sport facility.	Recommended by the Planning Commission on July 25, 2018; Ordinance adopted by the Mayor and Council on 1/7/19

2018 Planning Commission Actions Map



Note: This map includes actions with a spatial location only, excluding zoning ordinance and general map amendments, for example

Attachment 2.A.a: PC Annual Report 2018 Draft (2725 : PC Annual Report for 2018)

PLANNING COMMISSION WORK PROGRAM FOR 2019

The Planning Commission's work plan for 2019, in addition to considering development review applications and providing recommendations on zoning text and map amendments and special exceptions, comprises several long-range planning projects.

This includes significant work on the citywide Comprehensive Master Plan update, *Rockville 2040*, which has been divided into two parts for the Planning Commission's review. The Commission will provide feedback to staff on the staff draft of the policy elements of the Plan in early 2019, so that a Planning Commission draft may be released for public hearing. It is expected that the draft of the neighborhood planning areas will follow a similar process, so that both sections may be approved by the Planning Commission and recommended to the Mayor and Council as a complete Master Plan.

Staff for the Commission also monitors Montgomery County plans adjacent to Rockville. Planning staff continues to track implementation of the Great Seneca Science Corridor plan, which abuts the north-western boundary, as well as the White Flint I and White Flint II plans, which cover the area immediately south of the City and surrounding the White Flint metro station. In addition, staff monitors other County projects that will impact Rockville, such as the Bus Rapid Transit (BRT) planned for the Rockville Pike (MD 355) and Veirs Mill Road (MD 586) corridors.

APPENDIX A – EXCERPT FROM THE LAND USE ARTICLE (2017)

LAND USE
DIVISION I. SINGLE-JURISDICTION PLANNING AND ZONING.
TITLE 1. DEFINITIONS; GENERAL PROVISIONS.
SUBTITLE 2. GENERAL PROVISIONS.

Md. LAND USE Code Ann. § 1-207 (2017)

§ 1-207. Annual report -- In general

(a) "Planning commission" defined. -- In this section, "planning commission" includes a planning commission or board established under:

- (1) Title 2 of this article;
- (2) Division II of this article; or
- (3) Title 10 of the Local Government Article.

(b) Required. -- On or before July 1 of each year, a planning commission shall prepare, adopt, and file an annual report for the previous calendar year with the legislative body.

(c) Contents. -- The annual report shall:

(1) index and locate on a map any changes in development patterns that occurred during the period covered by the report, including:

- (i) land use;
- (ii) transportation;
- (iii) community facilities patterns;
- (iv) zoning map amendments; and
- (v) subdivision plats;

(2) state whether the changes under item (1) of this subsection are consistent with:

- (i) each other;
- (ii) the recommendations of the last annual report;
- (iii) the approved plans of the local jurisdiction;
- (iv) the approved plans of all adjoining local jurisdictions; and

(v) the approved plans of State and local jurisdictions that have responsibility for financing or constructing public improvements necessary to implement the local jurisdiction's plan;

(3) contain statements and recommendations for improving the planning and development process within the local jurisdiction;

(4) state which local laws or regulations have been adopted or changed to implement the visions in § 1-201 of this subtitle as required under § 1-417 of this title or § 3-303 of this article;

(5) contain the measures and indicators required under § 1-208(c) of this subtitle; and

(6) at least once within the 5-year period after the adoption or review by the local jurisdiction of a comprehensive plan under Part II of Subtitle 4 of this title or under Title 3 of this article, contain a narrative on the implementation status of the comprehensive plan, including:

(i) a summary of the development trends contained in the previous annual reports filed during the period covered by the narrative;

(ii) the status of comprehensive plan implementation tools such as comprehensive rezoning to carry out the provisions of the comprehensive plan;

(iii) identification of any significant changes to existing programs, zoning ordinances, regulations, financing programs, or State requirements necessary to achieve the visions and goals of the comprehensive plan during the remaining planning timeframe;

(iv) identification of any State or federal laws, regulations, or requirements that have impeded local implementation of the comprehensive plan and recommendations to remove any impediments;

(v) future land use challenges and issues; and

(vi) a summary of any potential updates to the comprehensive plan.

(d) Review. -- The legislative body shall review the annual report and direct that any appropriate and necessary studies and other actions be undertaken to ensure the continuation of a viable planning and development process.

(e) Public availability. -- The local jurisdiction shall make the annual report available for public inspection.

(f) Department of Planning. --

(1) The local jurisdiction shall mail a copy of the report to the Secretary of Planning.

(2) The Department of Planning may comment on the report.

HISTORY: An. Code 1957, art. 66B, § 3.09; 2012, ch. 426, § 2; 2013, chs. 136, 520, 521, 674.

APPENDIX B – 2018 MEMBERS OF THE PLANNING COMMISSION

Corrected

Anne Goodman

Address: 1109 Clagett Drive
 Term: Appointed 2013, Reappointed 2018; Expires 2023
 Personal: Retired, USDA and FDA
 Education: Ph.D., Biomedical Science, University of Tennessee, Oak Ridge Graduate School
 M.S., Microbiology, University of Georgia

Don Hadley

Address: 215 Harrison Street
 Term: Appointed 2010, expired 2015
 Personal: Attorney, Donald H. Hadley, LLC
 Education: LL.B., George Washington University Law School
 B.A., Political Science, George Washington University

Charles Littlefield

Address: 316 South Horners Lane
 Term: Appointed 2013, reappointed 2018, expires 2023
 Personal: Senior Pricing and Data Analyst, Plan International USA
 Education: M.P.S., Applied Economics, University of Maryland, College Park
 M.A., International Affairs, George Washington University
 B.A., Geological Science, Northwestern University

Gail Sherman

Address: 803 Reserve Champion Drive, #401
 Term: Appointed 2015, expires 2020
 Personal: Retired, CDC, FDA and Parenteral Drug Association
 Education: B.A., University of Maryland, College Park

John Tyner, II

Address: 5911 Halpine Road
 Term: Appointed 2007, reappointed 2011 and 2016, expires 2021
 Personal: President, Taliesan Associates
 Education: Master of Public Administration, University of Southern California
 B.A., History, Ashland University

Rev. Jane Wood

Address: 23 Martins Lane
 Term: Appointed 2017, expires 2021
 Personal: Pastor, Locust United Methodist Church
 Education: M.A., Wesley Theological Seminary
 B.S., University of Maryland University College

Sarah Miller

Address: 1108 Oak Knoll Terrace
 Term: Appointed 2017, expires 2021
 Personal: Director of Strategic Initiatives, Montgomery County Economic Development Corp.
 Education: M.S., Public Policy and Management, Carnegie Mellon University
 B.S., Community Health, Ohio University

APPENDIX C – LIST OF 2018 ORDINANCES

Mayor and Council Ordinance List
(Includes only items pertinent to the Planning Commission)

ORDINANCE NO.	DESCRIPTION	DATE
Ordinance No. 01-18	Ordinance to grant Text Amendment TXT2018-00247, to implement the zoning text recommendations of the Rockville Pike Neighborhood Plan	1/22/18
Ordinance No. 02-18	Ordinance to adopt Map Amendment MAP2018-00116, to implement the zoning map recommendations of the Rockville Pike Neighborhood Plan	1/22/18
Ordinance No. 07-18	Ordinance to grant Text Amendment TXT2018-00248, to permit a single retail tenant to occupy up to 100,000 square feet at the ground level if located within a Champion Project	4/9/18
Ordinance No. 12-18	Ordinance to grant Map Amendment MAP2017-00117, to rezone 6.39 acres from the PD-CL (Planned Development – Chestnut Lodge) Zone to the Park Zone	6/18/18
Ordinance No. 24-18	Ordinance to grant Map Amendment MAP2018-00118, to rezone property at 214 Frederick Avenue from the R-60 Zone to the R-60 and HD (Historic District) Overlay Zone.	12/10/18

APPENDIX D – LIST OF 2018 RESOLUTIONS

Mayor and Council Resolution List
(Includes only items pertinent to the Planning Commission)

RESOLUTION NO.	DESCRIPTION	DATE
Resolution No. 05-18	To amend Resolution No. 8-17 to allow 65 townhouse units in lieu of 162 multifamily units on Parcels F-7 and F-8 within the King Farm Planned Development.	4/30/18
Resolution No. 12-18	To approve Project Plan PJT2018-00009, an amendment to Planned Residential Unit PRU2005-00022, to remove 6.39 acres from the Chestnut Lodge Planned Development.	6/18/18

June 28, 2019

Office of the Secretary
Maryland Department of Planning
301 W. Preston Street, Suite 1101
Baltimore, Maryland 21201-2305
Attn: David Dahlstrom, AICP

Re: City of Rockville Planning Commission Annual Report for 2018

Dear Mr. Dahlstrom,

We are pleased to submit to you the 2017 Planning Commission Annual Report for the City of Rockville, prepared pursuant to section §1-207(b) of the Land Use Article of the Annotated Code of Maryland. It was discussed and approved by the Planning Commission on June 13, 2018 and thereafter filed with the local legislative body, the Rockville Mayor and Council. In addition to the attached annual report, responses to the annual report short form for municipalities are included below:

- 1. Number of new Residential Permits Issued inside and outside of the Priority Funding Area (PFA):

Residential – Calendar Year 2017	PFA	Non - PFA	Total
# New Residential Permits Issued	22	0	22

- 2. Is your jurisdiction scheduled to complete and submit to Planning a 5-Year Mid-Cycle comprehensive plan implementation review report this year, as required under §1-207(c)(6) of the Land Use Article? If yes, please submit the 5-Year Report as an attachment. Y N

See attached.

- 3. Were there any growth related changes, including Land Use Changes, Annexations, Zoning Ordinance Changes, Rezoning, New Schools, Changes in Water or Sewer Service Area, etc., pursuant to §1-207(c)(1) of the Land Use Article? If yes, please list or map. Y N

The attached annual report includes all development-related actions taken by the Planning Commission in 2018. The following are the growth-related actions included in the report:

- A new elementary school (Bayard Rustin ES) was added to the Richard Montgomery HS cluster.
- An Amendment to the King Farm Planned Development to allow 65 townhouse units in lieu of 162 additional multifamily residential units to replace previously approved office use. The ability to change the allocation of overall land uses was approved in the original King Farm

Attachment 2.A.b: PC annual report cover letter (2725 : PC Annual Report for 2018)

Project Plan and this action accounts for the last open land area for development capacity in the King Farm project.

- 4. Did your jurisdiction identify any recommendations for improving the planning and development process within the jurisdiction? If yes, please list. Y N

On November 15, 2017 the City sponsored a community forum/listening session to solicit input on the efficiency of the City’s Development Review Process and to discuss possible steps the City could take to improve the process.

Building on that effort, staff has developed a project charter for a process known as FAST (Faster, Accountable, Smarter, and Transparent). Rockville’s Mayor and Council approved the project charter on October 29, 2018. The Charter includes a series of action items for which a staff team will make recommendations on implementation. These include providing a “one stop” customer service center; publishing and enforcing reliable review schedules; and clarifying, streamlining and eliminating various aspects of the development review process. The FAST team has identified recommendations, including code changes, to be implemented during FY20.

- 5. Are there any issues that Planning can assist you with in 2019? If yes, please list. Y N

Provide guidance on local government compliance with state regulations, both through online publications and with individual jurisdictions.

- 6. Have all members of the Planning Commission and Board of Appeals completed an educational training course as required under §1-206(a)(2) of the Land Use Article? Y N

Please feel free to contact me at 240-314-8211 or jwasilak@rockvillemd.gov if you have any questions.

Regards,

R. James Wasilak, AICP
Chief of Zoning/Planning Commission Staff Liaison

Attachments (1): Attachment 1 – Rockville Planning Commission 2018 Annual Report

Attachment 2.A.b: PC annual report cover letter (2725 : PC Annual Report for 2018)



Agenda Item #:	A
Meeting Date:	June 26, 2019
Responsible Staff:	Cynthia Kebba

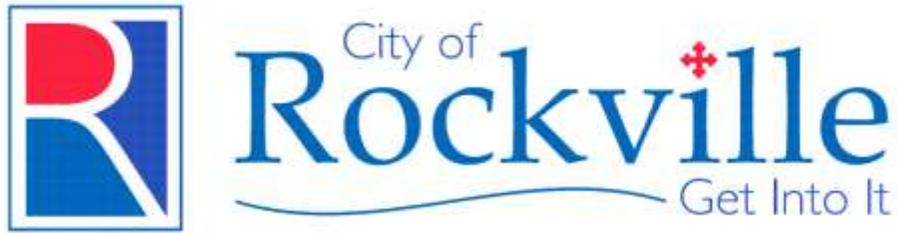
SUBJECT:

Work Session 1: Comprehensive Plan, Draft for Planning Commission Public Hearing

RECOMMENDATION

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

Hold a work session on the Comprehensive Plan, Draft for Planning Commission Public Hearing



Planning Commission Staff Report

MEETING DATE: June 26, 2019

REPORT DATE: June 19, 2019

RESPONSIBLE STAFF: Cindy Kebba, Comprehensive
Planning Manager 240.314.8233
ckebba@rockvillemd.gov

SUBJECT: Work Session to Address
Comprehensive Plan, Draft for
Planning Commission Public Hearing

BACKGROUND:

Actions to Date

Following the final June 4 public hearing, the Planning Commission scheduled four work sessions: June 26, July 10, July 24, and August 7, with acknowledgement that not all of these work session dates may be necessary to finalize the Planning Commission's Recommended Draft Plan. The work sessions are an opportunity for the Planning Commission to review the testimony with staff and make revisions to the Draft Plan. No public testimony will be taken at the work sessions and the Planning Commission decided to close the public record for written testimony on Tuesday, June 18, 2019.

Testimony

Written testimony sent to the Planning Commission is contained in Attachment A. Each item of written testimony is labeled as an individual exhibit. The oral testimony received at the public hearings is provided in the transcripts (Attachments B and C). The testimony is summarized in Attachment D, in which the person or entity providing the testimony is identified followed by staff's responses/comments.

Following the final June 4 public hearing, the Planning Commission scheduled four work sessions: June 26, July 10, July 24, and August 7, with acknowledgement that not all of these work session dates may be necessary to finalize the Draft Plan, or that additional dates may be necessary. The work sessions are an opportunity for the Planning Commission to review the testimony with staff and make revisions to the Draft Plan. No public testimony will be taken at the work sessions.

Summary of Draft Plan Contents

The Comprehensive Plan: Draft for Planning Commission Public Hearing can be found at <https://www.rockvillemd.gov/203/Rockville-2040-Comprehensive-Plan-Update>. It constitutes the first major portion of the proposed update to the existing Comprehensive Master Plan, which was adopted by the Mayor and Council of Rockville on November 12, 2002.

This first portion of the Draft Plan contains an Introduction chapter and ten Elements, or citywide topic areas. The second portion of the Plan has not yet been completed or released. It will cover the Planning Areas, which are closer looks at geographic subareas of the City. The draft of the Planning Areas portion will be presented to the Planning Commission at a later date, for its review, adjustments, and release.

DISCUSSION:

At the June 26 meeting, staff recommends that the Planning Commission begin its review and discussion of testimony on three of the Plan Elements: Community Facilities, Economic Development, and Municipal Growth, as well as on the Introduction chapter. Staff requests that Commissioners bring their hard copies of the Draft Plan to the meeting to use for reference. All other Elements will be reviewed at upcoming work sessions. Staff needs direction from the Planning Commission on its recommended revisions to the Draft Plan.

Community Facilities

Montgomery County Fire and Rescue Service (MCFRS - Exhibit 5)

1. MCFRS submitted comments that are primarily editorial and include corrections to the text on page 116 (under Policy 5) and page 234 of the draft plan.

Staff response: Staff recommends making the edits and corrections.

2. MCFRS suggests adding a map and/or including street addresses of four fire stations that are either Rockville or located just outside of the city. MCFRS also suggests that the text specify the location of the County's future fire station in the White Flint area, at the intersection of Chapman Avenue and Montrose Parkway.

Staff response: Staff recommends taking this action.

Twinbrook Community Association (Exhibit 26): Encourage investment in the infrastructure needs of the two school clusters that serve Twinbrook.

Staff response: Staff agrees with this and believes that this has already been addressed in the Draft Plan. Montgomery County Public Schools (MCPS) is responsible for infrastructure needs of public schools in the city, although the city can and does advocate. Policy 6 in the Community Facilities Element states "Advocate for Montgomery County Public Schools to ensure that there are high-quality schools at appropriate locations for Rockville students." In addition, Action 6.2 under this policy reads "Monitor the MCPS CIP and advocate for funding for MCPS school projects necessary to service Rockville students and address over-capacity and deteriorated older schools." These statements are not limited to schools in Twinbrook, but rather address all public schools within the city limits.

Environment Commission (Exhibit 30): Suggests adding greater energy performance detail to Policy 2, Action item 2.7 in the Community Facilities Element.

Staff response: Staff believes that the suggested language is too specific for a long-range comprehensive plan as standards change over time. Staff recommends retaining the current Draft Plan language.

The Planning Commission received no comments on the Community Facilities Element from the State of Maryland. Other comments on this element support the draft plan goals and policies to better integrate Montgomery College into the community to provide mutual benefits to students, faculty, staff and Rockville residents.

Economic Development

Rockville Economic Development, Inc. (REDI Board of Directors– Exhibit 15).

The REDI Board commends the Planning Commission for including a chapter on Economic Development, a new addition to the Comprehensive Plan, and for providing an inclusive process for providing comments. The REDI Board's comments relate to the Land Use and other elements, in addition to the Economic Development Element. Below is a summary of the Board's comments and staff responses. In addition, Cindy Stewart, the Executive Director of REDI, will be available to participate in the work session discussion on this element.

1. Create linkages of neighborhoods and economic centers to a greater extent than is currently stated in the Plan.

Staff response: Staff agrees and believes that this topic has been adequately covered in multiple Examples include the following. Policy 4 within the Economic Development Element addresses improved regional access to employment centers. Goal 3 in Land Use emphasizes the integration of Land Use and Transportation planning, and Goal 4 is focused walkability and pedestrian connections. Goal 2 and its policies and actions in the Transportation Element focus on the importance of roadways that serve all modes of travel to connect to various land uses; and Policies 6 and 16 in address linkages and connectivity of residential areas to other residential areas and other parts of the city. Policy 1 in the Recreation and Parks Element emphasizes accessibility of parks to all residents, and Policy 2 calls for expanding the network of trails that provide access to parks.

2. Be flexible and amenable to alternative development opportunities that may or may not be transit-served.

Staff response: Staff agrees that the Plan must be flexible and amenable to development opportunities that may or may not be transit-served. All areas of the city are served by some type of transit (e.g., bus), but not all are directly served by high-capacity transit such as Metrorail. Staff believes that the Draft Plan supports development opportunities in all key economic areas, whether served by Metro or only bus. Specific mention of such areas is in Policies 7 and 8 of the Economic Development Element, which focus on neighborhood centers and light industrial areas; and in Action 2.4 (Policy 2). Goals 5 and 6 in the Land Use Element offer policies to preserve and strengthen office and industrial areas in the city, most of which are not near Metro, including Research Boulevard and the Southlawn industrial area.

3. The REDI Board considers flexibility to be a top priority for the Plan and believes that the Plan Goals and Principles may need to evolve and change to address changing economic conditions and new opportunities in the city. “The REDI Board believes the stated commitment in the Plan to review it on a two-year schedule is an important improvement in this Plan.”

Staff Response: Staff agrees and believes that the current language does address the REDI Board’s comments. The testimony includes several comments regarding the need for the plan to be flexible and nimble to adapt to changes. Staff agrees. On page 175 of the Economic Development Element, the Plan states that “...it is recommended that the policies and actions contained in this element be continuously monitored and that appropriate adjustments be made to ensure that the city considers the most relevant economic development tools for implementing policies.” The Planning Commission removed the “two-year” review recommendation during the review of the Initial Staff Draft and replaced it with this less specific language.

4. The Plan should also recognize that employers are members of the community and have an equal stake in the future of the city. The Plan does not define who is included in the definition of community. (referring to p. 3 of Draft Plan)

Staff response: Staff recommends that the Planning Commission add language to define community as “residents, property owners, employers, employees, visitors, and other Rockville stakeholders” on page 3 of the Draft Plan. The word ‘community’ throughout the Draft Plan is intended to encompass all persons who have, or might have, interests in the future of Rockville, including employers and employees.

5. Include REDI in the process to a) develop an equitable economic development strategy and marketing plan that capitalizes on Rockville’s competitive advantages (Policy 1 of the Economic Development Element), and b) work to attract and maintain government contractors, office employers, and federal agencies within Rockville city limits (Policy 14).

Staff response: Staff agrees. Staff recommends including mention of REDI in Action 1.1, under Policy 1, of the Economic Development Element. Staff believes that REDI is already incorporated into the discussion of Policy 14. REDI is the designated economic development agency of Rockville and will certainly play a core role in these functions.

6. REDI suggests that other types of potential future employers need to be considered in Policy 14 of the Economic Development Element.

Staff response: Policy 14 is directed at government contractors and federal agencies. Staff suggests removing “office employers” from this policy statement to make that clear. Staff also suggests that the final sentence in the text under that policy could be developed into a new policy that would read: “Consideration should be given to expanding efforts toward international institutions, non-profit organizations, and future industries to further diversify the city’s employer potential.”

7. Include alternative industries/employers in Policy 2 that states “Actively support Rockville as a center for innovative technologies, life sciences, advanced research, and cybersecurity.”

Staff response: Staff recommends that alternative industries/employers be added to the Policy statement to be more clear, although staff believes that alternative industries and employers are implied by the term innovative technologies in the policy statement. This topic is also encompassed in Policy 5 to “Foster a positive business climate that supports business startups, retention, expansion and the attraction of innovative and diverse industries.”

The Planning Commission received no comments on the Economic Development Element from the State of Maryland, Department of Planning. The Maryland Department of Commerce sent comments stating that the Draft Plan’s Economic Development Element is consistent with the goals of the Maryland Economic Development Commission and the Department of Commerce.

Launch Workplaces (Exhibit 3)

The testimony suggests mentioning the Rockville Innovation Center, currently located in the Arts and Innovation Center, as a Rockville asset.

Staff response: Staff recommends that the Rockville Innovation Center be mentioned under Policy 2 of the Economic Development Element that reads “Actively support Rockville as a center for innovative technologies, life sciences, advanced research, and cybersecurity.” Staff recommends mentioning the Center in the third paragraph of the discussion, which highlights the city’s efforts to support new and expanding businesses.

Municipal Growth

State of Maryland (Exhibit 11)

1. The State notes that the Draft Plan does not include a development capacity analysis based on the build-out capacity of the future land use plan within the current municipal boundary or the Maximum Expansion Limits (MEL). It notes that a capacity analysis would facilitate a better understanding of public services and infrastructure needed to accommodate future growth.

Staff response: The development capacity analysis is covered by the population, household and employment growth projections in the Introduction Chapter. The Director of Planning Services, Maryland Department of Planning, sent a letter, dated May 27, 2009, to staff stating that it concurred with the city’s proposed methodology to use Metropolitan Washington Council of Government (MWCOG) projections of population, households, and employment growth as a base for the development capacity analysis. These projections are derived from the amount of development that is estimated to occur. The State agreed with the city’s approach to the Development Capacity Analysis in 2009, noting that Rockville is a mostly built-out city with limited development potential on vacant land and will rely on redevelopment to accommodate most of its future housing and employment needs. The State even noted that the city’s process could serve as a model for other jurisdictions that have similar circumstances. Staff is seeking assurance from the State that this approach continues to be adequate to meet State requirements.

2. The State suggests noting opportunities to provide open space or transition areas among the potential evaluation criteria for strategic annexations on page 223.

Staff response: Staff agrees with adding this concept as a 6th criteria on page 223.

Although the Planning Commission has not received testimony on the Maximum Expansion Limits (MEL) in the Municipal Growth Element, the Commission did discuss Policy 8 to include all of the Glen Hills subdivision in the MEL southwest of the city during review of the Initial Staff Draft and indicated that they would like to re-visit this policy statement during the work session on this element. The Planning Commission may choose to retain this policy as is, remove it, or amend it.

Introduction and General Comments

State of Maryland (Exhibit 11)

1. Suggests including an Executive Summary that includes all Vision statements.

Staff Response: An Executive Summary will be produced after the Planning Areas portion of the Comprehensive Plan is completed. An Executive Summary would then encompass the entire document and help to tie the two parts together.

2. Consider adding an implementation chapter that would provide direction on which actions should occur first and a time estimate of when each action would be started to help frame public expectations.

Staff response: An implementation document will be produced after the full plan, including the Planning Areas portion, is adopted. Some policy statements and actions will likely be amended prior to adoption of the Plan.

3. It is unclear which portions of neighborhood plans will be incorporated, superseded or repealed.

Staff response: This will be made clear in the Planning Areas (Part 2) portion of the Plan which is currently being developed and which will be reviewed by the Planning Commission at a later date.

4. The State notes some typographical errors and discrepancies in the demographics section of the Introduction Chapter.

Staff response: Staff will make corrections as needed.

PUBLIC OUTREACH:

After the draft plan release on March 14, 2019, staff initiated a public information program. The draft is posted on the city's Web site, at <http://www.rockvillemd.gov/203/Rockville-2040-Comprehensive-Plan-Update>. It was sent to the State Clearinghouse within the Maryland Department of Planning, relevant public agencies, and adjoining jurisdictions. Staff held two informational meetings, prior to the public hearings, to assist the public in understanding both the Draft Plan and the methods by which written and oral testimony could be provided.

Staff also offered to visit with any community, business and other organizations, including City Boards and Commissions, that wished to have a presentation regarding the draft plan and on how to provide testimony. Staff visited with many and has made many informational presentations.

In addition, staff worked with the city’s Public Information and Community Engagement office to provide information through Rockville Reports, Rockville 11, social media, and listserv emails to provide information on the Draft Plan content, public hearing dates, methods to provide testimony, and to keep the public updated on the process.

At a broader level, the Draft Plan is the result of extensive community input that was gathered over a multi-year period, and continues to the present, in a process known as “Rockville 2040.” That process is summarized in the Introduction chapter of the Public Hearing Draft, but includes a kick-off meeting, 35 Listening Sessions, 4 Citywide Forums, 3 Open Houses, 2 Information Sessions, and many meetings with community members, community organizations, and other stakeholders as warranted. Staff has been available to talk and meet with any member of the broad Rockville community, including but not limited to residents, business owners, employers, workers, representatives of non-profit organizations, and representatives of governmental and quasi-governmental agencies. Staff will continue to keep the public informed, especially when there are opportunities to provide input.

BOARDS AND COMMISSIONS:

City boards and commissions participated in many of the public meetings held during the Rockville 2040 process; and city staff have attended various meetings of boards, commissions and other organizations (e.g. Rockville Economic Development, Inc., Rockville Housing Enterprises, etc.) to obtain their input. Just as REDI will participate in the June 26 work session that includes discussion of the Economic Development Element, the Planning Commission may choose to include boards and commissions in upcoming work sessions, on various topic areas.

NEXT STEPS:

The next work session on the Draft Plan is scheduled for July 10. Staff suggests that the Planning Commission focus on the Land Use and Transportation Elements at that meeting. Remaining Elements are tentatively scheduled as follows, depending on the progress made at each meeting. This schedule depends, in part, on staff availability and is subject to revision.

Recreation & Parks, Housing, Historic Preservation:	July 10
Land Use, Transportation:	July 24
Environment, Water Resources:	August 7

Attachments

- Attachment 3.A.a: Transcript Public Hearing May 22, 2019 (PDF)
- Attachment 3.A.b: Written Testimony March 14-June 18 (PDF)
- Attachment 3.A.c: Transcript Public Hearing June 4, 2019 (PDF)
- Attachment 3.A.d: Testimony Matrix March 14 - June 18, 2019 (PDF)

Jim Wasilak
Jim Wasilak, Chief of Zoning 6/19/2019

CITY OF ROCKVILLE PLANNING COMMISSION
ROCKVILLE, MARYLAND

MEETING NO. 15-2019

AGENDA ITEM NO. 2

SECOND PUBLIC HEARING ON DRAFT COMPREHENSIVE PLAN

Wednesday, May 22, 2019

1 PARTICIPANTS:

2 Planning Commission:

3 GAIL SHERMAN, Chair

4 ANNE GOODMAN, Commissioner

5 CHARLES LITTLEFIELD, Commissioner

6 DON HADLEY, Commissioner

7 SARAH MILLER, Commissioner

8 JOHN TYNER, II, Commissioner

9 REV. JANE E. WOOD, Commissioner

10 Staff:

11 JIM WASILAK, Staff Liaison

12 CYNTHIA WALTERS, Deputy City Attorney

13 ELIOT SCHAEFER, Assistant City
14 Attorney

15 DAVID LEVY, Assistant Director, Planning
and Development Services

16 BARRY GORE, Principal Planner

17
18 Speakers:

19 SOO LEE-CHO

20 * * * * *

21

22

1 P R O C E E D I N G S

2 MR. GORE: Thank you, Madam Chair. This
3 is the second evening of our public hearing on the
4 comprehensive plan of the City of Rockville,
5 Maryland draft for a Planning Commission Public
6 Hearing May 22nd. We have another part of that
7 public hearing scheduled for June 4th which is
8 actually a Tuesday evening to give people with
9 different schedules the opportunity to come on a
10 different evening. The link to the plan can be
11 found at the address you can see there. I can
12 read that out but it probably wouldn't help. What
13 I could say is you could always do a search for
14 Rockville 2040 and then click on the result and it
15 takes you right to the web page where you will see
16 links to the plan which can be downloaded.

17 So, just very briefly, the plan starts
18 out with an introduction, vision, principles,
19 state required planning visions and then this plan
20 which basically we are presenting as volume one
21 deals with the policies of these plan elements and
22 you see them there. Most of these are required by

1 the state and, in fact, the state now is talking
2 about adding housing. There is a bill to add
3 housing as another required element. Not sure
4 where that bill's at right at the moment but we
5 are looking at it. We feel like we're going to be
6 in compliance whether it's adopted or not and then
7 you see the other ones listed.

8 The draft plan, as you know, was
9 released on March 14th. We have made it through
10 the 60 day period. It was forwarded to the
11 Maryland Department of Planning and the city is in
12 compliance with that 60 day period before the
13 public hearing we had last week. And, in fact, we
14 have received comments from Maryland Planning and
15 we will be working those through you, they are
16 posted on the website.

17 We sent digital links as mentioned to
18 our partnering jurisdictions, surrounding
19 jurisdictions, other government agencies. We have
20 had informational meetings on the plan to answer
21 any questions. I made presentations to some
22 neighborhood groups, individuals and other parties

1 have come in and asked, you know, questions that
2 we've tried to answer.

3 People can testify at this public
4 hearing tonight, the public hearing on June 4th.
5 They can also submit written testimony through the
6 online comment form, again, there at the Rockville
7 2040 webpage and it's pretty easy to see where the
8 links are. Or you can email us at
9 planning.commission@rockvillemd.gov. Or you can
10 mail us a hard copy, hard letter through the US
11 Postal Service and address it to the Rockville
12 Planning Commission 111 Maryland Avenue Rockville,
13 MD 20850. All oral and written testimony will be
14 made available and per the Commission's request
15 last week, we now have the results, the testimony
16 that we received so far is posted on the web page
17 right now and you see the links right there and
18 you can see what was posted. So, that is it for
19 the presentation. Thank you.

20 CHAIR SHERMAN: Thank you. Has anybody
21 signed up to -- okay. I don't think yeah, there's
22 -- we had no sign ups prior to the meeting.

1 MR. LEVY: Mr. Chang did sign up, I saw
2 it when he came in.

3 CHAIR SHERMAN: No, that's fine, you
4 know, I was just asking if anybody had signed up
5 by phone or ahead of schedule.

6 MR. TYNER: Madam Chair, I'd like to
7 thank the staff for sending us the email we
8 received from the Hungerford Group. Really some
9 interesting points and as you get them in, as we
10 requested last time, if you'd send them to us as
11 you get them in, I think that's one way to sort of
12 keep cooking with what's going on here rather than
13 receive a big packet at the end.

14 MR. LEVY: They're all on the web right
15 now. They're all on the project website but we'll
16 send you what we've received to date in the packet
17 for the next time.

18 CHAIR SHERMAN: For the next meeting?
19 Okay, that would be helpful. Go ahead. Please
20 identify yourself.

21 MS. LEE-CHO: For the record, Soo
22 Lee-Cho with the law firm of Miller, Miller, and

1 Canby. The address is at 200 B Monroe Street in
2 Rockville. I'm here to testify on behalf of CBT
3 Associates, the owners of property located in the
4 northeast quadrant of the intersection of Fleet
5 Street and Monroe Street, also known as 200 A and
6 200 B Monroe Street.

7 The property is in the MXNC zone.
8 Currently, the subject property is 78,381 square
9 feet in size and is improved with two office
10 buildings that together consist of approximately
11 44,775 square feet of gross floor area. The
12 buildings are supported by both surface parking
13 areas and a parking deck.

14 The Commission will note that the
15 mailing address of this law firm coincides with
16 one of the properties owned by CBT. Established
17 in 1946, Miller, Miller and Canby is widely
18 recognized as the oldest law firm in Montgomery
19 County and is proud to have called the Craftsman's
20 Doll Building, office building at 200 B Monroe
21 Street, it's home for most of that duration. The
22 founders of the law firm, the Millers, purchased

1 the property in 1952, renovated the building to
2 accommodate law offices and established the firm
3 there.

4 The current ownership entity, CBT is
5 comprised of heirs and descendants of the original
6 founders and former shareholders of the firm as
7 well as some of the current shareholders of which
8 I am not. I'm a shareholder but I'm not part of
9 the ownership. The adjacent three story all brick
10 contemporary office building at 200 A Monroe
11 constructed in 1978 is also fully occupied by
12 office tenants predominantly in the professional
13 services industry such as attorneys, accountants,
14 investment consultants.

15 The 2040 plan recommends changing the
16 subject property's long established land use
17 designation of preferred office to public park.
18 Not surprisingly, CBT strongly objects to the 2040
19 plan's proposed land use designation for the
20 property and believes if imposed on the property
21 would run afoul of well-established principles of
22 taking's law. Accordingly, CBT requests that the

1 2040 plan be revised to recommend a land use
2 designation of ORRM which is Office, Residential,
3 Retail Mix for reasons I'll go into detail.

4 Just a little bit of history of the land
5 use and zoning of the property. Consistent with
6 its past and present use, the land use designation
7 has been -- that's been conferred on the property
8 has long been preferred office. The 2001
9 Rockville Town Center master plan had designated
10 the property as such. In the submission that you
11 have before you, I have provided excerpts from
12 land use maps, existing zoning maps from the town
13 center plan that consistently repeat the office
14 use designation for the property.

15 Then in 2009, after the city undertook
16 to comprehensively rewrite the zoning ordinance
17 and remap all of the cities commercial and office
18 properties into the city's new mixed use zones,
19 the subject property was reclassified to the MXMC.
20 The current office professional uses established
21 on the subject property are permitted by right in
22 the MXMC zone pursuant to section 25.13.03 H of

1 the zoning ordinance.

2 So, based on the subject property's
3 extensive land use and zoning history of having
4 been conferred commercial office use for decades
5 and in light of the property's active present use
6 as professional office, a land use designation of
7 public park for CBT's property is inexplicable and
8 cannot be lawfully supported or justified by the
9 city. Frankly, the proposed designation appears
10 to be a thinly veiled attempt to unlawfully freeze
11 the value of land to be acquired for a public
12 purpose.

13 We find policy four of the goal one park
14 access section found on page 95 of the 2040 plan
15 to be extremely telling. It states, "add to
16 existing parks in areas with park deficiencies".
17 When contiguous parcels become available for sale,
18 a good strategy to add park -- well, become
19 available for sale. A good strategy to adding
20 parks in existing older neighborhoods is to have a
21 policy that allows for the acquisition of parcels
22 that are contiguous with existing parks.

1 Then you have figure 17 on page 95 which
2 uses an aerial image superimposed with green areas
3 to depict existing park space in town center. The
4 caption under figure 17 then states, the largest
5 park is Elwood Smith which has a walking trail
6 along the upper reach of Cabin John Creek. The
7 next three parks over one acre are historic
8 properties rather than neighborhood parks. Taken
9 together, there is a shortage of park space to
10 serve the growing population.

11 So, when we connect the dots on
12 everything that has been laid out in the 2040
13 plan, it appears that the plan considers the town
14 center area to be park deficient. And is
15 therefore recommending a policy that encourages
16 acquisition of parcels that are contiguous with
17 existing parks when they become available for
18 sale. In other words, the plan does not recommend
19 that the city exercise its power of eminent domain
20 and pay fair value as required by the Takings
21 Clause to acquire said contiguous parcels. But
22 instead, recommends acquiring them when they

1 become available for sale.

2 In the meantime, the plan proposes
3 imposition of public park land use designations
4 that then serve to essentially down zone targeted
5 properties and reduce their value by eliminating
6 any future development potential. I included in
7 the letter submitted to you, an image of the
8 figure 17 which identifies Elwood Smith Park as
9 being number eight and outlines CBT's property in
10 red. So, you can see the proximity of Elwood Park
11 and the contiguousness of it to CBT's property.

12 So, I think you can start to begin to
13 see the sort of the thinking behind the 2040 plan.
14 The problem is that Maryland courts have held that
15 municipalities cannot use zoning to depress land
16 values so as to reduce the damages paid by the
17 sovereign when it otherwise validly invokes its
18 power to condemn. In response to those that might
19 argue the 2040 plan does not in and of itself
20 constitute a rezoning and therefore falls outside
21 of the above, the listed line of cases that I've
22 cited to you in the letter, the courts again have

1 an answer.

2 In Mayor and Council of Rockville vs
3 Ryland's Enterprise Inc., the Court of Appeals
4 states as follows. We repeatedly have noted the
5 plans which are the result of work done by
6 planning commissions and adopted by ultimate
7 zoning bodies are advisory in nature and have no
8 force of law, absence statutes or local ordinances
9 linking planning and zoning. Where the latter
10 exists, however, they serve to elevate the status
11 of comprehensive plans to the level of true
12 regulatory device. In those instances where such
13 a statute or ordinance exists, its affect is
14 usually that of requiring that zoning or other
15 land use decisions be consistent with a plan's
16 recommendations regarding land use.

17 So, as the Planning Commission, I'm sure
18 you're well aware that the zoning ordinance has
19 numerous provisions regarding which you are tasked
20 to implement. And so, you know that the ordinance
21 requires compliance with the city plan as a
22 necessary finding for virtually any development

1 approval granted by the city. As a result, the
2 2040 plan and its land use recommendation, there's
3 little doubt that it will be viewed as a true
4 regulatory device in the eyes of the court within
5 the context of an unconstitutional takings action.

6 The proposed designation of CBT's
7 property as a public park in the 2040 plan will
8 render the property incapable of obtaining any
9 type of development approval from the city. Even
10 a non-conforming alteration approval under Article
11 8 of your zoning ordinance also requires a finding
12 that a proposed alteration be consistent with the
13 plan. Based on all of the above, we believe that
14 the 2040 plan, if it is adopted with the land use
15 designation of public park for CBT's property as
16 currently recommended, that that action will be
17 deemed to have the effect of an unconstitutional
18 taking.

19 The city will be subject to an immediate
20 inverse condemnation action that will seek payment
21 of just compensation based on CBT's property's
22 highest and best use as a commercial office. To

1 which the property owner is guaranteed under
2 section 40 of Article 3 of the constitution of
3 Maryland.

4 Instead, we request that the Planning
5 Commission and the city opt to take a different
6 course and confer a land use designation on CBT's
7 property that is commensurate with its land use
8 and zoning history. In considering what is being
9 recommended by the plan for similarly situated
10 properties that confront CBT to the west and
11 south, we would request that the land use
12 designation for the property be revised to ORRM as
13 stated previously, Office, Residential, Retail
14 Mix. This requested designation would not in any
15 way deny the city the ability to purchase the
16 subject property when it becomes available for
17 sale and convert its use to a park. Or acquire
18 the property by eminent domain for a public park.

19 It would, however, preserve and protect
20 the owner's right to just compensation equal to
21 the full fair market value of the property. Thank
22 you for your consideration.

1 CHAIR SHERMAN: Thank you. Mr. Levy,
2 these comments will go into the record and we will
3 have them when we start doing our work sessions?

4 MR. LEVY: Yes, Madam Chair.

5 CHAIR SHERMAN: Thank you. Is there
6 anyone else in the audience who wishes to speak
7 this evening? Having said that, the public
8 hearing is closed. And I encourage anybody who's
9 watching this on television to please look at the
10 plan and come to the next meeting on June 4th.
11 It's important that we get input from the
12 residents of this city. And with that, I will
13 turn this over to you, Mr. Levy.

14 (Whereupon, the PROCEEDINGS were
15 adjourned.)

16 * * * * *

17
18
19
20
21
22

1 CERTIFICATE OF NOTARY PUBLIC

2 I, Carleton J. Anderson, III do hereby
3 certify that the forgoing electronic file when
4 originally transmitted was reduced to text at my
5 direction; that said transcript is a true record
6 of the proceedings therein referenced; that I am
7 neither counsel for, related to, nor employed by
8 any of the parties to the action in which these
9 proceedings were taken; and, furthermore, that I
10 am neither a relative or employee of any attorney
11 or counsel employed by the parties hereto, nor
12 financially or otherwise interested in the outcome
13 of this action.

14
15 Carleton J. Anderson, III

16
17 (Signature and Seal on File)

18
19 Notary Public in and for the Commonwealth of
20 Virginia

21 Commission No. 351998

22 Expires: November 30, 2020

Comprehensive Plan: Draft for Planning Commission Public Hearing
Directory of Written Testimony Received by the Planning Commission, March 14 – June 18, 2019

Name	Exhibit No.
Todd Brown, Shulman Rogers	1
Autism Awareness	2
Launch Workplaces	3
Montgomery County GSA	4
Montgomery County Fire & Rescue	5
Mary Grace Sabol	6
Jonathan [no last name provided]	7
Isaac Fulton	8
Twinbrook Citizens Association	9
Drew Napolitano	10
Maryland Department of Planning, and other state agencies	11
P. Nicholson & R. Merritt	12
Miller, Miller & Canby	13
Kenneth Hoffman	14
Rockville Economic Development, Inc. Board of Directors	15
Annette Regatts	16
Kelly Silver	17
Woodmont Country Club (Linowes & Blocher)	18
Aaron Kraut	19
(George) Son Hwa Chang	20
Soo Lee-Cho (on behalf of owner of 216 Park Road)	21
Lerch, Early, Brewer (on behalf of 5946 Halpine Road)	22
Lerch, Early, Brewer	23
Lerch, Early Brewer (Tower Oaks)	24
Lerch, Early, Brewer (Chesapeake Plaza)	25
Twinbrook Community Association	26

Monica Saavoss	27
Phillip Staub	28
Ruth Hanessian	29
Monica Saavoss	30
Environment Commission	31
Eric Fulton	32
King Farm Resident Council	33
Chas Hausheer	34
East Rockville Civic Association	35
Sarah Salazar	36
King Farm Citizens Assembly, Inc.	37
David Hill	38
Lerch, Early & Brewer (Rockshire Village Center)	39
WMATA	40
Linowes & Blocher (Lantian Development LLC)	41
Miller, Miller & Canby (216 Park Road)	42
Morris Law Firm (Woodley Garden Shopping Center)	43
Peerless Rockville	44
Vincent Russo	45
Sara Moline	46
West End Civic Association	47
Lerch, Early & Brewer (Eldridge, Inc. 255 Rockville Pike)	48
Historic District Commission	49

March 21, 2019

City of Rockville Planning Commission
c/o Cindy Kebba
111 Maryland Avenue
Rockville, MD 20850

RE: Rockville 2040 Comprehensive Plan Update – Testimony of White Flint Express Realty Group Limited Partnership

Dear Chair Sherman and Members of the Planning Commission:

This office represents White Flint Express Realty Group Limited Partnership (“Realty Group”) in connection with 1.1 acres located at the southwest quadrant of the intersection of Twinbrook Parkway with Chapman Avenue. Please include this letter in the public hearing Record.

The Realty Group supports the Draft 2040 Comprehensive Plan Update (“Draft Plan”) and, in particular, the following items:

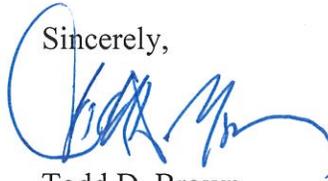
1. Support the Draft Plan’s recommendation to continue to develop the Twinbrook Metro station area and the South Pike as a major activity and growth center. p. 28. The Realty Group participated in the development of and supports the Rockville Pike Neighborhood Plan and its objectives for the South Pike and Core areas. The Realty Group supports the Draft Plan’s recommendation to continue the vision for this area as a major activity and growth center.
2. Support the Draft Plan’s recommendation to undertake a study of minimum parking regulations to promote access via modes other than private automobiles and to reduce the financial and site development burden. p. 45. The Realty Group supports this recommendation and adoption of best parking practices for urbanizing areas served by transit. As the Planning Commission knows, the cost of structured parking is a significant component of overall project costs in higher density development. The City should undertake a study to determine and then adopt parking strategies that better capitalize on transit proximity, particularly in areas like the Core in South Pike.
3. Support land use policies and regulations that encourage private sector planning and redevelopment. p. 44. Existing leases, revenue generation needs, and regulatory uncertainty can complicate, frustrate, and prevent redevelopment desired by the City. The Realty Group supports the adoption of land use policies and regulations (such as DRRAs and flexible approval schedules) that will encourage private sector decision-

City of Rockville Planning Commission
c/o Cindy Kebba
March 21, 2019
Page 2

making and investment where existing leases, income generation and long-term redevelopment strategies intertwine.

Thank you for your consideration.

Sincerely,



Todd D. Brown

cc: Leonard Greenberg
Richard Greenberg

42724120_1

From: nareletsplayfair@aol.com
Sent: Saturday, April 6, 2019 8:31 PM
To: rick@notesonnewyork.net
Subject: APRIL AS AUTISM AWARENESS MONTH
Attachments: CMOM page from website.docx; SportStructures (Play and Playground) Article.docx



APRIL IS AUTISM AWARENESS MONTH...It was suggested I pass this along to you....Dr. Reeve Brenner....301 309 0260

Testimony Larry

My name is Larry R. and I'm an accountant blessed with two children, two sons who are autistic, or more properly, on different stages of the autistic spectrum. The two boys love to play ball as do their parents with them. But when I take the family to a park or school playground it nearly breaks our hearts.

At every one of these parks and playgrounds, you can see at once that there are plenty of ballplaying facilities for typical children. The average youngster or teen can wait in line to play basketball, soccer and the rest. But these are all team sports with opponents. They are not independent or individualized sports so that my boys can drop-in and participate along with everyone else in the community. This is understood as mainstreaming which does not exist apart from programs which further segregated and segment differently able populations.

Why do all the typical kids get ballplaying facilities so much so that many of them are empty like the tennis courts being built for fewer and fewer participants. The point is there are many drop-in facilities: sports courts and sports fields for everyone but not for kids who are physically and cognitively challenged or mobility impaired or in wheelchairs or have other disabilities. They too should have drop-in ball playing sports to drop in with their family to play together and interact with others. There are none. What's the point of a ramp leading to discrimination and exclusion which characterizes the new parks designed with little thought to including the differently-able. They are neglected willfully by a kind of callous indifference on the part of the authorities.

It's very sad and I speak not only for my own family. I'm certain i speak also for many of our county's differently able children and adults who would also like to play ball at facility but not with opponents, and not with teams, "a sport that does not require offense and defense but actively move their bodies, and are presented with sports challenges that they can succeed at, that socialize and mainstream's all populations. We need to be giving consideration to diversity and the integration of special populations into a community activity. These parks offer accessibility when they should be offering inclusion." {THE NATIONAL ASSOCIATION FOR RECREATIONAL EQUALITY website}.

The only glimmer of hope is that of the Bankshot court we played at in several parks and school playgrounds that brings a community together and includes the differently able. I wish officialdom would visit a court to experience walk-on, drop-in, inclusion. Why so few of these and others like it? There ought to be many such play opportunities in the community addressing the needs of the total community rather than merely the jocks and athletes.

All families blessed with all kinds of children should have drop-in facilities to play ball just like other typical children and not always aggressive and having to defeat rivals but by playing alongside one another, not against one another, where, as I heard said, "you don't have to win to be a winner," [NARE] Rather, it is participation alongside others in mainstreaming disabled that brings a community together.

There are many of us who would like to see attention paid to those who are so underserved in our parks. The parks and playgrounds from the perspective of my family and many others are sadly disappointing.

|||||

Links to the two videos from the August event (8-19-18) in King Farm.

<https://www.youtube.com/watch?v=3idvticRsQ>

We would like to suggest that a Bankshot playcourt be included in the parks, rec centers and playgrounds for the sake of the differently able and the autistic community, wheelchair participants and others mobility impaired. Please check out Bankshot.com and the National Association for Recreational Equality. The atypical community is often overlooked and they are provided with

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

<https://www.localdvm.com/news/i-270/local-officials-aim-to-get-children-with-disabilities-more-involved-in-sports/1382006685>

programs when they really need drop-in walk on facilities so they can gain accessibility any time with their families and friends in a wheelchair on any given day without having to wait for supervised playgrounds. Please check out other cities with Bankshot Playcourts designed for the inclusion and diversity of the full population using our commons.

NARE: LET'S PLAY FAIR

WHEELCHAIRS + RAMPS = FRUSTRATION

I roll up itching to play ball and instead I watch. Foiled again!

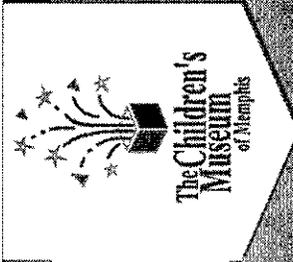
I want to be playing ball like everyone else, all the kids I hang out with. As a teenager I've long ago outgrown interest in climbing playgrounds even if I could climb up.

As a wheelchair user I know that we separate not in the classroom but in the playgrounds - especially the ball fields. They put in a great many basketball courts, tennis courts, baseball, soccer and other games and sports fields for all the jocks and athletes. So some few athletes get all the attention and all their running sports that exclude me and I get nothing!

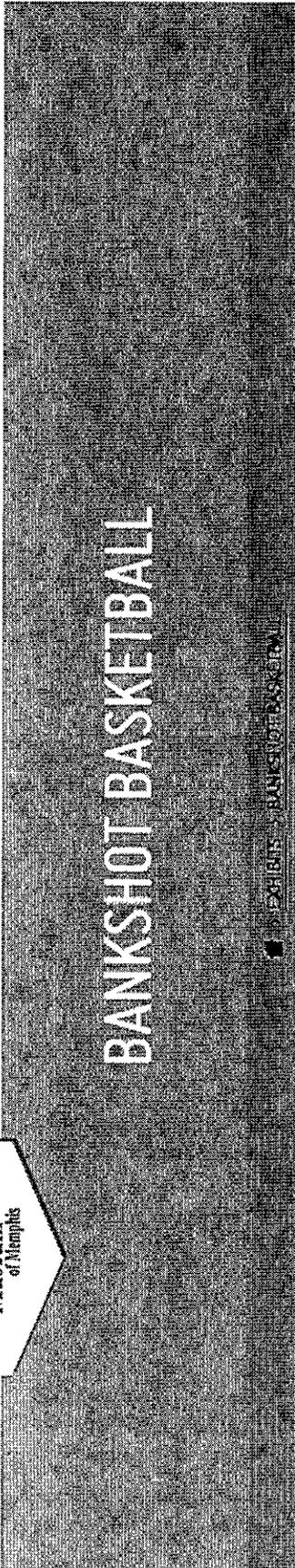
How can accessibility not make matters worse for the wheelchair would-be-players, for the differently-able, for the cognitively and physically challenged? The ramps do not lead to inclusion but to our own immediate elimination- to banishment to the sidelines even before a ball is tossed. Why even show up? When was the last time you saw a kid or an adult in a wheelchair even show up with his friends or family at a sport intended for the participation of everyone else?

The special populations now have greater accessibility to total frustration. They can now roll on up to the perimeter to experience exclusion with ever greater irony than before the ramps were built. How can we be included in the pick- up games of conventional sports? Do I bring along 10 wheelchairs so I can get a game with average kids my age? Where are the sports like Bankshot which allow all players to participate?

