MAYOR AND COUNCIL

MEETING NO. 13-20
Monday, April 20, 2020 – 6:00 PM

AGENDA

Agenda item times are estimates only. Items may be considered at times other than those indicated