Gary D



Visit Programs & Events Exhibits About Support Contact



This unique and challenging exhibit teaches Children about shapes, angles, math, geometry, trigonometry and cooperative play. Bankshot is a new game of skill and challenge that is often described as a "mini golf, but with a basketball." Players of all ages and abilities, including disabled participants, proceed through a course of 19 angled, curved and non-conventionally configured brightly colored backboards, banking shots off the Bankboards™ and through the rims. Bankshot™ Sports are non-aggressive and entirely inclusive. Participants play alongside, not against, each other. Some shots demand caroms off two Bankboards™. Some are ricochets and some diabolically maddening shots have three Bankboards™ and two rims. Players may use a scorecard to track their score as they shoot increasingly difficult shots at each of the stations. It's a basketball lover's greatest challenge!

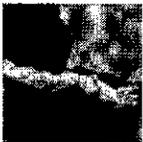




TOTAL-MIX DIVERSITY BASED ON UNIVERSAL DESIGN
The National Association for Recreational Equality

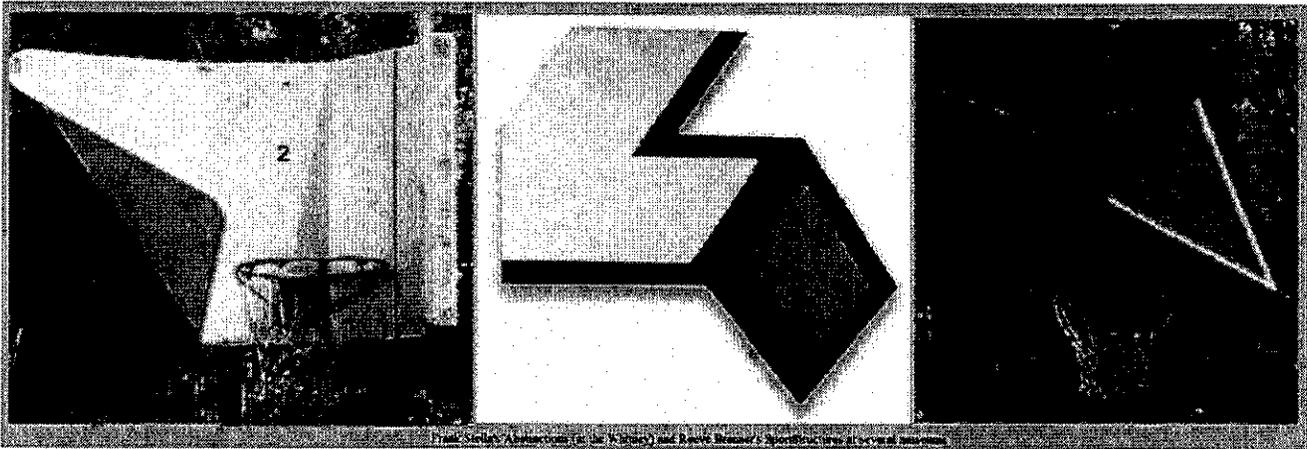


Play and Playground News Center



Today's Play News and Views™

Sports Structures, Sculpture, Bankboards, Calder, Picasso, Stella



The exuberant sense of play, merging the obvious aspects of art understood as form and function - itself a heady mixture - suggests to a visitor that Reeve Brenner's Bankshot Playcourt is something of the legendary logic of Abstract Impressionism's immersion into the world of sports.

Just imagine artists Paul Klee, Joan Miró and Wassily Kandinsky at a Bankshot Playcourt, with a basketball in their hands and seeing for the first time these striking geometries in bold inviting display. Also imagine famous sculptors Alexander Calder and Marcel Duchamp being asked to shoot a ball at these structures, which they inspired with whim and fancy. They might witness and bear testimony for themselves the transformation of art into the playful world of sports.

It would be what Frank Stella, an abstractionist artist, called "form" transforming into an inclusionary affordance he called "function." The functionality these sport structures present to children and adults, who have never heard of this art form, will perhaps only be seen as a sport's challenge. But form, when Bankshot structures are viewed alongside Frank Stella's work, is at once evident. Besides, children of all ages, sizes, shapes and diversity, including physically and cognitively challenged, and wheelchair users, participate together achieving real socialization and integration of the community within the world of art and play.

Bankshot's appearance provides a range of impetuously colored configurations, alternating with glowing abstract shapes and excursions relative to Picasso (when he was in his Cubist stage), Frank Stella's humongous-gigantic abstractionist structures (at the new Whitney Museum of American Art) and Alexander Calder's Stabiles. All the while participants are immersed in what Sports Illustrated, (in an article entitled the "Rabbi of Roundball"), referred to as an experience merging art with play: "With their odd shapes and bright colors, Brenner's bankboards have a surreal, futuristic look, like hoop saplings sprung from radioactive soil."

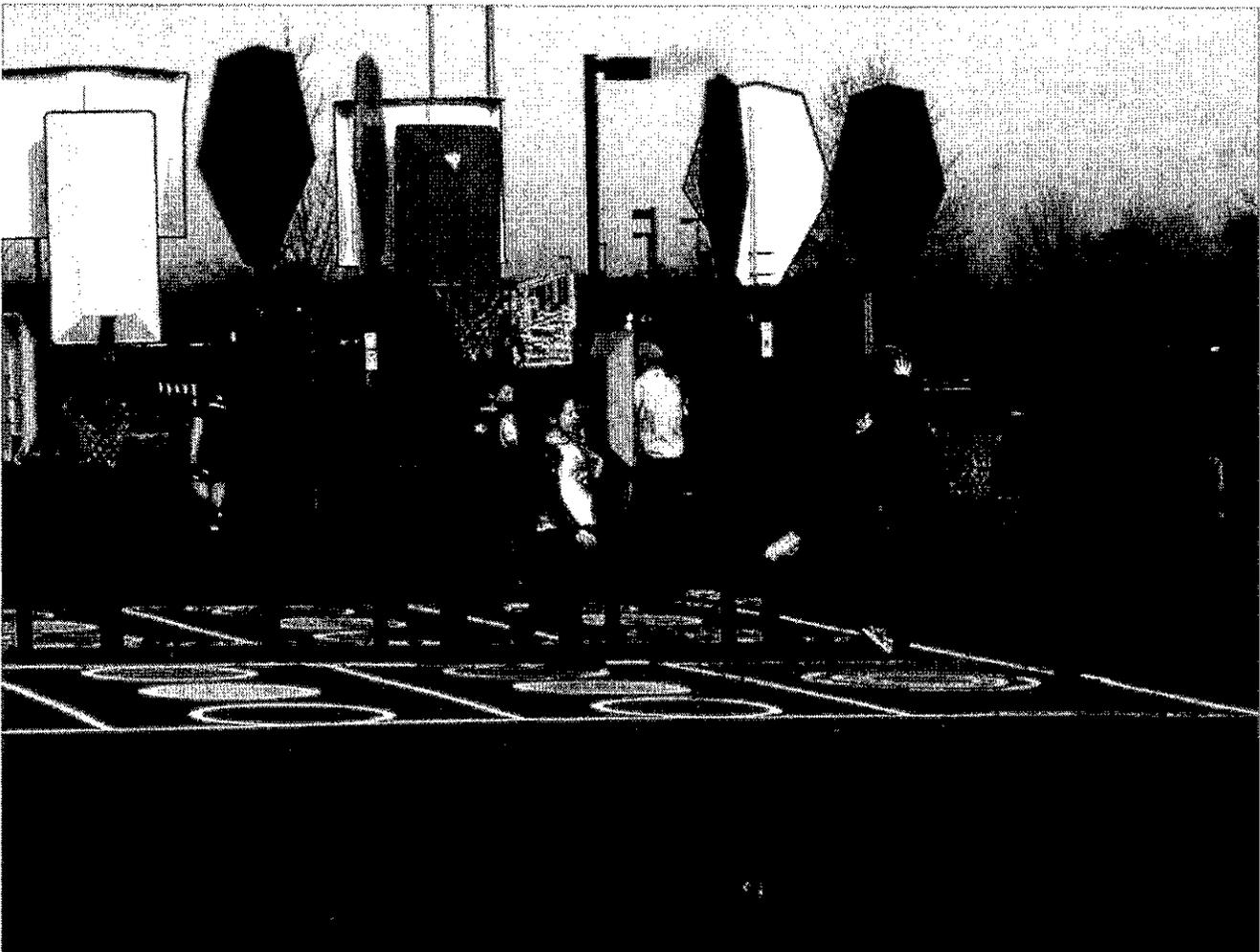
Although, for the most part, created at the Wingate Sports Institute outside of Netanya, the Israel National Museum in Jerusalem was the first international art museum, foreshadowing several others, to exhibit Bankshot as sports structures with the opportunity for play and participation. Available outdoor in the courtyard is a bin of basketballs in various sizes for visitors to choose from. Indoor, wall-hangings display Bankshot Bankboards merging art and play. Since then, the design department of The Museum of Modern Art in New York; the Boston children's Museum and the Bridgeport Connecticut Science Museum have placed Bankshot on permanent display indoors in space for that purpose. The Children's Museum of Memphis (CMOM) has begun construction of a Bank-around-the-circle Bankshot playcourt. Bankshot simultaneously art and

play constitutes a kind of spiritual union formed within the surrounding post-modern space conceived as universal design and set aside for the socialization and the integration of a community.

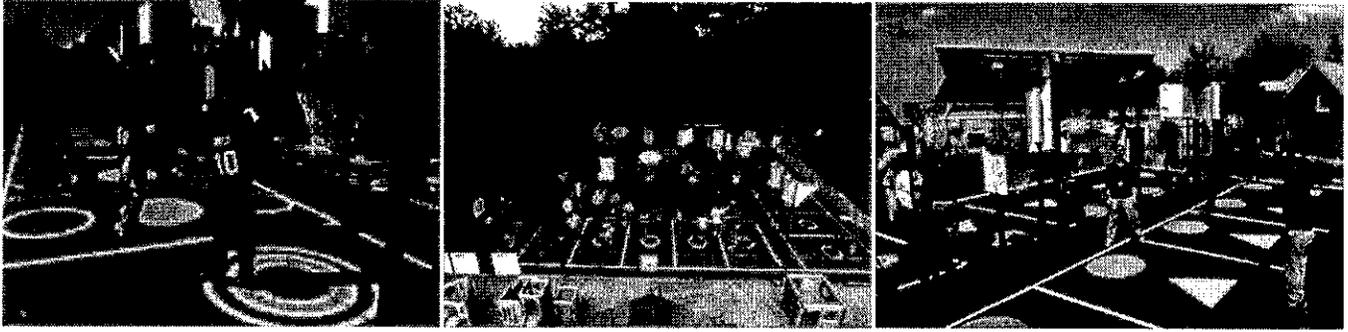
An important and novel aspect about Bankshot is its educational merit. The game offers an enriched play environment composed of a series of novel sport challenges that invigorate the brain with mind-nurturing play experiences. Bankshot's design is also intended to stimulate motor coordination in a dynamic kid-friendly, inclusionary game. Because of Bankshot's spatial relationships, particularly in geometrical composition and court design, the Bankshot court is part of a new genre in the art/play/think world of wonder. It combines creative and scientific elements to produce an advanced participatory art form for today's young person. Bankshot is pure physics: an exercise in translating science into action. (Florida Park & Recreation Quarterly)

NARE

National Association for Recreational Equality



Bankshot Sports



Invented by Rabbi Dr. Reeve Brenner in 1981, the sport of Bankshot Basketball allows a large number of people of varying abilities to participate together at a challenging non-contact self-competitive ball-playing sport that merges art with play.

Find the article online here:

<https://www.playgroundprofessionals.com/playground/accessibility/sports-structures-sculpture-bankboards-calder-picasso-stella101>

Rockville 2040 Public Testimony

The Planning Commission needs you input!

You may provide testimony to the Planning Commission on the draft Rockville Comprehensive Plan through this online form, in addition to any email or physical mail testimony you submit directly to the Planning Commission. Submitting written testimony does not limit your right to also provide oral testimony during the Planning Commission's public hearing, held over three days on May 15, May 22, and June 4, 2019.

All submitted comments are considered an item of public record and will be included in the Planning Commission testimony report for the draft Comprehensive Plan.

Which Plan element(s) is your testimony about?

- Land Use and Urban Design
- Transportation
- Recreation and Parks
- Community Facilities
- Environment
- Water Resources
- Economic Development
- Housing
- Historic Preservation
- Municipal Growth
- Other

Name (required):*

Karen Kalantzis

Address of Residence (recommended):

Rockville Innovation Center, 155 Gibbs Street, Rockville, MD

Email Address (recommended):

kkalantzis@launchworkplaces.com

By including your Address of Residence or Business and/or Email Address, you are expressing your willingness for staff to contact you for clarification or for legal notifications related to the Comprehensive Plan. Staff will not use your address or email for any other advertisement or notification lists.

Please type your comment(s) in the field below:*

To the Planning Commission: I am the Community Development Manager for Launch Workplaces, a shared office company with locations in Rockville, Gaithersburg, Silver Spring and Bethesda. We have recently been awarded a contract by the County to provide program and portfolio management for the County incubators in Rockville and Germantown. I didn't see a mention of the Rockville Innovation Center, a business incubator for health IT companies, in the document and thought it should be considered as one of the Town's assets. The RIC occupies two floors of the Vis Arts building on Gibbs Street and currently has about 20 growing businesses in it. I'd be happy to arrange a tour or provide additional information as needed that cannot fit into this comment box. Please contact me at kkalantzis@launchworkplaces.com. Thank you for your consideration! Regards, Karen

* indicates required fields.

④



DEPARTMENT OF GENERAL SERVICES

Marc Elrich
County Executive

David E. Dise
Director

April 26, 2019

Jim Wasilak, Chief of Planning
Community Planning and Development Services
111 Maryland Avenue
Rockville, Maryland 20850

Mr. Wasilak,

Thank you for the opportunity to review the Comprehensive Plan: Draft for the Planning Commission Public Hearing.

Figure 3, the Land Use Policy Map on page 20 illustrates impacts to County-owned properties, including 301 E Jefferson Street (Jury Lot), and the Council Office Building (COB) and parking garage at 100 Maryland Avenue. While it appears that much of the COB has been retained as a civic use, the map shows the Jury Lot as a public park, and the COB garage as Office Residential Retail Mix with a strip of Retail along Monroe Street.

DGS is currently renovating the COB and COB parking garage. These are major investments in the County's facility infrastructure, and it is extremely unlikely the County would contemplate any redevelopment of the COB block in the foreseeable future.

The Jury Lot at 301 E Jefferson is heavily utilized as jurors parking in downtown Rockville. Any redevelopment of the Jury Lot would necessitate replacement parking, and it is anticipated that the County would likely double the current number of spaces to serve future needs. If underground parking is contemplated as replacement for the surface lot for a future park, the cost to construct the replacement parking would be prohibitive and we do not believe this is a feasible concept.

The Land Use Policy Map is recommended for adoption as part of the Land Use element of the proposed plan (page 21). However, it is unclear how this map will be interpreted and how it will influence zoning. Given recent County investments and the unlikelihood of concepts discussed, we are requesting that Figure 3 and the associated Figure 4 on page 31 be removed from the draft.

Additionally, attached for your review are the Montgomery County Department of Transportation (MCDOT) and Montgomery County Fire and Rescue Services (MCFRS) offer technical comments.

Office of the Director

101 Monroe Street, 9th Floor • Rockville, Maryland 20850

www.montgomerycountymd.gov

We look forward to continued coordination as the Comprehensive Plan continues through the planning process. Please contact me directly if you have any questions.

Sincerely,



Greg Ossont
Deputy Director

(5)

Donin, Amy

From: Gutschick, Scott
Sent: Thursday, March 28, 2019 12:31 PM
To: Donin, Amy
Cc: Gutschick, Scott
Subject: RE: Rockville's Comprehensive Plan Update

Hello Amy,

Concerning page 116 of the draft plan:

- The narrative is factually correct for the most part with the following exceptions:
 - The MCFRS master plan (a.k.a., “Fire, Rescue, Emergency Medical Services and Community Risk Reduction Master Plan”) is not a “facilities” master plan, so that word should be deleted. Suggest that the City use the full/actual title of our master plan the first time it is mentioned.
 - The MCFRS master plan is updated every six (vs. five) years.
 - [Clarification] The MCFRS master plan did not specifically state that Station 3 is “inadequate” but it could be correctly inferred as such.
 - While Action 5.3 (i.e., relocation of Station 3 in or near the City) appears to be the City’s intention, the Rockville Volunteer Fire Department and MCFRS are considering renovation of the existing facility as well as the alternative of relocating the station nearby in a new facility. As available land of sufficient size and of strategic location is typically difficult to find for a fire station in an urban area, on-site renovation of Station 3 must be considered. [BTW, RVFD owns Station 3, but the County would likely fund some of the costs of this project.]
- Suggest that the City’s plan include a map showing the locations of Stations 3, 23, 32 and 33 serving the City. Alternatively, or in addition to the map, the plan could identify the street address of each of these four stations within the narrative to make clear to the reader where these stations are located.
- Suggest that the City’s plan might specify the County’s selected location of the future fire station in the White Flint area (i.e., intersection of Chapman Avenue & Montrose Parkway).

Concerning page 234:

- 2nd paragraph, 3rd sentence under “Impacts of Projected Growth,” the narrative should say “fire and emergency **medical services.**”
- Same comment for 3rd paragraph, 1st sentence under the “Policy 12” heading.

Thanks for the opportunity to provide comment. Hopefully my comments did not get too far into the weeds.

Scott A. Gutschick
 Manager, Planning and Accreditation Section
 Montgomery County Fire & Rescue Service

Public Safety Headquarters
 100 Edison Park Drive, Floor 2, Room E-09
 Gaithersburg, MD 20878

240-777-2417 (office)
 240-429-0154 (cell)

Donin, Amy

From: Buckley, Darcy B.
Sent: Friday, March 29, 2019 9:42 AM
To: Donin, Amy
Subject: RE: Rockville's Comprehensive Plan

Hi Amy,

Just a couple of comments from the BRT team:

- Page 73 - Policy 13 -
 - Ride On Extra is a "limited-stop" service not an express service as written.
 - CCT is the Corridor City Transitway (not Capital City Transitway as written)

Thanks!

Darcy Buckley
ph. (240) 777-7166
darcy.buckley@montgomerycountymd.gov

Cynthia Kebba

From: noreply@civicplus.com
Sent: Tuesday, April 30, 2019 7:56 PM
To: Comprehensive Plan
Subject: Online Form Submittal: Rockville 2040 Public Testimony

If you are having problems viewing this HTML email, click to view a [Text version](#).

Rockville 2040 Public Testimony

The Planning Commission needs your input!

You may provide testimony to the Planning Commission on the draft Rockville Comprehensive Plan through this online form, in addition to any email or physical mail testimony you submit directly to the Planning Commission. Submitting written testimony does not limit your right to also provide oral testimony during the Planning Commission's public hearing, held over three days on May 15, May 22, and June 4, 2019.

All submitted testimony is considered an item of public record and will be included in the Planning Commission testimony report for the draft Comprehensive Plan.

Which Plan element(s) is your testimony about?

- Land Use and Urban Design
- Transportation
- Recreation and Parks
- Community Facilities
- Environment
- Water Resources
- Economic Development
- Housing
- Historic Preservation
- Municipal Growth
- Other

Name (required):*

Mary Grace Sabol

Address of Residence (recommended):

210 Blandford Street

Email Address (recommended):

marygracesabol@yahoo.com

By including your Address of Residence or Business and/or Email Address, you are expressing your willingness for staff to contact you for clarification or for legal notifications related to the Comprehensive Plan. Staff will not use your address or email for any other advertisement or notification lists.

Please type your testimony in the field below:*

We love a game called soccer darts! Let's have it available for pop-up play at events/festivals. We could use more fenced space for dog runs off leash. We would like the piece of Elwood Smith Park that borders Fleet Street to be better maintained ongoing. Lots of non-native vines have taken over, and there are layers of trash mixed in the under story. There are two really cool looking, vintage poolside chairs by Cabin John Creek, if anyone wants to get them. Honestly, we think that if it could be agreed upon with the Casey Foundation, it would be nice to connect the dead end of Blandford Street with Fleet Street by building a woods-friendly ramp that people could use instead of trespassing behind the office building at Fleet and Monroe. Water drainage could use a redesign on the steps descending from Metro pedestrian bridge down to Monroe Street. We love our Rec and Parks City of Rockville staff! Re: Transportation Crosswalk signal at Fleet and Monroe is somewhat dangerous for pedestrians. Cars speed and turn without checking crosswalk. Maybe some traffic-calming measures (even temporary around school start dates) would help. General comment: I'd like to see us have some kind of architectural or sculptural element on 355 that lets people know they are entering Rockville. I don't like how we just bleed together with towns north and south of us. Maybe recreate the milestones from the days when people were driving herds to and from Georgetown would be a nice historical touch. We love our Planning and Development staff!

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://rockvillemd.gov/Admin/FormHistory.aspx?SID=7>

The following form was submitted via your website: Rockville 2040 Public Testimony

Rockville 2040 image:

Which Plan element(s) is your testimony about?: Transportation, Recreation and Parks

Name (required):: Mary Grace Sabol

Address of Residence (recommended):: [REDACTED]

Email Address (recommended):: marygracesabol@yahoo.com

Please type your testimony in the field below:: We love a game called soccer darts! Let's have it available for pop-up play at events/festivals.

We could use more fenced space for dog runs off leash.

We would like the piece of Elwood Smith Park that borders Fleet Street to be better maintained ongoing. Lots of non-native vines have taken over, and there are layers of trash mixed in the under story. There are two really cool looking, vintage poolside chairs by Cabin John Creek, if anyone wants to get them.

Honestly, we think that if it could be agreed upon with the Casey Foundation, it would be nice to connect the dead end of Blandford Street with Fleet Street by building a woods-friendly ramp that people could use instead of trespassing behind the office building at Fleet and Monroe.

Water drainage could use a redesign on the steps descending from Metro pedestrian bridge down to Monroe Street.

We love our Rec and Parks City of Rockville staff!

Re: Transportation

Crosswalk signal at Fleet and Monroe is somewhat dangerous for pedestrians. Cars speed and turn without checking crosswalk. Maybe some traffic-calming measures (even temporary around school start dates) would help.

General comment:

I'd like to see us have some kind of architectural or sculptural element on 355 that lets people know they are entering Rockville. I don't like how we just bleed together with towns north and south of us.

Maybe recreate the milestones from the days when people were driving herds to and from Georgetown would be a nice historical touch.

We love our Planning and Development staff!

Additional Information:

Form submitted on: 4/30/2019 7:55:35 PM

Submitted from IP Address: 207.188.221.134

Referrer Page: No Referrer - Direct Link

Form Address: <http://rockvillemd.gov/Forms.aspx?FID=64>

Cynthia Kebba

From: noreply@civicplus.com
Sent: Tuesday, April 30, 2019 7:30 PM
To: Comprehensive Plan
Subject: Online Form Submittal: Rockville 2040 Public Testimony

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Rockville 2040 Public Testimony

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All submitted testimony is considered an item of public record and will be included in the Planning Commission testimony report for the draft Comprehensive Plan.

Which Plan element(s) is your testimony about?

- | | |
|--|--|
| <input type="checkbox"/> Land Use and Urban Design | <input type="checkbox"/> Economic Development |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Housing |
| <input checked="" type="checkbox"/> Recreation and Parks | <input type="checkbox"/> Historic Preservation |
| <input type="checkbox"/> Community Facilities | <input type="checkbox"/> Municipal Growth |
| <input type="checkbox"/> Environment | <input type="checkbox"/> Other |
| <input type="checkbox"/> Water Resources | |

Name (required):*

Jonathan

Address of Residence (recommended):

Email Address (recommended):

By including your Address of Residence or Business and/or Email Address, you are expressing your willingness for staff to contact you for clarification or for legal notifications related to the Comprehensive Plan. Staff will not use your address or email for any other advertisement or notification lists.

Please type your testimony in the field below:*

Suggestion of adding temporary activities such as large playing chess pieces, checkers, horseshoe, etc on the Rockville Town Center synthetic grass to allow people passing through to stay longer, and provide more activities for people.

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:

<http://rockvillemd.gov/Admin/FormHistory.aspx?SID=6>

The following form was submitted via your website: Rockville 2040 Public Testimony

Rockville 2040 image:

Which Plan element(s) is your testimony about?: Recreation and Parks

Name (required):: Jonathan

Address of Residence (recommended)::

Email Address (recommended)::

Please type your testimony in the field below:: Suggestion of adding temporary activities such as large playing chess pieces, checkers, horseshoe, etc on the Rockville Town Center synthetic grass to allow people passing through to stay longer, and provide more activities for people.

Additional Information:

Form submitted on: 4/30/2019 7:29:33 PM

Submitted from IP Address: 207.188.221.134

Referrer Page: No Referrer - Direct Link

Form Address: <http://rockvillemd.gov/Forms.aspx?FID=64>

Cynthia Kebba

From: noreply@civicplus.com
Sent: Tuesday, April 30, 2019 7:28 PM
To: Comprehensive Plan
Subject: Online Form Submittal: Rockville 2040 Public Testimony

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Rockville 2040 Public Testimony

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All submitted testimony is considered an item of public record and will be included in the Planning Commission testimony report for the draft Comprehensive Plan.

Which Plan element(s) is your testimony about?

- | | |
|--|--|
| <input type="checkbox"/> Land Use and Urban Design | <input type="checkbox"/> Economic Development |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Housing |
| <input checked="" type="checkbox"/> Recreation and Parks | <input type="checkbox"/> Historic Preservation |
| <input type="checkbox"/> Community Facilities | <input type="checkbox"/> Municipal Growth |
| <input type="checkbox"/> Environment | <input type="checkbox"/> Other |
| <input type="checkbox"/> Water Resources | |

Name (required):*

Isaac Fulton

Address of Residence (recommended):

503 Bradford drive

Email Address (recommended):

emfulton@yahoo.com

By including your Address of Residence or Business and/or Email Address, you are expressing your willingness for staff to contact you for clarification or for legal notifications related to the Comprehensive Plan. Staff will not use your address or email for any other advertisement or notification lists.

Please type your testimony in the field below:*

I think that the City of Rockville sports should have year round basketball.

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:

<http://www.rockvillemd.gov/Admin/FormHistory.aspx?SID=5>

The following form was submitted via your website: Rockville 2040 Public Testimony

Rockville 2040 image:

Which Plan element(s) is your testimony about?: Recreation and Parks

Name (required):: Isaac Fulton

Address of Residence (recommended):: [REDACTED]

Email Address (recommended):: emfulton@yahoo.com

Please type your testimony in the field below:: I think that the City of Rockville sports should have year round basketball.

Additional Information:

Form submitted on: 4/30/2019 7:28:24 PM

Submitted from IP Address: 207.188.221.134

Referrer Page: <http://www.rockvillemd.gov/203/Rockville-2040-Comprehensive-Plan-Update>

Form Address: <http://www.rockvillemd.gov/Forms.aspx?FID=64>

From: Twinbrook Citizens Association President <twinbrook.president@gmail.com>
Sent: Tuesday, April 23, 2019 8:13 PM
To: planningcommission@rockvillemd.gov
Cc: David Levy <dlevy@rockvillemd.gov>; Andrea Gilles <agilles@rockvillemd.gov>
Subject: 2040 Plan Comments

Greetings,

We at the Twinbrook Community Association understand from communications with City staff that “awhile back some of the land use categories in the 2040 Plan were refined to be more precise and/or due to comments received during the plan development process. Although the updated definition of RA, Residential Attached, does not explicitly say detached, detached residential is not excluded as an option within that land use category. RA would still be inclusive of detached.”

As this wording directly impacts the Twinbrook community that lives near the Metro, we ask that the statement of “RA would still be inclusive of detached” be included in definitions of land use categories in the final plan document.

1

Thank you,

Marissa

Marissa Valeri
President
Twinbrook Community Association
cell: 301.906.6550

Cynthia Kebba

From: noreply@civicplus.com
Sent: Saturday, May 11, 2019 11:36 AM
To: Comprehensive Plan
Subject: Online Form Submittal: Rockville 2040 Public Testimony

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Rockville 2040 Public Testimony

The Planning Commission needs your input!

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All submitted testimony is considered an item of public record and will be included in the Planning Commission testimony report for the draft Comprehensive Plan.

Which Plan element(s) is your testimony about?

- [X] Land Use and Urban Design
[] Transportation
[] Recreation and Parks
[] Community Facilities
[] Environment
[] Water Resources
[] Economic Development
[] Housing
[] Historic Preservation
[] Municipal Growth
[] Other

Name (required):*

Drew Napolitano

Address of Residence (recommended):

12701 Atlantic Avenue

Email Address (recommended):

drewmichaeln@gmail.com

By including your Address of Residence or Business and/or Email Address, you are expressing your willingness for staff to contact you for clarification or for legal notifications related to the Comprehensive Plan.

Please type your testimony in the field below:*

(1) I believe that the city needs more density around the town center. There are not enough people to sustain a grocery store or local retail. Can you make the zoning for higher d/buildings. (2) The city could use a large park with ample parking to attract people to Rockville from surrounding communities.

* indicates required fields.

View any uploaded files by signing in and then proceeding to the link below:

http://rockvillemd.gov/Admin/FormHistory.aspx?SID=8

The following form was submitted via your website: Rockville 2040 Public Testimony

Rockville 2040 image:

Which Plan element(s) is your testimony about?: Land Use and Urban Design

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

Name (required):: Drew Napolitano

Address of Residence (recommended):: [REDACTED]

Email Address (recommended):: drewmichaeln@gmail.com

Please type your testimony in the field below:: (1) I believe that the city needs more density around the town center. There are not enough people to sustain a grocery store or local retail. Can you make the zoning for higher d/buildings.

(2) The city could use a large park with ample parking to attract people to Rockville from surrounding communities.

Additional Information:

Form submitted on: 5/11/2019 11:36:04 AM

Submitted from IP Address: 208.58.82.70

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Form Address: <http://rockvillemd.gov/Forms.aspx?FID=64>



MARYLAND DEPARTMENT OF



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor

Robert S. McCord, Secretary
Sandy Schrader, Deputy Secretary

May 14, 2019

Ms. Gail Sherman, Chair
City of Rockville Planning Commission
c/o Long Range Planning, CPDS
111 Maryland Avenue
Rockville, MD 20850

Dear Ms. Sherman,

Thank you for forwarding the draft 2040 City of Rockville Comprehensive Master Plan Update. We appreciate your participation in the plan review process.

The Maryland Department of Planning (Planning) feels that good planning is important for efficient and responsible development that adequately addresses resource protection, adequate public facilities, community character, and economic development. Keep in mind that Planning's attached review comments reflect the agency's thoughts on ways to strengthen the City's plan update as well as satisfy the requirements of the State Land Use Article.

The Department forwarded a copy of the 2040 City of Rockville Comprehensive Master Plan Update to State agencies for review including, the Maryland Historic Trust and the Departments of Transportation, Environment, Natural Resources, Commerce, Housing and Community Development, and Agriculture. To date, we have received comments from the Maryland Historic Trust and the Departments of Housing and Community Development, Commerce, and Environment; these comments have been included with this letter. Any plan review comments received after the date of this letter will be forwarded upon receipt.

Planning respectfully requests that this letter and accompanying review comments be made part of the City's public hearing record. Furthermore, Planning also asks that the City consider our comments as revisions are made to the draft Plan amendment, and to any future plans, ordinances, and policy documents that are developed.

Please feel free to contact me at (410) 767-1401 or Joseph Griffiths, Local Assistance & Training Manager, at (410) 767-4553.

Sincerely,

Charles Boyd, AICP
Director, Planning Coordination

Cc: Ricky Barber, Director of Community Planning and Development Services, City of Rockville
David Levy, Chief of Long Range Planning, City of Rockville
Pat Keller, Assistant Secretary for Planning Services
Joseph Griffiths, Local Assistance and Training Manager

Maryland Department of Planning • 301 West Preston Street, Suite 1101 • Baltimore • Maryland • 21201

Tel: 410.767.4500 • Toll Free: 1.877.767.6272 • TTY users: Maryland Relay • Planning.Maryland.gov



Maryland Department of Planning Review Comments
May 14, 2019
2040 City of Rockville Comprehensive Master Plan Update

The Maryland Department of Planning (Planning) has reviewed the draft 2040 City of Rockville Comprehensive Master Plan Update (Update) and offers the following comments for your consideration. These comments are offered as suggestions to improve the draft Update and better address the statutory requirements of the Land Use Article. Other state agencies, as noted, have contributed comments. Still others may have comments submitted under separate cover. If comments from other agencies are subsequently received by Planning, they will be forwarded to the city in a timely manner.

Summary of Draft Comprehensive Master Plan Update:

This is a complete update to the 2002 City of Rockville Comprehensive Master Plan. This draft Update addresses the major planning issues facing the existing corporate boundaries of the city and details out the growth challenges and opportunities for the city's identified maximum extension limit (MEL) areas.

The organizational structure of the Update is similar to the 2002 Master Plan, with the exception of a few chapters, such as the issues raised in the "Urban Growth," "Community Appearance and Design," and "Residential Neighborhood Planning Areas," have been moved into the "Municipal Growth" and the "Land Use and Urban Design" chapters. It should be noted the draft Update does not appear to provide for a logical placement or discussion of neighborhood planning areas or the adopted neighborhood plans, which were a large part of chapters 11 and 12 of the 2002 Master Plan.

Even though the City of Rockville has not completed a full update of its comprehensive plan in 17 years, the city has routinely evaluated and updated its master plan over the years. The most recent plan amendment, the North Stonestreet Avenue Neighborhood, was completed in 2018. Before that, the city adopted the 2017 Bikeway Master Plan and the 2016 Rockville Pike Neighborhood Plan, all of which have been incorporated in some fashion into this draft Update. The draft 2040 Plan also incorporates updates of the adopted 2010 Municipal Growth Element and the 2010 Water Resources Element, which were mandated by the Maryland General Assembly in 2006 under HB 1141. The Updated Master Plan additionally includes an updated Growth Tier Map, which was required under the Sustainable Growth & Agricultural Preservation Act of 2012.

Minimum State Law Requirements for Non-Charter Counties/Municipalities

Maryland's Land Use Article sets forth the required components of a local comprehensive plan but does not mandate a specific format. As such, local governments have addressed these required elements in a manner that fits the needs of their community and the resources available to respond to the issues explored during the planning process. The following checklist (Table 1) summarizes an assessment as to whether each required local plan element is addressed in the draft 2040 City of Rockville Comprehensive Master Plan Update.

Draft 2040 City of Rockville Comprehensive Plan Update
Maryland Department of Planning Comments

TABLE 1

Checklist of Maryland Code (Land Use Article) requirements for local comprehensive plans in Maryland			
State Comprehensive Plan Requirements	MD Code Reference	Additional MD Code Reference	Draft 2040 City of Rockville Comprehensive Master Plan Update Plan Page references
(1) A comprehensive plan for a non-charter county or municipality MUST include:	<u>L.U. § 3-102(a)</u>		
(a) a community facilities element	<u>L.U. § 3-102(a)(1)(i)</u>	<u>L.U. § 3-108 -- Community facilities element.</u>	Pgs. 111-121
(b) an area of critical State concern element	<u>L.U. § 3-102(a)(1)(ii)</u>	<u>L.U. § 3-109 -- Areas of critical State concern element</u>	N/A
(c) a goals and objectives element	<u>L.U. § 3-102(a)(1)(iii)</u>	<u>L.U. § 3-110 -- Goals and objectives element</u>	Throughout the Plan, starting on Page 18.
(d) a land use element	<u>L.U. § 3-102(a)(1)(iv)</u>	<u>L.U. § 3-111 -- Land use element</u>	Pgs. 15-53
(e) a development regulations element	<u>L.U. § 3-102(a)(1)(v)</u>	<u>L.U. § 3-103 -- Development regulations element</u>	Throughout the Plan, starting on Page 22
(f) a sensitive areas element	<u>L.U. § 3-102(a)(1)(vi)</u>	<u>L.U. § 3-104 -- Sensitive areas element</u>	Pgs. 123-143
(g) a transportation element	<u>L.U. § 3-102(a)(1)(vii)</u>	<u>L.U. § 3-105 -- Transportation element</u>	Pgs. 55-87
(h) a water resources element	<u>L.U. § 3-102(a)(1)(viii)</u>	<u>L.U. § 3-106 -- Water resources element</u>	Pgs. 145-171
(i) a mineral resources element, IF current geological information is available	<u>L.U. § 3-102(a)(2)</u>	<u>L.U. § 3-107 -- Mineral resources element</u>	N/A
(j) for municipalities only, a municipal growth element	<u>L.U. § 3-102(a)(3)</u>	<u>L.U. § 3-112 -- Municipal growth element</u>	Pgs. 221-235
(k) for counties only if located on tidal waters, a fisheries element	<u>L.U. § 3-102(a)(4)</u>	<u>L.U. § 3-113 -- Fisheries element</u>	N/A
Optional: (2) A comprehensive plan for a non-charter county or municipality MAY include: (a) a community renewal element; (b) a conservation element; (c) a flood control element (d) a housing element; (e) a natural resources element; (f) a pollution control element; (g) information concerning the general location and extent of public utilities; and (h) a priority preservation area (PPA) element	<u>L.U. § 3-102(b)</u>	<u>L.U. § 3-102(b)(2)(i)</u>	Recreation & Parks - Pgs. 89-109; Econ. Dev - Pgs. 173-203 Housing - Pgs. 187-203 Historic Preservation- Pgs. 205-219
(3) Visions -- A local jurisdiction SHALL through the comprehensive plan implement the 12 planning visions established in L.U. § 1-201	<u>L.U. § 3-201(c)</u>	<u>L.U. § 1-201 -- The 12 Planning Visions</u>	Pg. 7, plus vision statement at the beginning of each chapter
Optional: (4) Growth Tiers -- If the local jurisdictions has adopted growth tiers in accordance with L.U. § 1-502, the growth tiers must be incorporated into the jurisdiction's comprehensive plan	<u>L.U. § 1-509</u>		Pg. 159

As shown in the above checklist, the draft 2040 City of Rockville Comprehensive Master Plan Update includes the required elements as identified in §3-102 of the Land Use Article of the Maryland Annotated Code. The Mineral Resources and Fisheries Elements are not applicable to Rockville's land uses and community needs. It should be acknowledged the "area of critical State concern element" is a statutory comprehensive plan requirement that is being addressed as part of the Planning's revision of the State Development Plan: *A Better Maryland*. Currently, Planning does not have specific guidance to local jurisdictions on what should be considered "areas of critical state concern." However, with *A Better Maryland*, Planning will develop guidance on how state agencies can assist local governments on those

Draft 2040 City of Rockville Comprehensive Plan Update
Maryland Department of Planning Comments

areas of critical state concern applicable to or of interest in their community. If you have not reviewed the draft *A Better Maryland* document, please visit the [A Better Maryland website](#) and review the document. We are accepting comments on the draft State Development Plan until May 17.

General Comments

The following is a series of general plan comments the City of Rockville Planning Commission may want to consider addressing:

- The draft 2040 City of Rockville Comprehensive Master Plan Update is well organized using a traditional element/topical approach. This makes it easy for the reader to focus attention on specific policies and action statements that are intended to address the desired vision. From this perspective, the draft Update also enables city planning staff, planning commissioners and elected official to logically work through a list of actionable items related to the topic.

However, using this approach, there is no sense of priority about which action items need to be addressed first, or if there is a relationship between actions in one chapter with those in another. Consider adding an implementation chapter that provides direction on which actions should occur first. The city may want to include a time estimate of when the action would be started, which could help frame public expectations.

- Vision statements for each chapter present an informative perspective of the city's future. It would be interesting to see all of these together as part of an Executive Summary of the comprehensive plan.
- The City of Rockville has a long history of conducting neighborhood plans to supplement the city's comprehensive master plan. The Introductory Chapter provides a declarative statement on page 2 on the status of the draft Update relative to other neighborhood plans,

“This document is the Comprehensive Plan for the City of Rockville. It supersedes the last overall plan, which was the 2002 Comprehensive Master Plan. It incorporates some previously approved neighborhood plans and supersedes others, as detailed in the Planning Areas section of the plan.”

But, it is unclear which portions of the approved neighborhood plans are incorporated and what parts are superseded. With the adoption of the Update, will all adopted neighborhood plans be repealed and no longer be used as reference in decision-making, or will parts of the neighborhood plans serve as a policy guide?

Additionally, it is unclear where the “Planning Areas” section of the draft Update is located as referenced on page 2. There appears to be no titled “Planning Areas” section in the draft plan. It should be noted that the third paragraph on page 3 (immediately above the Purpose Section) and the adjacent text box provide some of the needed organizational structure of the plan, defining the relationship of the neighborhood plans with the Comprehensive Master Plan. Furthermore, the draft Update has three references to a "Planning Areas" section of the document, but it is unclear where that section is. It is assumed the Planning Area section starts on page 21, but it is not apparent.

The structure of the plan and its relationship to the neighborhood plans and the planning areas could benefit from a section that provides more details on the relationship of the neighborhood

Draft 2040 City of Rockville Comprehensive Plan Update Maryland Department of Planning Comments

plans to the Master Plan, and describes how subsequent neighborhood plan updates would be incorporated into the master plan. Will the neighborhood plans be considered separate studies and not be incorporated into the adopted Master Plan? For example, on page 95 in the Recreation and Parks Chapter, there is a reference to the "Rockville Pike Neighborhood Plan" as part of the comprehensive plan. However, the relationship of the Master Plan with the associated neighborhood plan is not as clear as it could be, and it is recommended more details on relationship between the neighborhood plans and master plan be added to the draft Update.

- The "Summary of Community Input" included in each of the chapters sends a strong message to the citizens of Rockville that their public participation in the planning process is heard and makes a difference.

Detailed Element Review Comments

The following is a series of detailed comments on each chapter of the draft 2040 City of Rockville Comprehensive Master Plan Update that the City of Rockville Planning Commission may want to consider addressing:

Introduction Chapter

- Second paragraph under the Purpose Section (page 3), it is recommended the statutory reference should be changed to "Title 1 of the Land Use Article, Code of Maryland," in the sentence "The power to regulate land use is granted by the state in exchange for compliance with Chapter 426 of the Code of Maryland (known as the "Land Use Article"), which governs land use matters in municipalities."
- See page 10, table *City of Rockville Population, Household, and Employment Growth Projections*. Please verify the population projection for 2020. The figure does not seem to match what is reported in MWCOG Round 9.1: 72,200. The draft Update shows a projection of 72,300.
- See page 12, first paragraph, under sub-section *Income, Education, and Poverty*. Please verify the median household income values shown for the U.S. and Maryland. The 2013-2017 ACS 5-year estimate for the U.S. (Table B19013) is \$57,652 not the \$60,336 as shown in the draft Update. For Maryland, according to ACS, it is \$78,916 not the \$80,776 shown in draft Update.
- See page 13. Please correct the source shown for the two Tables. There seems to be a typographical error: instead of 2013-2017 ACS 5-year estimate, 2011-2015 is shown.
- Planning's demographic analysis staff note a curiosity of why more recent data, from 2011 to 2017, were not included in the demographics section especially when describing population, race/ethnicity, and age characteristics. If you are interested in receiving technical assistance in this area, please contact your Regional Planning to coordinate assistance.

Land Use Chapter

- Page 18: Please note that Figure 3 – Land Use Policy Map is on page 20 and not on page 14 as the draft Update noted.
- Page 19: The city may want to add "condominium" along with "apartment" buildings to describe multiple dwelling unit in RM, RF, RRM, ORRM, and RO. Only including "apartment buildings" may mislead readers to think only rental multiple unit buildings are allowed.

Draft 2040 City of Rockville Comprehensive Plan Update
Maryland Department of Planning Comments

- The City of Rockville’s policy on page 22 – “Policy 2: Maintain large areas of Residential Detached land use, while allowing one additional accessory apartment or accessory dwelling unit per lot” is a truly noteworthy policy and the city is to be commended on its efforts to provide for more affordable housing options within existing established residential communities by recommending the inclusion of accessory dwelling units on a single-family detached lot.
- Upon completion of Actions 3.1 and 3.2 on page 24, Planning would welcome the opportunity to share the best practices learned by the city with other communities in Maryland. As part of Action 3.2 regulatory revisions, the city may want to consider evaluating the city’s development review and approval process, as this is often the largest impediment in getting affordable housing projects built. The city may want to consider by right or administrative approval based on compliance with development standards to avoid the neighborhood opposition to infill, higher density development.
- Page 24: the draft Update in the last paragraph states, “Mapping of the higher density zone would be limited to areas designated for Residential Multiple Unit (RM) use on the Land Use Policy Map.” Based on the draft plan, other land use categories, such as RF, RRM, ORRM, and RO, also allow residential multiple units. It is not clear if the city would consider including RF, RRM, ORRM, and RO zoned areas in the new high-density residential zone mapping effort. The city may want to clarify this issue.
- The city is commended for recognizing the ongoing challenge of regulating short-term rentals, like AirBNB (Page 27). Planning would welcome the opportunity to work with the city and other communities in Maryland to study various approaches to regulating short-term rentals.
- Planning supports the city’s commitment to promoting transit-oriented development (TOD) in Rockville Town Center to maximize ridership and investment in the Rockville station – Policy #8 on page 30. Planning has developed TOD planning tools, such as our [Transit Station Area Profile Tool](#), that the city may want to investigate in helping promote economic development around the Rockville Station.
- The city is to be commended for its efforts to combat the historic separation of residential and nonresidential use, by promoting walkable community nodes where retail uses support the adjacent residential areas (page 39).
- “Policy 24- Establish a floating zone specifically written to correspond with areas planned for Residential Attached on the Land Use Policy Map” on page 51 is another great example of trying to incrementally increase infill development in the city. The city is to be commended for this strategic effort to promote infill develop, yet retain the character of city’s neighborhoods.
- Planning’s Geospatial Data and Analysis Unit (GDA) noted the “Land Use and Urban Design” chapter establishes a strategy to accommodate shifting demographics and economic trends as discussed on pages 9-13. Goals and needs discussed in the Land Use chapter are supported by the Land Use Policy map and a comprehensive set of recommendations, including zoning code updates and flexible development regulations.
- Planning’s GDA thanks Rockville’s recognition of integrated land use and transportation planning which empathizes Transit Oriented Development and encourages walking, biking and transit.

Draft 2040 City of Rockville Comprehensive Plan Update
Maryland Department of Planning Comments

- Planning's GDA appreciates Rockville's use of similar colors to show similar land uses on the Existing Land Use Map and the Land Use Policy Map (Figures 2 and 3), which facilitates comparison. However, the text reference to the Land Use Policy Map (page 18) should be page 20, not page 14.

Transportation Chapter

- Planning is pleased to see the city include visions, policies, and implementation actions in the draft Update to address multimodal transportation and proactively promote transit, walking, biking and other alternative transportation. These policies and actions may serve as best planning practices for other jurisdictions in Maryland. Planning wants to remain engaged with the city's Planning Department to monitor the success of the city's implementation efforts in hopes of sharing your lessons learned with others.
- Planning is also pleased that the city actively integrates transportation and land use planning to improve community walkability at strategic locations and support compact and mixed-use development, including transit supportive development in the Rockville and Twinbrook Metro Station areas and along the planned MD 355 and MD 586 Bus Rapid Transit corridors. Improving community walkability and transit-friendly land use make alternative transportation (e.g., transit) viable and investment more cost-effective.
- As a pioneer jurisdiction considering transit, bicycle and other alternative transportation in the adequate public facilities ordinance (APFO) review process, the city proposes to enhance the transportation APFO or the comprehensive transportation review regulation and procedure (page 66) to further address multimodal transportation needs for development projects in designated growth areas, particularly in TOD and other mixed-use compact development areas. Planning appreciates this city effort and believes it would provide a best practice for other jurisdictions considering reforming their APFOs to address multimodal transportation and encourage smart growth.
- Page 61_Policy 3: Currently, the Maryland State Highway Administration (SHA) is conducting the I-495 & I-270 Managed Lanes Study, which would incorporate transit and transportation demand management (TDM) components to address the multimodal aspect of the project. Planning encourages the city to work with SHA to explore transit and TDM strategies that the SHA's project can address to help achieve the city's transportation goals.
- Planning recommends the city reconsider the value of strategically studying neighborhood connections to improve accessibility by its residents, even though it may facilitate some cut through traffic (pages 61-63). Most of that cut through traffic will be from surrounding neighborhood residents, and this approach reduces the congestion on major roads and indirectly helps to make roads friendlier to pedestrians and bicyclists.
- Page 64-65: Planning staff suggests the draft Update include language regarding pedestrian and bicycle access consideration in Policy 7 and Policy 8 and the associated actions on page 65.
- Page 84-85_Policy 19: We are glad to note that the city addresses new and emerging transportation technologies and practices in the draft plan. Although there are many uncertainties regarding the effects of autonomous vehicles and how local governments can prepare for such new technologies, setting forth certain policy guidance may help the city to reduce potential adverse land use and environmental effects of autonomous vehicles. Perhaps, the city may want

Draft 2040 City of Rockville Comprehensive Plan Update
Maryland Department of Planning Comments

to include an action to explore policy guidance on accommodating and encouraging shared and electric autonomous vehicles in coordination with the state.

- Page 86-87: As examples, Frederick City, the first jurisdiction in the State, developed and adopted “Plug-In Electric Vehicle (EV) Charging Infrastructure Implementation Plan” to help guide Frederick City’s efforts in accommodating electric vehicles. Similarly, Howard County passed CB76-2018 requiring EV charging infrastructure at certain new residential construction projects.
- Planning appreciates that the city calls for providing incentives and relaxing parking requirements to encourage affordable housing near transit. The two metro stations and two planned Bus Rapid Transit lines through the city provide the city with a substantial opportunity to address the growing need for affordable and mixed-income housing near transit for low- to moderate-income residents and seniors as the aging cohort becomes bigger in the city. Increasing land values and housing costs, on the other hand, make building affordable and mixed-income housing a challenge in the city, especially in areas near metro stations. Affordable/mixed-income housing near transit provides various social-economic, transportation, and environmental benefits, but it requires diverse strategies and involvement with multiple stakeholders. Planning encourages the city to develop a plan to provide a comprehensive approach to guide the affordable and mixed-income housing development effort. Some strategies that other jurisdictions have used include providing density bonuses, incentive tax policies, leveraging state and federal housing finance programs (such as Maryland’s Multifamily Bond Program), ensuring long-term affordable units, supporting land banking, and prioritizing affordable housing subsidy near transit.

Recreation and Parks Chapter

- Planning notes that the city has incorporated recreation and parks policies throughout the draft Update. For example,
 - Introduction
 - Two of the fourteen plan Principles listed in the Introduction pertain to parks, recreation, and resource conservation: “Provide accessible parks, open spaces and community centers” and “Enhance its natural environment and sensitive environmental areas.”
 - Land Use and Urban Design Element
 - Land Use Policy 25 (page 52) deals with three golf courses, the largest remaining open spaces in the city, with almost 800 acres in total. However, the policy emphasis tilts toward development of these sites rather than conservation/recreation.
- The goals and policies are good; in addition to more park land and good maintenance, they deal with accessibility, trail connections, resource conservation, innovative funding, programming to serve citizens with different requirements, etc. However, Planning suggests the Parks and Recreation Element could include a couple of sentences, in general terms, about the potential park and recreation values of the golf courses if they change use or ownership in the future.
- The vision is displayed prominently at the start of the chapter: *Vision: Rockville will continue to have a vibrant, beautiful, and easily-accessible park system with a wide variety of recreation facilities and programs, as this system is critical to supporting the health and well-being of the people of Rockville and its natural environment. Parks and recreation facilities will meet the needs and desires of Rockville’s diverse users* (page 89).
- It appears that Rockville’s park and recreation needs are NOT covered by the Maryland-National Capital Park and Planning Commission; Rockville publishes its own Parks, Recreation and Open

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Space Plan (PROS). The current plan, adopted in September 2009, “is a long-range policy document that sets overall direction in terms of goals and objectives for parks and recreation in the City of Rockville for the next 20 years (2009 Rockville PROS plan, page ES-1). Does the city intend to keep the PROS plan in effect for another decade or begin a revision sooner? Perhaps the Parks and Recreation Element of the draft Update could include some details on the relationship of the 2009 Rockville PROS plan with the Master Plan.

Community Facilities Chapter

- No comments

Environment Chapter

- The City of Rockville draft comprehensive plan includes excellent information, policies and action items regarding climate change adaptation.
- Policy 5 within the city’s Environment Element, “Assess risks and vulnerabilities in Rockville of climate change and identify actions to mitigate localized impacts”, and the seven actions to implement this policy (pp. 130-131) should be very helpful for the city in preparing for climate change impacts.
- To build upon the city’s discussion of climate change adaptation, the city might want to add an action under Policy 5 for the city to work with the county health department and the county office of emergency management to identify, develop and obtain funding for projects and programs that would reduce current and future climate change impacts to the city’s vulnerable natural resources, infrastructure, buildings and populations. This could include identifying projects for inclusion in the next Montgomery County hazard mitigation plan update.
 - It should be noted the city does include actions within the city’s Water Resources Element (WRE) to prepare for climate change impacts to the city’s water supply (p. 151) and water treatment facility (p. 155), as well as a separate policy (and multiple actions) to prepare for climate change impacts to the city’s stormwater system (pp. 169-170).

Water Resources Chapter

- The city’s Water Resources Element (WRE) includes a water and sewer demand forecast for both residential and non-residential needs through 2040 (p. 147) and compares this to the availability of water supply, water treatment capacity, and sewer treatment capacity (in this case, the sewer capacity allocation provided by the Washington Suburban Sanitary Commission). However, as noted in comments below, closer coordination with the Montgomery County Water Supply and Sewerage Systems Plan appears warranted.
- Since the acronym “WSSD” is used several times, the first time it is used it should be referenced on page 147 - “WSSC’s service area, known as the Washington Suburban Sanitary District (WSSD), is set by the state.”
- The draft Update proposes an amended Growth Tier map (Figure 25) (page 150), which reflects the plan’s expanded municipal Maximum Expansion Limit (MEL). Once the comprehensive plan is adopted the City’s Planning Department should submit the adopted Growth Tier map to Planning so a formal review of the Growth Tier map under Section 1-505 of the Land Use Article.

Draft 2040 City of Rockville Comprehensive Plan Update
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- As provided for under Section 1-503 of the Land Use Article, Planning GDA staff has the following pre-adoption technical feedback and observations (please contact us if you need more details):
 - In the current Growth Tier Map adopted December 24, 2012, the Tier IIA definition includes only planned service areas that are not yet included in the city or county sewer plans. Based on Planning's GIS data, the proposed Tier IIA areas in Figure 25 also include areas planned for service in the county sewer plan. Planning generally recommends a Tier II designation for areas with county-planned sewer service and a Tier IIA designation for planned service areas that are not yet in the county water/sewer plan.
 - Page 159 identifies Tier IIA areas as properties within the MEL that would receive sewer service if annexed. However, some of the Tier IIA properties are already within city limits. Planning suggests that Rockville review these Tier IIA properties for potential inclusion in Tier II.
 - The MEL now contains Tier III within portions of the Glen Hills area, which is also designated as Tier III by Montgomery County. Planning generally recommends that Page 159 include a definition for Tier III as it does for Tiers I and IIA. According to page 231, portions of Glen Hills have potentially problematic septic systems and may be considered for future sewer service under certain conditions. Keep in mind that the state law (Section 1-506 of the Land Use Article) does not provide for Tier III designations in municipal tier maps. Planning generally recommends that municipal tier maps not include Tier III areas. The City may want to consider identifying this areas as Tier IIA, if it anticipates this area will be annexed and eventually be served by public sewer.
 - A portion of the proposed Tier IIA area along the southern edge of the existing municipal boundary near Scott Drive conflicts with areas designated as Tier III in Montgomery County's tier map. Planning generally recommends that the Town collaborate with the county to ensure that the county's adopted tier map reflects the Town's tier map designations. See Section 9-206(i) of the Environment Article for the method for resolving conflicting tier designations.
 - The MEL now contains additional overlap with Gaithersburg's MEL between Shady Grove Road and I-370. Rockville's proposed map appears consistent with Gaithersburg's map in this area. The towns are encouraged to continue collaborating on future Tier Map and MEL updates, perhaps as part of the proposed working arrangement with the City of Gaithersburg and Montgomery County regarding logical annexations (page 225).
- The table on page 152 has an error: the 2040 net increase for the City of Rockville portion of water should be 1.151 not 1.51, and the total should be 5.628 not 5.268. Also, the city might want to list the 2040 maximum daily demand forecast on this table given that page 155 discusses this forecast; currently the table only lists the 2040 average daily demand forecast.
- The WRE identifies a possible deficiency in its water treatment capacity compared to the 2040 maximum daily demand forecast (p. 156) and puts forward a plan for how to address that deficiency. The City is to be commended for addressing its long-term potable water challenge, unfortunately too few other jurisdictions are willing to do this until it becomes a crisis.
- The WRE does not directly address the statutory requirement to "identify suitable receiving waters and land areas to meet the storm water management and wastewater treatment and disposal needs of existing and future development proposed in the land use element of the plan" (§3-106. (a)(2) of the Land Use Article). The WRE should discuss this issue. State guidance to address this requirement is for jurisdictions to complete an analysis of more than one land use plan option, focused on forecasted impervious cover changes and forest cover changes by

Draft 2040 City of Rockville Comprehensive Plan Update Maryland Department of Planning Comments

watershed resulting from implementation of different land use plan options. Based on that analysis, the WRE could discuss which land use plan option would be least impactful to receiving waters.

- As noted in Maryland Department of the Environment's attached comments:
 - Page 152: Table of Water Demand – The table's 2040 Avg. Daily Demand of 7.49 MGD does not appear to correspond to the most recent County Plan, 2018-2027 Montgomery County Water Supply and Sewerage Systems Plan (Table 3-T14), which has the 2040 Avg. Daily Demand of 6.55 MGD. The city should work with the county to reconcile any differences.
 - Page 158: Table of Wastewater Demand – The table's 2040 Avg. Daily Flow of 8.54 MGD does not appear to correspond to the most recent County Plan, 2018-2027 Montgomery County Water Supply and Sewerage Systems Plan (Table 4-T16), which has the 2040 Avg. Daily Demand of 7.42 MGD. The city should work with the county to reconcile any differences.

Economic Development Chapter

- No comments

Housing Chapter

- Planning requests a copy of the “Housing Market and Needs Assessment” report from December 2016, if it is available (page 189). Planning will be developing a Housing Element Models & Guideline document in the coming year to address recent legislation (HB 1045) passed in 2019, and this study may be helpful to other jurisdictions having to prepare a housing element.
- Planning's GDA staff noted the Housing chapter includes an excellent discussion of market trends and trends in government programs that affect housing affordability. The text is supported by comprehensive recommendations, such as accommodating demand for certain housing types, allowing accessory dwellings, and strengthening municipal housing programs.
- The draft Update should include sources and text references for all Charts and Figures in the Housing Chapter (and elsewhere throughout the document). For example, pages 194-195 contain interesting information about the residential units built during different timeframes. However, it is unclear how this information was collected or how it relates to points made in the text. Nonetheless, Planning's GDA staff appreciates Rockville's support for seniors to continue to live within the community and projects that provide housing for people with disabilities.

Historic Preservation Chapter

- Please see comments on attached letter from Maryland Historic Trust

Municipal Growth Chapter

- The draft Update makes a strong case that expanding the municipal growth boundary provides the City with flexibility to annex land at little identifiable cost, since much of the proposed Municipal Expansion Limit (MEL) is already served by WSSC (page 225). Planning's GDA acknowledges that Rockville incorporates somewhat of a phased approach to annexation by identifying and actively targeting areas where conditions may make annexation most likely and beneficial (pages 222-223).
- The draft Update analyzes the impact of projected population growth on City services (pages 147-171) and notes that Rockville's projected growth can be accommodated within Rockville's existing municipal boundaries (page 234). However, it does not include a development capacity analysis

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based on the build-out capacity of the future land use plan within the current municipal boundary or the MEL. A capacity analysis would facilitate a better understanding of the land available for new development, especially redevelopment and infill, as well as a general understanding of public services and infrastructure needed to accommodate future growth. Planning is willing to assist the city if it would like to complete and include a development capacity analysis.

- The draft Update identifies the challenge of creating enough parkland and other publicly accessible community spaces in redevelopment areas (pages 92-98). Rockville could note opportunities to provide open space or transition areas among the potential evaluation criteria for strategic annexations on page 223 (Municipal Growth Chapter).

Suggested Technical Edits/Suggestions

- If Planning can be of assistance or facilitate assistance / information from other State agencies as the City of Rockville finalizes the 2040 City of Rockville Comprehensive Master Plan Update or as the city begins to implement the plan, please contact Chuck Boyd, Director of Planning Coordination at 410-767-1401 or chuck.boyd@maryland.gov.

END MARYLAND DEPARTMENT OF PLANNING COMMENTS

2018 City of Rockville Comprehensive Plan Amendment: N. Stonestreet Avenue
Maryland Department of Planning Comments

Maryland Department of Planning Review Comments
May 14, 2019
2040 City of Rockville Comprehensive Master Plan Update

STATE AGENCY COMMENTS

The following pages contain comments from other State agencies in support of the Maryland Department of Planning (Planning) review of the **draft 2040 City of Rockville Comprehensive Master Plan Update** as part of the standard 60-day review period for municipalities and non-charter counties. Comments not included here may be submitted under separate cover, or via the State Clearinghouse. If comments from other agencies are received by Planning, they will be forwarded to the County in a timely manner.

Attachments

Page 13	Maryland Department of Housing & Community Development
Page 14	Maryland Department of Commerce
Page 16	Maryland Department of the Environment
Page 18	Maryland Historical Trust (letter dated October 18, 2018)



LARRY HOGAN
Governor

BOYD K. RUTHERFORD
Lt. Governor

KENNETH C. HOLT
Secretary

TONY REED
Deputy Secretary

May 3, 2019

Mr. Joseph Griffiths
Manager of Local Assistance and Training
Maryland Department of Planning
301 West Preston Street, 11th floor
Baltimore, MD 21201

Dear Mr. Griffiths:

Thank you for the opportunity to review the City of Rockville draft Comprehensive Plan (the Plan). The comments below are based on a review of the plan by staff in the Maryland Department of Housing and Community Development (DHCD) Division of Neighborhood Revitalization.

The plan's focus on development near transit is consistent with DHCD priorities and financing programs. Housing affordability is also identified as a concern in the Plan, however there is no discussion in the plan of potential State of Maryland financing programs to assist. DHCD staff are available to discuss the full range of financing tools, as well as potential resources for specific development opportunities. The Department administers programs that can support housing for a range of incomes, as well as mixed use and business development that can help implement the Plan's objectives.

Again, thank you for the opportunity to comment on the Plan. If you have any questions regarding our comments, please call me at 410-209-5807.

Sincerely,

John Papagni
Program Officer
Division of Neighborhood Revitalization

Cc: Chuck Boyd, MDP
Oumy Kande, MDP



MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
2 N. Charles St. • Baltimore, MD 21201 • dhcd.maryland.gov
410-509-5800 • 1-800-756-0119 • TTY/RELAY 711 or 1-800-735-2258





Larry Hogan | Governor
 Boyd Rutherford | Lt. Governor
 Kelly M. Schulz | Secretary of Commerce
 Benjamin H. Wu | Deputy Secretary of Commerce

March 21, 2019

Charles Boyd, AICP
 Maryland Department of Planning
 301 West Preston Street
 Suite 1101
 Baltimore, MD 21201

RE: Local Plan Review: City of Rockville - Draft for Planning Commission Public Hearing

Dear Mr. Boyd:

The Maryland Department of Commerce has reviewed the March 2019 Planning Commission Public hearing draft of the City of Rockville's 2019 Comprehensive Plan, and finds that it is consistent with the Maryland Economic Development Commission's 2016 five-year Strategic Plan, **Best is the Standard**. The Department of Commerce's 2016 strategic plan has the following goals:

- Goal 1: Achieve Operational Excellence
- Goal 2: Foster a Competitive Business Environment
- Goal 3: Advance Innovation and Entrepreneurship
- Goal 4: Expand Targeted Industry Clusters
- Goal 5: Create One Maryland and Enhance Community Development
- Goal 6: Improve Brand and Talent Attraction

Of these goals, four (Goal 2, Goal 3, Goal 4, and Goal 6) are relevant to the City of Rockville's 2019 Draft Comprehensive Plan. This draft is consistent with these goals.

Goal 2: Foster a Competitive Business Environment. The City's draft comprehensive plan contains an Economic Development element that sets out a goal to "Promote a positive business climate that supports local and small businesses" (Goal 2). This goal sets forth policies intended to "foster a positive business climate that supports business startups, retention, expansion, and the attraction of innovative and diverse industries (Policy 5) and "celebrate a culture of entrepreneurship and small business ownership to help retain existing small and local businesses as they grow and foster new opportunities." (Policy 6). The City also recognizes that there are development pressures that can cause industrial and commercial land to be lost to residential development, and has set forth a policy to "preserve light and service industrial land and uses to ensure that productive businesses thrive and provide employment and services to area residents (Policy 8).

Goal 3: Advance Innovation and Entrepreneurship. Policy 5 of the elements second goal sets forth actions that support innovation and entrepreneurship within the municipality. Action 5.3 states that the City will “ensure that policies are in place to facilitate small business incubator space, pilot project testing, and industry-specific infrastructure.” Policy 6 of this element sets forth actions that will “celebrate a culture of entrepreneurship and small business ownership to help retain existing small and local businesses as they grow and foster new opportunities,” including the encouragement of links to create an active entrepreneurial infrastructure in the City.

Goal 4: Expand Targeted Industry Clusters. The draft plan recognizes that Rockville is an important location for various companies that are members of the State’s target industry clusters. Goal 1, “Capitalizing on Competitive Advantages,” sets forth Policy 2, “Actively support Rockville as a center for innovative technologies, life sciences, advanced research, and cybersecurity.”

Goal 6: Improve Brand and Talent Attraction. The overall plan recognizes that liveable places are important factors in attracting and retaining the workforce that Maryland needs to be successful. It supports tourism and historic preservation, recreational amenities, affordable housing, and effective transportation systems.

For these reasons, the Department of Commerce finds that the March 2019 Planning Commission Public hearing draft of the City of Rockville’s 2019 Comprehensive Plan is consistent with the goals of the Maryland Economic Development Commission and the Department of Commerce.

Sincerely,



James Palma, AICP
Maryland Department of Commerce

Maryland Department of the Environment

Review Comments: Rockville 2040 Comprehensive Plan

Amanda R. Redmiles, MDE, Interdepartmental Information Liaison

Water Resources Element Comments:

1. Pg 152 Table of Water Demand
The Table's 2040 Avg Daily Demand of 7.49 MGD does not appear to correspond to the most recent County Plan, 2018-2027 Montgomery County Water Supply and Sewerage Systems Plan (Table 3-T14), which has the 2040 Avg Daily Demand of 6.55 MGD; The City should work with the County to reconcile any differences.
2. Pg 158 Table of Wastewater Demand
The Table's 2040 Avg Daily Flow of 8.54 MGD does not appear to correspond to the most recent County Plan, 2018-2027 Montgomery County Water Supply and Sewerage Systems Plan (Table 4-T16), which has the 2040 Avg Daily Demand of 7.42 MGD; The City should work with the County to reconcile any differences.

General Comments

1. Any above ground or underground petroleum storage tanks, which may be utilized, must be installed and maintained in accordance with applicable State and federal laws and regulations. Underground storage tanks must be registered and the installation must be conducted and performed by a contractor certified to install underground storage tanks by the Land Management Administration in accordance with COMAR 26.10. Contact the Oil Control Program at (410) 537-3442 for additional information.
2. If the proposed project involves demolition – Any above ground or underground petroleum storage tanks that may be on site must have contents and tanks along with any contamination removed. Please contact the Oil Control Program at (410) 537-3442 for additional information.
3. Any solid waste including construction, demolition and land clearing debris, generated from the subject project, must be properly disposed of at a permitted solid waste acceptance facility, or recycled if possible. Contact the Solid Waste Program at (410) 537-3315 for additional information regarding solid waste activities and contact the Resource Management Program at (410) 537-3314 for additional information regarding recycling activities.
4. The Waste Diversion and Utilization Program should be contacted directly at (410) 537-3314 by those facilities which generate or propose to generate or handle hazardous wastes to ensure these activities are being conducted in compliance with applicable State and federal laws and regulations. The Program should also be contacted prior to construction activities to ensure that the treatment, storage or disposal of hazardous wastes and low-level radioactive wastes at the facility will be conducted in compliance with applicable State and federal laws and regulations.

5. Any contract specifying “lead paint abatement” must comply with Code of Maryland Regulations (COMAR) 26.16.01 - Accreditation and Training for Lead Paint Abatement Services. If a property was built before 1950 and will be used as rental housing, then compliance with COMAR 26.16.02 - Reduction of Lead Risk in Housing; and Environment Article Title 6, Subtitle 8, is required. Additional guidance regarding projects where lead paint may be encountered can be obtained by contacting the Environmental Lead Division at (410) 537-3825.
6. The proposed project may involve rehabilitation, redevelopment, revitalization, or property acquisition of commercial, industrial property. Accordingly, MDE's Brownfields Site Assessment and Voluntary Cleanup Programs (VCP) may provide valuable assistance to you in this project. These programs involve environmental site assessment in accordance with accepted industry and financial institution standards for property transfer. For specific information about these programs and eligibility, please contact the Land Restoration Program at (410) 537-3437.
7. Borrow areas used to provide clean earth back fill material may require a surface mine permit. Disposal of excess cut material at a surface mine may requires site approval. Contact the Mining Program at (410) 537-3557 for further details.



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor

Robert S. McCord, Secretary
Sandy Schrader, Deputy Secretary

April 11, 2019

Mr. Charles W. Boyd, AICP
Director of Planning Coordination
Maryland Department of Planning
301 W. Preston Street
Baltimore, MD 21201

Dear Mr. Boyd:

Thank you for the opportunity to review the March 2019 Comprehensive Plan of the City of Rockville Draft for Planning Commission Public Hearing and submit comments on behalf of the Maryland Historical Trust. Overall, we are pleased to see that despite the tremendous recent pattern of robust growth, the City values its historic and cultural assets and has included historic preservation as part of its plan goals as a separate element. The well-illustrated element reflects a strong public desire for historic preservation, and the hard work that the City has done since the 2002 comprehensive plan. Specific comments are outlined below.

p.3 The importance of preservation and its context is clearly stated in the community vision purpose in the introduction.

p.3 Also states that Rockville was added by amendment to the Montgomery County Heritage Area.

p.16 Attention and acknowledgement to existing neighborhoods is reflected in the goals for the land use plan.

p.16 Also references the City's 230-year development history and patterns of development.

p.205 The stated vision is clear and concise.

p.206 The three stated goals are attainable, logical and concise. We commend the City for recognizing the importance of the Certified Local Government program, and appreciate the acknowledgement of our partnership efforts.

p.211 Second paragraph. Spell out Historic District Commission for greater clarity leading off this section.

p.213 In the explanation of Policy 2, it seems clear that there are unintended consequences of the zoning ordinance provision for historic significance evaluations regarding permit applications. We agree that the City supports a more focused approach to create new and expand existing historic districts, and support the actions that will achieve that desire.

p.213 In the paragraph that explains Policy 3, the following sentence is confusing: "At the same time, the continued preservation of some designated properties may not always be financially feasible". Please clarify or explain the intent of this statement.

p.217 If the City would like help instituting a local tax credit program, contact the Maryland Historical Trust for technical assistance and guidance.

p.217 To facilitate the actions expressed under Goal 3 – Education and Partners in Preservation, contact the Maryland Historical Trust or the Maryland Association of Historic District Commissions to inquire about our "MHT Roadshow" and other training programs and education opportunities.

Thank you again for the opportunity to comment on the March 2019 Comprehensive Plan of the City of Rockville Draft for Planning Commission Public Hearing. If you have any questions, please contact me at (410) 697-9561 or steven.allan@maryland.gov

Sincerely,



Steven H. Allan, AICP
Local Assistance and Training Planner
Office of Planning, Education and Outreach

Cc Nell Ziehl, Chief, Office of Planning, Education and Outreach
Oumy Kande, MDP

12

From: ~~_____~~
Sent: Friday, May 17, 2019 11:37:01 AM
To: Planning Commission
Subject: Testimony on the Draft Comprehensive Plan 2040

Dear Planning Commission,

My wife and I are homeowners in Hungerford (15 Bowie Ct.), the third largest Rockville community by census tract (est. 5,836 (2016)). Many residents retain 2-3 cars per household and only occasionally walk or bike to city center, Metro, or businesses within just .25 miles from the community. While the community has excellent access to parks and most businesses and services are only short distance away, the community's walkability/bike access is restricted due to the lack of direct routes to the city center, the Rockville metro, and businesses along the west side of Rockville Pike.

The comments below are in response to the PDF version of the draft 2040 plan:

Hungerford Accessibility to Town Center and Metro

- The planned crosstown bike route (electronic page 45, Figure 15) does not include a potential route along Monroe St. south of the city center or a connection between the existing bike route around Fleet St. to the proposed route along Rockville Pike to the Metro. This is a viable pathway for residents seeking to bike to the metro or the eastern part of the city center. As of now, available sidewalks are minimum width and directly adjacent to heavy traffic. Available roadways are dense with parked cars and both county and school bus traffic.
- The business zoning in the triangle between Monroe, Fleet St., and Rockville Pike (ep. 12, figure 2) has limited, direct access to the Metro even though it's less than a quarter mile away. As a result, the area is not as desirable as it could be and a number of units at this location have long been available for lease. If the intent is to create a sustainable Office Residential Retail Mix in this area (ep.19, figure 4), the walkability to the metro needs to be considered.
 - **Recommendation:** Consider expanding the Citywide Walkable Community Node Concept (ep. 23, Figure 6) to include the area immediately south of Rockville Metro. New pedestrian and/or bike paths to accommodate bike traffic/Bikeshare could increase walkability between city center/Metro to communities and businesses south of the metro to Fleet St. as well as East/Southeast of Rockville Pike.
- According to the existing land use map for Rockville Station (ep.12, figure 2), Richard Montgomery students and Hungerford residents are trespassing by walking through the private parking lot and juror parking (east of Monroe St/south of E. Jefferson) on a daily basis to reach school, city center, or Metro.
 - **Recommendation:** Develop a draft plan based on the proposed land use plan (ep. 19, figure 4) to purchase private property at and convert this space into new recreational/park space with continued access for the farmer's market to connect new residents in the city center (north) and Hungerford (south). Juror parking could be consolidated at nearby parking garages. Allow for pedestrian access through the proposed park to Richard Montgomery High School and connect the existing pedestrian path to the Elwood Smith Community Center.

Hungerford Walkability to Rockville Pike

- As suggested by the Citywide Walkable Community Node Concept (ep. 23, Figure 6), Hungerford's connection with existing businesses along Rockville Pike is limited. There are few gathering places or pedestrian paths to future transportation (e.g. potential rapid transit stops at Mt. Vernon and Edmonston along Rockville Pike). Residents usually bypass this plaza when travelling by car to circle around to access the Wintergreen Plaza parking lot or other businesses along Rockville Pike.
 - **Recommendation:** Expand upon the Hungerford Retail Node (ep. 23, Figure 6) to connect Hungerford via a pedestrian crosswalk to the Wintergreen Plaza (grocery, restaurants) that also considers potential stops for the proposed bus rapid transit. Consider incentives to car dealerships (DARCARS Chrysler and Ourisman Honda) to relocate that would allow for the expansion of the proposed Residential Attached development (ep.19, figure 4) between Mt. Vernon Pl. and Ritchie Parkway and additional mixed use residential/business along Rockville Pike within easy access of schools, public transportation, and the city center.

Sincerely,

Parke Nicholson and Rebecca Merritt
Rockville, MD

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Law Offices Of
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MM&C
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May 22, 2019

Gail Sherman, Chair
 City of Rockville Planning Commission
 111 Maryland Avenue
 Rockville, MD 20850

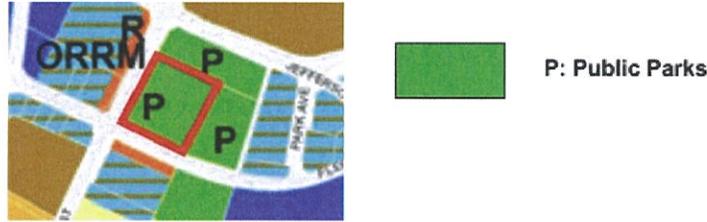
RE: Rockville 2040 Comprehensive Plan (“2040 Plan”);
 Planning Commission Public Hearing Draft – March 2019

Dear Chair Sherman and Members of the Planning Commission:

This office represents C.B.T. Associates (“CBT”), the owners of property located in the northeast quadrant of the intersection of Fleet Street and Monroe Street, also known as 200-A and 200-B Monroe Street (“Subject Property”), in the MXNC (Mixed-Use Neighborhood Commercial) Zone. The Subject Property is 78,381 square feet in size and is improved with two office buildings that together consist of approximately 44,775 square feet of gross floor area. The buildings are supported by surface parking areas as well as a structured parking deck.

The Planning Commission will no doubt take note that the mailing address of this law firm coincides with one of the properties owned by CBT. Established in 1946, Miller, Miller & Canby is widely recognized as the oldest law firm in Montgomery County and is proud to have called the “Craftsman-styled” office building at 200-B Monroe Street its home for most of that duration. The firm’s founders, the Millers, purchased the property in 1952 and remodeled the existing building to accommodate law offices. The current ownership entity, CBT, is comprised of heirs/descendants of the founders and former shareholders of the firm as well as some current shareholders. The adjacent 3-story all brick contemporary office building at 200-A Monroe Street, constructed in 1978, is also fully occupied by office tenants predominantly in the professional services industry, i.e., attorneys, accountants, investment consultants, etc.

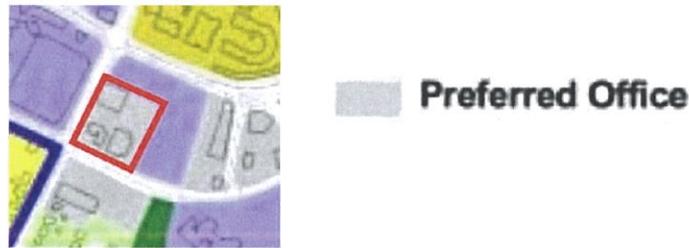
The 2040 Plan recommends changing the Subject Property’s long-established land use designation of “Preferred Office” to “Public Park” (see below excerpt from Figure 3: Land Use Policy Map found on pg. 20 of the 2040 Plan). Not surprisingly, CBT strongly objects to the 2040 Plan’s proposed land use designation of “Public Park” for the property and believes, if imposed on the property, it would run afoul of well-established principles of takings law. Accordingly, CBT requests that the 2040 Plan be revised to recommend a land use designation of “ORRM: Office Residential Retail Mix” for the Subject Property for reasons stated herein.



(Figure 3 – “Land Use Policy Map”; pg. 20 of 2040 Plan)

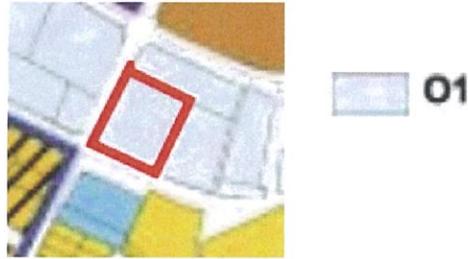
1. Land Use and Zoning History of the Subject Property

Consistent with its past and present use, the land use designation that has been conferred on the Subject Property by the City has consistently been that of “Office.” The 2001 Rockville Town Center Master Plan (“Town Center Plan”) designated the property as “Preferred Office.”



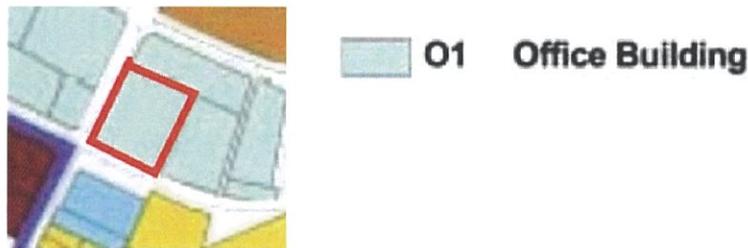
(“Proposed Land Use Map”; pg. 45 of Town Center Plan)

Even *prior to* the adoption of the Town Center Plan, the property’s existing zoning classification was an “Office” zone known as the “O-1” – the purpose of which as stated in Section 25-272(i) of the City’s previous Zoning Ordinance was “to provide office space for private, quasi-public and public uses and complementary service uses and to provide a transition between general commercial and residential uses.”



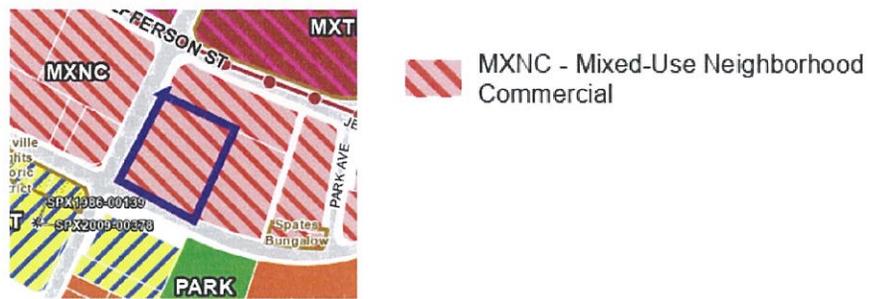
(“Existing Zoning”; pg. 28 of Town Center Plan)

In furtherance of its continued “Office” land use recommendation for the property, the Town Center Plan’s *proposed* zoning for the property remained “O-1, Office Building.”



(“Proposed Zoning Map”; pg. 85 of Town Center Plan)

Then in 2009, after the City undertook to comprehensively rewrite its Zoning Ordinance and re-map all existing commercial/office properties in the City to new mixed-use zones, the Subject Property was reclassified to the present MXNC (Mixed Use Neighborhood Commercial) Zone. Under the MXNC Zone, the current “Office, Professional” uses established on the Subject Property are permitted by right pursuant to Section 25.13.03.h. of the Zoning Ordinance.



(Zoning Map of the City of Rockville; adopted March 9, 2009 by Ord. 03-09)

2. Unconstitutional Taking

Based on the Subject Property’s extensive land use and zoning history of being conferred “commercial office use” and in light of the property’s active present use as professional offices, a land use designation of “Public Park” for CBT’s property is inexplicable and cannot be lawfully supported or justified by the City.

Frankly, the proposed designation appears to be a thinly veiled attempt to unlawfully freeze the value of land to be acquired for a public purpose. We find “Policy 4” of the “Goal 1 Park Access” section (found on page 95 of the 2040 Plan) to be extremely telling. It states “[a]dd to existing parks, in areas with park deficiencies, when contiguous parcels become available for sale... [a] good strategy to adding parks in existing, older neighborhoods is to have a policy that allows for the acquisition of parcels that are contiguous with existing parks.” Then, Figure 17 on page 97 uses an aerial image superimposed with “green areas” to depict existing park space in Town Center. The caption under Figure 17 states “[t]he largest park is Elwood Smith which has a walking trail along the upper reach of Cabin John Creek. The next three parks over one acre are historic properties rather than neighborhood parks. Taken together, there is a shortage of park space to serve the growing population.”

When we connect the above dots laid out by the 2040 Plan, it appears that the Plan considers the Town Center area to be park deficient and is therefore recommending a policy that encourages *acquisition* of parcels that are *contiguous* with existing parks *when they become available for sale*. In other words, the Plan does not recommend that the City exercise its power of eminent domain and pay fair value as required by the Takings Clause to acquire said contiguous parcels, but recommends acquiring them “when they become available for sale.” In the meantime, the Plan proposes imposition of “Public Park” land use designations that serve to essentially downzone targeted properties and reduce their value by eliminating any future development potential. The below image and table is an excerpt of Figure 17 found on page 97 of the 2040 Plan that shows the proximity of Elwood Smith Park to CBT’s property outlined in red.



Town Center Existing Park Space		
Name	Acres	Park Type
1 Kinship Park*	0.48	Urban
2 Town Square Park	0.37	Urban
3 Beall-Dawson	1.45	Historic Building
4 Courthouse Square	1.45	Historic Building
5 Promenade Park	0.35	Access to Metro
6 J. Trells Williams	1.07	Historic Building
7 James Monroe	0.60	Urban
8 Elwood Smith*	3.32	Neighborhood
9 Veterans Park	0.77	Display Garden
Total	9.86	

Notes: Kinship Park is leased space. Elwood Smith Park acres in the table are only north of Mt. Vernon Place near Town Center, Smith Park total is 11.3.

Maryland Courts have held that municipalities cannot use zoning to depress land values so as to reduce the damages paid by the sovereign when it otherwise validly invokes its power to condemn. *Arnold v. Prince George's Co.*, 270 Md. 285 (1973); *Hoyert v. Bd. of County Comm'rs*, 262 Md. 667 (1971); *City of Baltimore v. Kelso Corp.*, 281 Md. 514, 519-20 (1977), quoting *Carl M. Freeman, Inc. v. St. Rds. Comm'n*, 252 Md. 319, 329-30 (1969). In response to those that might argue the 2040 Plan does not in and of itself constitute a “rezoning” and therefore falls outside of the above line of cases, the Courts again have answered:

We repeatedly have noted that plans, which are the result of work done by planning commissions and adopted by ultimate zoning bodies, are advisory in nature and have no force of law absent statutes or local ordinances linking planning and zoning. **Where the latter exist, however, they serve to elevate the status of comprehensive plans to the level of true regulatory device...** In those instances where such a statute or ordinance exists, **its effect is usually that of requiring that zoning or other land use decisions be consistent with a plan's recommendations regarding land use and density or intensity.** (Emphasis added.)

Mayor & Council of Rockville v. Rylyns Enterprise, Inc., 372 Md. 514, 529-31 (2002). (Emphasis added.) See also, *Richmarr Holly Hills v. American PCS, L.P.*, 117 Md.App. 607, 635-51 (1997); *Boyd's Civic Ass'n v. Montgomery County Council*, 309 Md. 683, 699-700 (1987); *Coffey v. Maryland-National Capital Park & Planning Comm'n*, 293 Md. 24, 27-30 (1982); *Board of County Comm'rs of Cecil County v. Gaster*, 285 Md. 233, 239-47 (1979); *Aspen Hill Venture v. Montgomery County Council*, 265 Md. 303, 314-15 (1972); *Floyd v. County Council of Prince George's County*, 55 Md. App. 246, 258-60 (1983).

There is little doubt in light of numerous provisions found in the City's Zoning Ordinance, which repeatedly requires compliance with the City's “Plan” as a necessary finding for virtually any development approval granted by the City, that the 2040 Plan will be viewed as a “true regulatory device” in the eyes of the courts within the context of an unconstitutional takings action. The proposed designation of CBT's property as a “Public Park” in the 2040 Plan will render the property incapable of obtaining any type of development approval from the City, even a nonconforming alteration approval under Article 8 of the Zoning Ordinance, which also requires a finding that a proposed alteration “be consistent with... the Plan.”

Based on all the above, we believe that if the 2040 Plan is adopted with a land use designation of “Public Park” for the CBT property as currently recommended in the Planning Commission Public Hearing Draft (dated March 2019) that action will be deemed to have the effect of an unconstitutional taking. The City will be subject to an immediate inverse condemnation action that will seek payment of just compensation based on the CBT property's highest and best use as a “commercial office” property to which the property owner is guaranteed under Section 40 of Article III of the Constitution of Maryland (i.e., Takings Clause).

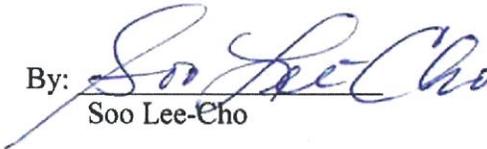
Instead, we request that the Planning Commission and the City opt to take a different course and confer a land use designation on CBT's property that is commensurate with its land use and zoning history. In considering what is being recommended by the Plan for similarly situated properties that confront CBT to the west and south, we would request that the land use designation for the Subject Property be revised to "**ORRM: Office Residential Retail Mix.**" This requested designation would not in any way deny the City the ability to purchase the Subject Property "when it becomes available for sale" and convert its use to a park, or acquire the property by eminent domain for a public park. It would, however, preserve and protect the owner's right to just compensation equal to the full fair market value of the property.

Thank you for your consideration of these comments.

Sincerely yours,

MILLER, MILLER & CANBY

By:



Soo Lee-Cho

cc: C.B.T. Associates

Testimony on the Draft Rockville 2040 Master Plan for the Planning Commission Public Hearing

Kenneth Hoffman
1511 Auburn Ave, Rockville, MD 20850

Overall, the draft plan has had extensive and highly relevant input, with the draft capturing the vision, principles, and elements I would like to see enhanced in Rockville. Comments within this testimony attempts to address all ten elements under an overarching vision with goals that would build a more vibrant and self-sustaining community.

Essentially, Rockville should continue its tradition of being a thriving city where a resident can live, work, and enjoy life, from childhood through the senior years, in Rockville.

The greatest threat continues to be an increasing income disparity which decreases the percentage of the population that can comfortably live within the City gainfully employed in local jobs that would pay lower to upper middle-class incomes. For Montgomery County, a measure of income disparity, the Gini Coefficient, has steadily risen. In 1979, The Gini Coefficient was 0.3776; in 1989, 0.3985; in 1999, 0.4281; and in 2012-2016, 0.46. For comparison, within the 2012-2016 timeframe, the Gini coefficient for Canada is 0.34; for South Korea, 0.316; and the United States, 0.415.

Increasing differentials between employment income and housing costs result in increased one-directional commuting requirements where housing and work are increasing farther apart, with increasing traffic congestion and stressful commuting times. Residents have less opportunity to enjoy a quality of life that would be possible if housing and employment were within walking, bicycling, or very short driving distances.

An implicit goal for the Masterplan should be to build a stronger middle-class base of economically secure Rockville residents. The average life expectancy of most all business is far less than the average life expectancy of a human. With tax paying, voting, Rockville citizens, the business of our government should be to build an economically secure and healthy community that new and current businesses will find attractive.

Within the Masterplan, there are several references enhancing an integrative community engagement with Montgomery College. Montgomery College is uniquely placed to provide the education and skills needed for a diversified workforce serving the range of businesses needed to sustain health, build infrastructure, and offer all residents, workforce skill certifications, post-secondary academic degrees, and lifelong continuing education. The College is also one of the largest employers in the local area. A more integrative relationship with the College should be attractive to new and current local businesses, with knowledge that their potential workforce is economically secure and living in the local area.

The 2040 Rockville Masterplan must support the State of Maryland's 12 visions:

- 1) Quality of life and sustainability, 2) Public participation, 3) Growth areas, 4) Community design, 5) Infrastructure, 6) Transportation, 7) Housing, 8) Economic development, 9) Environmental protection, 10) Resource conservation, 11) Stewardship, and 12) Implementation

The 10 elements in the Rockville 2040 Masterplan are:

1) Land Use, 2) Transportation, 3) Recreation and Parks, 4) Community Facilities, 5) Environment, 6) Water Resources, 7) Economic Development, 8) Housing, 9) Historic Preservation, and 10) Municipal Growth

The specific suggestions described below is a modular concept, integrating the vision and elements, that result in a significant increase of a diversified middle-class population supporting Rockville principles.

The careful and detailed attention given to each of the 10 elements, defined through vision, goals and actions, of the Masterplan begin to come together into an overarching pilot concept that might lead to a world model for the integrated self-sustaining, community with a low disparity index, capable of improving infrastructure required for a health environment and prosperous and educated population. Within each of the 10 elements, vision, goals and related actions are exemplary.

- 1) Land use and Urban Design: Implicit in policies but not explicitly stated: Specific attention should be paid to the expected income potential of Montgomery College graduates from either degree or certificate programs; with initial incomes ranging from \$25K to \$75K/yr. Land use that allows this group to affordably live within city limits will require creative urban design for high density housing that allows this group to fully benefit from the 9 Rockville land use goals.
- 2) Transportation: Noted is that there have been problems related to maintaining a vibrant Town Center while also noting that there is little interaction between students and employees at Montgomery College, and businesses in Town Center. There exist several improvement opportunities for transportation improvements within the corridor between Rockville and Shady Grove metro, which includes Montgomery College.
 - a. A "Circulator" bus connecting Montgomery College campus and Town Center.
 - b. A metro station in the vicinity of North Campus Drive.
 - c. Enhanced bicycle paths and walkways between Shady Grove and Town Center, which improve access to and through Montgomery College and does not require travel on Route 355.
 - d. Planning for increased use of Class 1 pedelec e-bikes throughout the community (lower speed requiring pedaling that are classified as bicycles in Maryland).
- 3) Recreation and Parks: Critical for any high-density housing, a feeling of spaciousness even in low square footage homes is enhanced with surrounding parks having recreational activities. NOTE: with the recent fire at the Woodley Gardens pool and childcare center, adjacent to the Woodley Gardens park, there may be an opportunity to enhance resources at this location for all local residents.
- 4) Community Facilities: Goal 4 and policies 8 and 10 may integrate well into Montgomery College's concept of a "College Town" and "Community Engagement". With libraries, community and senior centers, there are opportunities to bring College degree, certificate and continuing educational courses and events within walking/bicycling distance to all community residents. The College's campus provides facilities that could be of greater benefit for community residents through integrated college-city cultural events programming.

- 5) Environment: A model mixed use entry-level housing development could incorporate the most environmentally friendly components for use in urban-density housing. This could incorporate:
 - a. Geothermal heating/cooling
 - b. Solar energy with fuel cell or electric battery backup – to include possible use of electric cars supplying back-up energy when not in use; potentially creating a self-sustaining more efficient microgrid covering most daily electrical needs.
 - c. Electric cars on a “car-to-go” model, so no resident needs to own a car and as an alternative to public transit when appropriate.
 - d. High efficiency electrical and water appliances, faucets, toilets, showers.
 - e. Recycling as much gray water as possible into the local area.

- 6) Water Resources: The careful analysis of relative increases in water consumption and sewage needs would lead to an assurance that future construction uses the best conservation methods possible to assure minimal water waste and preservation of current green space. Safe drinking water and appropriate sewage treatment is critical for a healthy population. The local water disasters today relate to broken water mains and sewage lines that require urgent repair and ongoing maintenance. A most prudent approach would be to increasingly treat our environment as though we were living within a desert environment where water use is minimized and as much gray water as possible is used for local area irrigation and non-potable purposes.

- 7) Economic Development: Much of our competitive advantage might be derived from a collaborative relationship with Montgomery College where there is a goal to match education and training with local business needs and potential. With the Innovation Center located on the Germantown Campus and recent designation by Maryland as a Regional Institution Strategic Enterprise Zone, or RISE Zone, for Montgomery College’s Germantown Campus, there is potential to enhance the economic development of Town Center and other locations in Rockville with students educated and trained at Montgomery College who are meeting skills that benefit local businesses and entrepreneurs, in collaboration with Rockville Economic Development, Inc (REDI) initiatives.

- 8) Housing: Of specific concern is to build enough housing for the lower income groups given knowledge that affordable rent or mortgage is considered 30% of gross income – especially since the type of households described (page 197) match the type of occupations that are essential for building and maintaining a healthy community, workforce, and environment. For some, availability of affordable housing for these income brackets are entry level. With “exciting”, leading edge environmentally friendly high-density housing within mixed use zones will increase the probability that residents will be able to walk to work, enjoy local services provided by local businesses, and become active, voting, tax-paying residents of Rockville.

A second approach for single potential residents might use existing housing stock but allow for sharing by several individuals rooming together under a common charter.

To illustrate a highly successful national model for people trying to recover from addictive disorders: Oxford House. Started in Silver Spring, 1975, eight men seeking to stay clean and

sober decided to live together when a landlord mentioned he would loan the first month's rent to be paid back when residents were able. From this first Oxford House, there are over 2500 chartered men and women Oxford Houses across the United States, providing a clean and sober home for over 35,000 people/year. On a national budget of approx. \$7M/year – paying for outreach workers who help establish new Oxford Houses and assure compliance with their charters, and a revolving no-interest loan fund for first month's rent/security – independent landlords and utility companies collect over \$110M/year. While a majority of Oxford House residents initially may have been homeless or incarcerated, within a few months, almost all Oxford House residents will have employment. Average rent and utilities for each resident will cost approx. \$150/week. Oxford House residents are generally highly conscious of having a positive local community impact and being excellent neighbors.

This type of healthy 'fraternity' or 'sorority' housing model – modeled on the logic behind Oxford House - may be applicable for other populations, such as community college students, who may benefit from a structured self-supporting, self-run living situation who need a healthy low-cost place to live while receiving the education or skills needed for new employment.

- 9) Historic Preservation: Through innovations described within this example, a model is created that will have the same architectural importance as "Habitat 67", and the historical beginnings of Rockville that has been built helping disadvantaged and lower income populations – who have had the opportunity to prosper and enrich the community in which they lived. A solution that lowers the income disparity index within Rockville will create a historical legacy today for future generations.
- 10) Municipal Growth: While the thrust relates to the Municipal Growth Element (MGE) and Maximal Expansion Limit (MEL) for annexation of land around the current Rockville City limits, this should complement the internal will to increase population density within current city limits that lowers the current disparity coefficient, allows for populations employed at lower income levels to work and recreate without reliance of private automobiles, and decrease the net environmental cost of sustaining new and current residents.

REDI Board Comments to Rockville 2040 Comprehensive Plan Draft

REDI Board Executive Summary Points:

- **The REDI Board considers flexibility to be a top priority for the *Plan*.** Flexibility is essential to the future vitality of the City of Rockville, and is a critical advantage to respond effectively to market shifts.
- **The main concern of employers is to attract and retain talent.** The *Plan* must reflect goals that support this critical requirement. For the *Plan* to truly assist employers, create economic advantage, and improve the amenities for the City's residents, talent attraction has to be a central goal within the *Plan*.
- **Economically vibrant municipalities are investing in connectivity.** Having separate, thriving areas is no longer sufficient. Connection, including blending different types of development in innovative ways, will be critical to the success of the *Plan*.
- **Continuous review of the *Plan* is essential.** The REDI Board believes the stated commitment in the *Plan* to review it on a two year schedule is an important improvement in this *Plan*. We urge you to engage employers in this process, and continually update the *Plan* to reflect the perspectives shared in order to keep the *Plan* relevant and ensure the City's competitiveness.

Board Review Comments and Recommendations:

The work group for the REDI Board reviewed the *Comprehensive Plan of the City of Rockville, Maryland* draft of March, 2019 thoroughly. In reviewing the document, the work group hosted a meeting with the City's planners and associated City staff to provide feedback on the economic development chapter which is a new addition to this *Comprehensive Plan*. The work group members' comments were incorporated into the previous draft chapter and the work group is satisfied that their input was considered and incorporated.

At this juncture, there is a complete *Plan* available for review by interested groups. The work group has again reviewed the *Plan* and provides the following feedback for the Board's consideration:

The work group would ask that the Board commend the City and its staff for conducting an inclusive process and being available for consultation with the REDI Board work group to provide feedback and suggestions for changes throughout the process. Further, the work group commends the City for having a chapter on economic development, a new addition to the *Plan*. The addition of the economic development chapter is a big step forward.

In the *Introduction*, the City provides the main principles for the *Plan*. The work group noted that these principles include four principles related to economic development:

- a. Steer its most-dense development to mixed-use, transit-served locations,
- b. Create the condition necessary for equitable economic growth and opportunities,
- c. Support employment and businesses in a thriving local economy tied to the broader metropolitan region and,

d. Foster a vibrant and successful downtown and growing activity centers.

These principles provide guiding principles for the situation the City is aware of and addressing at the current time. However, these principles may need to evolve and change to address continually changing conditions in the City. For example, dense development may become an option in areas other than transit-served, but an important opportunity for the City. The current data on how individuals commute to work among Rockville residents states that currently, 63.8% of the residents drive alone. At the current time, only 18% rely on public transit. While changes in the form of commuting may occur, the data demonstrate that being flexible and being amenable to alternative development opportunities that may or may not be transit-served need to be an option.

The work group recommends emphasizing to the City the need to maintain flexibility and be amenable to changes in the *Plan* and its goals as economic conditions change and new opportunities arise in the future. Further, to support employment, the City will need to support employers and developers, who make employment opportunities in the City. Having a formalized mechanism to obtain and act on employer feedback, and addressing their needs systematically, will be a critical component of successful economic planning going forward.

The work group noted that the purpose statement in the *Plan* (page 3) the primary stated focus for the *Plan* was to address the community's needs and set the City's policies. The *Plan* should also recognize that employers are members of the community and have an equal stake in the future of the City. The *Plan* does not define who is included in the definition of the community, and it would be beneficial to include employers as community members since the current tenor of the *Plan* suggests communities, e.g., local residents, are the primary audience, rather than having a more inclusive definition that would include employers.

The REDI Board work group is also keenly aware of the changing demographics in the City. The changes will impact the ethnicity, age, and other characteristics of the current population. Therefore, the work group recommends that the City consider what these changes will mean in future planning and to include reviewing the changing demographics over the life of the *Plan* to ensure it remains relevant to the current and future residents and business owners in the City. Having a regular analysis period to review the demographics, changes in use of City-related amenities, and employer needs at specific junctures throughout the life of the *Plan* is highly recommended.

In the economic development chapter, there needs to be a statement that this planning document was developed at a point and time, and the City must remain nimble enough to adapt to market changes, and new, currently unanticipated opportunities as they arise. The *Plan* is not set in stone, and we must have the ability to pivot in order to continually position the City for the change and growth that is appropriate and that enhances economic sustainability.

Also, there are many planning areas in the City, and it is important to address connectivity between the areas from land use, transportation, and aesthetic points of view. Transitions, and the experience of moving around the City, is important to the sense of place that creates the environment where residents, businesses, and visitors want to be.

It is also important to emphasize the importance to Rockville of interactivity between community segments as well as cultural engagement. Currently, the *Plan* refers to residential areas as separate and

distinct from areas for development and economic density. These areas will continually “blend” over time as need for transit and walkability continue to expand. The REDI Board recommends creating linkages of neighborhoods and economic centers to a greater extent than is currently provided in the *Plan*.

We commend the City for having a policy (Policy 6) that anticipates land use changes. We anticipate that there will continue to be new residential, mixed-use projects that will convert current land uses to new uses over the life of the *Plan*. Balancing the needs of the developers and the neighborhoods will be key to future success and ensuring both the quality of life and economic vitality of the City.

The REDI Board is appreciative of the inclusion of Policy 9, which allows for residential attached and mixed use development in East Rockville. We would encourage the City to remain open to developments both in the immediate station area, and in the future, for example, in close proximity to the Bus Rapid Transit (BRT) lines. As transportation opportunities evolve, so too much the City’s policies on mixed use development in order to retain and enhance the City’s economic vitality.

The REDI Board commends the City for policies 11, 12, and 13 which are intended to address the walkability of the existing and new neighborhoods and reduce carbon emissions. The Board is very much in favor of walkability and enhancing the use of the Rockville Metro Station. At the same time, Policy 13 states that the intent is to retain existing neighborhood retail uses. We suggest that the intent would be to retain the neighborhood access to amenities, which are more diverse than just retail uses. As more interactive experiences become the preferred by many residents, and the residents turn over with newer families, the City will need to consider whether retail, or other types of economic and civic amenities are needed. Maintenance is not a forward-looking approach and we encourage the City to consider how to be forward thinking while retaining the neighborhood identity which this policy appears to be addressing. The issue of the type of business arises many times in the draft *Plan*, for example, Policy 18, Rockville Pike and retail, Policy 19, town center, and Policy 20 regarding support of retail in Rockville’s commercial corridors. The actions mentioned, which are of importance to business owners, are appreciated. The REDI Board also suggests expanding the types of usages to reflect Policy 19, which includes retail, business, and entertainment. The greater the options, the more likely the policies are to attract and retain the diverse businesses of today and tomorrow, which this *Plan* cannot anticipate but needs to allow for in the future.

The REDI Board appreciates the forward-thinking that is illustrated in Policy 23, which calls for flexible zoning regulatory and approval procedures for major projects. Potential investors face many hurdles, Policy 23 is an example of the type of policy that can be pointed to as a reason to invest in Rockville.

In the chapter on economic development, chapter 7, the City’s policies are supportive of economic development and partnering with public and private employers and developers. We would recommend including REDI in the process to achieve Policy 1, which focuses on a marketing plan. The marketing of Rockville is something REDI does, as does the Chamber, and would welcome the opportunity to help the City achieve this goal.

REDI supports the second policy in chapter 7 that seeks to solidify and further the City’s presence as a center of innovative technologies, life sciences, advanced research, and cybersecurity. We anticipate that the employers in these areas will continue to evolve and new employers will enter the landscape. The City should also acknowledge the important contribution that non-profits make to our economy as a

business sector, as well as the growth and focus on arts and cultural opportunities and institutions. We encourage the City to consider expanding this policy to leave open the possibility of alternative industries, including creative industries, and alternative employers over the course of the *Plan's* life cycle.

The REDI Board believes that in order to maintain and compete for shoppers on Rockville Pike, the City will need to actively plan for the future and work with collaboratively employers and developers to enhance and innovate in this area. The Pike is currently a car-oriented area and not highly walkable other than within the shopping centers. Continuing to consider mixed-use building, transportation options, and walkability will be key to the continued success and competitiveness of this shopping corridor.

The REDI Board notes that Policy 14 focuses primarily on government contractors, office employers, and federal agencies as key employers to attract and maintain in the City. The Board is supportive of this policy and in addition, believes that other employers should be considered as future opportunities for the City to pursue. The employers mentioned are the current, dominant employers. However, in the future, as industries change, and government offices and agencies consolidate, attracting other types of employers will need to be considered. One of REDI's core strengths is helping the City identify target industries. Including REDI in determining the future employers to attract to the City will be important to ensuring that all types of potential employers, including those that cannot be foreseen today, are considered.

The City has developed a plan that covers the major initiatives of importance to Rockville today and as a means to plan for the future. The REDI Board encourages the City to continue to identify policies and revise current procedures to support economic development and balance the needs of residents with incoming development and other stakeholders dedicated to the economic sustainability of the City. Continuing to be amenable to new developments, industry partners, and new, currently unforeseen partners, will be critical to ensuring the future success of the City. REDI stands "at the ready" to continue to partner with the City to attract and retain high quality businesses to enhance and expand the City's economic vitality.

Thank you for this opportunity to provide our feedback on the draft *Comprehensive Plan of the City of Rockville, Maryland*.

Exhibit 16

Rockville 2040 Public Testimony

The Planning Commission needs your input!

You may provide testimony to the Planning Commission on the draft Rockville Comprehensive Plan through this online form, in addition to any email or physical mail testimony you submit directly to the Planning Commission. Submitting written testimony does not limit your right to also provide oral testimony during the Planning Commission's public hearing, held over three days on May 15, May 22, and June 4, 2019.

All submitted testimony is considered an item of public record and will be included in the Planning Commission testimony report for the draft Comprehensive Plan.

Which Plan element(s) is your testimony about?

- Land Use and Urban Design
- Transportation
- Recreation and Parks
- Community Facilities
- Environment
- Water Resources
- Economic Development
- Housing
- Historic Preservation
- Municipal Growth
- Other

Name (required):*

Annette Regatts

Address of Residence (recommended):

1000 Baltimore Road
Rockville, MD 20850

By including your Address of Residence or Business and/or Email Address, you are expressing your willingness for staff to contact you for clarification or for legal notifications related to the Comprehensive Plan. Staff will not use your address or email for any other advertisement or notification lists.

Please type your testimony in the field below:*

I liked the Idea of allowing changing residential Zoning from single housing to Duplex housing. However my concerns are on street parking and permeable surfaces diminishing. I live on Baltimore Road in the 1000 Block a Single Family Residential Zone with the amount of cars and work trucks per unit are sometimes 3 or more vehicles per residential unit. Where would all this cars park when units increase?

* indicates required fields.

View any uploaded files by signing in and then proceeding to the link below:

<http://www.rockvillemd.gov/Admin/FormHistory.aspx?SID=9>

The following form was submitted via your website: Rockville 2040 Public Testimony

Rockville 2040 image:

Which Plan element(s) is your testimony about?: Land Use and Urban Design

Name (required):: Annette Regatts

Address of Residence (recommended)::

Email Address (recommended)::

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

Please type your testimony in the field below:: I liked the Idea of allowing changing residential Zoning from single housing to Duplex housing. However my concerns are on street parking and permeable surfaces diminishing.

I live on Baltimore Road in the 1000 Block a Single Family Residential Zone with the amount of cars and work trucks per unit are sometimes 3 or more vehicles per residential unit. Where would all this cars park when units increase?

Additional Information:

Form submitted on: 6/1/2019 11:47:16 AM

Submitted from IP Address: 96.241.147.92

Referrer Page: <https://www.rockvillemd.gov/203/Rockville-2040-Comprehensive-Plan-Update>

Form Address: <http://www.rockvillemd.gov/Forms.aspx?FID=64>

Cynthia Kebba

From: noreply@civicplus.com
Sent: Tuesday, June 4, 2019 9:46 AM
To: Comprehensive Plan
Subject: Online Form Submittal: Rockville 2040 Public Testimony

If you are having problems viewing this HTML email, click to view a Text version.

Rockville 2040 Public Testimony

The Planning Commission needs your input!

You may provide testimony to the Planning Commission on the draft Rockville Comprehensive Plan through this online form, in addition to any email or physical mail testimony you submit directly to the Planning Commission.

All submitted testimony is considered an item of public record and will be included in the Planning Commission testimony report for the draft Comprehensive Plan.

Which Plan element(s) is your testimony about?

- Land Use and Urban Design
Transportation
Recreation and Parks
Community Facilities
Environment
Water Resources
Economic Development
Housing
Historic Preservation
Municipal Growth
Other

Name (required):*

Kelly Silver

Address of Residence (recommended):

Twinbrook

Email Address (recommended):

By including your Address of Residence or Business and/or Email Address, you are expressing your willingness for staff to contact you for clarification or for legal notifications related to the Comprehensive Plan.

Please type your testimony in the field below:*

Please reconsider the mixed use that you want to put along Viers Mill at the intersections of Edmonston, Broadwood, and Atlantic. I live in the neighborhood, and it is already hard enough to get in and out at peak times. Please just leave our neighborhood alone!!! AND PLEASE STOP CRAMMING MIXED USE COMMERCIAL/RESIDENTIAL INTO EVERY INCH OF ROCKVILLE!!!! IT IS BEYOND FRUSTRATING TO MOVE AROUND IN THIS CITY!!!

* indicates required fields.

View any uploaded files by signing in and then proceeding to the link below:

http://www.rockvillemd.gov/Admin/FormHistory.aspx?SID=10

The following form was submitted via your website: Rockville 2040 Public Testimony

Rockville 2040 image:

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

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Which Plan element(s) is your testimony about?: Housing

Name (required):: Kelly Silver

Address of Residence (recommended):: Twinbrook

Email Address (recommended):

Please type your testimony in the field below:: Please reconsider the mixed use that you want to put along Viers Mill at the intersections of Edmonston, Broadwood, and Atlantic. I live in the neighborhood, and it is already hard enough to get in and out at peak times. Please just leave our neighborhood alone!!!

AND PLEASE STOP CRAMMING MIXED USE COMMERCIAL/RESIDENTIAL INTO EVERY INCH OF ROCKVILLE!!!! IT IS BEYOND FRUSTRATING TO MOVE AROUND IN THIS CITY!!!

Additional Information:

Form submitted on: 6/4/2019 9:45:59 AM

Submitted from IP Address: 50.242.224.41

Referrer Page: <https://www.rockvillemd.gov/203/Rockville-2040-Comprehensive-Plan-Update>

Form Address: <http://www.rockvillemd.gov/Forms.aspx?FID=64>

LINOWES
AND BLOCHER LLP
 ATTORNEYS AT LAW

June 4, 2019

Barbara A. Sears
 bsears@linowes-law.com
 301.961.5157

Laura M. Tallerico
 ltallerico@linowes-law.com
 301.961.5125

Ms. Gail Sherman, Chair, and
 Members of the Planning Commission
 City of Rockville
 111 Maryland Avenue
 Rockville, MD 20850

*BY E-MAIL AND
 HAND DELIVERY*

Re: Written Testimony of Woodmont Country Club - Draft Comprehensive Plan for Planning Commission Public Hearing

Dear Ms. Sherman and Commissioners:

On behalf of our client, Woodmont Country Club ("Woodmont"), we are submitting this written testimony regarding the Rockville 2040 Comprehensive Plan (the "Comprehensive Plan") for Planning Commission public hearing. Initially, it should be emphasized that Woodmont has no plans to redevelop its property. Woodmont is the owner of approximately 458 acres of land currently improved with a country club with two 18-hole golf courses. The Rockville Pike frontage, constituting approximately 38 acres of the larger tract, is subject to the recently adopted Rockville Pike Plan (the "Pike Plan"), and it is our understanding that no changes to this plan are proposed in the Comprehensive Plan.

Woodmont has reviewed the Planning Commission's Hearing Draft of the Comprehensive Plan (the "Hearing Draft") and respectfully requests that the following modifications be made: 1) that the recommendation for a conceptual master plan be eliminated for Woodmont in favor of recommending a Planned Development (PD) zone should redevelopment occur; 2) that the recommendation for a PD should be reflected on the Land Use Policy Map in addition to the current use as private open space; 3) that the Wootton Parkway frontage of the Woodmont property be designated Residential Flexible ("RF") as originally contained in the Staff Draft; and 4) that any recommendation for a park on the Woodmont property contain the clarification that the need, size and location of the park will be determined if all or a substantial portion of the property redevelops.

Ms. Gail Sherman, Chair and
Members of the Planning Commission
June 4, 2019
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1. Eliminate the recommendation for a conceptual master plan for golf courses with respect to Woodmont and recommend only a PD zone

The Hearing Draft's recommendation for a conceptual master plan for Woodmont as an existing golf course should be eliminated in favor of recommending a PD Zone for other than the Rockville Pike frontage recently zoned under the Pike Plan and the frontage along Wootton Parkway, which should be recommended for the RF Zone as discussed below. The Hearing Draft recommends reviving and streamlining the PD process for major projects and states that "[a]ny proposed development of one of the golf courses in the city would benefit from the option for a Planned Development process." (Hearing Draft p. 50) However, it also recommends that a conceptual master plan be completed for each of the golf courses in the City, including Woodmont. The stated goal of these conceptual master plans is "to put any partial or complete changes into context and to ensure orderly development of these large sites over time." (Hearing Draft p. 52) For Woodmont, recommending a PD zone for that portion of the property identified above will suffice to achieve this end. As explained below, a further conceptual master plan will be duplicative of the PD process in that both are intended to deal with general planning issues for large scale redevelopment, and Woodmont has been the subject of two previous master plans setting forth relevant guidance and, in the Pike Plan, actual zoning.

Woodmont has worked very closely with the City during the lengthy processes which led to the 2002 Comprehensive Plan (the "2002 Plan") and again as part of the Pike Plan. This 2002 Plan recommended that the property be developed with a Comprehensive Plan Development and set certain guidelines for such a plan if no longer used as a country club. These included a 0.5 FAR for non-residential areas and 6.5 dwelling units per acre. We recommend that the proposed language consistent with prior concepts for a comprehensive design adapted to a PD zone in place of the now terminated CPD be included in the plan in lieu of a recommendation for another master plan. We have attached such possible language for your consideration as Exhibit "A".

2. The Land Use Policy Map reflect the recommendation for PD on Woodmont

The above required recommendation for a PD zone should be reflected on the Land Use Policy Map. In the Hearing Draft, this portion of the property is designated as Open Space Private ("OSP") on the Land Use Policy Map. OSP reflects the property's current use and intended use for the foreseeable future. However, the Comprehensive Plan is long term in nature and, therefore, must be more forward looking. For the reasons stated above and in the Hearing Draft, a PD would be desirable for the long term in the unlikely event that Woodmont redevelops. Reflecting the recommendation for a PD on the Land Use Policy Map will provide the best guidance for the property's future should it ever cease use as a country club.

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Members of the Planning Commission
June 4, 2019
Page 3

3. Woodmont requests that the Wootton Parkway frontage of the Property be designated RF rather than OSP.

The Staff Draft of the Comprehensive Plan designated the Wootton Parkway frontage of the Woodmont property as RF. In the Hearing Draft, the Planning Commission changed the designation for the frontage to OSP. We believe that the Planning Commission's decision to change the RF designation to OSP along Wootton Parkway was based on incorrect conclusions. The Wootton Parkway frontage contains approximately 27 acres and is currently not used for country club purposes. Development of the frontage, although again not planned at this time, would have significant benefits to both the City and Woodmont. First, such development would not only provide compatible residential uses served by existing infrastructure, but also potentially desirable amenities. Second, Woodmont plans to continue operation as a country club for the foreseeable future and understands that the City shares in this goal. The ability to redevelop the Wootton Parkway frontage without impacting its operations, including its golf courses, according to the RF recommendation, would provide Woodmont with greater financial security for the continuance of its operation as a country club.

During worksessions on the Staff Draft, Commissioners expressed a concern that the RF designation may be inappropriate because: a) Wootton Parkway should not have many turn off points; and b) allowing piecemeal redevelopment of the Woodmont property will result in "stub roads" leading into the property, but no through roads. Both of these concerns can be avoided by the design and planning of access points to Wootton Parkway and new internal streets. Regarding access, as shown on Exhibit "B", a median cut and traffic light already exist along the Wootton Parkway frontage. These may be used as access points for any future development, avoiding excessive turn-off points and stub streets. Further, the size and shape of this portion of the property permits a layout that can be served by an internal thru road accessing Wootton Parkway to the west at the median break and, to the east, at the existing signal. This thru road could provide for units on both sides, with appropriate internal block designs, as well as provisions for future connection(s) to the balance of the property. Thus, we believe the RF designation is beneficial and request it be restored.

4. Any recommendation that a park be located on Woodmont should contain the clarification that the need, appropriate size and location of the park will be determined if the property redevelops

The Hearing Draft indicates that the City may eventually seek a park on the Woodmont property. First, the Land Use Policy Map in the Hearing Draft includes an asterisk on Woodmont designating it as a potential park location. (Hearing Draft p. 20) Second, the Hearing Draft also recommends a single park and/or parks (10 acres of parkland in total) in the South Pike area – near Woodmont. (Hearing Draft p. 92) Finally, the Hearing Draft recommends acquiring

LINOWES
AND **BLOCHER LLP**
ATTORNEYS AT LAW

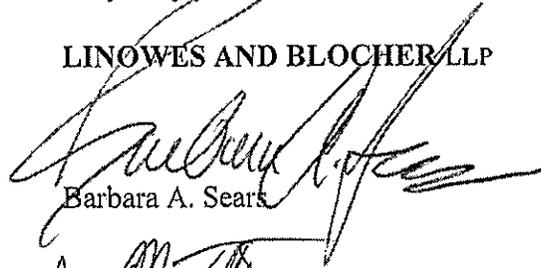
Ms. Gail Sherman, Chair and
Members of the Planning Commission
June 4, 2019
Page 4

parkland to ensure that every residence is within a 10-minute walk of a park. (Hearing Draft p. 96) At this time, as noted above, Woodmont intends to continue its operation as a country club with golf courses for the foreseeable future. The purchase by the City of a park on the property would be antithetical to this desired goal and the intention of Woodmont to remain a country club. As such, any recommendation that a park be located on the property should be tempered with the clarification that the precise need, size and location of such park would be determined in the event that all or a substantial portion of the property redevelops and any such park should not be in conflict with the operations of Woodmont as a country club.

In closing, we urge the Planning Commission to adopt the above-recommended changes to the Comprehensive Plan. We request that this letter be made a part of the public hearing record and look forward to continuing to work with the Planning Commission and staff throughout the Comprehensive Plan process. Thank you for your consideration.

Very truly yours,

LINOWES AND BLOCHER LLP



Barbara A. Sears



Laura M. Tallerico

Attachments

cc: David Levy
Cindy Kebba
Barry Gore
Brian Pizzimenti
Andrew Isaacson, Esq.

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June 4, 2019

Draft Plan Language

Recommendations for the Woodmont Country Club generally remain in keeping with the recommendations expressed in the 2002 Comprehensive Master Plan but have been updated to reflect currently available zoning designations and standards. As in 2002, the City does not anticipate or desire development of the Country Club property within the planning horizon of this Plan. However, if that portion of the property subject to the PD recommendation is no longer used as a country club, it is recommended that the site be developed in accordance with the PD designation. Specifically, the property should be rezoned to PD with the additional limitations described here. The property is envisioned to be developed as a mixed-use community, with development densities not to exceed a maximum of .5 FAR in nonresidential areas and 6.5 dwelling units per acre. A neighborhood retail center may also be appropriate. A minimum of 35% open space is recommended for both passive and active recreation use on the property, including any wetland, stream buffer, and/or floodplains that are on the site. The Lyddane-Bradley House, built in 1858, also should be preserved because it is architecturally and historically significant to the City of Rockville. Development options that preserve trees and historic structures are preferred. Another important development parameter is the provision of adequate buffers from adjacent residential communities. At a minimum, the buffers should follow the required setbacks for MXCT found in the Zoning Ordinance, including layback slope requirements of Section 25.13.05.2(d), and may exceed those requirements based on site conditions and environmental features. Additional buffers should be provided for existing tree stands and forested areas. Whether development of the club occurs incrementally or at once, Site Plans should be integrated to allow for a street plan which provides for adequate dispersal of site-generated traffic. Proposed development plans for any substantial portion of the site should also address the feasibility of providing a pedestrian and bikeway connection to the Millennium Trail along Wootton Parkway, and to other bikeways designated in the City's Bikeway Master Plan.

Exhibit "A"

3/5/2019

Wootton Pkwy - Google Maps

Google Maps

Wootton Pkwy

Wootton Parkway Median Cut Street View

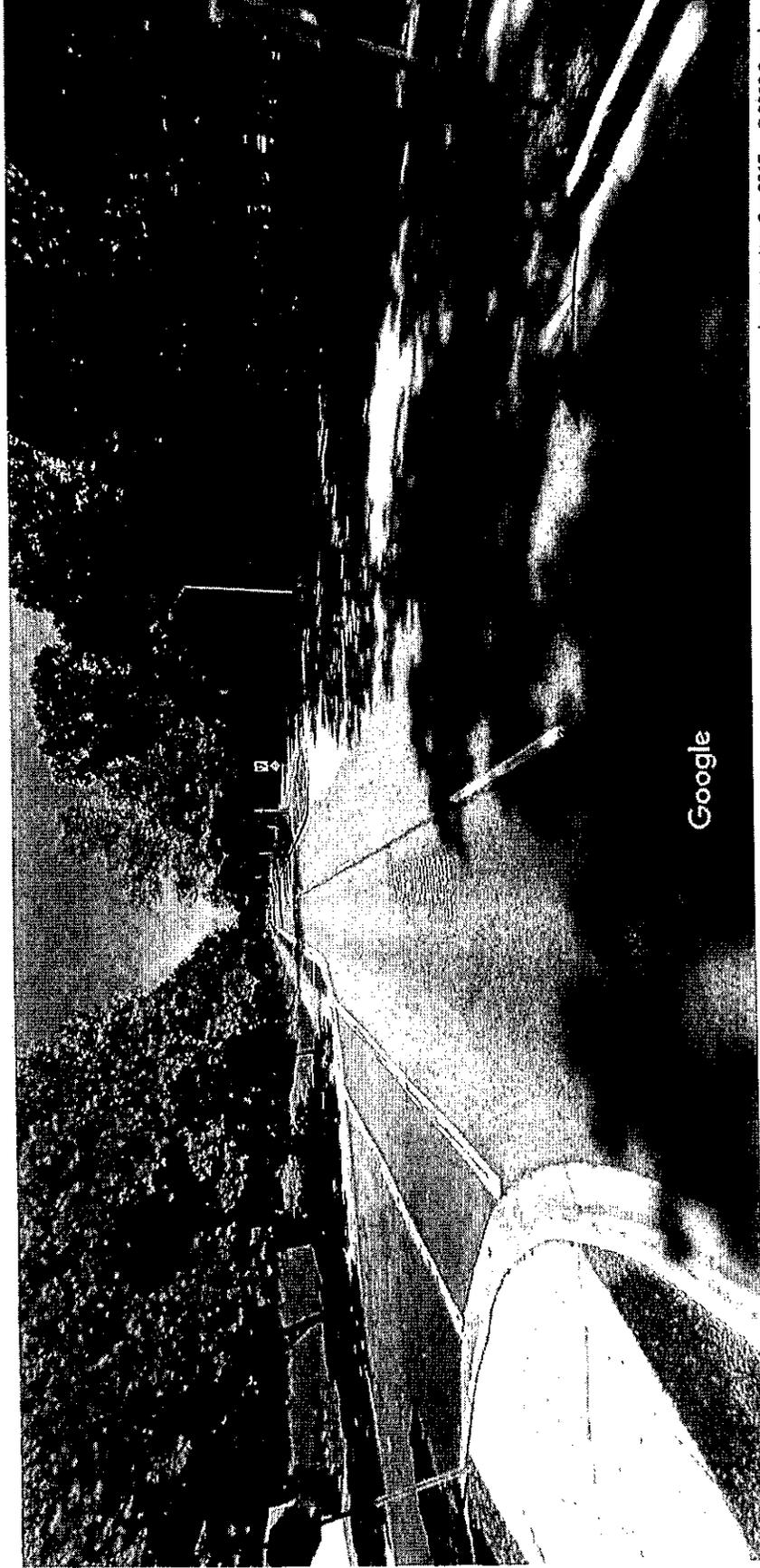


Image capture: Sep 2017 © 2019 Google

Rockville, Maryland



Street View - Sep 2017

Dawson Farm Park

https://www.google.com/maps/@39.0691471,-77.1458602,3a,75y90.55h,76.01t/data=!3m6!1e1!3m4!1s_HuGtWp3GofmDhCqstYeovr2e0J71f3312l8f6656

1/2

Exhibit (19)

Aaron Kraut
122 Monroe Street, #302
Rockville, MD 20850

Rockville Planning Commission
111 Maryland Avenue
Rockville, MD 20850

June 4, 2019

City of Rockville Planning Commissioners,

My name is Aaron Kraut. I am a new resident of the Americana Centre and lifelong resident of Montgomery County who wants to see the City of Rockville make smart planning decisions so our community becomes more vibrant, more accessible, and more equitable. The Draft Comprehensive Plan before you provides exciting opportunities to create a future City of Rockville that achieves these three objectives, which will result in a better place for more people.

The Department of Community Planning and Development Services produced a draft document impressive in scope with forward-thinking strategies for environmental sustainability, pedestrian and bicyclist safety, parks and open spaces, annexation, and more.

I will focus this written testimony on three specific policy proposals in the Land Use and Urban Design section that I believe you must preserve, and in some cases expand, in your Comprehensive Plan recommendations:

Policy 2: Maintain large areas of Residential Detached land use, while allowing one additional accessory apartment or accessory dwelling unit per lot.

We face a significant shortage of affordable housing in places like the City of Rockville, in high demand because of a quality public school system and access to quality jobs, recreational opportunities, a diverse array of businesses, and major transportation infrastructure.

But high demand is not the only reason we face an affordable housing shortage. The City of Rockville, Montgomery County, jurisdictions across the Washington Metropolitan region, and jurisdictions around the country have failed by restricting the creation of enough new housing supply to meet that demand.

This dynamic has intensified economic and racial inequality and encouraged inefficient, unhealthy, and environmentally damaging sprawl development. It has enabled some who were deserving and fortunate enough to gain access to highly desirable communities at times when they were more affordable to adopt an immoral – even if subconscious -- mindset that others now trying to access the same communities are somehow less deserving.

Policy 2, which would allow one accessory dwelling unit to be built per lot in single-unit detached residential neighborhoods, would not solve our entire affordable housing shortage or

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completely address these broad, societal issues that are creating problems in communities around the country. But it would be a straightforward way with relatively few demands on our City's infrastructure to allow more affordable housing opportunities and more accessibility to our highly in-demand and highly desirable neighborhoods. I urge you to support it.

Policy 3: Allow diversification of the residential land use pattern in specific locations to meet varied needs, market dynamics, and high demand for all types of housing.

Policy 3, which would allow for the creation of duplexes, triplexes, fourplexes, townhouses, and small apartment buildings in specific areas closest to Metrorail and bus rapid transit, would help us with our affordable housing challenge in many of the same ways that accessory dwelling units would.

I urge you to preserve it in the plan. I believe we must go further if we are to make significant progress in fixing our affordable housing shortage and creating a City of that is truly inclusive.

We should expand the areas where one can build duplexes, triplexes, fourplexes, townhouses, and small apartment buildings by another quarter-mile compared to what is proposed in the draft plan, and in all areas of single-unit detached residential neighborhoods around schools and commercial districts such as Rockville Town Square that are not already recommended for this change because of their proximity to transit. This one quarter-mile expansion preserves much, if not all, of the walkability to transit this policy is meant to take advantage of.

Policy 9: Allow Residential Attached and mixed use development in East Rockville on blocks immediate to the Metro station, as mapped on the Land Use Policy Map.

Besides the obvious advantages of allowing more housing density on properties across the street from a major transit station, Policy 9 could allow for the type of street-level and neighborhood-serving retail that right now too many on the east side of the city are effectively cut off from by rail lines and six to eight lanes of Rockville Pike vehicle traffic.

While it's important to respect the community input and work that went into the 2018 Stonestreet Avenue study, it is also fair to question whether we should miss an opportunity to create a more accessible and more vibrant community by restricting ourselves to "slightly higher density" instead of "higher density" more in-line with other sites around the City, County and region in such close proximity to such a significant transportation resource.

Thank you for taking the time to read my written testimony on the Draft Comprehensive Plan. The draft before you provides a solid framework we can be proud of because of smart policy proposals that advance the changes necessary to make the City of Rockville a more vibrant, accessible, and equitable place – a better place for more people. I look forward to watching you work through the plan and thank you for your service on the Planning Commission.

Sincerely,

Aaron

Exhibit (20)

City of Rockville Planning Commission

June 4, 2019

Dear Gail Sherman, Chair and

Anne Goodman, Charles Littlefield, Don Hadley, John Tyner, Jane Wood, Sarah Miller

My name is (George) Son Hwa Chang, The property owner of a house located at 100 South Adams Street, at the corner of West Jefferson Street and South Adams Street. I have been lived in Rockville for 48 years since immigrated to United State from Taiwan Through Argentina. Rockville is the only place where I lived in U. S. and the longest place Where I live and work in my entire life..

I am requesting the Zoning change for this property to be used as office space.

Because of this house is hardly can use as dwelling for any family. It situate only 5 feet from West Jefferson Street, which expose to heavy volume of traffic. House would shake when heavy truck Pass by, or emergency vehicle's siren will pierce your ear when you are sleeping.

I have acquired this property for 30 years, but not in properly used, it create a insufficient income to Offset expenses, which like property tax and other maintenance cost.

I have no intention to change the structure or style of the house. In order to use as office, I will Accommodate what is necessary to modify the fence along neighbor's yard.

Thank you for your attention and assistance on this matter.

Sincerely,

(George) Son Hwa Chang

- An upgraded pedestrian environment, including enhanced sidewalks, landscaping, street trees, public/civic gathering spaces, and pedestrian-scale lighting.
- A mix of walkable, local-serving commercial uses and multi-unit residential, and residential attached uses at the N. Stonestreet Ave and Park Road intersection.
- A range of new, well-designed residential attached housing types, that complement, and not overwhelm, adjacent single-family housing.

- ③. Rezone the properties from Single-Family Residential (R-60) to Mixed Use Neighborhood Commercial (MXNC) to promote a greater mix of uses, including smaller-scale multi-unit residential, townhouses, and limited commercial at this transit node.

- ④. Rezone the properties from Single-Family Residential (R-60) to Residential Medium Density (RMD-15) or to a new zone specifically designed for infill residential to promote a mix of infill housing types, compatible in scale with single-family homes, including duplexes, triplexes, quads, townhouses and **stacked flats**.

2.1.2 Recommendations

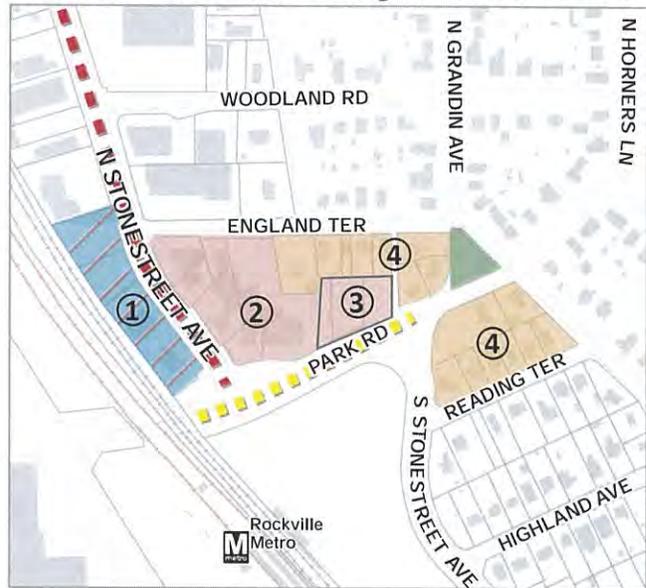
A. Land Use and Zoning

In general: Amend the City's Master Plan to allow for and promote a mixed-use node of local-serving commercial, offices, multi-unit residential, and residential attached along Park Road, between the rail lines and N. Horners Lane (see Map 2.1). New Service Industrial uses are not encouraged at this transit node.

Property specific (see Map 2.1):

- ①. Rezone the properties from Mixed Use Business (MXB) to Mixed Use Neighborhood Commercial (MXNC) to promote retail, office, and services uses.
 - Residential uses are not encouraged given site constraints due to shallow lot depths.
 - Service Industrial is not a permitted use in MXNC and would be a non-conforming use. No new Service Industrial uses would be permitted, but existing uses would be allowed to remain.
- ②. Rezone the properties from Mixed Use Business (MXB) to Mixed Use Neighborhood Commercial (MXNC) with heights up to 4-5 stories (or 50-65 ft) to promote a mix of local retail and service uses and multi-unit residential across from the Rockville Metro Station.
 - Service Industrial is not a permitted use in MXNC and would be a non-conforming use. No new Service Industrial uses would be permitted, but existing uses would be allowed to remain.

Map 2.1: Land Use and Zoning Recommendations



Map 2.2: Aerial of the Area





William Kominers
301-841-3829
wkominers@lerchearly.com

June 4, 2019

VIA HAND DELIVERY

Gail Sherman, Chair
Rockville Planning Commission
Rockville City Hall
111 Maryland Avenue
Rockville, Maryland 20852

RE: 5946 Halpine Road—Comprehensive Plan for the City of Rockville

Dear Chair Sherman and Members of the Planning Commission,

We represent the owner of the property (“Owner”) at 5946 Halpine Road in the City of Rockville (the “Property”) (highlighted in yellow on an excerpt of Tax Map GQ563 attached as Exhibit A). The Property is just to the east of the Twinbrook Station mixed-use development. The purpose of this letter is to comment on the Planning Commission Draft of the Comprehensive Plan for the City of Rockville (the “Plan”) and request that the land use recommendation for the Property in the Plan be changed from RF (Residential Flexible) to the RRM (Retail and Residential Mix) land use category.

The Property, located east of the railroad/Metro tracks, is a short walk to the Twinbrook Metro Station and adjacent to the Twinbrook Station mixed-use development to the west and across the street on the south. The approved plan for Twinbrook Station included four to six story buildings and similar sized parking structures adjacent to the Property, with taller buildings confronting to the southwest (all in the PD-TC Zone). To the immediate east of the Property are townhouse developments known as Cambridge Walk I and II, in the RMD-10 Zone. To the north and northwest are single family homes and industrial properties. (See excerpt from the Zoning Map attached as Exhibit B.) The Property is currently zoned R-60 and is improved with a small house as part of a non-conforming use.

The Owner of the Property has tried unsuccessfully in the past to have the Property rezoned comprehensively, because the single-family zone and use are out of character with the surrounding land uses and zones. The R-60 Zone, a single-family zone (and even the single-family land use), is inappropriate for the Property—because of the Property’s location close to the Metro Station, its nearness to the railroad tracks, its adjacency to property planned under the PD-TC Zone (and recommended in the Plan for an office/residential/retail/mixed land use, under the ORRM designation), and its location relative to other nearby developments (also recommended in the Plan for ORRM, office/residential/retail/mix, or more intense residential land uses). (See the Land Use Policy Map, page 35 of the Plan, attached as Exhibit C.)

The Plan recommends the RF (Residential Flexible) land use designation for the Property. But, the land use should not be limited to only residential uses. Instead, the Owner believes that a residential/retail land use designation (such as the RRM) would be more appropriate, allowing the Property to better serve as a transition from the townhouses to the east to the office/residential/retail/mixed land use of the planned development to the west of the Property (see Plan, Figure 5, p. 35).

There is a long history of the Owner working with the City planners and officials to recognize and implement the most appropriate land use for the Property, to help it reach full potential. During the preparation of the Rockville Pike Neighborhood Plan (the "Pike Plan") the Owner requested that the Property, adjacent to the edge of the Pike planning area, be included in the Pike Plan by extending the boundaries of that Plan. At that time, the City Staff recommended against the request, stating in the Agenda Memo that the "most appropriate mechanism for reconsideration of the land use assigned to this property is already underway - - the Rockville 2040 process to update the Comprehensive Master Plan". During the Citizens Forum and worksession on the Pike Plan (held on June 6, 2016), an individual stated that he represented the Twinbrook Citizen Association and that "no one wanted" the Property to remain residential. He stated that the preference was for a non-residential land use such as office or "modern industrial".

At the June 6, 2016 worksession, Councilmember Pierzchala stated that he did not believe the Property should remain zoned R-60 because the Property is "too close to the path" and it would be too difficult for occupants of a home on the Property to have any privacy. In addition, Mr. Pierzchala opined that use as a park would be a risky use, because a very small park at that location would be an inviting location for dangerous activity. Mayor Newton agreed, at that time, that the R-60 Zone would not be appropriate, and thought that the neighbors would like "townhouses". During that worksession, Planning Staff agreed that the appropriate land use for the Property should be decided during the Comprehensive Plan process. Now that the Plan is well underway, it is finally time to address the future use of the Property.

The Owner is pleased that the Draft Plan recognizes that single-family use is not appropriate, by recommending the RF (Residential Flexible) land use category. However, given the proximity to the Metro Station and the Twinbrook Planned Development, there should also be an opportunity for a limited amount of ground floor retail in a residential redevelopment of the Property. For this reason, the Owner, requests a mixed-use land use designation for Property that would allow a variety of residential uses, including multi-unit residential (just like the Residential Flexible), but also allow limited retail uses. (The size of the Property is, by itself, protection against the size of a retail use.) Therefore, the Owner requests a change to the RRM (Retail and Residential Mixed) land use category. The RF use allows a mix of row houses, apartment buildings, and detached houses, but does not allow any retail uses. In contrast, the RRM mixed-use designation would accommodate a small component of retail to mix uses on the Property.

A multi-unit, primarily residential building would serve as an appropriately scaled transition from the townhouses on the east (Cambridge Walk I and II, currently zoned RMD-10) and the single-family properties further to the east. RRM would also serve as a transition to the

properties to the northwest that are designated as appropriate for SRM (Service Residential Mix), to those designated RA (Residential Attached) to the north, and to the properties to the west and southwest designated as appropriate for the ORRM mixed-use, supporting the planned development.

Establishing the RRM residential/retail/mixed land use for the Property to replace the outdated single-family residential zone on the Property, would be consistent with several policies outlined in the Plan, including Policy 10 on page 34. Policy 10 is to “plan for additional growth near the Twinbrook Metro Station.” One of the Actions described to implement the Policy (Action 10.2) is to “allow attached and small, multi-unit residential types on blocks in the Twinbrook neighborhood adjacent to the east side of the Twinbrook Metro Station as mapped in the Land Use Policy Map.” The Property directly responds to that Action. A land use designation such as RRM, that allows a mix of both retail and residential, would be consistent with Policy 10 and follow Action 10.2. RRM would be appropriate at this location, and would allow some flexibility in use and design of the site. In addition, a retail and residential mixed land use would be compatible with surrounding land uses and would also serve as an appropriate transition to those surrounding land uses.

For many years, through many planning processes, the City has recognized the errors of the R-60 zoning on the Property and of the recommendation for park use. Each time, the City authorities have said that the then-ongoing process was not the right one to use to correct the anomaly.

Most recently, in discussing the Pike Plan in 2016, the Mayor, Council, and City Staff pointed to the upcoming Comprehensive Plan as the method by which to make this correction. The Comprehensive Plan is here. The time has come. The time is now. RF is a start, but RRM is the better and more flexible path to solve a challenging property that is a short walk from the Metro Station. There are future residents waiting for just such an opportunity. Give the Property a chance to be what it can be.

Thank you for your consideration of these comments.

Very truly yours,

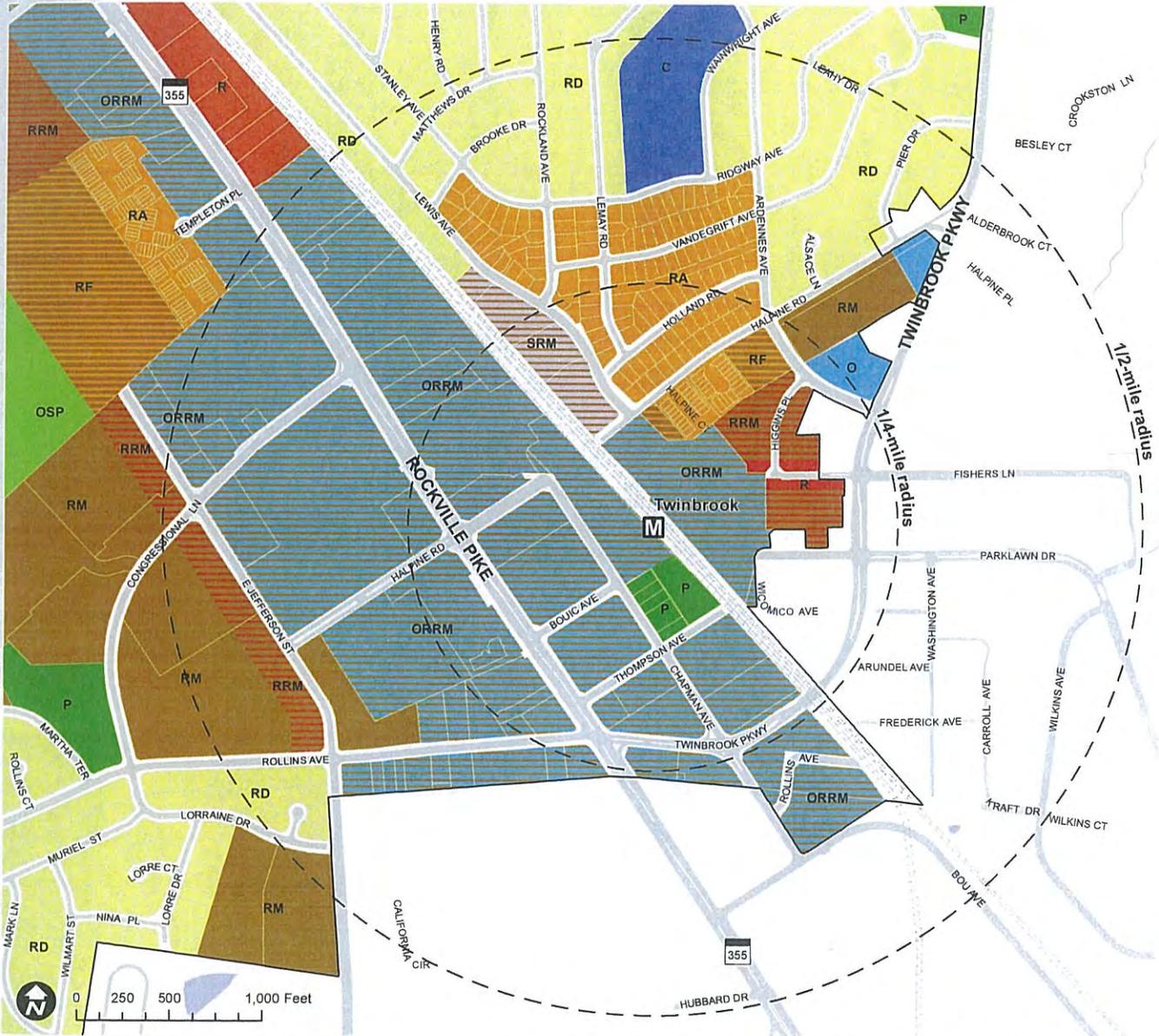
LERCH, EARLY & BREWER, CHARTERED

William Kominers

Enclosures

- cc: Mr. Zion Avissar
- Mr. David Levy
- Mr. Barry Gore
- Ms. Cindy Kebba

Figure 5: Land Use Policy Map, Twinbrook Metro Station



To the east of the tracks, the plan allows Residential Attached (RA) housing types on blocks between Lewis Avenue and Ridgeway Avenue. The plan also changes the land use from light industrial to Service Residential Mix at the south end of Lewis Avenue, allowing both residential and light industrial uses.

PUBLIC HEARING DRAFT

Land Use 35



Exhibit (23)

William Kominers
 301-841-3829
wkominers@lerchearly.com

June 3, 2019

Gail Sherman, Chair
 Rockville Planning Commission
 Rockville City Hall
 111 Maryland Avenue
 Rockville, Maryland 20850

Re: Planning Commission Draft of the Comprehensive Plan for the City of Rockville (“Draft Plan”)--Comments

Dear Chair Sherman and Members of the Planning Commission:

The purpose of this letter is to comment on a philosophical aspect of the Draft Plan, rather than any of the substantive recommendations for particular properties. The Draft Plan separates the land use recommendations from zoning and implementation recommendations. This separation makes the consideration of the Draft Plan and its recommendations more challenging and uncertain.

With respect individual properties, the Comprehensive Plan only makes recommendations on land uses. While beneficial as a starting point, these recommendations only reflect a portion of the factors relevant to the use of a particular property. Inherent in an informed opinion about the land use recommendations, are at least the following two questions:

1. How will the proposed use be implemented through zoning, and what constraints or requirements will come with the particular zoning classification?
2. What other uses—unrelated or subsidiary—will be allowed by the zone, under the umbrella of the particular land use recommendation?

The uncertainty of these questions seriously affects a property owner’s opinion about a specific land use designation. Because the Plan does not appear to establish how expansive or restrictive these land use recommendations might be—only a few uses are specified in the land use descriptions on page 19. What other uses are allowed is left in limbo.

As an example of this problem, consider property recommended for “Office.” With a designation as “Office,” does that mean that only office structures and uses may be developed on the property? The textual description read very narrowly. While ground floor retail is specifically mentioned, residential and all other uses “are allowed only with Special Exception.” Could one build a stand alone hotel, or include a hotel as part of a mixed use project with this designation? To incorporate a hotel, in the project, or have a medical or food services in the building, would a special exception be required? Would including a hotel or a biotech dry lab require amendment to the Draft Plan? If so, attracting those uses to create a mixed use environment, may be problematic at best.

The term “office” is very limited because it is single, specific use itself, rather than a category of uses. The term “residential,” for example, covers a variety of types of residences. The terms “non-residential,” or “commercial” can cover a range of uses including “office,” because they are more generic, umbrella categories, sheltering a wide variety of individual uses.

If the land use designation of “Office” is coupled with a mixed use zone (like the MXTD, MXCD, or MXE) as may be mapped on a property today, the single use “Office” recommendation may be less limiting, and therefore more acceptable. More flexibility may be able to be given through the specific zone than through the land use recommendation. Flexibility is essential to allow properties to adjust to changing times and market forces.

Slavish adherence to the land use recommendation, even in the face of broader uses allowed by the zone, could severely limited an owner’s options, and could prevent approval of desirable projects. This conflict between the use recommendations and the allowable uses in the actual mapped zone can become a point of contention in any application, and could derail creativity and evolution of an area that seeks to progress beyond the reach of the Draft Plan’s crystal ball.

This disconnect between the land use recommendation of the Draft Plan, and the eventual zoning mechanism by which to build, is one reason why land use designations that encompass multiple uses and/or “mixed use” are preferred—so as to assure flexibility to choose from a variety of uses that can respond to the market demand over time as those demands change. Uncertainty about the second step in the continuum of regulation—the zoning classification—makes an opinion about the land use designation more difficult, thus encouraging a reserved comment of: “yes maybe, but ...”

The Draft Plan also does not indicate whether the intention is to utilize the existing zoning classifications that are mapped on the properties today, or whether new zoning classifications will be invented to implement this new Draft Plan. The potential for having to address new zoning classifications in conjunction with the implementation of this Draft Plan, can give one pause.

June 3, 2019

Page 3

Only ten (10) years ago, in 2009, the Zoning Ordinance was totally rewritten to create a whole series of new zones, trying to encourage mixed use development in many places. The City went to those mixed use zones to allow uses to mingle, horizontally and vertically, and to get away from strict borders of single-purpose zones. Some of the land use recommendations in the Draft Plan seem to return to pre-2009 ideas. Even overlaying the current zones with new standards for certain areas or uses, tends to undermine the flexible, mixed use expectations created with the new zones, but in 2009. The changes in 2009 were dramatic, but have not yet been fully integrated and tested. Revamping the zoning classifications again, to correlate with new land use designations described on page 19 of the Draft Plan, just exacerbates a pattern of continuing change, and consequent uncertainty, that makes investment that much more challenging, particularly in the larger scale, longer term developments that usually bring more public benefits.

Summary.

Some clearer exposition of the zoning implementation methodology and mechanisms would allow better consideration of the acceptability of the land use recommendations set out in the Draft Plan.

Thank you for your consideration of my comments.

Very truly yours,

LERCH, EARLY & BREWER, CHARTERED

William Kominers

WK/paj

William Kominers
Attorney
Phone 301-841-3829
wkominers@lerchearly.com

June 4, 2019

Rockville Planning Commission
c/o Gail Sherman, Chair
Rockville City Hall
111 Maryland Avenue
Rockville, Maryland 20850

Re: Tower Oaks – Draft Comprehensive Plan recommendations

Dear Chair Sherman and Members of the Planning Commission:

This letter is written on behalf of Tower-Dawson, LLC, (“Tower-Dawson”), to present comments on the Planning Commission Draft of the Comprehensive Plan for the City of Rockville (the “Draft Plan”). Tower-Dawson is the original developer of the Tower Oaks Comprehensive Planned Development (“CPD”), located along the east side of I-270 and west of Woodmont Country Club. Tower-Dawson is also the owner of the buildings at 1101 Wootton Parkway and 2000 Tower Oaks Boulevard (where their office is located) within Tower Oaks along with the remaining undeveloped sites within the Tower Oaks CPD.

Attached to this letter is a copy of the Development Area Diagram for the Tower Oaks CPD, for use in identifying the recommendations for different portions of the CPD in the Draft Plan, (Exhibit 1) and an excerpt from the recommended land use map from the Draft Plan (Exhibit 2). The comments below also reference particular Policies and Actions in the Draft Plan.

The Draft Plan generally recommends the land use category of “ORRM” (Office Residential Retail Mix) for the principal undeveloped parcels at Tower Oaks (Development Areas 3 and 4 on Exhibit 1). This use is consistent with the Concept Plan for Tower Oaks and the PD-TO (Tower Oaks) Zone (Section 25.14.27), as well as being consistent with the MXE Zone, noted in Section 25.14.27.6 as the equivalent zone for these undeveloped parcels. Most importantly, the land use recommendations, in conjunction with other elements of the Draft Plan, reflect a belief in the need for flexibility, and that developing those portions of the Tower Oaks CPD with a wide range of land uses should be possible and be encouraged.

At the same time, the land use recommendations of the Draft Plan need to respect and work together with the existing CPD and its approved Concept Plan.

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Page 2 of 7

Development Area 4.

The area between Wootton Parkway and Cabin John Creek (the northern portion of the Development Area 4 on Exhibit 1) is currently approved for a full-service hotel, large scale health club, and hotel residences. Unfortunately, this combination of uses is not being embraced by the marketplace.

Tower-Dawson intends to seek approval to locate more viable, compatible, and complementary uses for the Tower Oaks CPD in Development Area 4, and uses for which there is more demand in the marketplace. The Draft Plan recommendation of ORRM for Development Area 4 provides a new flexibility to allow the property to introduce a wider range of uses through the CPD, to allow these developments to evolve in a changing market environment.

Development Area 3.

The ORRM designation for Development Area 3 on Exhibit 1 is an appropriate land use designation to support the existing CPD approval.

Development Area 1.

Development Area 1, on Exhibit 1, the narrow portion of Tower Oaks located along the east side of I-270 and west of New Mark Commons, is recommended for the RF (Residential Flexible) land use. The Residential Flexible is appropriate going forward. The Concept Plan approval designates that parcel for an extended stay hotel, expected to occur in a residential-looking format. However, such hotels are very challenging in today's economic climate. So the RF presents a positive direction. Certainly, the current PD-TO zoning authorizes the extended stay hotel use. But, being more expansive and flexible in allowing other uses provides good opportunities.

Policies and Actions.

There are a number of other Policies and Actions in the Draft Plan for which Tower-Dawson wishes to note support. Many of these Policies or Actions will be beneficial in utilizing the flexibility of the land use recommendations to create opportunities to complete the Tower Oaks CPD in the context of the current evolving nature of the market.

Tower-Dawson supports Policy 6 on page 27, urging the City to plan for, and thereby be receptive to, land use changes from commercial to residential uses. As occurred with the EYA development within Tower Oaks, the addition of residential to office parks to create a more mixed-use environment, has been shown to have a beneficial effect in supporting and promoting the nonresidential uses as well.

Tower-Dawson supports the Draft Plan language under Action 23.2 on page 50, which states that a goal of the Plan is to "simplify and shorten the process for amending an approved Planned Development." Currently the project plan amendment process required is cumbersome,

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June 4, 2019
Page 3 of 7

time consuming, and expensive. In order to take advantage of more flexible land use designations, a simplified methodology for making amendments to existing project plans is needed. Goal 9, on that same page 50, recognizes that some planned developments, such as Tower Oaks, envisioned from the outset the much longer build out that has, in fact, occurred (in contrast single-use, residential Planned Developments, most of which are “completed”). The ability for long term planned developments to evolve is inextricably tied to the process by which that evolution can occur. Tower-Dawson would welcome changes to the current amendment process that would make that process simpler, faster, and less costly.

The need, and likelihood, for extended implementation of large-scale comprehensive planned developments is acknowledged through language on page 50 that supports the PD Zones.

On page 43, the Draft Plan recognizes that “office uses in more isolated locations are allowed to convert to other uses including... [the] remaining sites in Tower Oaks.” Action 16.6 on that page suggests continuing to allow conversion of office uses to other land uses in areas that do not have superior access to transit systems. While Tower Oaks certainly has excellent access to the highway network, transit options are more limited and subject to creating sufficient demand to support a transit presence.

Policy 26, on page 53 (to study the current minimum parking requirements), and Action 16.2, on page 43 (to reduce the minimum parking for office uses to promote economic development), are related and important elements for making the ORRM use effective. While office buildings at Tower Oaks have provided the full parking required by the Code, large portions of that parking go unused each day. This suggests that even in suburban sites, a reduction in auto usage is occurring. The substantial costs for creating that parking, especially for structured parking, contribute to higher rents needed and thus slower absorption and consequent slower development. Reducing the minimum parking requirements, in addition to having a cost benefit, can also reduce the land areas that must otherwise be devoted to parking.

Tower-Dawson supports the Goal of the Draft Plan to provide more housing to meet projected needs in the City, particularly for older demographics, which represent a growing percentage of the population in the City. As the Draft Plan states on page 190:

“One example of a demographic trend is the increase in one-person households living in Rockville, from 24 percent in 2000 to nearly 30 percent in 2014.”

Policy 2, also on page 190, seeks to promote diversity in the supply of housing to meet market demand. This policy references recent projects in planned developments, such as EYA at Tower Oaks, that have delivered a mix of multifamily, attached, and detached units. This opportunity to provide diversity in housing can occur through a larger scale, collective approach among multiple projects and sites. This is an appropriate way to develop a mix of types over a broader area, rather than seeking a mix of types in any one particular project, or in every project. Projects should be analyzed collectively to provide the diversity and variety of housing that the market demands, without needing to occur on every property. In effect, the uniformity of variety should occur in the aggregate, rather than through set variety made uniform in every location.

Tower-Dawson supports the Action recommended in Section 3.1, page 193 of the Draft Plan, to “Allow new housing in locations where amenities and infrastructure already exist, and that are compatible with the existing neighborhood.” Allowing housing to be introduced into areas of the City where it may not have been envisioned previously, which have existing infrastructure, is an effective and appropriate way to meet the anticipated growing demand for housing.

Implementation.

While supporting many of the concepts and recommendations of the Draft Plan, there are some cautionary notes.

First, the existing Tower-Dawson office buildings at Tower Oaks are recommended for “Office” use. While seemingly logical, this is also limiting. The “Office” description on page 19 of the Draft Plan, notes that while ground floor retail is included, all other uses “are allowed only with Special Exception.” This last clause can have a chilling effect on tenant uses within office buildings, or similarly deter other complementary business uses. Especially without a clear understanding of the zones to be applied to implement these land use recommendations, a severe restriction in the description of the land use term itself can undermine success.

This first unknown leads to the second area of concern—how will zoning be applied to implement the land uses. (This is less of an issue with Tower Oaks, because of the remaining integrity of the PD-TO (Tower Oaks) Zone. But this can be a concern in other properties, or even with the use of equivalent zones listed in Section 25.14.27.b.)

Planned Development (“PD”) Zones. While the Draft Plan speaks of land use, it cannot be totally separated from the zones. This is rather simple for the planned developments. The zoning clearly retains the PD zones that reflect the approved Comprehensive Planned Development projects. The new land use recommendations should be used to provide suggested direction for the “equivalent zones” as called for in Section 25.14.27.b of the Zoning Ordinance for the PD zones. The PD Zones, and the CPDs they reflect, were carefully crafted to create a unified project environment that looked comprehensively at its own elements, while also being compatible with, and integrated into, its surrounding context.

At the same time, the Draft Plan and the City’s development process should allow voluntary evolution of these Planned Development projects. Their unbuilt sites should be encouraged to evolve to meet the market of the present, without surrendering the original. The land use recommendations in the Draft Plan should be additive to the PD Zones, allowing more flexibility, not less. To this end, as mentioned above, Policy 6 on page 27, Goal 5 on page 43, Action 16.6 on page 43, Goal 9 on page 50, and Policy 26 and Action 16.2 on page 53, are particularly noted for support.

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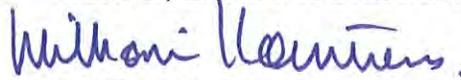
June 4, 2019
Page 5 of 7

In summary, Tower-Dawson supports: (1) the ORRM recommendations for Development Areas 3 and 4, and (2) the RF recommendation for Development Area 1.

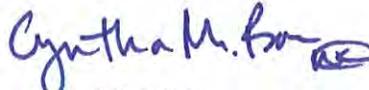
Thank you for your consideration of these comments.

Very truly yours,

LERCH, EARLY & BREWER, CHARTERED



William Kominers



Cynthia M. Bar

Enclosures

cc: Mr. Eric Posner
Mr. Barry Gore
Ms. Cindy Kebba
Mr. David Levy

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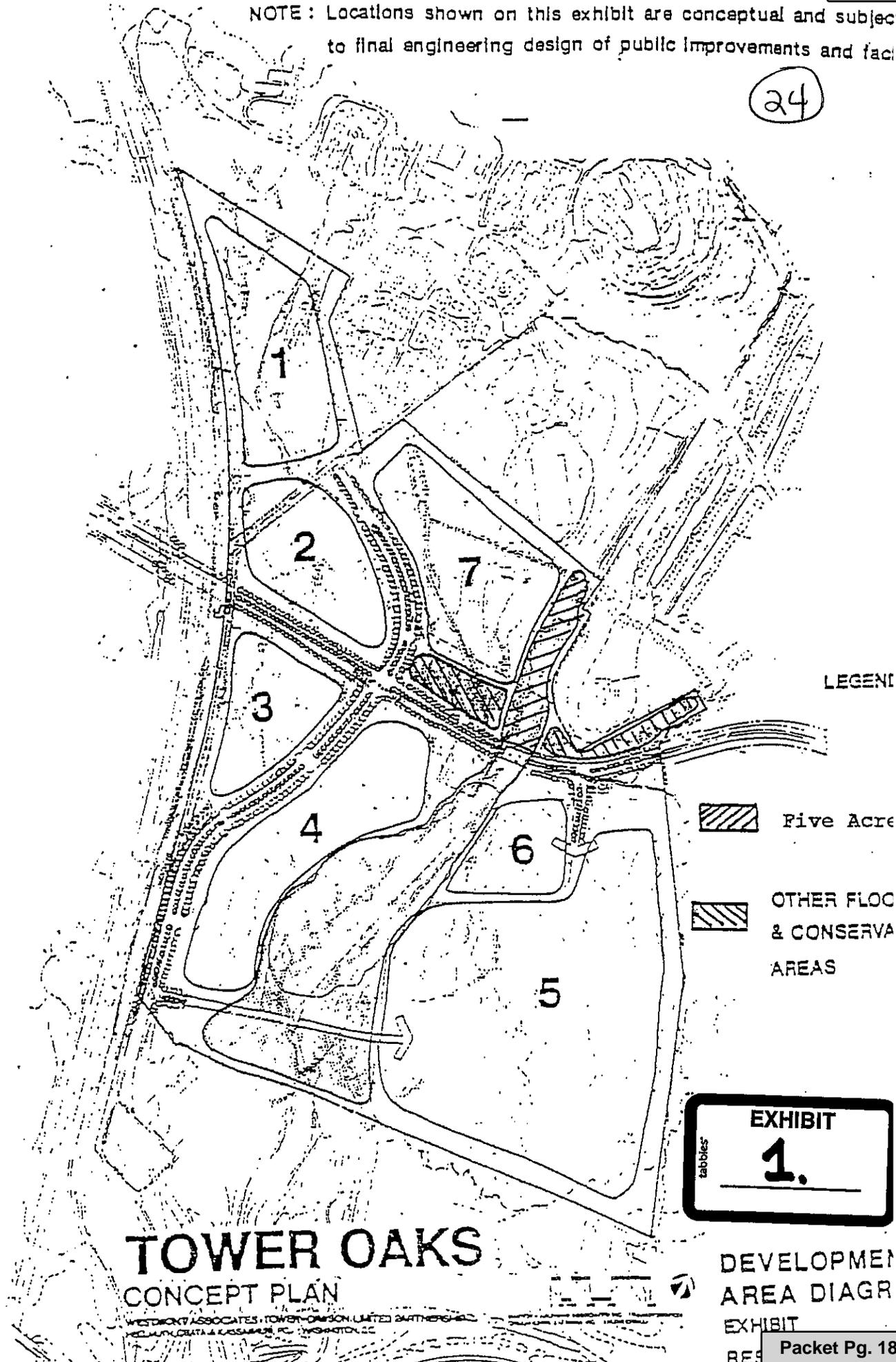
3.A.b

EXHIBIT "1"

[Development Area Diagram]

NOTE : Locations shown on this exhibit are conceptual and subject to final engineering design of public improvements and facilities

24



LEGEND

 Five Acre

 OTHER FLOOD & CONSERVATION AREAS

EXHIBIT
1.

TOWER OAKS

CONCEPT PLAN

WESTBROOK ASSOCIATES, TOWER OAKS, LIMITED PARTNERSHIP
10000 W. CENTRAL EXPRESSWAY, SUITE 100, WASHINGTON, DC 20007

DEVELOPMENT
AREA DIAGRAM
EXHIBIT

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

24

EXHIBIT "2"
[Excerpt of Land Use Map]

24



Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

tabbles*

EXHIBIT

2.



Cynthia M. Bar
Attorney
(301) 841-3827
cmbar@lerchearly.com

June 4, 2019

Rockville Planning Commission
c/o Gail Sherman, Chair
Rockville City Hall
111 Maryland Avenue
Rockville, Maryland 20850

Re: Chesapeake Plaza –Draft Comprehensive Plan recommendations

Dear Chair Sherman and Members of the Planning Commission:

I am writing on behalf of Shellhorn Rockville LLC, the owners of the Chesapeake Plaza Shopping Center located at 1488 Rockville Pike. On behalf of Shellhorn, we followed the recommendations for the Chesapeake Plaza property in the Pike Plan (adopted in 2016), and testified before the Planning Commission a number of times about the property.

Shellhorn not only has an interest in its own site, but also a broader interest in the viability of the entire Rockville Pike corridor. The Chesapeake Plaza site is directly adjacent to the BF Saul property, comprising about 18 acres, which is planned to become a new, vibrant mixed-use center near the Twinbrook Metro. Since the Chesapeake Plaza property is also between 1/4 and 1/2 a mile from the Twinbrook Metro, the development potential should be consistent with that of the BF Saul Property.

The 2016 Pike Plan recommended the MXCD zone for the Chesapeake Plaza property, and did not place specific height restrictions on the property in the Plan. We are pleased that the draft Comprehensive Plan recommends that the property remain in the land use category of Office Residential Retail Mix (ORRM), which is consistent with the character of the MXCD zone. We support that land use recommendation. Since the property is located within 1/2 mile from the Twinbrook Metro, we submit that the MXTD zone would also be appropriate for the Chesapeake Plaza property, at the time that zoning recommendations are made.

We are also pleased that the draft Comprehensive Plan did not recommend reducing heights around the Metro Core. We support this approach by the Plan. Reduced heights would thwart redevelopment in this important area of the City. We hope that the Plan will not include language that might limit heights to less than currently allowed by the Zoning Ordinance. The Plan may even consider additional heights. This additional height would give some of the narrower sites along the Pike more flexibility to achieve better designs if they are redeveloped.

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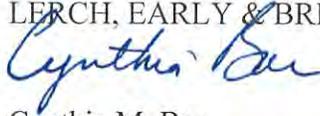
Members of the Rockville Planning Commission
June 4, 2019
Page 2

This flexibility is particularly important for the Chesapeake Plaza site, because the adopted Pike Plan recommended that Chapman Avenue be extended along the western border of the property, thereby reducing the developable land area of the Chesapeake Plaza property.

Thank you for your consideration of our comments.

Very truly yours,

LERCH, EARLY & BREWER, CHARTERED



Cynthia M. Bar

cc: Mr. Marc Kapastin
Mr. Fred Wine
Mr. Barry Gore
Ms. Cindy Kebba
Mr. David Levy
William Kominers, Esquire



Exhibit (26)

Testimony on the Draft Comprehensive Plan for Planning Commission Public Hearing

The Twinbrook Community Association thanks you for this opportunity to provide initial feedback to the Planning Commission on the Draft Master Comprehensive Plan for the City of Rockville. This is another positive step forward in a long-range plan to develop our beloved City, and we are grateful for this opportunity to provide feedback. We will continue to testify and submit comments as appropriate as this process moves along.

I. Land Use, Housing, and Economic Development

We applaud the inclusion of the Twinbrook Metro Station area and the Veirs Mill Corridor in the Land Use Policy map, to ensure that Twinbrook residents have access to flexible zoning arrangements that allow for growth and housing options.

We also encourage the development of policy that allows access to the development of ADUs within the Twinbrook neighborhood if a homeowner desires one. ADUs, short term rentals, and diverse housing options will ensure that our children and our children's' children can live in the City that we love.

The area around the Twinbrook Metro is an important one to our community. It connects us to the retail and services provided along Rockville Pike. We applaud transit oriented development that can connect the residential side of the tracks to the Pike in a meaningful way, including a pedestrian/bike crossing. This will also fulfill our shared goal of a truly walkable City.

II. Transportation

Transportation is a vital issue to Twinbrook. We have a Metro station, a multitude of highly utilized bus lines that run through the center of our neighborhood, and major roads such as Veirs Mill and Rockville Pike. To the north, we are bounded by the Major Collector of Baltimore Road. Veirs Mill bisects our community under the purview of the SHA as a Major Arterial, and we are bounded to the south by another Major Arterial, Rockville Pike. We are bounded to the east by the Minor Arterial of Twinbrook Parkway, and to the west by the Major Arterial of First Street. Many of our interior streets such as Edmonston and Ardennes are noted as Major and Minor collectors.

We agree that creative solutions should be sought to address the capacity issues of our major arterials. Too often, Veirs Mill, Twinbrook Parkway, and Rockville Pike are backed up considerably simply due to capacity.

We also support the City codifying support for our public transit services, as many of our residents depend on them to get to work and around the City and County.

We strongly support the improvement of bus routes, stops, and shelters in Twinbrook. Many of the Ride On stops do not have a shelter, and some are not accessible to individuals with disabilities. This should be addressed. We also have a lack of bus routes within the interior of our community, and zero MetroBus routes that service Twinbrook Metro Station. We also only have two routes that service our neighborhood - the 44 and 45 Ride On routes. This should be increased.

We look forward to the possibilities that the BRT will bring for innovation, economic development, and easing traffic congestion. We strongly support a BRT hub at Atlantic Avenue. However, we need to invest as much resources into the Twinbrook Metro station as are planned at the Rockville Metro station. An esthetic redesign, incorporating local artists and native plants, should be encouraged.

III. Recreation and Parks

We are lucky to have access to our namesake brooks, parks, and recreation centers. TCRC is much beloved by many. We however would encourage an investment in the Rockcrest Community Center, to have it serve as a similar location for community meetings, programs, and sports.

IV. Community Facilities

Twinbrook spans two MCPS clusters: Richard Montgomery HS to the south of Veirs Mill, and Rockville HS to the north of Veirs Mill. Two MCPS schools reside in Twinbrook: Twinbrook ES and Meadow Hall ES. We encourage investment in the infrastructure needs of both schools, with the goal to bring both schools into a “green” rating across the board.

V. Historic Preservation

Preserving history in Rockville should mean more than simply keeping the look of a neighborhood as it was in a bygone era. It should also include acknowledging and preserving the historic nature of a given community, using signs and other means to convey a story from history.

Twinbrook has a rich history, and the founding of Twin-Brook along with the naming of streets within the development to honor World War II battles and important individuals is well worth acknowledging. We urge the inclusion of signage in Twinbrook and throughout the City to mark the history of a given community or neighborhood.

From: Monica Saavoss <
Sent: Wednesday, June 5, 2019 11:24 AM
To: Planning Commission <Planning.Commission@rockvillemd.gov>
Subject: Master Plan Comment

Dear Planning Commissioners,

I was very happy to see the inclusion of the goal to "Undertake a study of minimum parking regulations and recommended changes to the Zoning Ordinance to promote access via modes other than private automobiles and reduce the financial and site development burden" in the Master Plan.

However, given what the Planning Commission already understands about parking, I think a study is unnecessary, and it is not clear what the goal of such a study would be. A study may find, for example, that if parking requirements were eliminated and parking was free, then more people would want to park at certain peak times than the available spaces allow. However, this does not mean that any inefficiency is occurring due to significant costs of parking requirements that you highlighted.

Instead of recommending a study, I suggest that you just directly recommend that parking requirements be eliminated or greatly reduced (with the exception of handicap spots). You could also recommend alternatives such as mandating that businesses subsidize their employee's public transportation.

If you do include a recommendation for a study, I ask that you specify exactly what the purpose of the study is to avoid interpretation of "a study to find the number of spaces that satisfies the demand for free parking at peak hours". Instead, consider "Conduct a study where the sole focus is to examine the potential effects of spill-over parking and ways to alleviate them."

Thank you so much for your hard work on this important plan.

Sincerely,

Monica Saavoss

408 Mclane Court
Rockville, MD

Exhibit 28

Rockville 2040 Public Testimony

The Planning Commission needs your input!

You may provide testimony to the Planning Commission on the draft Rockville Comprehensive Plan through this online form, in addition to any email or physical mail testimony you submit directly to the Planning Commission. Submitting written testimony does not limit your right to also provide oral testimony during the Planning Commission's public hearing, held over three days on May 15, May 22, and June 4, 2019.

All submitted testimony is considered an item of public record and will be included in the Planning Commission testimony report for the draft Comprehensive Plan.

Which Plan element(s) is your testimony about?

- | | |
|---|--|
| <input checked="" type="checkbox"/> Land Use and Urban Design | <input type="checkbox"/> Economic Development |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Housing |
| <input type="checkbox"/> Recreation and Parks | <input type="checkbox"/> Historic Preservation |
| <input type="checkbox"/> Community Facilities | <input type="checkbox"/> Municipal Growth |
| <input type="checkbox"/> Environment | <input type="checkbox"/> Other |
| <input type="checkbox"/> Water Resources | |

Name (required):*

Phillip Staub

Address of Residence (recommended):

206 Upton St

Email Address (recommended):

By including your Address of Residence or Business and/or Email Address, you are expressing your willingness for staff to contact you for clarification or for legal notifications related to the Comprehensive Plan. Staff will not use your address or email for any other advertisement or notification lists.

Please type your testimony in the field below:*

As a resident of West End, I strongly support policies 8 & 18, for a vibrant transit-oriented town center. Increased density will welcome more people into this lifestyle, build the community and help businesses. I believe the town center should also be pedestrian-oriented: increase sidewalk depth, close roads during busy periods, increase pedestrian signage and safety. When turning the Metro station into a transit center, also provide easy and safe means to get to work and play in Rockville: e.g. bike/scooter lanes and a pedestrian-only bridge and walkway leading to the town center.

* indicates required fields.

View any uploaded files by signing in and then proceeding to the link below:

<http://www.rockvillemd.gov/Admin/FormHistory.aspx?SID=11>

The following form was submitted via your website: Rockville 2040 Public Testimony

Rockville 2040 image:

Which Plan element(s) is your testimony about?: Land Use and Urban Design

Name (required):: Phillip Staub

Address of Residence (recommended):: 206 Upton St

Email Address (recommended):: phillip.staub@rockvillemd.gov

Please type your testimony in the field below:: As a resident of West End, I strongly support policies 8 & 18, for a vibrant transit-oriented town center. Increased density will welcome more people into this lifestyle, build the community and help businesses. I believe the town center should also be pedestrian-oriented: increase sidewalk depth, close roads during busy periods, increase pedestrian signage and safety. When turning the Metro station into a transit center, also provide easy and safe means to get to work and play in Rockville: e.g. bike/scooter lanes and a pedestrian-only bridge and walkway leading to the town center.

Additional Information:

Form submitted on: 6/11/2019 10:02:27 PM

Submitted from IP Address: 173.79.20.165

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.rockvillemd.gov/Forms.aspx?FID=64>

Cynthia Kebba

From: Animal Exchange <animalexchange@verizon.net>
Sent: Wednesday, June 12, 2019 9:24 AM
To: Planning Commission
Subject: 20-40 plan

The city has invested much effort in preparing the plan which does in general reflect my feelings on development in East Rockville, however some clarification is needed on one area. The RA zone, designed to encourage density in areas easily accessible to Metro, has an incursion into East Rockville existing housing along Reading, Highland and Croyden. Included in this on page 24 is a reference to apartments which were never mentioned in our discussion of duplexes, etc. An apartment building on the highest point in East Rockville seems inappropriate at best.

Please eliminate the option of apartments in this area and limit the RA designation to a narrow band, perhaps 2 lots deep along South Stonestreet consistent with the narrow band proposed along Park Road.

Thank you for your consideration,
Ruth Hanessian

Ruth Hanessian
301-674-RUTH

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

Cynthia Kebba

From: Monica Saavoss <m.saavoss@gmail.com>
Sent: Wednesday, June 12, 2019 3:50 PM
To: Planning Commission
Subject: Master plan comment

Dear Planning Commissioners,

I was very pleased to see goal 4, policy 7 under the Environment chapter about promoting a healthy and sustainable food system for all residents. I ask that you also include "promoting plant-based foods" as part of that goal. Choosing plant-based foods is beneficial to our health and to the environment. Plant based foods require less water, fuel, and land to produce compared to animal products, and they result in fewer pollutants. Plant-based diets are also promoted by organizations such as American Heart Association as proving a myriad of health benefits. Finally, eating more plant-based foods will result in fewer animals suffering on factory farms. Plant-based foods are an important part of a healthy, sustainable, and community-oriented food system.

Thank you so much for your important work on this plan.

Sincerely,
Monica Saavoss

408 Mclane Court
Rockville, MD

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

Exhibit (31)



MEMORANDUM

June 13, 2019

TO: City of Rockville Planning Commission

FROM: John Becker, Chair, Rockville Environment Commission *John Becker*

SUBJECT: Written Testimony on the City of Rockville 2040 Draft Comprehensive Plan for the Planning Commission as submitted by the City of Rockville Environment Commission

On behalf of the Rockville Environment Commission (REC) and volunteer members of REC Committees, I request you consider our comments and suggestions on the Draft 2040 Comprehensive Plan.

The format of our submission is an attached Excel spreadsheet with Comments listed numerically, referencing page #s, Chapter, Goal #, Policy # and Action Item with references to Existing Draft Comprehensive Plan text and corresponding Comments of REC.

We hope this format proves productive in your analysis/review. If there are any comments/questions/suggestions, please contact us via our Staff Liaison, Lise Soukup of the Rockville Department of Public Works, Environmental Management Division.

JB/lms

cc: Mark Pierzchala, Councilmember
 Environment Commission: Clark Reed, Fedon Vyanis, Steve Sprague, Monica Saavoss, Susan Koester, Pavitra Srinivasan, and Ted Stauderman
 Lise Soukup, REC Staff Liaison

Rockville Environment Commission (REC) Testimony and Comments on Draft Comprehensive Plan for Planning Commission Public Record - completed June 11, 2019

Comment #	Plan Page	Chapter	Goal #	Policy #	Action Item #	Existing Draft Comprehensive Plan text/summary	Comment (Comments in bold are suggested wording for the item.)
1	16	Land Use and Urban Design	Goals Box, Item 3			3. Integrate land use and transportation planning to maximize the value of Rockville's transportation assets.	Re-word this goal to include reduction in air pollution
2	16	Land Use and Urban Design	Goals Box, Item 4	11, 12, 13		4. "Promote walkable neighborhoods."	Promote seems like the wrong word for this goal. Rockville can only promote walkable neighborhoods if they exist. There are several that do, but they are limited. The goal should be to increase the number of walkable neighborhoods. This can be done through infrastructure improvements in existing neighborhoods and smart planning into new large development projects. Recommend changing the language to " Enhance the walkability of neighborhoods ".
3	16	Land Use and Urban Design	Goals Box			Goals for Rockville's Land Use plan include:	These goals should incorporate or specifically call out environmental ideas and/or objectives. Something like - Smart building to help reduce the heat island or stormwater overflow risk.
4	21	Land Use and Urban Design	1	1	New		Add Action 1.1 - " Rockville is committed to maintaining or increasing green space available for public use. "
5	21	Land Use and Urban Design	1			Adopt a Land Use Policy Map that clearly shows where continuity and change and growth will be allowed to meet community goals.	While supporting the overall goal, a comprehensive analysis of the impact of climate change should be undertaken and influence the land use policy map to ensure that most susceptible residents are not overly impacted by climate change.
6	24	Land Use and Urban Design	2	4		Draft new high-density residential zone for existing and new multiple-unit residential projects	We support high density mixed use development near the Metro stations and believe that the height limits need to be raised in those areas. Higher density developments lead to less energy use per unit due to fewer energy-losing walls and smaller units on average. It also promotes fewer vehicle-miles traveled because residents can commute via public transportation and walk to service centers such as day cares and grocery stores.
7	37	Land Use and Urban Design	4	11	11.1, 11.2	11.1 Create new community nodes with small-scale retail, diversified housing, and civic amenities. 11.2 Continue to develop new walkable, mixed-use activity centers on available land, primarily commercial sites deemed ready for conversion.	Not sure where this comment goes, but here seems reasonable. In creating a more walkable community, Rockville should incorporate into any non-permeable coverings (parking lots, side walks), green alternatives, including solar reflective coatings to reduce heat build up, permeable surfaces to allow ground water to not overwhelm storm drains, etc.
8	37	Land Use	4	12		Develop plans for Rockville's older neighborhood shopping centers that address issues of pedestrian access, storefront aesthetics, land use mix, and urban design.	Agree strongly; please include improvement of tree canopy under this goal. Shade improves walkability particularly as summers get longer and hotter.

Comment #	Plan Page	Chapter	Goal #	Policy #	Action Item #	Existing Draft Comprehensive Plan text/summary	Comment (Comments in bold are suggested wording for the item.)
9	43	Land Use	5	16		16.7 Coordinate provision of neighborhood amenities as part of the approval process for conversions of office to residential uses.	People who don't take transit most often cite child care needs and grocery stops as a reason they "need" a car. Encouraging child care and grocery stores as part of the office park amenities will help office workers choose transit.
10	50	Land Use and Urban Design	9			And yet, the rewrite of the Zoning Ordinance in 2009 did not include a planned development option and no new PDs have been created since.	This sentence in the third paragraph is unnecessary. It looks like an internal dig from one part of government to another. Adding sentences like this reduce the meaning of the rest of the page. Eliminate.
11	53	Land Use and Urban Design	9	25		Master plans for large development sites should include: an environmental analysis with identification of critical features for conservation;	This policy falls short. The REC believes that an environmental analysis should be mandatory for all commercial sites and large residential sites(over 1-2 acres), not just large development sites. Revise bullet list for master plans to include: "an environmental analysis with identification of critical features for conservation and consideration of environmental impact"
12	53	Land Use and Urban Design	9	25	New		Add new Action: 25.3 - "Commit that any development of golf course property include a balanced environmental approach."
13	53	Land Use and Urban Design	9	26	New	Undertake a study of minimum parking regulations and recommended changes to the Zoning Ordinance to promote access via modes other than private automobiles and reduce the financial and site development burden	Add the following Actions: - Allow business to pay a fee in lieu of parking that allows shared parking between businesses and/or exchanges parking requirements for requirements of incentives for employees/customer public transportation. - Conduct a study where the sole focus is examining the potential effects of spill-over parking and ways to alleviate them.
14	59	Transportation	1	2	New	Vision Zero is an international movement to reduce and eliminate injury and death on roads from crashes involving vehicles, and vehicles and pedestrians and bicycles.	Agree strongly with Vision Zero goals. Add Action 2.1 - "Increase safety outreach to pedestrians through signage and other forms of public education."
15	61	Transportation	2	3		Work with state and county transportation agencies to mitigate the impacts	The REC opposes the expansion of I-270 through Rockville by the State due to many environmental impacts, including impacts to air quality, wildlife, noise, heat island effects, etc. It also will encourage further sprawl north of the City. Instead, the REC supports mass transit alternatives within the existing I-270 right-of-way.

Comment #	Plan Page	Chapter	Goal #	Policy #	Action Item #	Existing Draft Comprehensive Plan text/summary	Comment (Comments in bold are suggested wording for the item.)
16	65	Transportation	2	7		Develop creative solutions to capacity issues on major arterials and highway	Creative solutions including using existing networked and GPS based software for intersection lights to ensure smooth movement on major arteries. I have read about cities (including DC) that have implemented better timing for traffic signals to keep traffic moving. Key streets have an expected, or forced, traffic speed that allows a vehicle to continue moving at that speed through many intersections in an effort to reduce congestion. When the timing of the signals is in effect the reduction in congestion is evident. The added benefit of timing is the reduction of air pollution caused by vehicle acceleration. This project would have to include city, county, and state traffic managers and should include some kind of software analysis to allow for successful implementation.
17	77	Transportation	4	15	New	Improve Twinbrook Metro Station as an asset for the community.	Add new Action 15.3 - "Include stormwater mitigation, tree canopy/shade as part of these improvements. Shade could be provided by trees or solar canopies."
18	87	Transportation	20	20	20.3	Create a plan for a transition to electric cars and trucks that outlines steps the city will take to encourage use of zero- emission vehicles, including electric charging stations and new building code requirements for electric charging in new construction.	Revise Action 20.3 "or existing buildings" to end of sentence. "...and new building code requirements for electric charging in new construction or existing buildings."
19	100	Recreation and Parks		7	7.5	Retrofit existing community and recreation centers for energy efficiency and design new facilities using sustainable design principles.	Replace "for energy efficiency and design new facilities using sustainable design principles." with "to have an energy performance 30% better than the national median Energy Use Intensity (EUI) for these spaces, using latest national energy data from Energy Information Administration".
20	115	Community Facilities		2	2.7	Incorporate environmentally sustainable 'green' building practices in existing and new facilities.	Bring energy performance of existing buildings to perform in top 25% nationwide, either through ENERGY STAR certification or an Energy Use Intensity (EUI) better than the national median (CBECS)
21	123	Environment	Vision			Rockville strives to assure clean land, air and water, and efficient use of resources, to foster healthy, sustainable, and resilient environments for living, working, and recreation.	This doesn't seem like a very lofty vision for the environment. Striving is weak. I would be interested in revising this statement completely and setting a vision for Rockville that goes beyond the ordinary. Something to the effect of "Rockville is a leader in its commitment to protect the environment through prudent management of our natural environment, encouragement of eco-friendly industries and a commitment to sustainable practices that assure a carbon neutral community along with clean air, land and water."
22	124	Environment	1			Bring an environment ethic when setting city policies and weighing options or actions.	Change 'Bring' to 'Mandate' or some other word that makes this a full-on commitment by the city of Rockville
23	124	Environment	2			Cut greenhouse gas emissions and prepare for climate change.	This is not a measurable goal. This is such an important goal that we should set some measure of success. i.e. Cut greenhouse gas emissions to ensure a Carbon Neutral community. I don't know what 'prepare for climate change' means.

Comment #	Plan Page	Chapter	Goal #	Policy #	Action Item #	Existing Draft Comprehensive Plan text/summary	Comment (Comments in bold are suggested wording for the item.)
24	125	Environment	1	1		Establish and promote an environmental ethic, or set of values and principles, that guide the policies and actions of the City of Rockville.	Add Action 1.6 - "Every policy or development project include an environmental consideration of the long term implications to the environment."
25	125	Environment	1			...this approach is the foundation of an environment ethic, which the city will use in decision making for city facilities and actions, and promote to the rest of the community.	Include examples of generally accepted methodologies that may be considered or used as part of the decision-making process when assessing competing environmental priorities especially in complex scenarios. E.g., lifecycle assessment (LCA), multi-criteria decision analysis (MCDA). Some seemingly green options may in fact be less environmentally friendly due to higher emissions in their manufacturing phase or emissions may be transferred elsewhere e.g. China producing the solar panels revise: "... City of Rockville shall lead by example.
26	125	Environment		1	1.3	"lead by example..."	
27	126	Environment	2		new		Add new Action: 2.5 - "Execute a comprehensive analysis of climate change on the City and incorporate the findings into land use and transportation plans." add: "including City of Rockville..."
28	126	Environment		2	2.1	"Promote and support..."	
29	128	Environment	2	3	new		Include the idea of promoting awareness of energy conservation along with energy efficiency and use of renewable energy among the City's population. This would be in line with the Environmental ethic of Goal 1, Policy 1, Action 1.1 as well)
30	128	Environment		3	3.1	current language states implement projects at city facilities	suggesting using this for all 2040 sections where "...City of Rockville shall..." adopt the policy.
31	130	Environment	2	4	4	...Incorporate energy efficiency, renewable energy, and alternative fuels in city facilities, operations, and fleet	Include the idea of promoting awareness of energy conservation along with energy efficiency and use of renewable energy among the City's population. This would be in line with the Environmental ethic of Goal 1, Policy 1, Action 1.1 as well)
32	130	Environment	2	4		And as reductions are made in residential and commercial building emissions, through efficiency and renewable energy sources, the percentage of total carbon emissions from the transportation sector will increase	The RELATIVE contribution of emissions by the transportation sector will surpass emissions from the built environment/electricity consumption.
33	130	Environment	2	5		Assess risks and vulnerabilities in Rockville of climate change and identify actions to mitigate localized impacts	Add: "...mitigate localized impacts and ADAPT TO CHANGES (Resiliency development in the action items refers to adaptation, not just mitigation of impacts)
34	130	Environment		4			Add traffic flow management to optimize movement in City and reduce station traffic periods at traffic lights (reduce energy consumption and emissions) via latest traffic mgmt. products.
35	130	Environment		4			Add: increase safe walkable/bikeable travel.

Comment #	Plan Page	Chapter	Goal #	Policy #	Action Item #	Existing Draft Comprehensive Plan text/summary	Comment (Comments in bold are suggested wording for the item.)
36	133	Environment		6	6.4	Incorporate green building strategies in the construction, expansion and retrofit of city facilities.	Bring energy performance of existing buildings to perform in top 25% nationwide, either through ENERGY STAR certification or an Energy Use Intensity (EUI) better than the national median (CBECS).
37	133	Environment		6		New action item	Add: "All new residential construction will be zero net energy (ZNE) by 2025. All new commercial construction will be ZNE by 2030. 50% of commercial buildings will be retrofitted to ZNE by 2030. 50% of new major renovations of city buildings will be ZNE by 2025."
38	133	Environment		6	6.5	work with local utilities, property owners...	Add: community organizations funded by city, also HOA's and Condominiums
39	134	Environment	4	7	New	Foster individual and community health by reducing stress and exposure to toxins, while providing access to healthy foods and a verdant environment.	Add worker health and safety to Policy 7 and Add New Action Item 7.5: "Ensure Rockville places a high value on worker health and safety for city workers and contractors engaged in providing city services and construction (e.g., sanitation workers, road and building construction, fire and EMS crews)." As noted in the Introduction of the Master Plan: waste management workers are among the largest group employed by the City; construction (4.5%); manufacturing (2.6% does this include stone yards, quarries, concrete plants?). Sanitation and fire and EMS groups tend to have high injury and mortality rates in compared to the general worker population.
40	135	Environment	4	7	New	Healthy communities to combat obesity and sedentary lifestyles and low access to grocery stores.	Add New Action Item 7.6: Mention increasing well lit and safe walkable/bikeable routes and paths to provide better access to grocery stores. This issue is discussed in the land use section but consider including a cross-reference in this action item to the land use section.
41	135	Environment	4	7		Another important approach to reducing stress and ameliorating local air pollutants is to provide green living plants as part of development projects and the city streetscape. The green of trees, shrubs, and groundcover help to reduce stress and are important additions in areas of land use change. Living plants also produce oxygen and remove some air pollutants. Shade from trees is important to reducing the heat island effect of hard surfaces. A biophilic approach can be incorporated in city greenspace management planning.	Could not agree more strongly. Suggest this sentiment be referenced in the transportation, changing land use sections.
42	137	Environment	5		All		Great action items! (To increase awareness of reduction in consumption of materials and promoting backyard/neighborhood composting.)
43	137	Environment		8	8.4	"Incorporate and clarify current recycling, refuse and yard waste storage, handling and collection practices into Chapter 20 of the City Code, Solid Waste."	The REC should be a part of the process to update Chapter 20, Solid Waste, beginning with FY 2020.
44	139	Environment		9	New		Add Action 9.3 - "increase forest easement acquisition efforts."

Comment #	Plan Page	Chapter	Goal #	Policy #	Action Item #	Existing Draft Comprehensive Plan text/summary	Comment (Comments in bold are suggested wording for the item.)
45	141	Environment	6	11		In order to balance between environmental goods, the number of required trees should be less in areas targeted for intense urban growth.	Call out the use of green building features (viz. green roofs, green walls) so the increased greenery offsets the reduced tree cover in these areas. Captured on p.143, Action 11.1
46	143	Environment	6	11	11.1	Revise the Forest and Tree Preservation Ordinance to consider context, to find a balance between the number of required trees and city objectives for stormwater management, solar or renewable energy, improved air quality through the reduction of vehicle miles traveled, green building features, and other important environmental goals	Call out the use of green building features (viz. green roofs, green walls) so the increased greenery offsets the reduced tree cover in these areas and help reduce heat island effect. Another example of how cross-referencing could be helpful.
47	169	Water Resources	4	13	New		Currently the action items only reference pesticides, herbicides etc. in backyards and green covered spaces not paved surfaces. Add New Action Item 13.4: "Increase public awareness of and alternatives for harmful snow-melt compounds on residential and commercial property paved surfaces. With dramatically changing temperature and precipitation patterns over winters in the Mid-Atlantic area it would be productive to engage/remind the public to use less harmful and more Bay-safe products."
48	All	All			New		Provide a Glossary and a Cross-Reference Index in the back of the Comprehensive Plan document. This is helpful since many topics (e.g., environment, green building design) occur across more than one section or touch on multiple planning elements.
49		Recreation and Parks	4 and 5	11		Value the important conservation role that Rockville's parks play in protecting steep slopes, streams, wildlife corridors, and forests.	The action items should include a commitment to using green appropriate landscape plans. Currently, I've walked on multiple non-permeable walking paths in Rockville parks. While there are economic and maintenance trade-offs, Rockville should commit to updating existing park infrastructure to reduce non-permeable surfaces.
50		All	All				Consider including, where feasible, more detail to Goals or Actions with respect to Measurability (metrics) and/or Time frame of achievement/implementation. SMART Goals and Objectives help with commitment and accountability. If there is a concern about being locked into specific numbers then at least define more general terms such as short-term, medium-term, long-term in the introduction and use those throughout for goals and actions.
51	128	Environment	2	3	3.1	Implement projects at city facilities to improve energy efficiency, renewable energy, and back-up generation for critical city facilities and services	Add second sentence to Action 3.1: "All construction at city facilities will meet LEED, Energy Star, or similar certification standards for energy efficiency and sustainability."

Comment #	Plan Page	Chapter	Goal #	Policy #	Action Item #	Existing Draft Comprehensive Plan text/summary	Comment (Comments in bold are suggested wording for the item.)
52	134	Environment	4	7	7.1	the focus in this Environment element is placed on impacts of noise and air pollution, access to healthy food, and proximity of green living plants and wildlife.	Add water to noise and air pollution wherever pollution is mentioned.
53	135	Environment	4	7	7.3	Cultivate a local food system that provides residents of all income levels access to healthy fresh food and improves food security.	Revise text in Action 7.3 to read: "... access to healthy, plant-based fresh food ..."

Exhibit 32

Rockville 2040 Comments

On Land Use and Housing

Land use and housing dominate the Draft Comprehensive Plan, accounting for 60 pages - approximately 25% of the document. And for right reason. The plan shows that Rockville will add nearly 20,000 new residents in the next two decades, an increase of more than 25%. The city addresses the looming housing crunch up front, as one of the city's principles listed is:

"Encourage a variety of housing types that are accessible to a wide range of households and incomes"

The plan does a good job of identifying ways to increase housing units without disturbing the fabric of Rockville's existing neighborhoods. However, I think that the population growth and potential housing shortage provide an innovating opportunity for the city that should be noted in the plan: , the city should explore options beyond traditional zoning to accommodate the growing population. In addition to adding density through multi-family or mixed used properties surrounding our metro centers, I encourage the city to research and consider adopting **form-based codes** in those areas ringing the immediate metro centers - neighborhoods that are currently dominated by single-family homes within easy walk to public transportation hubs. This would directly support Goals 1 and 2 in the Land Use section.

While this would be an extraordinary systemic shift for the city, it has been successfully implemented in larger municipalities - and it would also satisfying (if not outright eliminate) several of the related policies and goals as it relates to adding a variety of housing types while protecting neighborhood aesthetics.6

Policy 8 in the Land Use Section mentions "car less customer base"... the city should **de-couple or overhaul parking requirements** in new developments in Town Center and South Pike areas. If you want to build a car-free resident base, build housing without parking, and people without cars wil buy them. It's about more than having conveniences within easy walking distance.

On Walkability

I fully support the city's efforts to create a more walkability Rockville and support the nodes concept. Beyond what is written, I think **the city needs to address the four main aspects of walkability** when planning, reviewing, and approving new projects - whether public works or private development. These considerations are:

- Safety (goes without saying)
- Comfortable (is the sidewalk wide enough? Is there a buffer between the sidewalk and road?)
- Interesting (what does the street scape look like - trees, store fronts, lighting, etc)

- Useful (can we walk to wherever we need?)

Safety can be implemented immediately through many means - some of which the city is already doing (lowering speed limits, installing flashing pedestrian crossing signals, etc.). Many of the other factors that improve walkability required a more holistic approach to how the city is planned - not just sidewalk and conduit design, but the design of our road system.

Here is a very specific hyper local example:

There have been a rash of pedestrian/vehicle collisions on Beall Avenue in the past 10 months. This coincides with the completion of the Metropolitan Building/The Spot food hall and assorted roadwork "improvements." Beall Avenue goes from a quiet yield street on the west side of North Washington Street to a four lane boulevard in the time it takes to cross an intersection. This encourages drivers to increase speed in an area where there are two mid-blocks pedestrian crosswalks. This stretch of Beall should remain two lanes. Even with a posted lower speed limit, drivers will drive the speed a road allows them to...and Beall encourages speed.

And that's the easy culprit. But the headwater of the problem begins elsewhere. For vehicles leaving West End, Woodley Gardens and College Gardens neighborhood via Martins Lane to reach 355 south must either

1. Turn left on North Washington, inevitably wait at the light and make the hard right onto 355
2. Turn right (on red or green) onto North Washington then left onto Beall (via dedicated turn lane), then right onto south 355.

The design of these roads (which granted are many years old and constrained by the triangular shape of the commercial area at 355/North Washington) encourage motorists to travel the more "pedestrian friendly" streets.

Also, **stop putting trees in the median areas** so they are in the direct sight line of a driver looking for a pedestrian crossing at a crosswalk. Use other foliage.

On Retail Rocks

Would like to see the city encourage more **pop up retail or kiosks** of local merchants selling wares - outside of locations like the Farmers Market or Dawsons...perhaps negotiated into new mixed use development regulations.

On Transportation

I'm on board (pun!) with the plan's recommendations on transportation. I **support the growth of public transit in all forms**, though I have my hesitations about BRT, personally. I definitely

support the city's vision of transforming Rockville Station for the 21st century. Good luck to us all there.

On Policy 17 - Pedestrian Master Plan

I would personally volunteer to assist this effort. I think this will be critical to achieving Vision Zero and making Rockville a truly walkable city.

On Parks

City parks that include walking/biking trails that connect neighborhoods (as opposed to those that circumscribe the park) **should be well lit for safety and walkability.**

On Water

If the city ever finds \$60-80 million (maybe under a rock or in our couch cushions), we should **invest in upgrades to the water treatment plant.** The half-century-old facility is vital to the city's day-to-day survival. And while it operates under capacity - even as our city grows - an investment in a modern facility now will be of great benefit over the next century.

Exhibit 33

Ingleside at King Farm Resident Council
701 King Farm Blvd., Rockville, MD 20850
June 11, 2019

The latest draft of the Rockville 2040 Comprehensive Plan notes support of the Corridor Cities Transitway – the CCT - (Action 13.3, Policy 13, p73). This is disturbing news to Ingleside at King Farm Residents. The CCT, in spite of what is stated in the Plan, is no longer "... a central component to the development of King Farm." Time has passed it by. We strongly object to the CCT using King Farm Blvd.

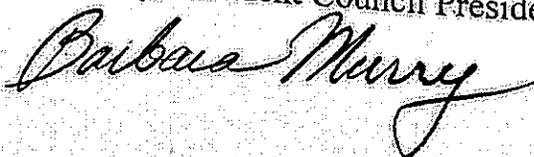
You will recall that King Farm was developed over 22 years ago. This community was designed to be a walking community with easy access to the Community resources for all residents regardless of their limitations. The proposed CCT route would cut the community in half and limit access to our Community facilities and present unnecessary hardships on residents.

Further, when the CCT was first proposed in 1970, there was no King Farm development, only farmland. There was no Ride-On bus service. In the intervening years the need for the proposed CCT route vanished, being replaced by more practical routes to reach Upper County residents. Further, each proposed CCT stop is now served more efficiently by Ride-On buses. In all but one route, Ride-On reaches the Shady Grove metro faster than the proposed CCT bus. The CCT in its present form has been bypassed by events and does not meet the Community needs when first proposed in 1970.

We were assured by the County Executive and the Rockville City Mayor that the CCT would not go through King Farm and that there was a much more practical, more flexible and less costly plan using Shady Grove Road. Therefore we are in support of proposals by the County Executive to re-route the CCT onto Shady Grove Road which will support greater economic development in the north end of Rockville and further up the County. These proposals are more economically sound and far more environmentally consistent with community goals.

Thank you for the opportunity to comment on the Comprehensive Plan. We look forward to the City Staff and the Planning Commission taking appropriate action on this segment of the 2040 Plan and eliminating the King Farm Blvd route.

Barbara Murry, Resident Council President



Alan S. Kaplan, Member at Large



Cynthia Kebba

From: David Levy <dlevy@rockvillemd.gov>
Sent: Monday, June 17, 2019 3:52 PM
To: Cynthia Kebba
Subject: FW: My Comments on the 2040 Plan

From: Chas Hausheer
Sent: Saturday, June 15, 2019 6:45 PM
To: masterplan <masterplan@rockvillemd.gov>; Andrea Gilles <agilles@rockvillemd.gov>
Subject: My Comments on the 2040 Plan

- Define "small apartment" in more detail; **Reference page 24.**
- I support quads and duplexes for more dense housing BUT that such dwellings **do not to exceed** the size, height and massing of a house as outlined in our (soon to be approved) East Rockville Design Guidelines or East Rockville neighborhood plan.
- I support the RA zone as aligned along South Stonestreet Avenue.; **Reference Page #20.**
- **I DO NOT support** the RA zone stretching down one full block into Reading Terrace, Highland Avenue and Croydon Avenue. **Reference Page #20.**
- I instead would support the RA zone change reaching down **TWO TO THREE LOTS into the aforementioned streets but no further. Reference Page #20.**

~~~~~  
Chas Hausheer | [chasha@rockvillemd.gov](mailto:chasha@rockvillemd.gov)  
"Think globally, act locally"  
~~~~~

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

Cynthia Kebba

From: President ERCA <president.erca@gmail.com>
Sent: Monday, June 17, 2019 7:54 PM
To: Planning Commission
Cc: Andrea Gilles
Subject: Rockville 2040 Comprehensive Plan Draft – Comments from ERCA

Rockville 2040 Comprehensive Plan Draft – Comments from East Rockville Civic Association

Dear Planning Commission,

I am writing on behalf of the East Rockville Civic Association (ERCA), to provide our comments and feedback on the 2040 Comprehensive Draft Plan. We appreciate all the work the City has done to prepare this plan, and efforts by City staff to give us ample opportunities to understand its contents.

In general, ERCA supports the new Residential Attached (RA) zoning in East Rockville as detailed on Page 31. However, after several meetings and discussions, we have the following comments/suggestions about the zoning:

- 1) As per Page 24 “allowed Residential Attached types,” we would like to exclude small apartment buildings. We would prefer nothing larger than a fourplex.
- 2) In general, allowed types for the RA zoning needs to be better defined.
- 3) The plan should clearly state that Adequate Public Facilities rules will apply to all construction, including in the new RA zoning.
- 4) ERCA does not support the RA zone stretching down one full block into Reading Terrace, Highland Avenue, and Croydon Avenue. ERCA instead would support the RA zone change reaching down two to three lots from S. Stonestreet Ave, but no further.
- 5) Off-street parking in the RA zone should be 1.5 spots per unit at minimum.
- 6) It should be explicitly stated that the East Rockville design guidelines currently under development will apply to the RA zone.

Thank you so much for your time and consideration.

Respectfully,

Deborah

*Deborah Landau, President of East Rockville Civic Association
 "Lift up your eyes and look beyond the sod" -Mary Trumbo*

Cynthia Kebba

From: Sarah Salazar <mariposarah@gmail.com>
Sent: Monday, June 17, 2019 11:28 PM
To: Planning Commission
Subject: Testimony on the Rockville 2040: Draft Comprehensive Plan for Planning Commission Public Hearing

Hello, My name is Sarah Salazar, I live at 5941 Lemay Rd., Rockville, MD 20851. I am providing comments/testimony on the Rockville 2040: Draft Comprehensive Plan for Planning Commission Public Hearing. I have general comments and comments on the "Land Use," "Environment," and "Water Resources" elements of the plan.

General

- It would be helpful if the introduction included a flowchart that clearly illustrates the steps involved in this plan review, approval, and implementation, as well as how this plan is used to guide/inform other more specific land use plans in Rockville.
- The draft plan references Rockville's past Comprehensive Plans and provides some statistics describing progress that has been made in the goals under various elements over time. I think the plan could be more effective if it included more such measures of accountability. It could include more comparisons of data collected for the previous comprehensive plan and explicitly identify areas where we are achieving our ongoing goals and areas where we are falling short. This information would help us to capitalize on our successes and focus energy on addressing the shortfalls.
- The plan includes many maps displaying data used to describe all the elements as they exist as well as proposed changes. However, these data are not shown at a scale or in combinations that allow the public to fully understand how they overlap and may interact. It would be helpful if all of the GIS data used to develop the Draft Comprehensive Plan were available on an interactive map on the city's website. The city uses interactive maps on its website already to show the public the current zoning and land use information. A complementary interactive map with the data for the draft 2040 Comprehensive Plan would allow the public to: 1) better understand how proposed changes may affect all of the elements discussed in the plan, and 2) contribute more effectively on future decision-making opportunities.

Land Use

- On page 63, Policy 5 discusses exploring opportunities for new east-west connections only briefly. I suggest elaborating on this brief paragraph to include a thorough explanation of the constraints, including costs, as well as specific opportunities that exist for new east-west connections across the metro and train tracks. This portion of the 2040 vision of Rockville is too vague as currently described, and is therefore unlikely to be effectively considered during future development projects. Providing more background information on the constraints could inspire innovation and collaboration from developers, residents, and the city to achieve this goal.

Environment

- The draft plan provides statistics on existing greenhouse gas emissions and discusses goals and actions to minimize the effects of climate change by reducing these emissions. Thank you for considering climate change in this plan and in future decisions. In addition, pages 139-143 includes statistics on the tree canopy in Rockville. Given the goals to preserve and enhance vegetation in the city and the fact that Rockville is a "Tree City USA", the plan should include not only estimates of Rockville's carbon emissions, but also estimates of how much carbon is sequestered in Rockville's city trees and natural areas, and in residential areas. The plan could also identify mowed areas that could be planted with native trees that could increase our rates of carbon sequestration. If the term carbon sequestration is included in the final plan, please include a definition to facilitate broad understanding.
- On page 128, action 3.4 states "Promote renewable energy systems, microgrids, energy storage, and district energy systems." It is unclear how the city will implement this action. Please clarify this statement with a description of how this would be done and provide potential examples. Also, to facilitate public review, it would be helpful to include definitions of "microgrids" and "district energy systems" in footnotes.
- On page 134, it would be helpful if the plan included a definition of "biophilic" in a footnote. Please elaborate on how the city would incorporate a "biophilic approach" in city greenspace management planning. Also, the associated actions on page 135 do not include any means to measure success. I suggest rephrasing them so that they are clearer and measurable to facilitate implementation and future evaluation.
- On page 141, the "Urban Tree Canopy and Forest Protection" table would be easier to understand if the UTC was reported at the bottom of the table (as a total). Also, the rows for FCE and Forest Preserves could be indented further to more clearly show that they are sub-categories/sub-totals of private property and city-owned, respectively.
- At the bottom of page 141, it states that "In order to balance between environmental goods, the number of required trees should be less in areas targeted for intense urban growth." To better "balance between environmental goods" in intense urban growth areas, the plan could include a goal to explore opportunities to create green spaces by requiring combinations of solar panels and types of vegetation

compatible with dense development, such as green rooftops, terraces with planters, and green walls within and outside of the buildings.

- The caption of figure 22 on page 142 refers to a "lease weasel". Should this instead be the "least weasel" (*Mustela nivalis*)?
- On page 143, as a companion to Action "12.5 Monitor and manage invasive species and enhance habitats on city-owned lands", I suggest adding this (or similar) action: "Monitor and remove litter on city-owned lands to protect and enhance wildlife habitat" because litter is a problem on some city-owned lands and it contributes to environmental degradation.

Water Resources

- The forested stormwater management area within the Twinbrook Metro station plot needs maintenance. During storm events litter floats in the ephemeral pond that forms there and it may be clogging this area. The comprehensive plan should include, as an action, regular monitoring of stormwater treatment areas and regular trash removal to prevent both damage of the systems and transport of litter downstream within the watershed. In addition, the trees within the Twinbrook Metro stormwater management area are covered in English ivy and other non-native invasive vines. The invasive vines could stress and eventually kill the trees, which could also damage or clog the stormwater treatment infrastructure and would adversely affect our ability to achieve various other goals in the comprehensive plan (e.g., preserve existing trees). The comprehensive plan should include requirements for wetland-appropriate treatments of non-native invasive plants as part of regular maintenance of the city's stormwater management areas.

Thank you in advance for considering these comments.

Sincerely,

Sarah Salazar

Sent from my iPhone

Exhibit (37)

KING FARM

King Farm Citizens Assembly, Inc.
 300 Saddle Ridge Circle
 Rockville, MD 20850
 301-987-0122

Rockville Planning Commission
 c/o Cindy Kebba
 111 Maryland Avenue
 Rockville, MD 20850

Cindy Kebba,

Re: Written testimony from the King Farm Citizens Assembly on the Rockville City 2040 Comprehensive Plan

The King Farm Citizens Assembly has had the opportunity to review the latest draft of the Rockville 2040 Comprehensive Plan. While KFCA is generally supportive of the elements of the Plan and the information presented in the Plan we are concerned about particular points in the plan.

Land Use and Urban Design. Policy 7 calls for the City to “review and enforce regulations on shared housing and develop standards for short-term residential rentals.” The KFCA supports the intent of this Policy and looks forward to working together to “develop standards and regulations to address potential issues” of short-term rentals which, due to internet companies, seem to be a growing issue within King Farm.

We note that the King Farm Metro station falls outside of the city’s boundary currently, and thus is not included in the Land Use and Urban Design portion of the plan. While the KFCA understands that planners focus is on Rockville as it currently is incorporated, we urge you to include the Shady Grove Station as part of your planning similar to the Twinbrook or Rockville stations. It is an integral part of the King Farm community and development around should take it into account.

Policy 20 calls for the city to “support retail uses along Rockville’s commercial corridors and other shopping areas.” KFCA is in agreement with the planners that “off-site signage, where deemed useful and beneficial, to direct customers to Rockville’s shopping areas that are not visible from major arterials” as is the case with King Farm’s Village Center.

Transportation. There is complete agreement by KFCA with the Rockville City 2040 Comprehensive Plan when it comes to implementing a Vision Zero plan. Pedestrian safety is an ongoing concern to the residents of King Farm and the recently created Pedestrian Advocacy Committee is a step in the right direction. KFCA looks forward to working with the city and others to implement a Vision Zero plan.

Policy 8 makes mention of “restricted turning movements along MD 355.” KFCA notes that “restricted turning” at the intersection of Redland Boulevard and MD 355 also leads to increased traffic along Elmcroft Boulevard as drivers cannot turn on MD 355 and must therefore cut-through King Farm to

continue on to MD 355. The KFCA asks that the Plan include advocating for SHA to investigate allowing a left-turn movement from westbound Redland Boulevard onto MD 355.

Policy 13 is to “Plan for implementation of bus rapid transit (BRT) lines in Rockville. The KFCA has no issue with this statement or the implementation of BRT in the City. However, Action 13.3 states: *“Support implementation of the Corridor Cities Transitway, which was a central component to the development of King Farm”*. It is with this statement that we disagree. The KFCA has been working with State, County and local officials to remove the CCT from King Farm for close to 10 years. King Farm is 22 years “old” and has for this many years survived quite well without a project which will adversely affect the functioning of the community, devalue properties along the route, impede traffic flow on King Farm Blvd and generally disrupt the ability of residents to traverse the community by vehicle and on foot. We are in support of proposals by the County Executive to re-route the CCT out of King Farm and on to Shady Grove Road which will support greater economic development in the north end of Rockville.

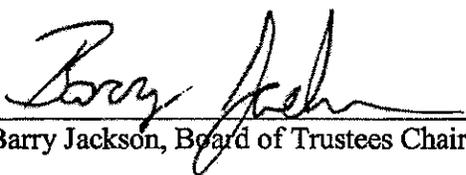
Policy 19 mentions “e-scooters” or other similar devices. While we are certainly in agreement that these devices are desirable in their overall impact of reducing carbon emissions recent experiences in other municipalities indicate that their use should be addressed sooner rather than later. KFCA urges the planners to add an action item in regard to safe usage of such devices.

Environment. The KFCA is supportive of your recommendations to commit Rockville to the preservation and protection of shared natural resources in the city’s land, water resources and air. Policy 6, in particular, appears to hold particular interest to the KFCA as it will impact the updating of our own architectural standards. We look forward to working with you and the city on the action items and the pace with which they will be implemented.

Policy 7 touches upon the idea of community gardens and includes an action item (7.4) to “Identify community garden sites on public property, including parks, recreation and senior centers, public easements and right-of-ways, and surplus property.” The KFCA supports the expansion of community gardens, but we would hope that the Plan will include the “preservation of existing community gardens” as a priority. King Farm is fortunate to have two existing community gardens that are both utilized by residents in the way envisioned by the planning commission.

Thank you for the opportunity to comment on the Comprehensive Plan. We hope that City Staff and the Planning Commission will take appropriate action on these segments of the 2040 Plan. If you would like to contact us, please email management@kingfarm.org.

King Farm Citizens Assembly



Barry Jackson, Board of Trustees Chair

Cynthia Kebba

From: David Hill <DavidHill@tigger2.us>
Sent: Tuesday, June 18, 2019 12:44 PM
To: Comprehensive Plan
Subject: 2040 Draft Plan submissions
Attachments: ADO History.docx; Critical Parcels.docx; Historic Preservation.docx; Smart Growth Realization.docx

Dear Commissioners and PDS staff,

Please accept the attached submissions, on various topics, as public commentary on the 2040 Master Plan, Planning Commission draft. My regrets that this fairly large content is submitted at last moment, yet I only acquired access to a fully printed plan lately. Each submission is topical and self-explanatory.

One point not covered in attachments is the MEL handling, of which I heartily approve, and have been frustrated that changing Rockville's position and MEL boundaries has been lagging change trigger events for years now. I still urge that Rockville needs some variety of "natural" and observable boundaries. Yet prior restraint (especially to the north, and which I was an advocate at prior review cycle) now seems foolhardy given now obvious lack of agreement with adjoining jurisdictions. So that chapter is spot-on.

Sincerely,
 David Hill
 733 Beall Ave.

2040 Master Plan, Planning Commission Draft
Critical Parcels Description, Re-submission

April 20, 2016

David Hill
733 Beall Ave.
Rockville, MD 20850

Planning Commission, Anne Goodman, Chair
City of Rockville
Rockville, MD

Re: Critical parcels in the 2040 Rockville Master Plan Cycle

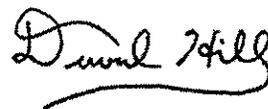
Dear Madame Chair,

Regarding the treatment of critical parcels in the 2040 Rockville Master Plan cycle, I offer some thoughts and recommendations. I listened to a recent meeting where this subject was discussed and offer two sorts of detail: 1) definitional advice for Critical Parcels, and 2) suggestions on where current critical parcels may exist throughout the City. As a prior planning commissioner, I advocated and put some thought into this topic. Also, as a recent Council candidate, I spoke to many constituents in canvassing and particularly probed and listened on land use issues. So I heard godly detail from each of the various neighborhoods.

Regarding definition of Critical Parcels, I am skeptical that the City must limit itself to the narrow State denotation. The State perceives "critical" related to its interests (i.e. namely State property and environmental impact). The City should do likewise. Municipal master plans are explicitly local planning exercises. I extrapolate that municipalities should extend that State denoted scope to their own more local jurisdictions as logical extension. And as local circumstances vary, the flexibility of each locality defining its own critical issues and legally defensible planning, is precisely what Rockville should do in master planning.

I doubt the proposal of generalizing Critical Parcels into categories without enumerated sites. I proffer such diffuses the master plan commentary into non-actionable generality, forestalling subsequent judgment of something in agreement (or not) with the Plan. If we mean that we have super-local issues in City land use, be specific and direct about cause and desired resolution. The City is not so large that this commission cannot be aware and descriptive of each parcel where onerous or catalytic land use impact may exist. Also, commissioners putatively represent the citizens and stake holders, so address their concerns. I recognize that doing this produces a Critical Parcels section that becomes dated, as the critical character of sites should change over time. That is reason to revisit and update Critical Parcels to remain current; not eliminate it. Master planning is an ongoing, not static, activity and this is a prime example of why.

Sincerely,



cc David Levy, Chief Long Range Planning
Andrew Gunning, Asst. Dir. CPDS, Liaison to Planning Commission

**2040 Master Plan, Planning Commission Draft
Critical Parcels Description, Re-submission**

Recommended Critical Parcel definition, two parts:

1. Properties where uncertainty or vulnerability exists for nearby community, causing concern amounting to a public purpose for detailed plan stipulations.
2. Keystone properties that could trigger more than single parcel, nominal change in land use patterns, so warranting special planning focus.
 - a. Negative impacts (onerous change), example Rockshire Center
 - b. Positive impacts (catalytic change), example Choke Cherry site

Then applying this to the current cityscape, the following are candidate sites. The bracketed comments indicate why for each item tersely. (No particular order while grouped by thematic similarity)

- Town Center: *[sustain TC momentum, while sensitive to adjacency]*
 - remainder of TC II *[uncertainty]*
 - Duball II & Foulger Pratt III *[complete TC I infill]*
 - N. Washington St., west side parcels *[impacts to West End, Haiti, Ivy League THs, and TC I, also in need of catalyst]*
 - old IBM building site *[languishing, impact to Americana]*
 - Grey Courthouse *[what is stable use for this building?]*
 - Fire Station *[station really needs attention, if not new home; and City activism is in public interest as critical public safety resource]*
- WMATA property east side Rockville Metro *[impact on East Rockville]*
- Carver HS site (either as MCPS facility, or combined into Mont. College) *[community impact and historic site]*
- Rockcrest School, including adjacent playing fields (as likely separate disposition from Carver/Mont. College) *[Haiti and Woodley Gardens East impact]*
- Other MCPS properties not in active school use: surplus sites: N. Stonestreet, Meadow Hall/Sandberg & Twain usage, also reserved sites: King Farm & Fallsgrove *[nearby impacts]*
- Karma Academy site *[impact on eastern Rockshire, Wootten's Mill Park and isolation of Watts Branch Dr. townhouse pocket]*
- Neighborhood retail centers. (Most experience some sort of current trouble. Yet they are crucial to achieving horizontal mixed use, as Smart Growth intersects with built-out uses.)
 - *[needed for walkable services, while vulnerable to change, impacting communities]*
 - Rockshire Plaza
 - College Gardens Plaza
 - Twinbrook Center & Mart
 - Burgundy Center
 - Lincoln St. Mart
 - King Farm Center
 - Nelson St. mini-mall *(especially in relation to sound wall constraints)*
 - *[languishing or under-utilized sites]*
 - Fortune Terrace Plaza
 - S. Stonestreet-Reading Ave. retail corner
 - Small shopping center, Shady Grove Rd. (with Checkers) plus surrounding parcels in that pocket
- Tower Oaks, especially EYA site if undeveloped *[raises issues of use viability]*, and site adjacent to New Mark Commons *[impact on that neighborhood]*

**2040 Master Plan, Planning Commission Draft
Critical Parcels Description, Re-submission**

- Saul aggregated parcels (NE Pike-Halpine & north end of Chapman) *[has potential as keystone rejuvenation for central Pike and west-side cap of Twinbrook Metro area]*
- former COPT site *[impact on southern King Farm and Rt. 355/Gude traffic, plus keystone site for land use pattern north Rt. 355]*
- SW corner of Research & W. Gude *[languishing keystone site for of Research Corridor]*
- Choke Cherry site *[likely catalyst for massing of Shady Grove retail node in Rockville]*
- Edges of light industrial zones *[assuring internal business viability while external sensitivity with adjoining neighborhoods]*
 - Southlawn (inc. WINX site adjoining Lincoln Park)
 - N. Stonestreet
 - Lewis-Halpine
- S. Jefferson St. corridor adjoining Montrose neighborhood *[impact, while vulnerable to change]*
- Garden Apts. SW of Pike & W. Edmoston intersection *[under-utilized location (while affordable housing enclave), also for Pike Plan access road, bike lanes, or through connection of S. Jefferson St. something has to happen here, so this is catalyst for northern part of mid-Pike]*
- North on Rt. 355, especially east side business parcels as they annex into City (Bainbridge example) *[whole Rt. 355 north, use texture issues]*
- Chestnut Lodge site *[just because City owns it, does not end what happens to it]*
- King Farm Homestead *[establishing stable use for historic structures]*
- Park space for Rockville Pike and SW wedge of Twinbrook *[needed, where envisioned?]*
 - (parcel TBD) Park space in Rockville Pike Corridor
 - Twinbrook Pool site (acquire as City park if pool org. fails)
- BRT impacts
 - Town Center *[station and route intersection space]*
 - Viers Mill Rd. route *[impact on Twinbrook]*
 - Rt. 355 north *[impact north Pike and King Farm]*
 - CCT right-of-way treatment in King Farm (will this be BRT route, or not?)

June 17, 2019

David Hill
733 Beall Ave.
Rockville, MD 20850

Planning Commission
Gail Sherman, Chair
Rockville City Hall

Re: 2040 Master Plan, Planning Commission draft, submission
Historic Preservation Chapter

The Historic Preservation chapter of the 2040 Master Plan, Planning Commission draft, is a good improvement over earlier, perhaps place-holders. Those mostly were historic description rather than goal and policy proposals. I recommend the following further improvements:

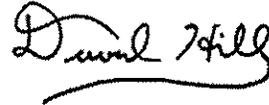
Mostly in the chapter Introduction, the summary of Rockville history is so simplified, and spun positive, as to be inaccurate.

- The opening paragraph on p. 206, expresses earliest City history in stages. The largest erroneous simplification is listing agrarian economy as stage between others. Regarding European initiated modern settlement, our area was driven by agrarian products from the outset, not as subsequent transitioning stage. Cash crop farming led to trans-shipping port roads, and that was the spark for nascent Williamsburg (Rockville) sitting at the junction of two important rolling roads and then a convenient stop-over going to/from Georgetown and Frederick—the trade centers of that day. Only then does “small village, ... county seat, ... commuter suburb [first by train and trolley, later by car], ...” etc. apply.
- The second paragraph on p. 206 contains mis-characterizations:
 - While five street names in the original 1803 Plan for Rockville persist, not much else in that plan really fits current Rockville. Commerce Lane is gone and Jefferson St. so changed to be unrecognizable than by name. And most of the originally diagrammed parcels no longer exist in that configuration. So the implication that the heart of the City remains mostly intact, is gratuitous.
 - In addition to Rockville Pike, being known as “Great Road” for a period, all of rt. 28 was the National Road too, and passed directly through town, before the Hungerford bypass. That may be more compelling mention for the north-south arterial.
 - “Many of Rockville’s historic [resources] dating to the 18th, 19th and 20th centuries, have been preserved....” is arguable. Almost all of 18th century Rockville structures are gone. Other than residences and churches, nearly all 19th century, and many 20th century structures are also gone. Rockville has lost more than retained.
- Therefore, in next paragraph, only selective 19th and 20th century “built environment continues to exist as ... visible evidence.” And those left are mostly perchance survivors, not intentionally picked-out examples. That’s the change we seek going forward. Making sure the best examples survive to become appreciated as representative of their time and expressive of that portion of City history.
- The third paragraph summarizing retention of Rockville’s historic structures is Pollyana-ish. Rockville has had a tumultuous and often failing past of historic preservation. The loss of Hungerford Tavern is perhaps best modern-era example. Then the loss of all of practically all of

main street and deterioration of other early prominent features (such as the Middle Lane or Rockville Heights residential pockets). The first notable historic preservation victory was retention of St. Mary's Chapel and then Rockville Station [as mentioned later]. Community activism over these triggered the creation of Peerless Rockville and historic districting. Only then did the City turn a corner on valuing many historic resources, while worthy Recent Past structures continue to fall (e.g. 1970s Library, IBM building, Pink Bank). Suggesting this record is "long-term preservation" success mistakes a checkered past, which should be object lesson going forward to "articulate the value the community places on its history..."

Under Goal #2, the wording "...while allowing appropriate alteration" is too loose. Appropriateness is arguably per the eye of the beholder and subjective, not a measurable standard. So as draft worded, this is master planning criteria without enforceable depth. The term "sympathetic architecture" seems the point meant here, and has professional standard-of-practice meaning. Therefore, the small word-smithing of "...while allowing sympathetic alteration" is a better goal.

Sincerely,



David Hill
VP (Pres.-elect), Peerless Rockville

June 17, 2019

David Hill
733 Beall Ave.
Rockville, MD 20850

Planning Commission
Gail Sherman, Chair
Rockville City Hall

Re: 2040 Master Plan, Planning Commission draft, submission
Making Smart Growth Cityscape Real

The most important land use pattern change that Rockville can pursue is fulfilling a Cityscape that actually contains the core premises of Smart Growth, and retro-fitting when possible. I mean combining in proximity, or by intermingling, residential, employment and service uses. Fundamental and important objectives get their biggest boost: contemporary ideas of livability and vibrancy, reduction of automobile-centric dependency and transportation demand lessening by reducing trips and miles, and beneficial environmental impact (primarily by less vehicular reliance). I suggest, what I now refer to as the New Urbanism fad of the '90s to now, has failed Rockville in achieving this on any more than a small scale, while making large promises.

This goal should be explicitly stated among those for the Rockville's Land use plan. It would over-arch and synergize with other goals in the drafts. And more thought should go into giving teeth to the planning and zoning regimen to get such a build-out in the coming generation. So far success here has been marginal, primarily by caving to the current market cycle that is driving residential build-out. In a long term view, seas of residential building are merely the next wave of cul-de-sac neighborhoods, accentuated by impacts flowing from higher densities.

On page 18, first full paragraph, the dilemma of how to invigorate or re-use existing office park areas is mentioned. While office employment market has been weak, the retention of a goodly employment sector is critical to the Smart Growth triumvirate (places to live, work and get things in proximity). That we are seemingly giving away the employment piece of that triumvirate is ominous (e.g. converting reserved employment area to residential uses at King Farm or Tower Oaks), without another plan of where to cultivate it.

Sincerely,



David Hill
former Planning Commissioner
former RORZOR Member
2002 Charter Review Comm., Co-Chair
former Board of Appeals Commissioner

Exhibit

39


LerchEarlyBrewer

 7600 Wisconsin Avenue, Suite 700 • Bethesda, MD 20814 • lerchearly.com

Robert R. Harris
 Attorney
 301-841-3826
rrharris@lerchearly.com

June 18, 2019

Ms. Gail Sherman
 Chairman, Rockville Planning Commission
 111 Maryland Avenue
 Rockville, MD 20850

Re: Rockville 2040 Master Plan – Rockshire

Dear Ms. Sherman:

We represent the owners of the vacant Rockshire Shopping Center at the corner of Wootton Parkway and Hurley Avenue. The purpose of this letter is to provide written comments for this site with respect to the 2040 Master Plan and for the future Rockshire Neighborhood Plan. We believe both plans should contemplate zoning and land use designations for this property which acknowledge present and future demands and trends with respect to housing, retail and mixed-use development in the city.

As you are aware, the City has been engaged in outreach discussions with the community about new zoning and land use for this property for about one year. The work began with a City survey focused on community requests for some type of community center or meeting space on the west side of I-270. In response, the owner of the vacant Rockshire Shopping Center expressed an interest in working with the City in the form of some type of public/private partnership in which a site for such community space might be provided as part of residential redevelopment of this property. In the interest of facilitating such a possibility, the City then retained an outside planning organization (Rhodeside & Harwell) to engage the community and the property owner in discussions about new zoning and land use for this property. That work is progressing, but the deadline for written comments on the 2040 Master Plan requires us to submit these comments at the present time. Subject to further work with the community, City Staff and the consultant, we offer these initial comments.

I. Overview

We want to begin by commending the Planning Commission Staff and the Planning Commission for the initial Draft of the 2040 Plan. It includes a good foundation for a document that will guide development for the next 20 years and beyond. It recognizes the anticipated population growth and the need for new housing opportunities of all types. It notes that the response to this demand will largely come from redevelopment of existing properties, particularly former commercial sites. The Plan also reflects the need for parks, community centers and other amenities for the public and the importance of improving environmental protection measures, including stormwater management. The Rockshire Shopping Center site can respond directly to each of these goals.

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II. Retail

The Rockshire Shopping Center was planned approximately 50 years ago, at a time when planned communities like Columbia and Reston were under construction. Like those communities, the planning concept at the time was to include small, village retail centers among housing "neighborhoods." Due to huge changes in the retail world, however, particularly in the past 10 years, the demise of small village retail centers conceived in the 1960's and 1970's has happened throughout the region and the country. From larger planned communities like Columbia and Reston, down to smaller projects like Montgomery Village and Rockshire, many have seen small retail centers struggle to survive. The common denominator in these closings has been undersized village centers, not located with great visibility on major highways. With increasing competition from bigger centers that are better located and attract newer, more competitive retailers, these old centers have struggled. Village centers in Columbia have closed and recently the Tall Oaks Village Center in Reston has been a victim of the changing retail patterns. There, the Giant Food vacated the site 10 years earlier and alternative retail uses struggled. (A study undertaken for that property by the Robert Charles Lesser Company, like a study done by Streetsense for the Rockshire Center, documented the lack of retail demand for such sites in today's economy.) That 7.5 acre site, almost the same size as Rockshire, has now been slated for redevelopment with 156 dwelling units and limited accessory uses. Other village centers in Columbia and elsewhere, and older, under-sized shopping centers, are increasingly being converted to residential use as the region's housing demands continue to grow. Widespread land use planning policies call for more complete use of existing land resources where major new infrastructure is not required, while avoiding more scattered development.

Rockshire presents an excellent opportunity for redevelopment to meet today's housing and community gathering needs, while acknowledging that retail demands for the area have been addressed better by newer centers such as FallsGrove, Travilah, Park Potomac and, most recently, the Foulger Pratt retail center, only a few minutes away on Research Boulevard.

Among the most significant changes in the closure of small retail centers like Rockshire has been the total transformation of the grocery world. Whereas Giant Food was once the most significant grocer in the Washington area, its market has been completely eclipsed by large discount grocers like Walmart, Target and Costco, and supersize grocers like Wegmans with a wide variety of prepared foods and numerous selections of all products. (The Wegmans in Germantown is doing phenomenally well and a new Wegmans in Rockville will further affect the viability of small grocery sites). Discount groceries like LIDL and Aldi who locate their stores on major highways and attract buyers from a wide geographic area, also have affected the grocery business.

In the same way that these evolutions have affected the grocery business, online shopping has replaced major elements of general retail services. Studies indicate that with Amazon leading the way, the ability to buy pretty much anything online, and with next day delivery, online sales are growing exponentially each year. "Clicks" have taken a huge bite out of the need for "bricks" for retail.

Giant vacated the Rockshire Center more than seven years ago although it had to continue paying rent until just recently when the property owner bought out the lease in order to enable future

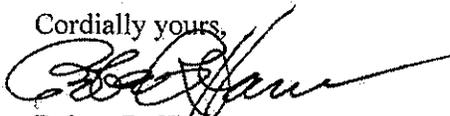
redevelopment of the property under the 2040 Master Plan. Although some residents in the immediate area had hoped for a new grocery store and other retail, the evidence is clear that newer, better positioned retail nearby eroded the community's support for the Rockshire Shopping Center when it was functioning, and the long vacancy and leasing efforts for the center since then affirm the infeasibility of this option. At best, redevelopment of the property with a residential use might include some limited "mom-and-pop" retail consisting of a coffee shop/deli/ice cream store or very small retail services for the immediate neighborhood. This would almost certainly require a devoted local retailer who could build a relationship with the community and even then the owners probably would need to provide financial incentives such as below market rent in order to make it work.

A possible alternative to such limited retail might be a small community center/gathering space for the Rockshire neighborhood. The City, however, does not have the funding to purchase land and build such a center but the property owner has indicated a willingness to provide some land to the City without cost if the zoning and land use recommendations enable them to develop residential on the property in a form and density similar to the surrounding residential, or otherwise in a compatible manner.

III. Residential/Mixed-Use

This is a master plan exercise making a recommendation for a zoning category and a use or range of uses for the property. It does not require preparation of a specific design concept because that level of detail has not been studied at this time and the City has a comprehensive process for doing so later on. As noted above, one thing is clear, however, and that is having it continue solely for retail use will result in it remaining vacant/abandoned which serves no one's purpose. Based on the experience with other failed retail centers throughout the region, combined with changing retail trends and housing demands, Rockshire presents an excellent opportunity for residential redevelopment. Among many other indications of the need for new housing at sites like this, recent Metropolitan Council of Governments data indicate an increased housing demand in Rockville of approximately 34% by the year 2040. Given that much of the City's land is already developed, there are relatively few opportunities to meet this large future demand. Rockshire provides an excellent opportunity. The adjoining town home development on two sides of the property is at a density of approximately 11 dwelling units per acre. (The original Planned Community approval for the entire Rockshire neighborhood (PRU-4M-88) also allowed 75 additional dwelling units that never were built). In order to provide potential space for some limited "mom-and-pop" retail or a small community center, Rockshire Shopping Center should be designated for residential attached development at a density of 10 units per acre under a mixed-use zone that would allow a small amount of retail or a community center.

Cordially yours,



Robert R. Harris

cc: David Levy
Cindy Kebba
John Rhoad

Exhibit 40



June 18, 2019

Rockville Planning Commission
111 Maryland Avenue
Rockville, MD 20850

Re: Comments on the Draft Rockville 2040 Comprehensive Plan Update

The Washington Metropolitan Area Transit Authority (Metro) offers the following comments on the Public Hearing Draft of the Rockville 2040 Comprehensive Plan Update. Metro appreciates the opportunity to review the proposed revisions to the City of Rockville's land use and transportation policies. If you have any follow-up questions or require further clarifications, please contact Nina Albert, Vice President for Real Estate and Parking (LAND), by email at nmalbert@wmata.com or by phone at (202) 962-2616.

Rockville and Metro

We commend the City for drafting a plan that affirms Metro's role as an anchor for Rockville's prosperity and future growth. In addition to its call to "actively support" WMATA's bus and rail services (Transportation Policies 10 and 12), the plan's land use elements will strengthen Rockville's transit-oriented communities and leverage the value of its three Metrorail stations (i.e. Twinbrook and Rockville within city limits and Shady Grove just beyond the city limits).

General Land Use Policies

In late 2018, Metro eliminated the 'Grosvenor turnback' service pattern on the Red Line, thereby doubling service to Rockville stations during peak hours. This investment in service, in tandem with the region's commitment to Metro's capital needs, demonstrates Metro's support for transit-oriented growth in Rockville. Metro is therefore pleased that the plan allows for greater densities near Metrorail stations. Allowing more high-density development next to Rockville and Twinbrook stations (Land Use Policies 4, 8, 10) maximizes the benefits of transit-oriented development where denser land use contexts are already well-established.

In existing low-density areas near transit, the plan (specifically Land Use Policies 2, 3, and 9) proposes three land use classifications, Residential Detached (RD), which would allow up to two dwelling units, and Residential Attached (RA) and Retail and Residential Mixed (RRM), which would allow at least three or four dwellings per parcel and retail in RRM zones. Given the importance of transit-accessible housing to the region's affordability these policies will maximize the opportunities for housing production in low-density areas within the ½-mile station walkshed while preserving neighborhood character.

Washington Metropolitan Area Transit Authority

600 Fifth Street, NW
Washington, D.C. 20001
202/962-1234

By Metrorail:
Judiciary Square-Red Line
Gallery Place-Chinatown
Red, Green and
Yellow Lines

A District of Columbia
Maryland and Virginia
Transit Partnership

By taking these reasonable steps to meet demand for homes and jobs near transit, the city will also maximize the value of taxpayers' existing investments in Metro. Transit-oriented development helps to secure Metro's future by growing our customer base and supporting operating cost recovery.

Walkability

Walkable streets are fundamental to transit-oriented communities. Even if a Metro station or bus stop is nearby, fewer people use transit if walking there is inconvenient, unsafe, or uncomfortable. Therefore, WMATA strongly supports the proposed policies to ensure the built environment fosters walking, biking, and transit-oriented lifestyles (Land Use Policies 11, 12, 13; Transportation Policies 16, 17, and 18). While the city lacks direct control over the design of major roadways like MD-355, its planning authority offers tools to create more walkable places through pedestrian-friendly urban design and land use. Metro is pleased that the plan seeks to take advantage of these opportunities.

Development Review Standards

Metro strongly supports the proposed reforms to the city's Comprehensive Transportation Review (CTR) and parking requirements (Land Use Policy 9). From a transit perspective, minimum parking ratios and traffic impact mitigation requirements can be highly problematic. In modeling future parking and car trip generation, these tools often overestimate the traffic and parking needs of transit-oriented communities. These projections trigger mitigation requirements, which themselves can be based on standards that are unrealistic and inappropriate for a walking- and transit-oriented area (e.g. ensuring free-flow traffic at rush hour or ample free parking on Black Friday). The resulting changes – increased parking supply and vehicular capacity – directly undermine transit and transit-oriented development by facilitating more driving and detracting from the walkability of the area. Metro is therefore pleased that the plan calls for a reevaluation of these requirements.

WMATA Property

Rockville Metrorail Station

The proposed Land Use Policy Map (page 35, figure 5) classifies the west side of the Rockville Metrorail Station as Office (O). WMATA recommends a change to Office Residential Retail Mix (ORRM). This classification will allow more flexibility in determining the final uses and enables the property to better respond to real estate market conditions, which may vary over time. Flexibility will also support development of a multi-use project that enhances the experience for passengers using this central transit hub for connections and transfers or as their destination. This approach is also essential to ensure the property can adapt to future transit facility needs such as expansion of local bus services or the proposed Rockville Pike and Veirs Mill Bus Rapid Transit (BRT) projects.

Twinbrook Metrorail Station

The proposed Land Use Policy Map (page 29, figure 4) classifies four parcels on the west side of the Twinbrook Metrorail Station area as Park (P). One of these parcels is owned by WMATA and is being considered as a joint development site. Therefore, WMATA recommends a change to Office Residential Retail Mix (ORRM) for all four parcels. This classification would align with the greater station area and not eliminate development potential, particularly when funding sources for the park have not yet been identified or compensation negotiated. Since this location is a greenfield site, it presents an immediate opportunity for WMATA to increase access to housing and jobs within 400 feet of the Metrorail entrance without disrupting existing bus and transit parking facilities. Such types of development within the ½-mile station walkshed are crucial for WMATA to grow its ridership base and to sustain its operations and service frequency.

The Authority does agree with the intent of the proposal to increase the availability of open space for social and civic uses. However, WMATA believes this could be better accomplished by enhancing the plaza directly in front of the Metrorail station entrance and by incorporating public green spaces as part of any new development projects within the ½-mile station walkshed. This approach would provide greater community benefits by spreading park land across the station area rather than concentrating it to one side of the station. Park space for recreational purposes that requires larger footprints could additionally be provided by utilizing the rooftops of public or private parking garages. While not traditional park space, these locations could create a special attraction and vantage point to observe the new offerings and growth of the Twinbrook Station neighborhood.

Exhibit (41)

LINOWES
AND BLOCHER LLP
ATTORNEYS AT LAW

June 18, 2019

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Phillip A. Hummel
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Chair Gail Sherman and
Commissioners of the City of Rockville Planning Commission
City of Rockville
111 Maryland Avenue
Rockville, MD 20850

Re: Written Testimony of Grove Rockville 31, LLC, Grove Rockville 31 II, LLC, Grove Rockville 31 III, LLC, AND Grove Rockville 31 IV (collectively, "Lantian") - Draft Comprehensive Plan for Planning Commission Public Hearing

Dear Chair Sherman and Commissioners:

We are submitting this written testimony regarding the Rockville 2040 Comprehensive Plan (the "Comprehensive Plan") on behalf of our client, Lantian Development LLC ("Lantian"). Lantian is the owner of approximately 31 acres of land located in the City of Rockville at 15825 Shady Grove Road, 2092-2098 Gaither Road, and 2-4 Choke Cherry Road and zoned MXE (the "Property"). It is in the process of obtaining approvals for the redevelopment of the Property, which will transform the existing auto-oriented single-use office park to a walkable mixed-use community convenient to existing and anticipated transportation infrastructure. On April 29, 2019, the Mayor and Council of Rockville unanimously voted to adopt Resolution 7B-19 approving Project Plan PJT2017-00007 (the "Project Plan"). The Project Plan allows redeveloping the Property with up to 1,336 multi-unit dwellings, up to 330 townhouses, up to 390,000 square feet of office, hotel, or institutional uses, and up to 170,000 square feet of retail uses (the "Project").

City of Rockville Planning Commission
June 18, 2019
Page 2

Lantian has reviewed the Planning Commission's Hearing Draft of the Comprehensive Plan (the "Hearing Draft") and supports many of its recommendations relating to the Property that are entirely consistent with the Project Plan and the Project:

- Designating the Property as Office Residential Retail Mix ("ORRM") on the Land Use Policy Map, which is described as "the most flexible category, allowing property owners a wide choice in mixing office, retail and residential uses." (Hearing Draft p. 19-20);
- Supporting the conversion of "obsolete office buildings" on Shady Grove Road "to a mix of apartments and townhouses, as well as retail." (Hearing Draft p. 27); and
- Stating that "[a] flexible mix of uses is envisioned along Piccard Drive and Shady Grove Road." (Hearing Draft p. 43)

Lantian does have concerns with Action 16.5 in the Land Use chapter of the Hearing Draft, which states: "Revise the MXE zone to require office uses where the Land Use Policy Map specifies Office (O), and *only allow residential uses in the MXE as a Special Use permit.*" Hearing Draft p. 43 (emphasis added). As written, Action 16.5 could be interpreted as a recommendation to amend the City's zoning regulations by requiring a Special Use permit for residential uses on all MXE zoned properties, and not just those with an Office (O) land use designation. If this reading is correct, Lantian requests that Action 16.5 be deleted. If, however, the City seeks to incorporate Action 16.5 in part, Lantian requests that it be rewritten to clarify that a Special Use Permit for residential uses would only be required for MXE zoned properties that are designated as Office (O) on the Land Use Policy Map.

Requiring a Special Use permit for residential uses on all MXE zoned land is undesirable for many reasons. First, it would negatively impact Lantian's Project, undermine the recently approved Project Plan, and jeopardize significant economic development along the Shady Grove Road corridor by introducing considerable uncertainty, expense, and delay to the entitlement

LINOWES
AND **BLOCHER LLP**
ATTORNEYS AT LAW

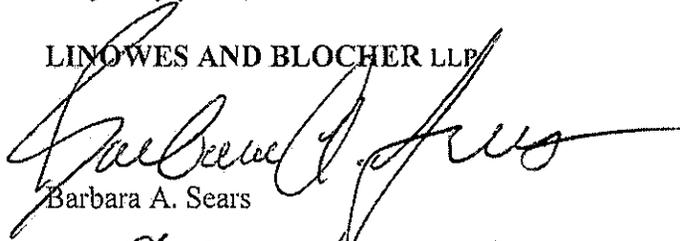
City of Rockville Planning Commission
June 18, 2019
Page 3

process. This would be particularly unfair at this point in time given that the approved Project Plan was rigorously reviewed over the course of years through City staff comments and public hearings before the Planning Commission and Mayor and Council. Additionally, such a policy would thwart the beneficial objectives of the Hearing Draft identified above, all of which are consistent with replacing the Property's outmoded improvements with a mix of uses including a range of multi-family and single-family housing (including affordable units). In short, Action 16.5 would hamper the exact type of redevelopment that the Planning Commission recommends for the Property in the Hearing Draft and that the Mayor and Council unanimously approved for the Property in the Project Plan as recently as April 29, 2019.

In closing, we urge the Planning Commission ensure that Action 16.5 does not apply to the Project either by eliminating it or clarifying that Special Use permits will only be required for residential uses on MXE zoned properties with an "O" designation on the Land Use Policy Map. We request that this letter be made a part of the public hearing record and look forward to continuing to work with the Planning Commission and staff throughout the Comprehensive Plan process. Thank you for your consideration.

Very truly yours,

LINOWES AND BLOCHER LLP



Barbara A. Sears



Phillip A. Hummel

cc: Bob Elliott, Lantian Development
Mike Smith, Lantian Development
Shawn Li, Lantian Development

Law Offices Of
MILLER, MILLER & CANBY
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 CLIENT FOCUSED. RESULTS DRIVEN.

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June 18, 2019

Gail Sherman, Chair
 City of Rockville Planning Commission
 111 Maryland Avenue
 Rockville, MD 20850

RE: Rockville 2040 Comprehensive Plan ("2040 Plan");
 Planning Commission Public Hearing Draft – March 2019

Dear Chair Sherman and Members of the Planning Commission:

This office represents Soleiman Investors and Mr. Joey Soleiman, the owners of property located at 216 Park Road ("Subject Property"), in the R-60 Zone. The Subject Property is 5,225 square feet in size and is improved with a residential structure.

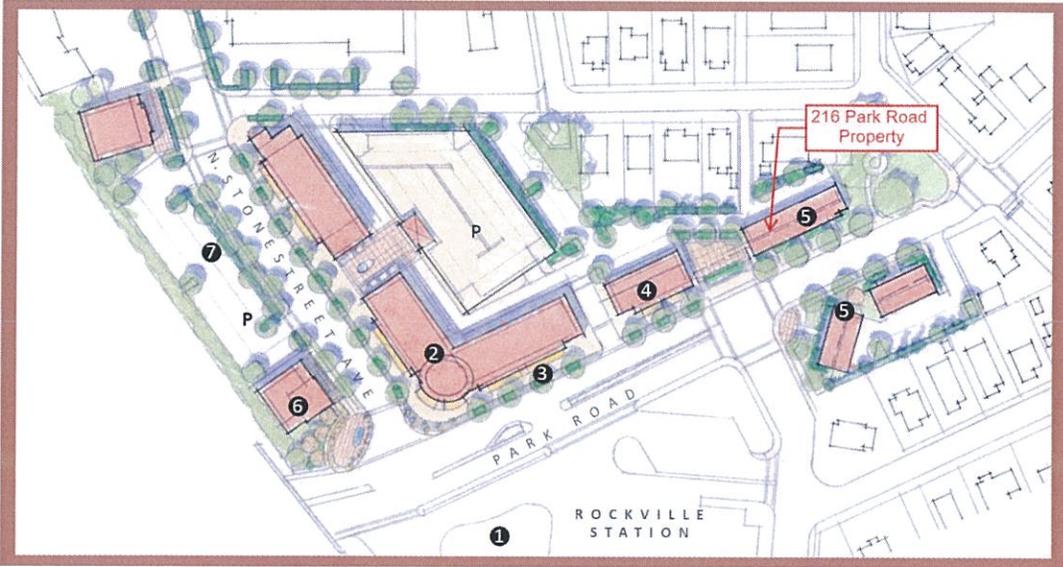
The 2040 Plan recommends a land use designation of Residential Attached ("RA") for the Subject Property (see below excerpt from Figure 4: Land Use Policy Map, Rockville Station found on pg. 31 of the 2040 Plan). The property is also covered by Land Use Policy 9 of the Plan, which encourages "mixed use development in East Rockville on blocks immediate to the Metro Station."



(Figure 4 – "Land Use Policy Map"; pg. 31 of 2040 Plan)

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The below excerpt from page 33 of the 2040 Plan is an illustrative site plan of a possible future transit oriented development at Rockville Station. Mr. Soleiman fully supports the City’s vision for better utilizing properties located so close to existing transit such as 216 Park Road. The illustrative plan below depicts a walkable, sustainably designed community that with its proposed mix of uses and streetscape improvements will hopefully result in the development of a vibrant, active and safe community adjacent to Rockville Station.



While the above rendering is clearly noted in the Plan as included for illustrative purposes only, it nonetheless suggests a particular dwelling unit type of townhouses on Mr. Soleiman’s property (in an apparent assemblage with the neighboring parcel to the east adjacent to Mary Trumbo Park) that we believe is inconsistent with recommendations in the recently adopted Stonestreet Corridor Study.

The land use/zoning recommendation in the Stonestreet Corridor Study applicable to 216 Park Road and its neighboring parcel is to rezone the properties from R-60 to RMD-15 or a new zone specifically designed for infill residential development that promotes a mix of infill housing types – that includes, not only attached dwellings, but also multi-family unit types such as triplexes, quads and stacked flats. (See below excerpt from page 20 of the Stonestreet Corridor Study) We also note that two-over-two townhouses also fall under the multi-family category.

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4. Rezone the properties from Single-Family Residential (R-60) to Residential Medium Density (RMD-15) or to a new zone specifically designed for infill residential to promote a mix of infill housing types, compatible in scale with single-family homes, including duplexes, triplexes, quads, townhouses and **stacked flats**.

Map 2.1: Land Use and Zoning Recommendations



(Map 2.1: Land Use and Zoning Recommendations; pg. 20 of Stonestreet Corridor Study)

We believe that the “RA” land use designation proposed in the Draft 2040 Plan for 216 Park Road is inconsistent with the more flexible approach taken by the Stonestreet Corridor Study in terms of the *type* of dwellings that might be appropriate in the area along Park Road inclusive of Mr. Soleiman’s property – assuming of course that a proposed project is well-designed to be compatible with and complementary to abutting single-family uses, if any.

As such, rather than specify that an “attached” type unit is the only acceptable form of residential use, we would recommend that the Planning Commission consider including design parameters and guidelines for new development to achieve the desired goal of compatibility with existing uses under Land Use Policy 9. In addition, we believe that of the various land use map designations listed and summarized on page 19 of the 2040 Plan, Residential Flexible (“RF”) is the only available category that evokes some measure of flexibility in allowable unit types. **Accordingly, Mr. Soleiman requests a land use designation of “RF” for the property at 216 Park Road in order to be consistent with the intent of the adopted Stonestreet Corridor Study.**

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Thank you for your consideration of these comments.

Sincerely yours,

MILLER, MILLER & CANBY

By: 
Soo Lee-Cho

cc: Mr. Joey Soleiman
Soleiman Investors

Exhibit (43)



4845 RUGBY AVENUE – SUITE 302 – BETHESDA, MARYLAND 20814

Sean T. Morris, Esquire
stm@morrisesq.com
 301.654.6570 (o)
 301.327.2932 (fax)

June 18, 2019

City of Rockville Planning Commission
 111 Maryland Avenue
 Rockville, Maryland 20850

Re: Rockville 2040 Comprehensive Plan Update
 Testimony of Woodley Gardens Shopping Center, LLC

Dear Members of the Planning Commission:

This office represents Woodley Gardens Shopping Center, LLC, the owner of the Woodley Gardens Shopping Center, located at 1101-1125 Nelson Street, Rockville, Maryland 20850. My client is grateful for the opportunity to present this letter and its accompanying documents and requests that they be made part of the public hearing record.

The Woodley Gardens Shopping Center is currently zoned such that the off-premise sale of alcoholic beverages is prohibited in the shopping center. This has caused a hardship to my client's small retail tenants, several of which have been unable to survive without the ability to sell beer and wine from the retail market in the shopping center.

My client supports the Draft 2040 Comprehensive Plan Update (the "Draft Plan"), particularly as it relates to:

- The Draft Plan's emphasis on supporting retail uses as anchors for local communities. The Woodley Gardens Shopping Center certainly qualifies as such, and its retail and restaurant uses such as Carmen's Italian Ices and Hard Times Café, have for years served as gathering places for the local community. We commend the Commission for its statement of support for such local retailers.
- The Draft Plan's stated action item that regulations should be revised "that limit the use of existing retail space," and thereby harm small businesses. Certainly the zoning restriction at issue with the Woodley Gardens Shopping Center would qualify as such a limiting regulation, and artificially restricts the ability of retailers in the shopping center to make full use of their space in order to better serve the local community.

www.morrisesq.com

City of Rockville Planning Commission
Draft Plan Testimony
Woodley Gardens Shopping Center, LLC
June 18, 2019
Page 2 of 2

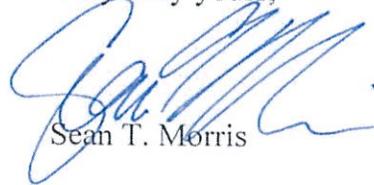
- The Draft Plan's recognition that the area surrounding the Woodley Gardens Shopping Center is an area within which the City wants to encourage walkability. My client believes this interest would be promoted by supporting retailers in the Woodley Gardens Shopping Center, which provides a walkable retail destination to local residents, who would otherwise have to drive on congested Route 270, or drive and park in other commercial areas of the City.

Further demonstrating that the community surrounding the Shopping Center also believes that supporting its local retailers is of critical importance, and that expanding the uses permitted in the Shopping Center would provide that support, as well as a material benefit to the local community, we are pleased to submit to you the signatures of nearly 300 members of the local community, each of whom endorsed the following statement:

Under the current ordinance, retail stores in the Woodley Gardens Shopping Center are prohibited from selling alcoholic beverages for off premise consumption. We the undersigned, do hereby state that we support a revision of the City's zoning ordinance, or a re-zoning of the Woodley Gardens Shopping Center parcel, such that it would permit such sales. We believe broadening the offerings of local retail stores would provide a benefit to the local community, and support small business in the City of Rockville.

Thank you again for the opportunity to submit this letter, and present the accompanying petitions. We request you consider these materials as you continue your important work.

Very truly yours,



Sean T. Morris

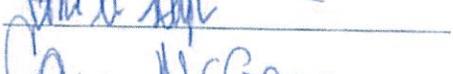
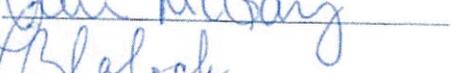
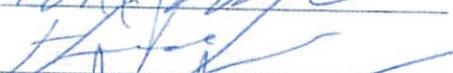
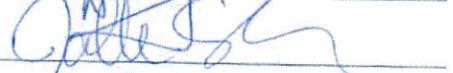
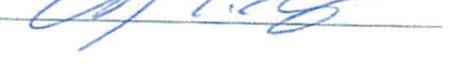
Enclosures

43

The City of Rockville is currently undertaking an update of its Comprehensive Plan, which will likely include an update of the City's zoning ordinance. Under the current ordinance, retail stores in the Woodley Gardens Shopping Center are prohibited from selling alcoholic beverages for off premise consumption. We the undersigned, do hereby state that we support a revision of the City's zoning ordinance, or a re-zoning of the Woodley Gardens Shopping Center parcel, such that it would permit such sales. We believe broadening the offerings of local retail stores would provide a benefit to the local community, and support small business in the City of Rockville.

SIGNATURE

FULL ADDRESS

	613 Blossom Bl. Rock MD 20850
	71 Stevens Ct Rockville 20855
	4313 Bel Pro Rd, Rockville, MD
	4313 Bel Pro Rd Rockville, MD 20855
	711 Carr Ave Rockville, MD 20850
	20049 DOOLITTLE ST, MONTGOMERY VLG, MD, 208
	13325 OAKWOOD DR ROCKVILLE MD 20850
	623 Azalea DR. unit 1 Rockville MD 20855
	8202 RIVER QUAYS PL BETHesda 208
	776 AZALEA DR.
	889 AZALEA drive
	734 Anderson Ave
	1025 Wintergreen Ter
	5 Yellow Plum Ct. Rock 20850
	655 Elmcroft, 20850
	516 Azalea dr R. 20850
	708 Azalea Dr. 20850
	7213 Betterdorf Ct. 20855

The City of Rockville is currently undertaking an update of its Comprehensive Plan, which will likely include an update of the City's zoning ordinance. Under the current ordinance, retail stores in the Woodley Gardens Shopping Center are prohibited from selling alcoholic beverages for off premise consumption. We the undersigned, do hereby state that we support a revision of the City's zoning ordinance, or a re-zoning of the Woodley Gardens Shopping Center parcel, such that it would permit such sales. We believe broadening the offerings of local retail stores would provide a benefit to the local community, and support small business in the City of Rockville.

SIGNATURE

FULL ADDRESS

[Handwritten signatures]

630 Goldsborough Dr.
5812 Juman Park Cr
1000 Aster Blvd
811 Blossom Dr.
100 Seaside Ave Marmora NJ 08
1 W 12th St. Ocean City, NJ 082
11204 Bedford Lane Ave Pot 2085
5019 6th St N 22403
1502 Columbia Ave Rockville MD
24 S. Duke St. Rockville, MD 208
788 AZALEA DR, ROCKVILLE 2085
1704 P.H Pl, Rockville 20850
1096 Larkspur Terrace Rock 20
1096 Larkspur Terrace Rock 208
1010 Azalea Dr Rockville MD 20850
610 Azalea Dr. Rockville MD 20850
610 Azalea Dr. Rockville MD 20
163 Moore Dr. Rockville MD 20

43

The City of Rockville is currently undertaking an update of its Comprehensive Plan, which will likely include an update of the City's zoning ordinance. Under the current ordinance, retail stores in the Woodley Gardens Shopping Center are prohibited from selling alcoholic beverages for off premise consumption. We the undersigned, do hereby state that we support a revision of the City's zoning ordinance, or a re-zoning of the Woodley Gardens Shopping Center parcel, such that it would permit such sales. We believe broadening the offerings of local retail stores would provide a benefit to the local community, and support small business in the City of Rockville.

SIGNATURE

FULL ADDRESS

[Handwritten Signature]

8104 Fepway Rd Bethesda MD 20814

[Handwritten Signature]
K L King

810 Blossom Dr. Rockville, MD 20855

[Handwritten Signature]

813 Fordham ST Rockville MD

[Handwritten Signature]

808 Crocus Dr Rockville MD 20850

[Handwritten Signature]
Eileen Pappalardo

7036 Sulky Ln. Rockville MD 20852

[Handwritten Signature]
Melodie Jones

2934 Marlboro Way San Ramon 94583

[Handwritten Signature]
Cathy Joseph

503 Azalee Dr.

[Handwritten Signature]

647 Azalea Drive

[Handwritten Signature]
Morgan Bailey

14817 mistletoe Ct

[Handwritten Signature]
Nancy Morris

5910 WATSON RD.

[Handwritten Signature]
L. Blalock

623 Angeline Dr

[Handwritten Signature]

PO Box 41411 #2603 BHTA

[Handwritten Signature]
Joan Smith

811 BLOSSOM DR Rockville MD

[Handwritten Signature]

173 Nelson St

[Handwritten Signature]
SCOTT BABOYIAN

2541 Wasserferr 20171

[Handwritten Signature]

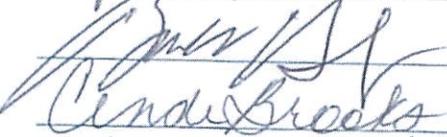
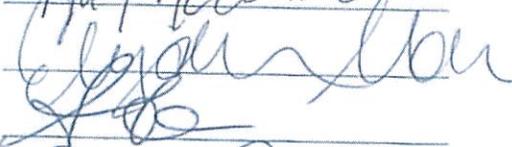
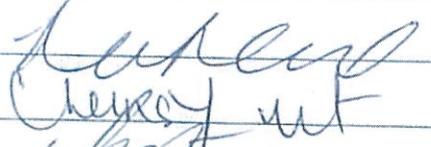
235 Greenfern Ct, Boonsboro, MD 21711

[Handwritten Signature]
Dan West

720 Beall Avenue

720 Beall Avenue

The City of Rockville is currently undertaking an update of its Comprehensive Plan, which will likely include an update of the City's zoning ordinance. Under the current ordinance, retail stores in the Woodley Gardens Shopping Center are prohibited from selling alcoholic beverages for off premise consumption. We the undersigned, do hereby state that we support a revision of the City's zoning ordinance, or a re-zoning of the Woodley Gardens Shopping Center parcel, such that it would permit such sales. We believe broadening the offerings of local retail stores would provide a benefit to the local community, and support small business in the City of Rockville.

SIGNATURE	FULL ADDRESS
	208 Park Ave Apt. 101 Gaithersburg, MD 20877
Robert King	700 Smallwood Rd Rockville
Much Penhata	4 Steven Ct Rockville MD 20850
DEAN MEXNER	720 BOWEN AVE RV MD 20850
	1845 BAYVIEW SQ LN Bethesda, MD 20814
Paul G. Baker	625 Goldsboro Ln Rockville 20850
Kathie Smully	1113 Wilson Ave Rockville, MD 20850
Mark Drew	
	636 Crocus Drive 20850
Cindy Brooks	618 Warfield Dr. 20850
Mary McCormick	526 Lynch St 20850
	716 Carr Ave, Rockville, MD 20850
Elizabeth	636 Crocus Dr. Rockville MD 20850
Sage Coe	729 Beall Ave, Rockville, MD 20850
	2017 OLD CABIN LN Rockville MD
Cheryl	501 Hungerford Dr Rockville MD 20850
	1115 Goldsboro Ln Dr. Rockville MD
Cheryl	718 Anderson Ave Rockville MD 20850

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

The City of Rockville is currently undertaking an update of its Comprehensive Plan, which will likely include an update of the City's zoning ordinance. Under the current ordinance, retail stores in the Woodley Gardens Shopping Center are prohibited from selling alcoholic beverages for off premise consumption. We the undersigned, do hereby state that we support a revision of the City's zoning ordinance, or a re-zoning of the Woodley Gardens Shopping Center parcel, such that it would permit such sales. We believe broadening the offerings of local retail stores would provide a benefit to the local community, and support small business in the City of Rockville.

SIGNATURE	FULL ADDRESS
<u>Ch. Bell</u>	<u>625 Blossom Drive Rockville MD</u>
<u>David Rothman</u>	<u>7301 Garland Ave TP MD</u>
<u>Alan Jones</u>	<u>2504 Heather Ln An Pot MD</u>
<u>Michael Worts</u>	<u>7874 Heather Ln An Pot</u>
<u>K. J. J.</u>	<u>1000 Aster Blvd Rkv MD 20850</u>
<u>Em. Map</u>	<u>627 Aster Blvd. Rockville, MD 20850</u>
<u>David Jacobson</u>	<u>8122 Inverness Ridge Rd, Potomac, MD 20854</u>
<u>Josam Yim</u>	<u>707 Hope Lane, Gaithersburg, MD 20878</u>
_____	_____
<u>Yail Hienbargh</u>	<u>434 Goldsborough Dr, Rockville, MD 20850</u>
<u>Christy O'...</u>	<u>536 Anderson Ave. Rockville, MD 20855</u>
<u>Rosie Fairman</u>	<u>508 Azalea Dr. ROCKVILLE, MD 20850</u>
_____	<u>516 Azalea Dr. Rockville MD 20850</u>
_____	<u>21 Hawthorn Ct Rockville MD 20850</u>
<u>Deborah O...</u>	<u>702 Beall Avenue Rockville MD</u>
<u>David Cohen</u>	<u>702 Beall Ave, Rockville MD 20850</u>
<u>Beth Jones</u>	<u>1700 Westview Dr Rockville MD 20854</u>
<u>Shira Ravin</u>	<u>13200 Carriage Ct Rockville MD 20850</u>

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

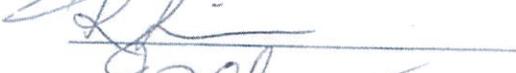
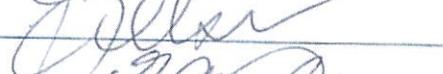
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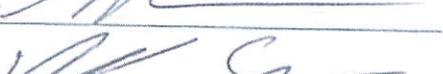
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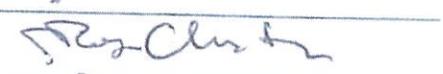
SIGNATURE

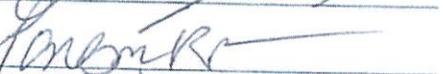
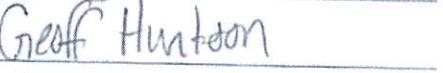
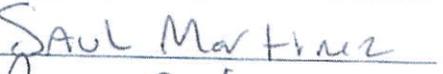
FULL ADDRESS








 Geoff Huntoon
 SAUL MARTINEZ





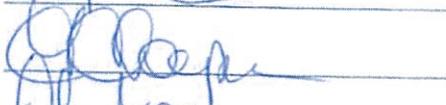
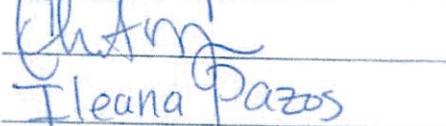
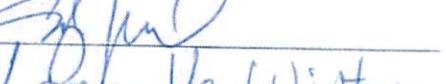
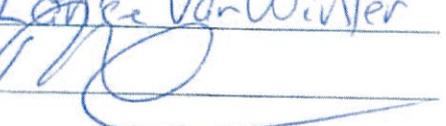


622 Goldsborough Dr. Rockville 20850
 817 Azalea Dr Rockville MD
 826 College Parkway Rockville MD 20850
 1507 Columbia Ave. Foville 21850
 524 Azalea Drive Rockville, MD 20850
 11 Leyton Ct. Rockville MD 20850
 543 Beall Ave, Rockville MD 20850
 131 Bullat Cir Rockville MD
 1099 Lakespur Ter Rockville, MD 20850
 1513 Columbia Ave, Rockville, MD
 543 Beall Ave Rockville MD 20850
 909 Nelson Street, Rockville, MD 20850
 19518 Billing ct. Gaithersburg MD 20884
 801 Reserve Champion Dr. #303 Rockville MD 20850
 866 College PKWY Rockville MD 20850
 11664 Leesborough Circle Silver Spring MD 20904
 134 GARDEN DR. GAITHERSBURG MD 20878
 119 S. Van Buren St. Rockville 20850

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

43

The City of Rockville is currently undertaking an update of its Comprehensive Plan, which will likely include an update of the City's zoning ordinance. Under the current ordinance, retail stores in the Woodley Gardens Shopping Center are prohibited from selling alcoholic beverages for off premise consumption. We the undersigned, do hereby state that we support a revision of the City's zoning ordinance, or a re-zoning of the Woodley Gardens Shopping Center parcel, such that it would permit such sales. We believe broadening the offerings of local retail stores would provide a benefit to the local community, and support small business in the City of Rockville.

SIGNATURE	FULL ADDRESS
	868 AZALEA DR. ROCKVILLE.
	622 Blossom Drive, Rockville
	10612 Montrose Ave, #283 Bethesda, MD 2
Ileana Pazos	10 Hawthorn Court
Robert Donnay	10 Hawthorn Court
Ashley Knaeder	820 Azalea Dr
NATE KOOP	820 AZALEA DR
H. Quigley	2208 Grenmore Ter.
Eva Stiles	3700 S. Four Mile Run Dr.
Ray Whalen	12 Wall St Rockville
Scott Swick	742 Chopper Road, Gaithersburg Md.
Douglas Matus	147 17304 Everingline Lane Olney MD
Kristi Early	531 Anderson Ave., Rockville, MD 20850
Ally Cooper	824 Azalea Dr 20850
	508 Azalea Dr Rkville 20850
	5230 Tuckerman Lane Apt 1022 Rockville, MD
Lance VanWanter	529 Carr Avenue, Rockville Md
	813 Fordham ST. Rockville MD

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SIGNATURE

FULL ADDRESS

Jones D. Beane

12713 Huntsman Way Potomac, MD 20

FERNANDE KÉRATO
Ben Bechtel

901 S. WINWOOD AVE VA 22203
701 UNIVERSITY PLANY 21210

joanne bysch-Bachbauer
Peter Ullrich

1107 Nelson St. #201, Rockville
510 Carr Avenue, 20850

Mary Duvall
Hana Kuma

6904 Breezeway Ter, R 2085
61 Azalea Drive #4, Rockville, MD 20850

WILSONFIELD
[Signature]

4 CROFTON HILL CT ROCKVILLE MD 20850
21 Hawthorn Ct. Rockville MD 20850

Steven
[Signature]

10204 Sweetwood Ave. Rockville MD 20850
612 Crocus Dr. Rockville MD 20850

[Signature]
[Signature]

629 Blossom Dr. Rockville MD 20850
819 Dulce St. Rockville MD 20850

Paula Bannell
[Signature]

709 Brent Rd. Rockville, MD 20850
801 Crocus Dr. Rockville MD

[Signature]
[Signature]

604 Aster Blvd
734 Anderson Ave Rockville, MD

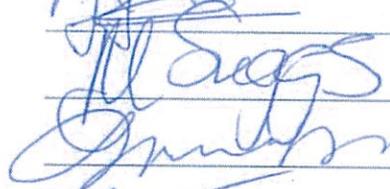
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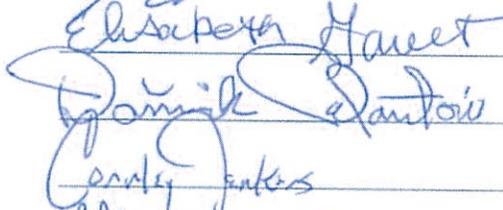
716 AZALEA DR Rockville, MD
20850

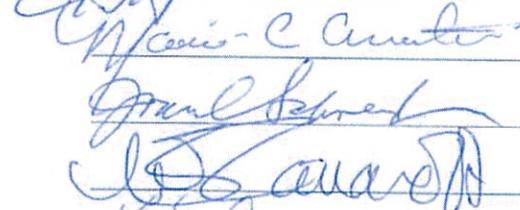
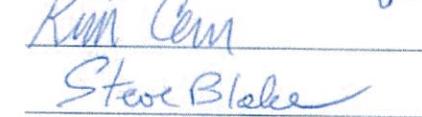
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SIGNATURE



FULL ADDRESS

917 BENTLEWOOD ST GAITHERSBORO MD 20878
 18014 Wagonwheel Ct Olney MD 20832
 2220 VESUNDRIVE WASHINGTON DC 20001
 Michelle Siegg 201 W Gude Dr. Rockville MD 20858
 11201 Hunt Club Dr Potomac Rockville MD 20858
 420 college pkwy, Rockville, MD 20858
 14732 Janice Dr Rockville MD 20858
 11339 Montgomery Rd Beltsville MD 20814
 1013 NELSON STREET ROCKVILLE, MD 20858
 1502 Lewis Ave Rockville MD 20851
 18903 Ferry Landing Circle Germantown MD 20874
 18903 Ferry Landing Circle Germantown MD 20874
 709 W Mattingly Ave, Rockville MD 20858
 842 College Parkway Rockville, MD 20858
 5 Martin Ct, Rockville MD 20853
 800 College Parkway #102 R. MD 20858
 8904 Fernwood Rd Bethesda Md 20814
 8 Brasou Ct. Rockville MD 20850

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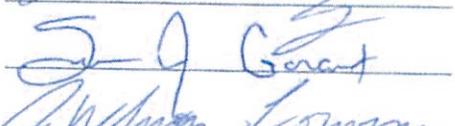
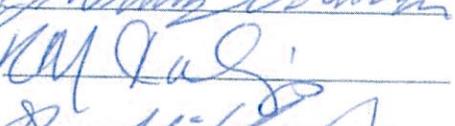
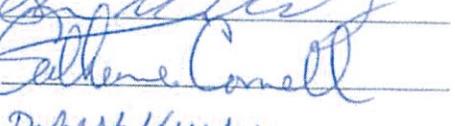
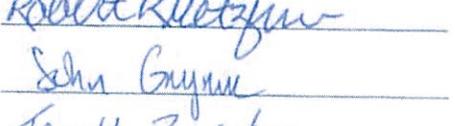
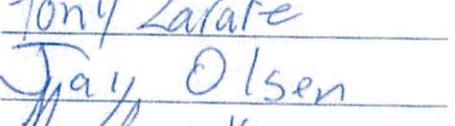
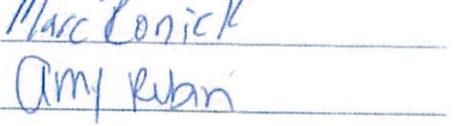
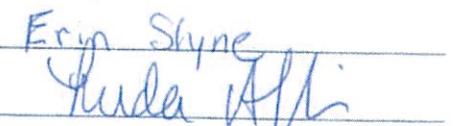
SIGNATURE

FULL ADDRESS

<u>Dee Grayhawk</u>	<u>119 Wheaton Alley, Charlesburg, Md</u>
<u>[Signature]</u>	<u>503 Broadwood Dr Rockville</u>
<u>[Signature]</u>	<u>11112 H. St. W. Dr. Potomac</u>
<u>Kathy Lane</u>	<u>18509 Laurel Point Ct. N.V. 20886</u>
<u>Maryanne Baudino</u>	<u>604 Crocus Dr., Rockville, MD 20850</u>
<u>[Signature]</u>	<u>710 S. MALLARD RD 20850</u>
<u>[Signature]</u>	<u>15331 BUCKLE WAY, WOODBRIDGE VA.</u>
<u>[Signature]</u>	<u>311 Carr ave Rockville MD 20850</u>
<u>[Signature]</u>	<u>520 Mamulkee St. Rockville MD 20855</u>
<u>Paul Polak</u>	<u>304 NIMITZ AVE ROCKVILLE 20855</u>
<u>Greg Gayland</u>	<u>9540 WIGHTMAN RD GAITH. MD 20879</u>
<u>Tracy Matthews</u>	<u>18915 Lincoln Rd Poolesville VA 20132</u>
<u>[Signature]</u>	<u>10889 Larkspur Terr. Rockville</u>
<u>[Signature]</u>	<u>638 Blossom DR Rockville</u>
<u>Sandra J. [Signature]</u>	<u>8572 Atwell Rd Potomac, MD</u>
<u>Jane Katz</u>	<u>9304 Sprinklewood Ln Pot, Md</u>
<u>Nancy Lopez</u>	<u>7834 Mineral Springs Dr Gaithersburg</u>
<u>Joe Perretta</u>	<u>3 Honeystone Ct, Brookeville 20826</u>

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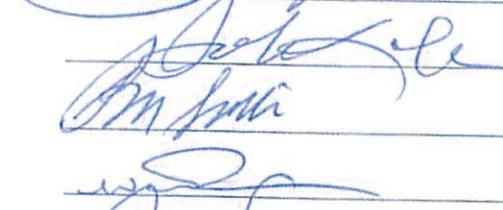
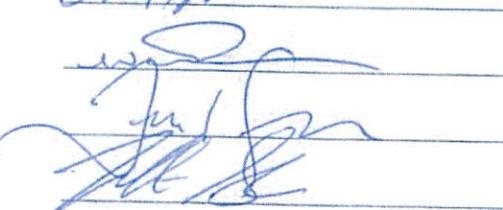
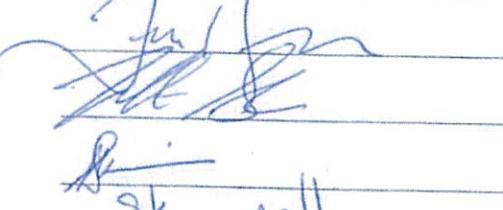
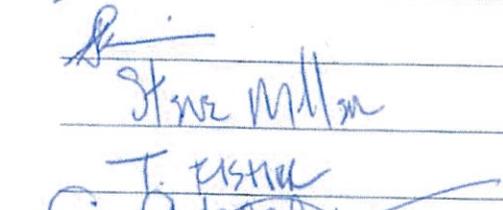
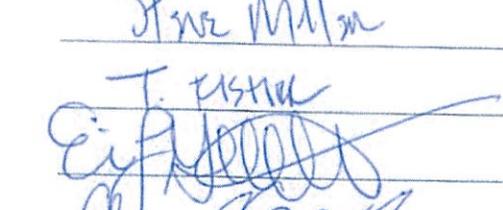
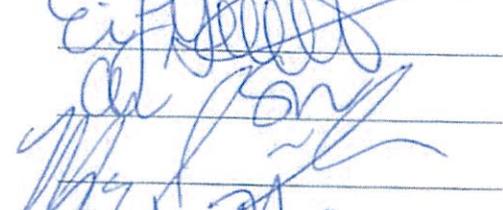
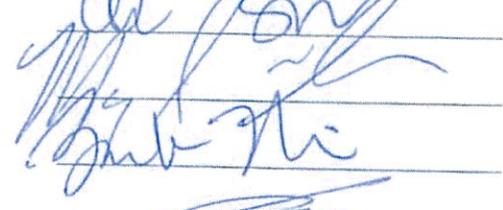
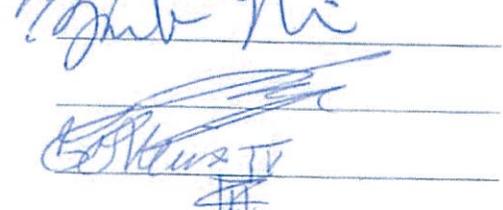
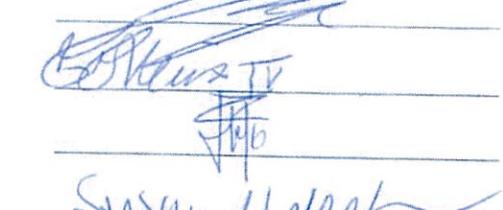
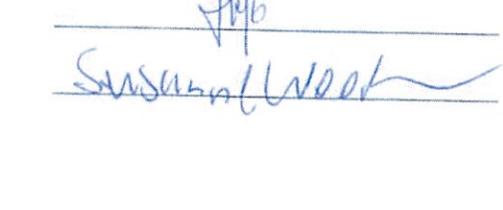
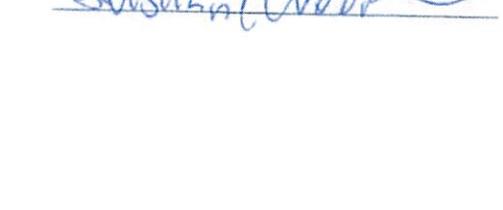
SIGNATURE	FULL ADDRESS
	4710 Bethesda Ave #1312 Bethesda, Md
	Warrior Brook Dr Germantown 801 Blossom Drive Rockville 910
	6211 Poe Road 6211 Poe Road
	117 W. Montgomery Ave, Rockville 20850
	506 Goldsborough Dr. Rockville
	108 Bullard Circle, Rockville MD 20850
	614 Azalea Dr. Rockville, MD 20850
	9 Columbia Ct Rockville 20850
	12 Ritchfield Ct Rockville, Md 20850
	34 Woodley Dr Rockville MD 20850
	406 Monroe St 20850
	523 Bradford 20850
	540 Kersten St 20878
	540 Kersten St. 20878
	858 Azalea Dr. Rockville, MD 20850
	417 Blossom Dr. 20850

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SIGNATURE

FULL ADDRESS

	MARK KOEHN 536 ANDERSON AVE Rockville MD 20850
	C. STRICKLAND 10900 MONTROSS AVE GAITHERSBURG MD 20878
	PATRICK M. SULLIVAN 626 ASTER 20878
	14709 POMMER DR, ROCKVILLE MD 20850
	506 Beall Ave Rockville MD 2085
	816 AZALEA DR ROCKVILLE MD 20850
	916 College New Rockville MD 20850
	1007 CRAWFORD DR Rockville, MD 20851
	625 ANNEAUX CH ROCKVILLE MD 20851
	647 Azalea Dr. Apt A Rockville 2085
	1861A Shadowridge Terr, Olney MD 208
	124 Ellington Blvd #478 Gaithersburg MD 20878
	126 Ellington Blvd MD 20878
	743 IVY BROOK LN. MD 20880
	637 AZALEA DR, Rockville MD 208
	705 W Montgomery Ave, Rockville 20850
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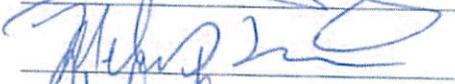
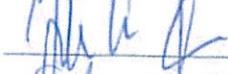
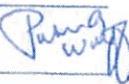
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SIGNATURE

FULL ADDRESS


 Robert E. Singer
 Abigail Veirs

 Natal & Josh



 Chere Capal
 Kayrol M. Hays
 Patricia A. Wolff 
 Elizabeth Skine
 Lairo Quintero
 Ted King
 Mary & Rich
 Doug & Lt
 Michael Ouk

630 Blossom Dr, Rockville, MD 20850
 712 Smallwood Rd. Rockville MD 20850
 637 Azalea Dr. Rockville, MD
 459 Winding Rose Dr. Rockville MD 20850
 215 CRESTMOOR CIR SILVER SPR 2090
 23415 Spire St. Clarksburg, 20871
 529 Ball Ave Rockville
 17102 Thatcher Ct Olney MD 20832
 6 MARYLAND AVE, ROCKVILLE 20850
 643 CROCUS Dr Rockville MD 20850
 643 CROCUS Rockville, MD 20852
 808 CROCUS Dr Rockville MD 20850
 5405 Tucker Ln Rockville 20852
 1744 Yale Pl. Rockville MD
 810 Blossom Dr. Rockville 20850
 699 College Park Rockville 20
 710 Carr Rd Rock 20850
 7 Stevens court Rockville MD

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SIGNATURE

FULL ADDRESS

[Handwritten Signature]

1526 Baylor Ave Rockville

[Handwritten Signature]

3 Rudis Way Gaith 20878

[Handwritten Signature]

716 Wilson Ave Rockville MD 20850

[Handwritten Signature]

819 Sligo Creek Pkwy, Takoma Park MD 20912

Micheli Petros

9803 Pa Pa Way, Rockville, MD

Linda & Mike Katz

17208 Somaac Lt.

Michael Katz

Genwatawn Md. 20874

[Handwritten Signature]

1700 Pitt A. Rockville MD 20850

Dent Alsmeyer

1700 Pitt Pl. Rockville MD 20850

[Handwritten Signature]

1101 Higgins Pl. Rockville MD.

[Handwritten Signature]

1101 Higgins Pl Apt 209 Rockville MD

[Handwritten Signature]

9727 Lake Shore Dr. Mont. Vill. MD

[Handwritten Signature]

503 Beall Av, Rockville, MD 20850

[Handwritten Signature]

1092 Lackstar Terr. Rockville 208

Penny A. Trusty

632 Cocus Drive Rockville

[Handwritten Signature]

908 College Hwy Rockville, Md

Doug Henry

815 Grouse Dr. Rockville MD 208

Nancy Mottel

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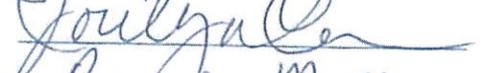
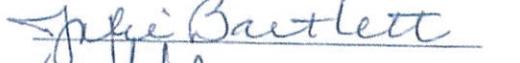
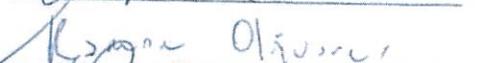
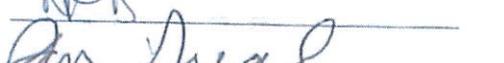
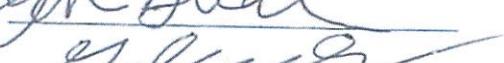
SIGNATURE	FULL ADDRESS
	813 ASTER Blvd Rockville MD 20850
	2451 Midtown Ave. Alex. VA 22303
	1051 Carnation Dr. Rockville 2085
	828 Aster Blvd Rockville, MD 20850
	856 NewMARK ESPLANADE Rockville MD 2
	645 Azalea Drive Rockville MD 208
	644 Blossom Dr Rockville MD 20850
	616 Nelson St. Rockville MD 20850
	555 Anderson Ave, Rockville, MD 20850
	18 Orchard Way N, Rockville 20850
	627 Azalea Dr. Rockville, MD 208
	4521 Fairfield Dr. Bethesda MD 20814
	2 Centerfield Ct Germantown MD 20874
	1207 Azalea Drive, Rockville, MD 20850
	787 AZALEA DRIVE, Rockville MD 208
	5 Purdue Ct Rockville MD 20850
	1104 Carnation Dr. Rockville. MD 20850
	11324 Dunlath Place, N. Potomac MD 208

43

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SIGNATURE

FULL ADDRESS

	601 Azalea Dr Rockville MD 20851
	649 Blossom Drive, Rockville MD 20850
	26 Hawthorn Court, Rockville MD 20850
	600 Blossom Drive
	11550 Old Georgetown Rd, Rockville 2085
	628 Blossom Dr. R'ville, MD 2085
	203 NELSON ST ROCKVILLE MD 2085
	801 Nelson St Rockville
	781 Azalea Dr. Rockville MD 20850
	720 ANAHEA DR. ROCKVILLE MD 208
	1032 Wintergreen Terr Rockville 2085
	905 Azalea Drive, Rockville, MD 208
	1032 Wintergreen Terr Rockville MD
	20 wears Court Rockville, MD 2085
	1032 Wintergreen Ter Rockville MD
	1032 Wintergreen Terrace Rockville
	813 Inverness Ridge Rockville MD 2085
	500 Nelson St Rockville, MD 20850

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

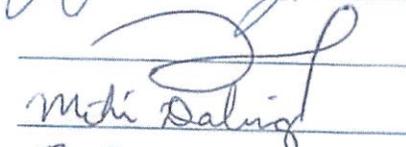
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SIGNATURE

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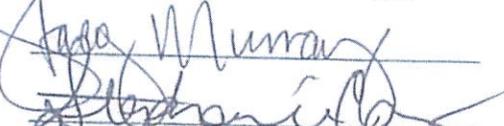


 Miki Dalwig

 B. Surprenant



 Lisa Murray



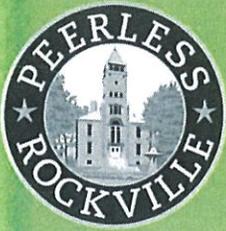
 Brenda Manning

 Anni Morkava

 Dane Tomlinson

100 N. Van Buren St Rockville MD 20855
 804 madison street rockville MD 20851
 4 Steverson Ct Rockville MD 20855
 2 Lochness Ct Rockville 20850
 5 Steverson Ct. Rockville
 502 Mount Vernon Pl ~~at~~ Rockville MD 20850
 1044 Carnation Dr, Rockville, MD 20850
 804 College Park Rockville MD 20855
 801 Crocus Dr Rockville 20850
 1115 Nelson St Rockville 20855
 1117 Nelson St Rockville 20851

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public



Preserving Rockville's Heritage

Exhibit (44)

City of Rockville Planning Commission
111 Maryland Ave # 2,
Rockville, MD 20850

June 18, 2019

Dear Chair Sherman and Planning Commissioners,

Peerless Rockville, Historic Preservation, Ltd. has reviewed the historic preservation elements of the 2040 Master Plan with the anticipation that it will continue the City of Rockville's appreciation of its varied cultural heritage resources and strong tradition of codified historic preservation protections.

Peerless Rockville is pleased to see the plan gives recognition to these rich resources and generally supports the historic preservation goals and policies of the Master Plan. However, we offer suggestions and comments in this letter for enhanced protection, updated survey and documentation, and preservation of a wider diversity of resources. Additionally, Peerless Rockville strongly requests that further review of the Master Plan should be informed by staff, commission, and public review and examination of an updated Historic Resources Management Report, which the City contracted the services of JMT of Baltimore in January of 2017 to draft. This document, which was intended to replace the 1986 Historic Resources Management Plan, is intended to serve as a "functional plan" to address the management of the City's historic resources. The consultants' reviews and recommendations should be considered and shared publicly to aid in refining the Master Plan's visions, goals, and policies.

Peerless suggests that the Commission seek to prioritize identification and protection of resources and improve the goals of the Historic Preservation Chapter by making the survey, identification, and documentation of individual and historic district resources, citywide themes, patterns of development, and historic contexts a stated **goal** of the chapter. This can be proactively achieved through policies and targeted actions. The City of Rockville possesses a rich diversity of historic and cultural resources that are not adequately represented by local designation. Identification, documentation and local designation or review of alternative techniques must be prioritized in order to protect and preserve our varied heritage. This includes properties and streetscapes relating to underrepresented cultural groups, view sheds, cultural landscapes, and communities for which traditional preservation approaches may not be appropriate.

Additionally, local zoning ordinances, guiding policies, and plans should be reviewed and strengthened; not just maintaining our current program but making it stronger. For example, though the plan notes the importance of avoiding demolition by neglect, it lacks an action step to create ordinances or strong protections to achieve this. Further, the document lacks any specific content on development on parcels abutting or adjacent to designated historic sites.

The historic preservation section of Rockville’s 2002 Comprehensive Master Plan asserts that environmental setting and context of a historic district is enhanced by adjacent areas that are compatible and further recommends that “the HDC should review development proposed in adjacent and abutting areas at the preliminary planning and review process to prevent harmful impacts on the nearby historic properties.” Peerless Rockville strongly supports this recommendation and asks the Commission for its inclusion in this chapter.

Peerless further asks the Commission to modify stated Goal 2 to read **Preserve significant examples of architectural periods and historic themes through local historic designation, historic preservation, and utilization of alternative strategies for preservation – and remove while allowing appropriate alterations.** The Secretary of the Interior’s Standards guide Historic Preservation policies and procedures and include preservation, rehabilitation, reconstruction, and restoration. The content of these standards include consideration of alterations. Thus, “appropriate alterations” is an innate and well-defined part of historic preservation and should not be prioritized as goal.

With these goals in mind Peerless Rockville offers the following edits and suggestions to the Historic Preservation Chapter of the Rockville 2040 Master Plan.

Goal 1: Safeguard Rockville’s physical and cultural heritage through a proactive historic preservation program

Policy 1 Maintain the City of Rockville’s historic preservation program.

Add a policy to this goal to update existing outdated documents, including

- 1986 HRMP
- 1977 Historic District Design Guidelines

Add a policy to this goal to strengthen existing protections for the integrity of designated structures and districts.

With action items addressing

- Demolition by neglect (move action items 5.6 & 5.8 here and include....
- Early review of development adjacent/abutting designated historic districts

Add a policy to this goal to review and enact zoning standards that pertain to Historic District Overlay Zones, including

- **Historic District Overlay Zoning to ensure the enforcement and protection of resources within Historic District Zones**

Following Goal 1, Peerless Rockville asserts the need to add an additional goal as follows:

Goal 2: (New) Prioritize identification and protection of resources through proactive survey, identification, and documentation of individual and historic district resources, citywide themes, patterns of development, and historic contexts.

Add a new policy to ensure broader diversity of resources, such as:

- **Enact a program to identify, document, designate and protect sites and structures associated with underrepresented and diverse contexts, populations, periods of development**
- **Move action 2.3 (identification of mid-century resources) under this new policy**

Goal 3: (Stated Goal 2)

Modify stated Goal 2 to read as follows: **Preserve significant examples of architectural periods and historic themes through local historic designation, historic preservation, and utilization of alternative strategies for preservation – and remove while allowing appropriate alterations.**

Policy 3:

Modify stated Policy 3 to read as follows: *Integrate Preservation policies into planning activities and development review – could also move to action item under Goal #1*

Policy 5: Ensure that Rockville has effective tools to protect and preserve its historic resources.

Modify action 5.4 to read: *Enact zoning language and standards to maintain the residential character of designated residential buildings even when the structures are used for non-residential purposes, such as along North Adams Street (define residential character in Zoning Ordinance 25.24.01)*

Move action 5.8 to Goal #1 and create policies to regulate demolition by neglect

Add a new policy to include alternative preservation strategies such as: design guidelines, area plans, and conservation districts

44

- Explore alternative preservation strategies for East Rockville, Lincoln Park, Twinbrook, Rockcrest, mid-century resources, and underrepresented resources

Policy 6:

Add an action to Policy 6 as follows:

- Ensure preservation of historic character, streetscape, and view sheds when modifications and additions to Historic Districts are proposed

Goal 4: (Stated Goal 3)

Add an actionable policy to stated Goal 3 as follows:

- Partner with local, state, and national partners to prioritize funding for treasured vacant and underutilized historic resources such as: King Farm, Chestnut Lodge, Lincoln High School, Rockville Academy

Peerless Rockville Historic Preservation looks forward to a Master Plan with strong historic preservation goals, policies, and protections and to continuing as partners in preservation and heritage tourism to create a unique, protected and more vibrant Rockville.

Sincerely,



Nancy Pickard
Executive Director

Exhibit 45

Cynthia Kebba

From: noreply@civicplus.com
Sent: Tuesday, June 18, 2019 4:49 PM
To: Comprehensive Plan
Subject: Online Form Submittal: Rockville 2040 Public Testimony

If you are having problems viewing this HTML email, click to view a Text version.

Rockville 2040 Public Testimony

The Planning Commission needs your input!

You may provide testimony to the Planning Commission on the draft Rockville Comprehensive Plan through this online form, in addition to any email or physical mail testimony you submit directly to the Planning Commission.

All submitted testimony is considered an item of public record and will be included in the Planning Commission testimony report for the draft Comprehensive Plan.

Which Plan element(s) is your testimony about?

- [X] Land Use and Urban Design
[X] Recreation and Parks
[X] Community Facilities
[X] Environment
[X] Water Resources
[] Economic Development
[] Housing
[] Historic Preservation
[] Municipal Growth
[] Other

Name (required):*

Vincent Russo

Address of Residence (recommended):

1019 DeBeck Drive, Rockville 20851

Email Address (recommended):

By including your Address of Residence or Business and/or Email Address, you are expressing your willingness for staff to contact you for clarification or for legal notifications related to the Comprehensive Plan.

Please type your testimony in the field below:*

I live in the Twinbrook neighborhood bounded by the Pike, Veirs Mill, and Edmonston Drive. I support the Rockville 2040 aims of placing greater residential density adjacent to our Metro stations and transit corridors like Route 355 and Veirs Mill. I also would like to see more walkable amenities and destinations in my immediate neighborhood which is currently underserved in this respect.

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

parks, allowing more flexible residential land use while maintaining a high quality of life in existing neighborhoods, etc..

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.rockvillemd.gov/Admin/FormHistory.aspx?SID=12>

The following form was submitted via your website: Rockville 2040 Public Testimony

Rockville 2040 image:

Which Plan element(s) is your testimony about?: Land Use and Urban Design, Recreation and Parks

Name (required):: Vincent Russo

Address of Residence (recommended):: 1208 DeBeck Drive, Rockville 20851

Current Address (recommended): 1208 DeBeck Drive, Rockville, MD 20851

Please type your testimony in the field below:: I live in the Twinbrook neighborhood bounded by the Pike, Veirs Mill, and Edmonston Drive. I support the Rockville 2040 aims of placing greater residential density adjacent to our Metro stations and transit corridors like Route 355 and Veirs Mill. I also would like to see more walkable amenities and destinations in my immediate neighborhood which is currently underserved in this respect. For this reason I encourage policy actions in the 2040 plan that promote development of a community node at Edmonston and Veirs Mill.

The Planning Commission should add a provision in the 2040 plan to straighten Edmonston Drive so that it intersects with Veirs Mill at a single location instead of the current two. This will enhance pedestrian convenience/safety and facilitate traffic flow along this busy corridor. One stop light instead of two! Most importantly a four-square intersection will enhance its appeal as a community node along the BRT route and create more space for this purpose, ideally to include walkable retail. In addition, the plan should allow for opening Hillcrest Park to Veirs Mill which will provide an aesthetically pleasing entrée into the neighborhood and promote utilization of this park.

Allowing greater housing density along Veirs Mill helps preserve the predominant character of Twinbrook as an affordable, single-family home neighborhood by reducing the pressure for turning the existing single-family homes into boarding houses. Hopefully the RA (Residential Attached) designation along Veirs is adequate to achieve the desired density. Could larger apartment buildings be accommodated here to leverage the transit links and help support neighborhood-based retail? Something to consider.

The 2040 plan offers the opportunity to dramatically improve the appeal of this area while at the same time promoting multiple 2040 goals, e.g. integrating land use and transportation planning, promoting walkable neighborhoods, planning for parks, allowing more flexible residential land use while maintaining a high quality of life in existing neighborhoods, etc..

Additional Information:

Form submitted on: 6/18/2019 4:48:33 PM

Submitted from IP Address: 146.142.1.10

Cynthia Kebba

From: Sara Moline <smoline1005@yahoo.com>
Sent: Tuesday, June 18, 2019 4:57 PM
To: Planning Commission
Subject: 2040 Plan Comments

Good Afternoon,

My name is Sara Moline and I am a lifelong (30+ yrs) resident of Rockville. I have a background in the arts and have served on and chaired the Cultural Arts Commission, a volunteer position which prepared me for my current paid position as Project Coordinator for WMATA's Art in Transit Program. I also have experience volunteering for the City with regards to the Rockville Summit, the Traffic & Transportation Working Group for the 2040 Plan, as well as the BRT Corridor Advisory Committee for Route 586 Veirs Mill Road.

I would first like to thank the Planning Commission for making recommendations in the 2040 plan that promote the need to maintain and expand upon our arts & cultural assets.

I wish to make you aware of a Creative Placemaking Plan that I am developing for Rockville as my Capstone project for a program I am currently enrolled in. In this plan I have included recommendations for some of the sites you have mentioned in the 2040 plan, including 255 Rockville Pike, Promenade Park, and the Metro stations. It also includes RedGate Golf Course – which I strongly urge the commission to help retain as Park/Open Space and consider expanding upon our arts & cultural assets at this site! The plan also considers creative approaches to tackling issues such as pedestrian safety and increasing cultural tourism via possible partnership with Amtrak. Overall, several projects recommend in the plan have potential for significant positive impact on economic development. I will be submitting this Capstone project within the week and therefore anticipate receiving my Certificate in Creative Placemaking soon after. Ultimately, I plan to share the final document with the Mayor & Council, but would love to share it with your commission, other boards/commissions and departments for feedback and opportunities to make adjustments.

Regarding transportation, I support transit-oriented development (including affordable housing!) and infrastructure improvements for pedestrians and bicyclists. I would like to state that while I do support the concept of BRT, I still feel conflicted about its usefulness on the Route 586 Veirs Mill corridor if it's only expected to increase travel by 15min.

I don't see how this project is going to make much difference if we have no dedicated lane the full length of the corridor. If BRT and local buses will operate in the same lanes, both with traffic and in sections of proposed dedicated lanes, how will BRT benefit? Would it not at some point get hung-up by slower moving WMATA buses that stop more frequently?

Regarding WMATA, I believe improvements could be made to the Q bus lines to streamline current service, which I think should replace proposed BRT rather than act a short-term solution. Having grown up on this road, I have ridden along various sections of the Q route many times. I never understood why there were so many different numbers associated with the Q buses. When I volunteered on the MD Route 586/Veirs Mill Road Corridor Advisory Committee, I recall a meeting in which I asked what the differences were between each Q bus. During this time there was also a proposal for a Q9 express, which I opposed, due to the fact that there are already five Q lines operating on this route. I think the organization of the Q lines is confusing, considering all lines run the route, but the stops they make and/or the time of day they make these stops is what varies.

To simplify the Q lines (Q1,2,4,5,6), I propose eliminating three of the five lines. The remaining two lines could be restructured as follows:

Q1

- operate from earliest possible a.m. time to latest possible p.m./after midnight time with 10min headways all day
- operate the entire length of the route from Shady Grove to Silver Spring, including Montgomery College Rockville Campus

Q2

- operate from earliest possible a.m. time to latest possible p.m./after midnight time <10min headways all day OR only during rush hours (i.e. RideOn 101)
- limited stop express service

In my opinion, it makes sense to streamline buses operating along this route. I understand this is a State-owned road that passes thru City of Rockville and County properties, with WMATA running bus service the full length of the corridor. I know it's one of the most heavily travelled corridors in the region, in which a large percentage of ridership is made of up lower income residents, and there is future proposed growth along the corridor.

BRT operating along this exact same route, between Montgomery College, Rockville and Wheaton Metro Stations, would be totally redundant to the existing Q route.

I support the concept of the improvements recommended in Alternatives 2.5 and 3 shown below, and it is my understanding that WMATA preferred Alternative 3. However, I don't see why WMATA can't do this itself with financial support from City, County and State, instead of the County creating a whole new expensive system for only a portion of the Q route.

Alternative 2 – Transportation System Management (TSM) with Intersection Queue Jumps and Enhanced Bus Service: *Alternative 2 would consist of minor infrastructure improvements at select intersections and the implementation of a limited-stop, enhanced bus service, similar to the proposed WMATA Q9 route. The minor infrastructure improvements would include enhanced bus stops with features such as shelters, real-time information, off-board fare collection, installation of transit signal priority (TSP), and widening for the installation of queue jumps. The proposed enhanced bus service would include 12-minute headways in the peak period and 15-minute headways in the off-peak period.*

Alternative 2.5 – New BRT Service with Intersection Queue Jumps: *In general, Alternative 2.5 would include the roadway improvements from Alternative 2 and the bus service improvements from Alternative 3. The minor roadway improvements would require widening for the installation of queue jumps at select intersections. Alternative 2.5 would use the same 12 station locations that were assumed for Alternatives 2 and 3 and new BRT stations would be constructed at each of the 12 station locations. Appendix A4 provides detailed plans of the queue jump locations. The proposed BRT service would include six-minute headways in the peak period and ten-minute headways in the off-peak period.*

Alternative 3 – *New Bus Rapid Transit Service in Dedicated Curb Lanes (where feasible): Alternative 3 would consist of widening or repurposing the existing travel lanes and shoulders along Veirs Mill Road to provide dedicated, curb-running bus lanes and a new BRT service. The dedicated lanes would be provided for the BRT service in areas where the improvements would result in minor ROW impacts and would improve bus service by increasing the travel speeds. The proposed BRT service would include six-minute headways in the peak period and ten-minute headways in the off-peak period.*

Even still, there's no proposed dedicated bus lane running the entire length of the corridor due to feasibility, so this project overall doesn't seem worth it to me, because it won't be much more efficient or different than WMATA's current service - just a few nice features. It would make more sense to put pressure on WMATA to improve its Q route service as I have suggested, along with adding more shelters, real-time info, off-board fare collection and transit signal priority. City, County and State should support WMATA with the transit signal priority and queue jumps. This would align with findings from the Bus Transformation Project which was recently completed.

Thank you for your consideration.

Kind regards,

Sara Moline

Exhibit (47)

Cynthia Kebba

From: noreen bryan <noreen1945@yahoo.com>
Sent: Tuesday, June 18, 2019 5:05 PM
To: Planning Commission
Cc: Jim Wasilak; Shipley Brian
Subject: WECA Testimony Re: Vision 2040 Comprehensive Plan

Dear Chairman Sherman and Members of the Planning Commission:

The West End neighborhood contains a great many of the historic properties in Rockville. Most, not all, of the historic districts in the West End were created to protect residential houses, their surrounding yards and the context of the historic streets where they are located. To that end WECA representatives have carefully read the proposed vision for historic preservation in Rockville and submit this testimony including recommendations for revisions and/or additions for your consideration.

- **Goal 2 HISTORIC DESIGNATION**

The policies under Goal 2 address not only designation of properties for historic preservation but, also, the policies for protecting and preserving historic resources (Policy5). *Accordingly, WECA recommends that Goal 2 be titled HISTORIC DESIGNATION AND PRESERVATION OF HISTORIC RESOURCES*

- **Policy 5 – Ensure that Rockville has effective tools to protect and preserve its historic resources.**

Actions

5.1 Continue to update and revise design guidelines to reflect current best practices and appropriate materials. *Recommend adding the following sentence:* Policies that address specific historic properties, such as Chestnut Lodge, are contained in the Neighborhood Plan where the historic property is located.

5.4 Maintain the residential character of designated residential buildings even when the structures are used for non-residential purposes, such as along North Adams Street. In order to enact this policy it is critical that the meaning of “residential character” be defined in the zoning ordinance through regulations that are specified in 25.14.01 Historic District Zones. *Accordingly WECA recommends that the following*

sentence be added to 5.4: Regulations that must be met to preserve the residential character shall be added to the Zoning Ordinance under 25.14.01 Historic District Zones.

5.6 Enforce maintenance and protect the structural integrity of designated historic structures. There are some properties with historic structures whose owners have neglected them leading to such poor condition that they become subject to demolition by neglect. To prevent this in the future, *WECA recommends that the following sentence be added:* In the zoning ordinance regulations and penalties for preventing demolition by neglect shall be added to 25.14.01 Historic District Zones.

- **Policy 6 – Maintain the historic character and identity of historic districts when street, sidewalk utility, street furniture, signage and other undertaken.**

Actions

WECA recommends adding a second action as follows:

6.2 When modifications or additions are proposed for historic districts ensure that they preserve the historic character of the streetscape and add signage, if appropriate.

Noreen Bryan
Vice President
West End Citizens Association
301-762-1256

Exhibit 48


LerchEarlyBrewer

 7600 Wisconsin Avenue, Suite 700 • Bethesda, MD 20814 • lerchearly.com

William Kominers
 301-841-3829
wkominers@lerchearly.com

June 17, 2019

Rockville Planning Commission
 Gail Sherman, Chair
 City of Rockville
 111 Maryland Avenue
 Rockville, Maryland 20850

Re: Planning Commission Draft Comprehensive Plan for the City of Rockville—
 Recommendations—255 Rockville Pike and Lot 4

Dear Chair Sherman and Members of the Planning Commission:

This letter is written on behalf of Eldridge, Inc. (“Eldridge”) to comment on the land use recommendations and other policies in the Planning Commission Draft of the Comprehensive Plan for the City of Rockville (“Draft Plan”). Eldridge is the owner of two properties in the Town Center: 255 Rockville Pike and Lot 4, as each are shown on the map attached as Exhibit A.

The properties are part of the Rockville Center, Inc. Preliminary Development Plan (“PDP”). Lot 4 is approved for high-rise residential and retail uses, while 255 Rockville Pike is approved for non-residential/office and retail uses. Lot 4 is vacant and being used temporarily for surface parking; 255 Rockville Pike is currently used as an office building.

The Draft Plan recommends land uses of “O” (Office) for 255 Rockville Pike, and “ORRM” (Office Residential Retail Mix) for Lot 4. (See Land Use Policy Map, Rockville Station, from Draft Plan, page 31, attached as Exhibit B).

Lot 4.

Eldridge supports the recommendation of ORRM for the Lot 4 property.

255 Rockville Pike

The 255 Rockville Pike property is a key site in the City. Strategically located at the western terminus of the pedestrian bridge from the Rockville Metro Station, 255 Rockville Pike is a gateway entrance to the City and the Town Center. As such, the property is a prime location for a wide range of transit-oriented development uses.

3304985.3

85206.001

The land use recommendation for “Office” recognizes the current usage of the property, but limits its future. The description of the meaning of “Office” land use on page 19 of the Draft Plan, reads too restrictively, if the goal is to attract and encourage the types of uses or redevelopment that could be appropriate for this strategic property and be transformative for the City. In the Office use description, retail uses are permitted on the ground floor in conjunction with Office use. However, all other uses are allowed only by special exception. Thus, a wide variety of nonresidential uses (like the hotel use nearby, or biotech use) would be subject to the time-consuming, and expensive special exception process in order to operate at 255 Rockville Pike. This limitation does not foster re-use of a property or repositioning of tenants.

A key location like 255 Rockville Pike needs maximum flexibility to achieve its own goals and the goals envisioned by the City in the Draft Plan. For this reason, Eldridge requests a land use designation of ORRM (Office Residential Retail Mix) for 255 Rockville Pike. This the most flexible category proposed in the Draft Plan. ORRM allows property owners a wide choice in mixing of uses and ability to respond to unique opportunities that seek a similarly unique site.

The 255 Rockville Pike property is surrounded by other non-residential uses. The scope of uses promoted by the Draft Plan should embrace the widest possible scope and not limit the future by the present.

This flexibility is really the key to the equation for success. Flexibility is needed so that the property can respond to market forces. With the right use(s), the owner can open the building front to create an identifiable and more welcoming entry to the City. Parts of the building and features that have become dated or well-worn, could be upgraded.

Principal use of 255 Rockville Pike will be market-driven. There needs to be flexibility to shift in responding to that market and to be certain that the City can capitalize on the rebirth of this strategic site

The Owners have been exploring a wide variety of nonresidential use alternatives while the site is currently being used by Montgomery County Government agencies. The Draft Plan should not make a recommendation that limits the flexibility for utilization of this key site for the City and the Town Center. For these reasons, the ORRM category is the better choice—it has the flexibility needed, and further, does not place procedural restrictions in the path of nonresidential uses.

Policies and Actions.

Other policies and actions in the Draft Plan support the opportunities for the kinds of uses, in addition to office, that can make 255 Rockville Pike a dynamic entry into the City and an energizing part of the Town Center.

Policy 19 on page 47, looks to enhance the Town Center by also promoting the area as an entertainment destination which can provide entertainment opportunities on upper floors with retail at the street level.

Policy 23 on page 50, looks to simplify and shorten the process for amending existing approved Planned Developments. 255 Rockville Pike is part of the Rockville Center, Inc. PDP, controlled by the PD-RCI Zone (Section 25.14.29 of the Zoning Ordinance). As a mixed-use planned development, an extended buildout was contemplated, as is noted in the Draft Plan: “the project plan under a PD envisioned a much longer buildout which could take decades...” The challenges in amending existing PDPs, due to the complexity and protracted nature of the project plan amendment process, has been an impediment to encouraging these projects to evolve over time within their existing PD Zones. The Draft Plan should facilitate opportunities to evolve, with flexibility to address the forces in the marketplace today. To this end, Action 23.2 on page 50 is critical to having these projects advance to meet the needs and opportunities of the market today.

Policy 26 on page 53, and Policy 16 on page 43 (particularly Action 16.2), are both important to recognize the changing dynamics of automobile usage and parking demand. Empirical evidence suggests that even in suburban sites, a reduction in auto use is occurring. Certainly this is true close to transit, like in Town Center and at the Eldridge properties. Recommendations to analyze and potentially reduce parking minimums will have a beneficial effect on development generally. The substantial costs for creating parking, especially for structured parking in urban areas, contribute to slower absorption and consequent slower development. Reducing the minimum parking requirements, in addition to having a cost benefit, can also reduce the land areas that must otherwise be devoted to parking.

Policy 10 on page 182, looks to bring a mix of activities into the Town Center. For this reason, the recommendations for 255 Rockville Pike should be flexible, so as to allow the property to respond to the many opportunities and activities that the marketplace can provide. This approach is supported by Actions 10.2 and 10.4 on that same page, looking at adjusting parking requirements and other development regulations, to assure that they promote, rather than stifle, success in this critical area.

While supporting many of the concepts and recommendations of the Draft Plan, there is a cautionary note. Without a clear understanding of the zones to be used to implement these land use recommendations, severe uncertainty will remain and can undermine potential success.

How will zoning be applied to implement the land uses? (This is less of an issue with the Eldridge properties because of the remaining integrity of the PD-RCI Zone. But this can be a concern in other properties, or even with the use of equivalent zones for PD properties.) The PD Zones, and the projects they represent, were carefully crafted internally, and with consideration of external relationships. While protecting that history, they should also be able to elect to evolve to meet differing needs of today. The recommendations of the Draft Plan should be additive to the PD Zones, and provide more flexibility.

Gail Sherman, Chair · June 17, 2019

Page 4

45

Summary.

For 255 Rockville Pike, change the land use recommendation from "O" (Office) to "ORRM" (Office Residential Retail Mix) to allow greater flexibility to fulfill the promise and evolution of the approved PDP, which will still govern the actual zoning for the property.

For Lot 4, retain the ORRM recommendation.

Simplify the process for amending existing planned developments, so that they can mature to better serve the City today.

Thank you for your consideration of these comments.

Very truly yours,

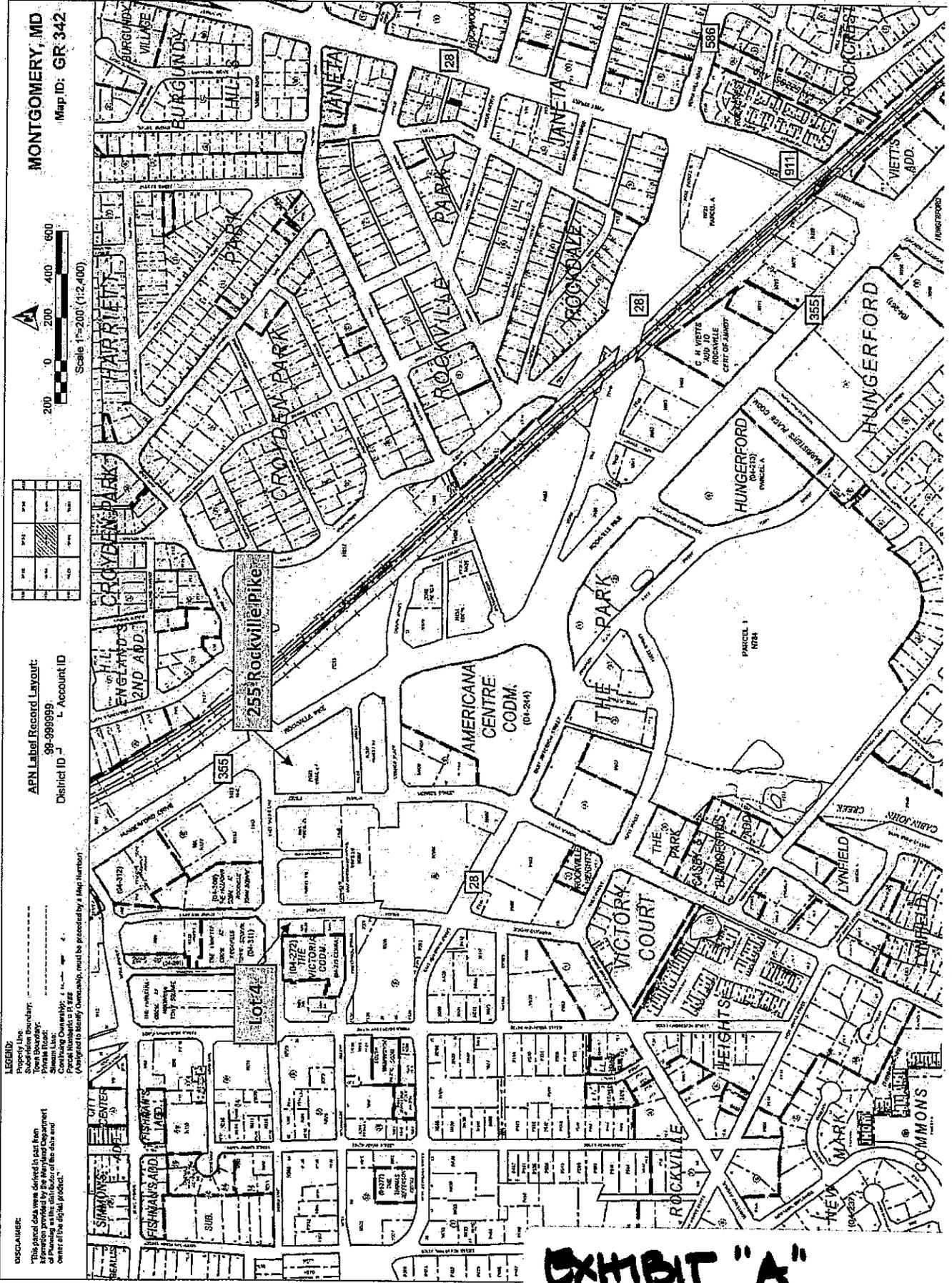
LERCH, EARLY & BREWER, CHARTERED



William Kominers

Enclosures

cc: Mr. Mitch Rutter
Mr. David Levy
Mr. Barry Gore
Ms. Cindy Kebba



DISCLAIMER:
This printed data was derived in part from
the digital data provided to the City of
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LEGEND:
Property Line
Subdivision Boundary
Town Boundary
City Boundary
Street Line
Conveying Ownership
Parcel Information
(Compare to Bathy Database, must be processed by a Map Handler)

APN Label Record Layout:
98-998999
District ID
L Account ID

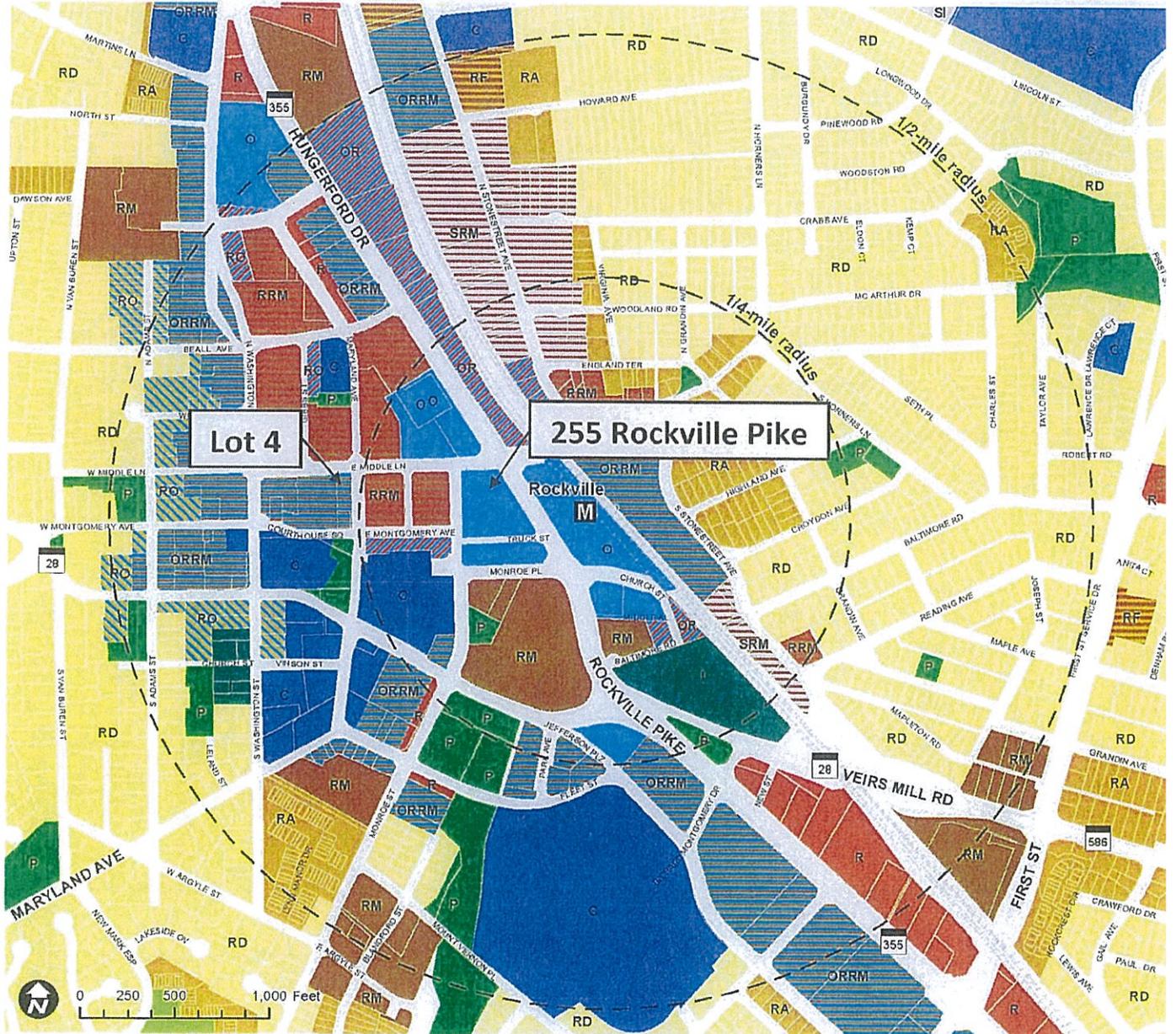
Scale: 1"=200' (1:2400)

MONTGOMERY, MD
Map ID: GR 342

Attachment 3.A.b: Written Testimony March 14-June 18 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

35 (48)

Figure 4: Land Use Policy Map, Rockville Station



The plan emphasizes transit oriented development west of Rockville Station and introduction of new TOD to the east of the tracks. The plan recommends office uses ('O' in sky blue on map) within a quarter mile of the station. Blocks immediately east of the station are recommended for Residential Attached ('RA' in orange) and mixed uses along Park Road.

PUBLIC HEARING DRAFT

Land Use 31

EXHIBIT "B"

Alan Tabachnick, HDC Commissioner
June 17, 2019

Exhibit (49)

NOTES ON ROCKVILLE COMPREHENSIVE PLAN— From Historic District Commission— HD

- Land Use Chapter, Page 16: Could there be a goal added to incorporate historic preservation concepts into land use planning, preserve, rehabilitate, restore, and employ context sensitive design when constructing new buildings or next generation housing/attached residential.
- Page 36: Is it possible to add something about utilizing interpretive signage tied to increased walking, paths, sidewalks, to help residents better understand the history of their neighborhoods and potentially specific districts and/or landmarks.
- Page 52: Policy 25, could you include a recommendation that prior to any plan being implemented, a full cultural resource survey, both architectural and archaeological, should be undertaken on the large properties to identify known and potential historic and prehistoric resources that should be taken into consideration prior to any development.
- Page 74: Transportation. Recommend that as part of any redesign/upgrade improvements to the current Rockville Station that some interpretive materials/displays/boards be prepared to illustrate the history and significance of the original Rockville Station, and perhaps something talking about why and how it was relocated due to the Red Line, and the importance of historic preservation to Rockville and the County.
- Not sure what interpretive information is available at or around the old train station, but that is a great opportunity to promote historic preservation and to tell a story of the history and importance of transportation in Rockville.
- Historic Preservation Section, Page 206: Recommend beefing up the history of the historic preservation movement section and how what happened locally in Rockville was reflective of the national threat at the time (urban renewal, etc.). It might be helpful for readers to understand a bit more about the earlier historic preservation movement and how it evolved over time, from a local type effort to save a landmark or a district (Mt. Vernon, New Orleans) to a regulatory process set up in the 1960s as a result of urban renewal and the demolition of Penn Station in New York.
- Would like to see more discussion of the potential for archaeological resources across Rockville, and how there are likely remains from 10,000+ years ago associated with Native American presence, through to the present. And that a cultural resource, or historic property, likely has an above ground component (the building or structure) and a below-ground component, such as buried trash pits, cisterns, wells, privies, outbuilding foundations, etc.) All are important in understanding the history and development of Rockville and this should be mentioned as an important facet for everyone to consider during planning and development.
- Page 215: It would be helpful to perhaps mention the Section 106 process of the NHPA and how it requires federal agencies and/or those using federal funds or requiring a federal permit, to take into account the effects of its action on historic properties. That includes National Register listed properties as well as those determined eligible for the NRHP by the SHPO. And it is not only mitigation, but it forces agencies to look to avoid and/or minimize impacts first, and then if they can't, then they go to mitigation of adverse effects.
- Would like them to go back and see where archaeology can be woven into the discussion of land use, development, parks, and how to think about the potential for sites to be present across Rockville, and how we should understand what may be out there, and what may be important, and how to plan for that going forward. In concert with the County, perhaps?

HDC

49

Matthew Goguen
 Comprehensive Plan
 DRAFT for Public Hearing Notes

Some general comments regarding the Draft Comprehensive Plan:

p. 207

- Change “augmenting” to “expanding” and add “historic” between “designated resources”

p. 208

- Suggest highlighting W. Montgomery Avenue, S. Washington Street, and B & O Railroad in one color and all of the other historic districts in another color to coincide with the text to show the continuity of historic districts in Rockville.

p. 209

- For each of the representative buildings, add some basic historic facts like when it was designated, architectural details, etc. to show off some of Rockville’s heritage

p. 211

- Archaeology is only mentioned once in this draft and should be incorporated more into the various Goals and Policies.

p. 213

- Add public input to second paragraph of Policy 2.
- Regarding Policy 3, does historic preservation come up in other sections? If historic preservation must be thoughtfully weighed with land use, housing, environment, transportation, etc., will those topics thoughtfully weigh historic preservation?

p. 217

- Add “archaeological resources” to 5.9.
- Add Lincoln Park Historical Foundation to Policy 7.

p. 218

- Rockville should work with community partners to publically disseminate and host oral history interviews mentioned in 7.6.

CITY OF ROCKVILLE PLANNING COMMISSION
ROCKVILLE, MARYLAND

MEETING NO. 16-2019

PUBLIC HEARING DRAFT OF COMPREHENSIVE PLAN

Tuesday June 4, 2019

1 PARTICIPANTS:

2 Planning Commission:

3 GAIL SHERMAN, Chair

4 ANNE GOODMAN, Commissioner

5 CHARLES LITTLEFIELD, Commissioner

6 DON HADLEY, Commissioner

7 SARAH MILLER, Commissioner

8 JOHN TYNER, II, Commissioner

9 REV. JANE E. WOOD, Commissioner

10 Staff:

11 JIM WASILAK, Staff Liaison

12 CYNTHIA WALTERS, Deputy City Attorney

13 ELIOT SCHAEFER, Assistant City
14 Attorney

15 DAVID LEVY, Assistant Director, Planning
and Development Services

16 MANISHA TEWARI, Department of Planning and
17 Development Services

18 Speakers:

19 GEORGE S.H. CHANG

20 WILLIAM KOMINERS

21 SOO LEE-CHO

22 BOB HARRIS

ALEXANDRA DACE DENITO

KATHRYN DAVIS

22 * * * * *

1 P R O C E E D I N G S

2 CHAIR SHERMAN: Good evening and welcome
3 to the 16th meeting of the Rockville City Planning
4 Commission. It is Tuesday, June 4th, not a normal
5 night for us but hopefully we will have several
6 people who are going to testify on the Master
7 Plan. This is our third and final hearing on the
8 2040 Master Plan. I will go through the
9 procedures for testimony after the staff report.
10 So, I'm going to turn it over to staff to give us
11 a quick overview of what we've been hearing.

12 MR. LEVY: Just very short. As I've
13 mentioned, this is David Levy for the record with
14 long range planning. We mentioned we've had the
15 full long range planning team has worked on this
16 as well as other staff in the city including Ms.
17 Wasilak sitting here. But Ms. Tewari is going to
18 be our representative this time around. And we've
19 had Ms. Kebba and Mr. Gore do it and if there were
20 a fourth, Ms. Gilles would but we're all here
21 today because this is very important to our team.
22 So, with that, I'll turn it over to Ms. Tewari.

1 MS. TEWARI: Good evening Commissioners.
2 For the record, my name is Manisha Tewari, planner
3 for the City of Rockville. As you noted, this is
4 the third and final scheduled Planning Commission
5 public hearing for the comprehensive plan. There
6 were two other public hearings on May 15th and
7 22nd. The link to the plan is as shown on the
8 screen or you can always do a search for Rockville
9 2040 Comprehensive Plan.

10 The draft comprehensive plan for the
11 public hearing was released at the Planning
12 Commission's March 13th meeting. The plan
13 includes introduction, outlining (inaudible) and
14 principles and the state requirements and all the
15 required and optional elements. This is the first
16 part of the plan and meets the state requirement.
17 The second portion of the plan includes planning
18 areas which will follow later after discussions
19 with you on the schedule.

20 This slide provides a summary of the
21 public outreach. The Planning Commission, as you
22 know, released a draft on May 13th and opened the

1 public record for testimony. Staff sent a
2 document and links to surrounding jurisdictions
3 and other agencies and presented the plan to the
4 community and neighborhood groups as requested.
5 We also held two informational meetings on April
6 30th and May 11th.

7 These are the many ways that the public
8 were presented the opportunity to provide
9 testimony. The packet sent out to you on May 28th
10 included all the testimony received until that
11 date and also the matrix that summarized the
12 testimony. We have received a few more written
13 testimonies since then and will be added to the
14 project website and included in the Planning
15 Commission's next packet for your first work
16 session.

17 So, the Planning Commission can decide
18 whether or not to close the record at the end of
19 the testimony tonight and prepare for the work
20 sessions. We will discuss that option after the
21 testimony. This concludes my presentation. We
22 have several people in the audience who are here

1 to provide testimony. I would recommend that the
2 Planning Commission open up the floor for them.

3 CHAIR SHERMAN: Thank you. I do have a
4 list of a few names. I do want to go through the
5 procedures and I can start in the middle because
6 all the hearings are in this chamber. In order
7 for everyone to have a chance to speak, every
8 person or organization is limited to one
9 opportunity even if the public hearings extend to
10 other evenings but may supplement testimony, oral
11 testimony with written comments at any time while
12 the public record is open.

13 Speakers who have signed up to speak
14 before the evening of the hearing will speak
15 first. Speakers who signed up on the sign in
16 sheet on the night of the hearing will speak next
17 and anyone else in the audience who has not yet
18 signed up and wishes to speak may do so after.
19 You get three minutes to speak if you're a private
20 individual or representative of a private
21 business. You get five minutes to speak if you're
22 a representative speaking on behalf of an

1 organization, including but not limited to a civic
2 association, homeowners association, chamber of
3 commerce, board, commission, PTSA or governmental
4 entity. During that time, more than one
5 representative of your organization may speak but
6 the total time is not to go past the five minutes.
7 Extensions of speaker time will not be given.

8 We will be keeping time. Mr. Wasilak, I
9 believe you will and there will be a timer up here
10 for you to see. Comments or other audible sounds,
11 cheering or booing from the audience during any
12 other person's testimony either in agreement or
13 disagreement will not be tolerated. Written
14 testimony is always welcome and encouraged. And
15 written testimony may be submitted of any length
16 and you may submit written testimony as often as
17 you feel necessary until the Planning Commission
18 has decided to close the public record. With
19 that, I will start the testimony. First on our
20 list is George Chang. Mr. Chang, please come to
21 the podium. Mr. Wasilak, will you start the
22 clock please.

1 MR. CHANG: My name is, call me George,
2 but the name is W-A last name is C-H-A-N-G and
3 that's my (inaudible) Taiwan, that's where I was
4 born so I haven't changed. In fact, George has
5 been used for since 1940 about a (inaudible) and
6 Minister Baptist pastor was there for the
7 preaching and I was eager to learn the English
8 after World War II. So, I was with him and one
9 day he say well, I'm going to baptize you in the
10 river but I don't know your name. So, the son, I
11 was three years old, say well George. He jump up
12 in the living room and the father say George.
13 Well, I don't know any name, not even English, so
14 I take that so that's for a long time I've been
15 using. And as I mentioned, I went to Argentina,
16 immigrant, and (inaudible) used the name Jorge.
17 So, they call Jorge instead of George. But I
18 continue using George.

19 Well, I just to mention very quickly
20 that I'm just simply a technician and immigrant to
21 Argentina for seven years and an immigrant again
22 to the U.S. and I have been working for almost 50

1 years. So, I had that house so I can use for the
2 office and the one time, the master plan say that
3 you can do that. So, I was (inaudible) office but
4 turned out to be it's not that easy as to be used
5 as a office.

6 As mentioned, the Rockville having tried
7 to help me many times and I have a couple times
8 like this that I have submit to you with
9 testimony. The last time was ten years ago or so
10 this Planning Commission but I don't hear
11 anything, anybody tell me what the result. So,
12 never have any answer. That was three times I
13 have come here. I'm very sure to talk on this
14 situation.

15 So, I wish, I wish if that's the course
16 is really good for me and good for the neighbor
17 and good for the Rockville City and I really like
18 to help something that I can work with your help.
19 I hope that for 30 years. But last ten years, I
20 almost empty. So, I don't (inaudible) very well
21 but I love the house. That's my wish that I hope
22 you consider. The (inaudible) is so small, the

1 one house, I know you have big things to think is
2 for me it's very important in my life. Thank you
3 very much.

4 CHAIR SHERMAN: Thank you. Next is
5 Laura Talerico. Laura, not here. William
6 Kominers.

7 MR. KOMINERS: Good evening, Madam
8 Chair, and members of the Planning Commission, my
9 name is Bill Kominers with Learch, Early & Brewer.
10 Speaking tonight on behalf of the owner of the
11 small R-60 property at 5946 Halpine Road just to
12 the east of the Twinbrook Metro mixed use
13 development. We request that the recommendation
14 for the property be changed from RF Residential
15 Flexible to the RRM, a Residential Retail, Mix
16 land use category.

17 The R-60 zone and a single family zone
18 is inappropriate for the property given the
19 location close to the metro station and the uses
20 in zoning of the near by developments. Given this
21 location, the retail and residential land use
22 designation such as RRM would be more appropriate,

1 allowing the property to better serve its
2 transitional location. There's a long history of
3 the owner working with the city to implement the
4 most appropriate land use for the property.

5 Most recently during the preparation of
6 the Rockville Pike Plan, the owner requested the
7 property be included in the Pike Plan area. The
8 city staff recommended against it at the time
9 saying that the most appropriate mechanism is
10 already underway, the Rockville 2040 process. In
11 the June 2016 Mayor and Council work session,
12 councilmembers stated that the proper method to
13 deal with the property is through the
14 comprehensive plan. During that work session, the
15 planning staff agreed that the appropriate method
16 should be decided during the comprehensive plan
17 process. Now it's finally time.

18 The draft plan recognizes that single
19 family uses are not appropriate by recommending
20 the residential flex category. However, given
21 proximity to the metro station and the Twinbrook
22 plan development, there should be an opportunity

1 for a limited amount of ground floor retail in
2 such a residential development. For this reason,
3 the owner requests the RRM mixed use designation.

4 Policy 10 on page 34 of the plan says to
5 plan for additional growth near the Twinbrook
6 Metro station. To implement that policy, action
7 10.2 says allow attached and small multi-unit
8 residential types on blocks in the Twinbrook
9 neighborhood adjacent to the east side of the
10 Twinbrook metro station. A land use of RRM would
11 be right in line with those directions.

12 For many years, through many planning
13 processes, the city has recognized that the R-60
14 zone and park use are not appropriate for this
15 property. But each time, the city authorities
16 have said that the then ongoing process was not
17 the right one to correct the anomaly.

18 In 2016, the Mayor, the Council and the
19 city staff all pointed to the upcoming
20 comprehensive plan as the method by which to make
21 this correction. Well, comprehensive plan is
22 here. Time has come, the time is now. RF is a

1 good start but RRM is a better, more flexible path
2 to the property that is just a short walk to the
3 metro station. Give that property a chance to be
4 all that it can be. Thank you.

5 CHAIR SHERMAN: Next speaker, Soo
6 Lee-Cho. You're speaking on something different
7 tonight?

8 MS. LEE-CHO: Yes, I am.

9 CHAIR SHERMAN: Okay. I just want to
10 make sure by our rules.

11 MS. LEE-CHO: Good evening Madam Chair,
12 members of the Planning Commission, Soo Lee-Cho
13 with the law firm of Miller, Miller and Canby
14 speaking tonight on behalf of the property owner
15 of 216 Park Road, Mr. Joey Solomon. What I've
16 distributed, you have before you is just a hand
17 out. I'm not submitting formal written comments
18 this evening but hope to do so and, in that
19 regard, would request the Planning Commission as
20 you discussed at the last public hearing allowing
21 for additional time for the record to remain open
22 so that written submissions can be provided.

1 But for this evening, the handout before
2 you, I'm providing an excerpt of the proposed land
3 use plan it focuses in on the property. I've
4 augmented the map to help identify 216 Park Road.
5 It was part of the Stonestreet corridor study
6 plans that was looked at in regard to that recent
7 planning process undertaken by the city. And the
8 2040 plan incorporates recommendations, as you
9 know, from the Stonestreet corridor plan. The
10 second page of the handout is an excerpt from that
11 plan, page 20 and I've highlighted with the red
12 outline box the specific recommendation that
13 pertains to this property.

14 In that box, you'll see that I
15 highlighted a particular unit, dwelling unit type
16 stacked flats. Basically, what I'm here to
17 testify to is to note a bit of a discrepancy
18 between the Stonestreet corridor plan
19 recommendations and what we're seeing in the 2040
20 plan land use recommendation of RA. RA is defined
21 under page 19 of the draft as allowing a variety
22 of housing types that share party walls. Types of

1 permitted construction include row house, core
2 plex, quad, triplex and duplex. And those are the
3 housing types that, for the most part, are also
4 recommended in the Stonestreet corridor plan for
5 this property and adjacent properties.

6 But with the Stonestreet corridor plan,
7 is also it added and suggested that stacked flats
8 might also be a unit type. And we're here
9 generally in support of the recommendations for
10 this area, the Park Road recommendations both
11 under the corridor plan and what's contained in
12 the 2040 plan. It's just that stack flats tend to
13 be or multi-unit type of units, dwelling units.
14 And under the RA, it would just not be allowed to
15 be considered.

16 So, I note also that the RM land use
17 category specifically exclude detached and
18 attached. So, it doesn't seem like you have a
19 good land use category that allows for everything
20 that the Stonestreet corridor plan actually
21 thought might be okay for my client's property and
22 adjacent properties. So, I don't know what --

1 maybe I'm requesting both RA and RM as being sort
2 of land use options to be consistent with the
3 Stonestreet corridor recommendations. Thank you.

4 CHAIR SHERMAN: Thank you. And you will
5 be submitting written testimony?

6 MS. LEE-CHO: I will.

7 CHAIR SHERMAN: Okay, that will help.
8 Our next speaker, Bob Harris.

9 MR. HARRIS: Good evening, Madam Chair,
10 members of the Planning Commission, I'm pleased to
11 be here tonight. I'm Bob Harris also with the
12 firm of Lerch, Early, Brewer as is Bill Kominers.
13 I'm privileged to be speaking here very briefly
14 tonight about this plan. I don't have any
15 specific comments or suggestions with respect to
16 the language really to the contrary. I support
17 the draft in terms of its visions and its goals.
18 I think it does a good job of laying out a broad
19 picture of the future of the city for a number of
20 years to come.

21 We're all experiencing growth and
22 changes in our demographics and this, I think,

1 does a good job of building a foundation for the
2 neighborhood plans that will follow it. I expect
3 to work closely with you and your staff in terms
4 of some of those neighborhood plans and hope to be
5 seeing the visions and goals that are here in this
6 draft carry through in those plans.

7 The only substantive comment I have
8 tonight is just sharing my experience that I hope
9 the neighborhood plans will not be overly specific
10 and rigid in whatever their recommendations are.
11 I believe master plans are supposed to be
12 guidelines and sort of educated guesses and to
13 where things will evolve over the future. I know
14 I had an experience a few years with Montgomery
15 County, not the City of Rockville, where the
16 Clarksburg master plan had a very specific
17 provision that it called for three neighborhood
18 shopping centers to be built and it called for the
19 first one to be built in one particular area of
20 Clarksburg.

21 Well, that portion of Clarksburg did not
22 develop anywhere nearly as quickly as another area

1 did. And the other area was desperately
2 interested in having a retail center there and the
3 property owner was interested in providing it.
4 But because the master plan was very specific that
5 the retail center in the first area had to go
6 first before any other retail could open, they had
7 to amend the whole master plan that took nine
8 months which was pretty quick for that. We know
9 how long these plans can be, and it kept people
10 from getting the retail that they wanted. Just
11 one example of how I believe overly specific and
12 rigid master plan recommendations can sometimes
13 come back to haunt us.

14 So, I hope that the neighborhood plans
15 will, as I said, carry through the vision and the
16 goals that your staff has put out very eloquently
17 here in this draft. That's all I have. I hope to
18 be working with you as this plan goes forward.

19 Thank you.

20 CHAIR SHERMAN: Thank you. That
21 exhausts the list of people who have signed up
22 ahead of time. Is there anyone who would like to

1 speak? Please come up and identify yourself.

2 DR. DENITO: Good evening, Madam Sherman
3 and councilmembers. I am Dr. Dace Denito and I
4 live at 128 Moore Drive in the Legacy of Lincoln
5 Park Development. I am also president of Lincoln
6 Park Civic Association. So, I brought this here
7 for people who didn't have the right to really
8 have an opportunity to see it. I would like to
9 say something about this draft.

10 I want to thank everybody. We usually
11 take people for granted and every once in a while,
12 it is good to acknowledge when things go greatly.
13 This is a remarkable compilation of resident's
14 remarks and wishes. We have a great staff in
15 Rockville City government and I would like to
16 thank them all. I would like to renew LPC
17 community wishes to see the Stonestreet corridor
18 development go forward as proposed.

19 I have just one comment for the housing
20 section. Since accessory dwelling units are
21 currently under consideration, I would like to
22 emphasize that this is another great option to add

1 to the tiny houses et cetera to allow more
2 affordable housing. This is a way for resident to
3 have extra rent money and also to age in place. I
4 am glad to see that this option is not
5 contradictory to this master plan. Change will
6 happen whether we like it or not so we think it is
7 more important to focus our funds if we need to,
8 on preservation of historic properties when
9 possible. Thank you for your time.

10 CHAIR SHERMAN: Thank you. Is there
11 anyone else who wishes to speak? Please.

12 MS. DAVIS: Good evening. My name is
13 Kathryn Davis and I am representing the Board of
14 Directors of Rockville Economic Development, Inc.
15 REDI. And I'm here to voice the opinion of the
16 board. After receiving a draft copy of the
17 comprehensive plan of the City of Rockville, a
18 work group was formed to review the plan and to
19 provide feedback to the economic development
20 chapter. The feedback from this work was
21 subsequently incorporated into the present version
22 of the plan. The work group is satisfied that

1 their comments were appropriately considered and
2 incorporated. Thank you.

3 The same work group then reviewed the
4 current version of the plan in its entirety,
5 shared the comments with the full REDI board and
6 the board unanimously approved these comments that
7 I'm sharing with you this evening. The four
8 primary themes that the REDI board would like to
9 share with you have to do with ensuring
10 flexibility of the plan, attracting employment
11 talent to the city, increasing connectivity within
12 the city and reviewing the plan periodically to
13 ensure its ongoing relevance.

14 With regard to flexibility, REDI board
15 considers flexibility to be a top priority of the
16 plan. Its suggested that the city assess shifts
17 in demographics and its impact of the use of city
18 amenities and employer needs throughout the life
19 of the plan. As needs shift, it is recommended
20 that the city be willing to flex the plan for
21 ultimate quality of life and economic vitality of
22 the city.

1 Attracting and retaining talent. With a
2 livable city comes greater potential to attract
3 talent that wants to live and work in the area
4 which, in turn, facilitates the ability for the
5 city to attract quality employers. When
6 identifying employers, the city focuses primarily
7 on government contractors, city employers, and
8 federal agencies as key employers to attract and
9 maintain in the city. The Board is supportive of
10 these employers but also suggests that other
11 employers also be considered as future
12 opportunities for the city to pursue.

13 There are certain industries that yield
14 employment opportunities enrich a city that are
15 not retail oriented. REDI supports city interest
16 in solidifying its presence as a center of
17 innovative technologies, life sciences, advanced
18 research and cyber security. Non-profits make an
19 important contribution to our economy as a
20 business sector as do arts and cultural
21 opportunities that both enrich the economy and the
22 livability of the city.

1 Investing in connectivity. Having
2 separate, thriving areas is no longer sufficient.
3 Connection includes blending different types of
4 development in innovative ways which will be
5 critical to the success of the plan. While there
6 are many planned areas in the city, it's important
7 to consider how to connect them vis a vis land
8 use, transportation and aesthetics.

9 The REDI board suggests creating
10 linkages between neighborhoods and economic
11 centers to a greater extent than that which is
12 currently in the plan. Further, it's important to
13 plan for communication connectivity such as
14 planning for a 5G infrastructure that will impact
15 quality of life and help attract and retain
16 employers.

17 In continuous review, the REDI board
18 believes the stated commitment and the plan to
19 review it on a two year schedule is an important
20 improvement to this plan. We encourage you to
21 engage employers in this process and continually
22 update the plan to reflect the perspectives shared

1 in order to keep the plan relevant and ensure the
2 city's ongoing competitiveness.

3 One of REDI's core strengths is helping
4 the city identify target industries. In chapter
5 7, the city indicated that it is supportive of a
6 marketing plan. The marketing of Rockville is
7 something that REDI does as does the chamber and
8 both would welcome the opportunity to help the
9 city achieve this goal. We would like to thank
10 you for including a chapter on economic
11 development in this long range plan. This new
12 addition is a big step forward. We appreciate
13 your inclusivity in the creation of the plan and
14 for being available for consultation and input.
15 Thank you.

16 CHAIR SHERMAN: Thank you. Is there
17 anyone else who wishes to speak? Then I believe
18 we will close the public hearing. If anybody
19 wants to submit written comments, please do. We
20 will decide tonight what our -- when we'll close
21 the public record. Okay, thank you all for
22 coming.

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(Whereupon, the PROCEEDINGS were
adjourned.)

* * * * *

Attachment 3.A.c: Transcript Public Hearing June 4, 2019 (2708 : Work Session 1: Comprehensive Plan, Draft for Planning Commission Public

CERTIFICATE OF NOTARY PUBLIC

I, Carleton J. Anderson, III do hereby certify that the forgoing electronic file when originally transmitted was reduced to text at my direction; that said transcript is a true record of the proceedings therein referenced; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and, furthermore, that I am neither a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Carleton J. Anderson, III

(Signature and Seal on File)

Notary Public in and for the Commonwealth of Virginia

Commission No. 351998

Expires: November 30, 2020

COMPREHENSIVE PLAN: Planning Commission Public Hearing Draft																	
Summary of Testimony from March 14 - June 18, 2019																	
Exhibit #	Information Source Name and Address	Intro	Land Use	Transp	Rec&P	Comm Facs	Environ	Water Res	Econ Dev	Housing	Hist Pres	Muni Growth	Other	Summary of Comments	Staff Comments	Planning Commission Comments	
1	Todd D. Brown Shulman Rogers, on behalf of White Flint Express Realty Group Ltd. Partnership		x											Entity owns 1.1 acres at SW quadrant of Twinbrook Parkway and Chapman. Supports draft plan's recommendation to continue to develop the Twinbrook Metro Station/South Pike as major activity/growth center (p. 28). Supports draft plan's recommendation to undertake a study of minimum parking regs. (p. 45). Supports land use policies and regulations that encourage private sector planning and redevelopment (p. 44) including DRRAs & flexible approval schedules.	Staff agrees with comments.		
2	Dr. Reeve Brenner Autism Awareness Bankshot Playcourts				x									Advocating for drop-in facilities for differently abled and autistic individuals, recreational equality and accessibility. Bankshot playcourts provide these types of facilities.	The Vision statement for Recreation and Parks Element includes the statement that "Parks and recreation facilities will meet the needs and desires of Rockville's diverse users." Action statement 2.6 in this Element reads: "Plan for and promote park access via non-vehicular modes, and equivalent access for all types of users."		
3	Karen Kalantzis Community Development Manager Launch Workplaces								x					Launch Workplaces is a shared office company. Would like to see the Rockville Innovation Center, a business incubator for health IT companies in the Arts and Innovation Center (Vis Arts), mentioned as a Rockville asset. It currently has 20 growing businesses in it.	Staff recommends mentioning the business incubator in the first paragraph of Policy 10 in the Economic Development Element.		
4	Greg Ossont Deputy Director, Montgomery Co. Dept. of General Services 101 Monroe Street, 9th Floor Rockville, MD 20850		x											Concerns about Figure 3 (and detailed maps such as Figure 4) Land Use Policy Map and county-owned properties, including 301 E. Jefferson St. (Jury Lot); Council Office Building and parking garage at 100 Maryland Avenue. Map shows the jury lot as a public park and COB garage as ORRM with a strip of retail along Monroe Street. DGS is currently renovating the COB and COB garage. Redevelopment of the jury lot would require replacement parking. Underground parking is cost-prohibitive. Unclear how land use policy map will be interpreted and how it will influence zoning. Requests removing the Land Use Policy Map from the plan.	These comments will be discussed during the Land Use Element work session.		
5	Scott Gutschick Montgomery Co. Fire & Rescue Service, Public Safety Headquarters, 100 Edison Park Drive, Floor 2, Room E-09 Gaithersburg, MD 20878					x								Page 116: Need to correct that 1) MCFRS is not a "facilities" master plan. Delete the word "facilities" at top of second column on page. 2) The MCFRS is updated every 6 years, not 5; 3) MCFRS does not specifically state that Station 3 is inadequate, though it could be correctly inferred to be; 4) Action 5.3: a new location may be city's intention but they are considering renovation of the existing facility as well. Suggest a map showing locations of Stations 3, 23, 32, and 33 and/or including the street addresses of each. Suggest that the plan specify the location of the County's future fire station in the White Flint area (intersection of Chapman Ave. and Montrose Parkway). Page 234: 2nd paragraph, 3rd sentence as well as 3rd paragraph, 1st sentence under Policy 12 heading - should say "fire and emergency medical services"	Staff agrees with suggested edits and corrections.		
6	Mary Grace Sabol Blandford Street Rockville, MD			x	x									Include game called soccer darts at events/festivals. Need more fenced dog runs/parks. Portion of Elwood Smith Park that borders Fleet St. needs better maintenance. Better water drainage on steps from Metro ped bridge to Monroe St. Traffic calming needed at Fleet and Monroe. Crosswalk signal is dangerous for pedestrians. Connect dead end of Blandford St with Fleet Street for pedestrians. Consider a sculptural/architectural element on MD355 that tells people they are entering Rockville.	Some of these comments are better addressed outside the Comprehensive Plan. Comments forwarded to Recreation & Parks staff for consideration. Comments forwarded to Traffic and Transportation staff for consideration. Rockville Pike Neighborhood Plan (part of Comprehensive Plan) states that "significant public art at a gateway location on the Pike and for Metro passengers existing the Twinbrook Metro Station would provide a welcoming entry to Rockville."		
7	Jonathan (no last name or address provided)				x									Add temporary activities (large chess or checker pieces, horsehoes, etc.) on Rockville Town Square park grassy area.	Programming comment. Comments forwarded to Recreation & Parks staff for consideration.		
8	Isaac Fulton Bradford Drive Rockville, MD				x									City of Rockville sports should have year-round basketball.	Programming comment. Comment forwarded to Recreation & Parks staff for consideration.		
9	Twinbrook Community Association		x											Request that the definition of the land use category "RA" explicitly state that it includes detached residential.	Staff agrees with comment.		

10	Drew Napolitano Atlantic Avenue Rockville, MD		x											Rockville needs more density around Town Center. There are not enough people to sustain a grocery store or local retail. Change zoning to allow higher buildings. City could use a large park with ample parking to attract people from surrounding communities.	Draft plan is supportive of these comments.	
11	State of Maryland Agencies: Dept of Planning, Housing & Community Development, Commerce, Environment, Historical Trust	x	x	x	x		x	x		x	x	x		MD Planning confirms that the draft plan includes the elements required by the Land Use Article and includes many other comments.	Comments are extensive and detailed, and not easily summarized. A full review by staff and the Planning Commission is recommended. Topics raised will be addressed at appropriate work sessions.	
12	Parke Nicholson & Rebecca Merritt Bowie Court Rockville, MD		x	x										These Hungerford residents note that the city's walkability/bike access is restricted due to lack of direct routes to the city center, Rockville Metro, and businesses along the west side of Rockville Pike. Consider expanding the citywide walkable community node concept to include the area immediately south of Rockville Metro. Develop a draft plan (based on the proposed land use plan) to purchase private property and convert the juror lot and other parking space into a new recreational/park space. Expand upon the Hungerford retail node to connect Hungerford via a pedestrian crosswalk to Wintergreen Plaza. Consider incentives to relocate car dealerships to allow for expansion of proposed Residential Attached (RA) between Mt. Vernon Place & Ritchie Parkway and additional mixed-use residential-business along Rockville Pike.	Comments are in line with walkability and walkable community nodes policies in the draft plan.	
13	Soo Lee Cho, Miller, Miller & Canby, representing C.B.T. Associates Written and oral testimony (5-22-19 public hearing)		x											C.B.T. Associates, owners of property at 200-A and 200-B Monroe Street, object to changing the property's land use designation from "Preferred Office" to "Public Park." Testimony states that such a change "would run afoul of well-established principles of takings law." Request that the land use designation be changed to ORRM (Office, Residential, Retail Mix).	Staff recommends a Planning Commission discussion during the work session on the Land Use Element that takes into account this comment.	
14	Kenneth Hoffman 1511 Auburn Avenue, Rockville, MD 20850		x	x	x	x	x	x	x	x	x	x		Addresses all ten elements in his testimony. Expresses concerns about income disparity and differentials between income and housing costs. Rockville needs a stronger middle class base that is economically secure. Encourages a more integrative relationship with Montgomery College. Specific attention should be given to income potential of Montgomery College graduates and land use policies that will help them live in Rockville. Encourages better transportation, particularly between the college and Town Center. Need for more parks and recreation opportunities and community facilities. Encourages environmentally friendly components for use in urban density housing, water conservation, safe drinking water. Enhance economic development in Town Center and other locations with students educated and trained at Montgomery College in collaboration with Rockville Economic Development, Inc. (REDI) initiatives.	Many of these points concern Montgomery College and its surrounding area and can be considered in the Planning Areas document that will follow the Elements portion of the draft plan.	
15	Rockville Economic Development, Inc. (REDI) Executive Board (written comments and oral testimony at 6-4-19 public hearing by Kathryn Davis)	x	x						x					Commends the inclusive process for developing the draft plan and for including a chapter on Economic Development. The REDI Board considers flexibility to be a top priority for the Plan. The main concern of employers is to attract and retain talent. Economically vibrant municipalities are investing in connectivity. Continuous review of the plan is essential. It should be reviewed on a two-year schedule.	Comments are addressed in the staff report for the June 26 work session.	
16	Annette Regatts Baltimore Road, Rockville, MD		x											Likes the idea of changing zoning to allow duplex housing but concerned about on-street parking and loss of permeable surfaces. There are already many cars and trucks parked on the street in the single-family detached residential zone where she lives.	These comments will be addressed during the work session on land use.	
17	Kelly Silver Twinbrook neighborhood Rockville MD		x											Reconsider mixed use along Veirs Mill. It is already hard enough to get in and out of the neighborhood at peak times. Please leave the neighborhood alone.	These comments will be addressed during the work session on the Land Use Element.	
18	Linowes and Blocher, Attorneys on behalf of Woodmont Country Club		x		x									Linowes & Blocher (on behalf of Woodmont Country Club) summarizes its testimony as follows: 1. Eliminate the recommendation for a conceptual master plan for golf courses with respect to Woodmont CC and recommend only a PD zone. 2. Land Use Policy Map should reflect the recommendation for PD on Woodmont. 3. Woodmont requests that the Wootton Parkway frontage be designated RF (Residential Flexible) rather than OSP (Open Space - Private). 4. Any recommendation for a park located on Woodmont CC property should contain the clarification that the need, size, and location of the park will be determined if the property redevelops.	Comments will be addressed during the work session on the Land Use Element. Regarding the request for PD being put on the Land Use Policy Map, 'planned development' is a zoning tool and process, rather than a land use. At this time the Zoning Ordinance does not have a PD zone or process. Staff believes that Open Space Private reflects the likely future land use for the majority of the property, with other uses along the frontage per the Rockville Pike Neighborhood Plan. Staff agrees with comments about the park, which will be addressed in the Planning Areas portion of the Plan	

19	Aaron Kraut Monroe Street, Rockville, MD 20850		x									Americana Centre resident. States that the draft plan is impressive in scope with forward-thinking strategies for environmental sustainability, pedestrian and bicycle safety, parks and open spaces, annexation, and more. Addresses policies in the Land Use Element. Supports Policy 2, to "maintain large areas of Residential Detached land use, while allowing one additional accessory apartment or accessory dwelling unit per lot."; supports policy 3 to "allow diversification of the residential land use pattern in specific locations to meeting varied needs, market dynamics, and high demand for all types of housing."; and supports policy 9 to "allow Residential Attached and mixed use development in East Rockville on blocks immediate to the Metro station, as mapped on the Land Use Policy Map."	Supportive of the Draft Plan and Land Use policies.	
20	(George) Son Hwa Chang owner of 100 South Adams Street, Rockville MD. (written and oral testimony, 6-4-19 public hearing.		x									Requests zoning change for the property at 100 South Adams Street, at the southeast corner of West Jefferson and South Adams Streets, to allow for office use.	Staff agrees that this property location is appropriate for office use and is identified as RO (Residential Office) on the Land Use Policy Map in the draft plan.	
21	Soo Lee-Cho, on behalf of owner of 216 Park Road (written and oral testimony, 6-4-19 public hearing. See also Testimony #42)		x									States that this property is identified as Residential Attached (RA) in the Land Use Policy Map in the draft plan. RA does not include stacked flats in the land use definitions. The Stonestreet Study does identify stacked flats as appropriate for this location, in addition to the residential types defined by RA. Requests having the option for stacked flats.	Discuss the definition of the RA land use designation at the Land Use Element work session.	
22	William Kominers, Lerch, Early & Brewer, on behalf of the owner of 5946 Halpine Road (written and oral testimony, 6-4-19 public hearing)		x									Requests that the land use recommendation for the property at 5946 Halpine Road be changed from Residential Flexible (RF) to Retail and Residential Mix (RRM), given its location proximate to the Twinbrook Metro Station and the mixed-use development to the west and south.	To be discussed at the work session on the Land Use Element.	
23	William Kominers, Lerch, Early & Brewer		x									How will the proposed land use be implemented through zoning and what constraints or requirements will come with the particular zoning classification? What other uses - unrelated or subsidiary - will be allowed by the zone, under the umbrella of the particular land use recommendation? The uncertainty of these questions seriously affects a property owner's opinion about a specific land use designation. Will new zoning classifications be created with the implementation of the plan? A clearer exposition of the zoning implementation methodology and mechanisms would allow better consideration of the acceptability of the land use recommendations set out in the draft plan.	These questions and comments will be discussed at the work session on the Land Use Element.	
24	William Kominers, Lerch, Early, Brewer, on behalf of Tower Oaks, LLC		x									The land use policy map designation of ORRM for development areas 3 and 4 is consistent with the Concept Plan for Tower Oaks and the Planned Development (PD-TO) and the MXE zone (equivalent zone for the undeveloped parcels). The proposed land use designation of Residential Flexible (RF) is appropriate for development area 1. Supports goals, policies, actions of the Land Use Element. Concerns about office description on p.19 of the draft plan and what zone would be applied. New land use recommendations should be used to provide suggested direction for the "equivalent zones."	Discuss concerns about the definition of "Office" land use designation and relationship of the land use designations to zoning in the work session on the Land Use Element.	
25	Cynthia Bar, Lerch, Early & Brewer, on behalf of Shellhorn Rockville LLC (Chesapeake Plaza at 1488 Rockville Pike)		x									The property is zoned MXCD and the draft plan's Land Use Policy Map labels the property as Office Residential Retail Mix (ORRM) which is consistent with the MXCD zone. Supports the ORRM land use category, but believes MXTD would also be appropriate for zoning, at the time that zoning recommendations are made. Supports current or higher building height for this property.	Supports ORRM land use for the site. No changes to the Draft Plan requested at this time.	
26	Twinbrook Community Association		x	x	x	x					x	x	Supports ADUs and diverse housing options around the Twinbrook Metro Station area and the Veirs Mill Corridor. Supports transit-oriented development that can connect Twinbrook to retail and services along Rockville Pike. Agrees that creative solutions should be sought to address capacity issues of major arterials (Veirs Mill, Twinbrook Parkway, Rockville Pike). Supports public transit services and the improvement of bus routes, stops, and shelters in Twinbrook. Some are not accessible to people with disabilities. Supports a Bus Rapid Transit (BRT) hub at Atlantic Avenue and more investment in the Metro stations. Encourages investment in the Rockrest Community Center and in the infrastructure needs of the two school clusters that serve Twinbrook. Suggests including signage in Twinbrook and throughout the city to highlight their history.	Supportive of the Draft Plan. Any recommended investments in the Rockrest Community Center will be addressed in the Planning Areas portion of the Draft Plan (Twinbrook, PA8). The Draft Plan does include policies to advocate for public schools in Rockville. Education on the city's history through interpretive signage and other means is recommended in the Historic Preservation Element.
27	Monica Saavoss Mclane Court, Rockville, MD		x									References Policy 26 in the Land Use Element to "undertake a study of minimum parking regulations and recommended changes to the Zoning Ordinance to promote access via modes other than private automobiles and reduce the financial and site development burden." Suggests that, instead of recommending a study, the plan should directly recommend that parking requirements be eliminated or greatly reduced (except for handicap spaces). If a study is recommended, state exactly what the purpose of the study is.	The Planning Commission may wish to consider whether it would like to strengthen the current language. Staff is comfortable with the language in the Draft Plan.	
	Robert Harris, oral testimony at 6-4-19 public hearing										x		Generally supports the Draft Plan. States that upcoming neighborhood plans (Planning Areas portion of the Comprehensive Plan) should not be overly rigid or specific.	Addresses Planning Areas portion of the Draft Plan. This will be part 2 of the draft plan.

	Lincoln Park Civic Association, oral testimony at 6-4-19 public hearing by President, Alexandra Dace Denito		x											Supportive of Draft Plan. Accessory Dwelling Units (ADUs) are a good option to provide more housing.	Supportive of ADUs as introduced in the Draft Plan.
28	Phillip Staub Upton Street Rockville, MD		x											Supports Policies 8 and 18 in the Land Use Element for a vibrant, transit-oriented Town Center. In favor of pedestrian-oriented Town Center and more density. Provide safe and easy means to move around from Metro transit center and Town Center.	Supportive of Land Use Element policies 8 and 18.
29	Ruth Hanessian Rockville, MD		x											References Policy 3 in the Land Use Element on page 24. Requests eliminating the option of apartments in the Residential Attached (RA) land use category. Limit RA to a narrow band, perhaps two deep along South Stonestreet, consistent with the narrow band proposed along Park Road.	The definition and location of RA will be discussed at the work session on the Land Use Element.
30	Monica Saavoss Mclane Court, Rockville, MD							x						In the Environment Element, Goal 4, policy 7, add "promote plant-based foods."	Staff is developing comments which will be completed for the work session on the Environment Element.
31	Rockville Environment Commission, John Becker, Chair		x	x	x	x	x	x					x	Numerous comments provided on the Environment Element and other Elements.	Staff is developing comments on the testimony which will be discussed during appropriate work sessions.
32	Eric Fulton Bradford Drive Rockville, MD		x	x	x				x					The city should explore options beyond traditional zoning to accommodate its growing population. Research and consider adopting form-based codes in areas ringing the metro centers, areas that are currently dominated by single-family homes with easy walk to transportation. This would support Goals 1 & 2 in the Land Use Element. Overhaul parking requirements in Town Center and the South Pike area. Build housing without parking. Address safety, comfort, aesthetics, and convenience in improving walkability. Stop putting trees in the medians where they are in direct sight lines of drivers. Would like to see more pop-up retail or kiosks. Supports growth of public transportation and a pedestrian master plan. Parks should be well lit for safety and walkability. Invest in upgrades to the water treatment plant.	Supports much of the Draft Plan goals and policies. Form based zoning was discussed as part of the Rockville Pike Neighborhood Plan process. Elements of form-based zoning may be appropriate in certain areas of the city where form and design may be considered more critical than use or density.
33	King Farm Resident Council				x									Strongly object to Corridor Cities Transitway (CCT) route through King Farm. Eliminate the segment of the CCT on King Farm Boulevard and support a route using Shady Grove Road instead.	
34	Chas Hausheer Rockville, MD		x											Page 24 of Draft Plan: define 'small apartment' in more detail. Supports quads and duplexes for more dense housing but states that such dwellings should not exceed the size, height and massing of a house as outlined in the draft East Rockville Design Guidelines or the East Rockville Neighborhood Plan. Supports the Residential Attached (RA) land use as aligned along South Stonestreet Avenue but does not support the RA land use stretching down one full block into Reading Terrace, Highland Avenue, and Croydon Avenue (see pages 20 and 31). He would support the RA land use only two to three lots down these streets from Stonestreet.	The RA land use designation and where it is located on the Land Use Policy Map will be discussed during the work session on the Land Use Element.
35	East Rockville Civic Association (ERCA)		x											Generally supports the Residential Attached (RA) zoning in East Rockville as shown on page 31 of the Draft Plan. However, ERCA would like to see small apartment buildings excluded and prefer nothing larger than a fourplex. Residential types for RA need to be better defined. The plan should clearly state that Adequate Public Facilities (APF) regulations would apply to all construction, including those designated as RA. ERCA does not support RA stretching one full block into Reading Terrace, Highland Avenue, and Croydon Avenue. ERCA instead would support RA only going two to three lots from S. Stonestreet. Off-street parking in RA should be minimum of 1.5 spaces per unit. It should be explicitly stated that the East Rockville design guidelines currently under development will apply to the RA properties.	Note: the RA designation is a land use category, not zoning. The RA land use designation will be discussed during the Land Use Element work session.
36	Sarah Salazar Lemay Road, Rockville, MD	x	x					x	x					Suggests the the Plan Introduction include a flowchart to illustrate steps for plan review, approval, and implementation as well as how the plan is used to guide other land use plans. Include more comparisons of data to identify where the city is achieving its goals. Use interactive maps on the Web site to complement the plan. Land Use: Page 63, Policy 5 - should elaborate on east-west connections. Multiple specific comments on Environment and Water Resources Elements.	Staff suggests that such a flowchart is a good idea to help the public better understand the process for plan development, review and adoption but is better included on the project Web site. Comments on the Land Use, Environment and Water Resources Elements will be discussed during relevant work sessions.

46	Sara Moline Rockville resident			x									Testimony includes suggestions for WMATA Q bus routes and streamlining service. BRT operating along the same route between Montgomery College, Rockville and Wheaton Metro Stations would be redundant to the existing Q route. Supports concepts of BRT alternatives 2.5 and 3 but thinks County does not need a whole new system for only a portion of the Q route.	
47	West End Civic Association (WECA)									x			Historic Preservation Element - suggests changing Goal 2 to read: Historic Designation and Preservation of Historic Resources. Recommends sentences to be added to Action items 5.1, 5.4, 5.6 and 6.2.	Staff is developing comments for discussion at the work session on Historic Preservation.
48	Lerch, Early & Brewer (on behalf of Eldridge, Inc. owners of 255 Rockville Pike and Lot 4, part of Rockville Center, Inc.)												Testimony supports the Office Residential Retail Mix (ORRM) land use designation for Lot 4 and requests ORRM also for 255 Rockville Pike. The Draft Plan's Land Use Policy Map shows 255 Rockville Pike as Office (O). The testimony supports many of the Draft Plan policies, but expresses concern about how zoning will be applied to implement the proposed land uses. Suggests simplifying the process for amending existing Planned Developments.	Staff is developing comments for discussion at the Land Use work session.
49	Historic District Commission (HDC)		x	x							x		Add a goal to the Land Use Element to incorporate historic preservation concepts into land use planning. Comments on adding interpretive signage; doing cultural resource surveys for all new developments; include interpretive materials as part of any redesign of the Rockville Metro Station. Historic Preservation Element: add more on the history of the national historic preservation movement to the introduction. Add more discussion on archaeology. Mention the Section 106 process and its requirements. Individual comments and wording suggestions.	Staff is developing comments for discussion at the work session on Historic Preservation.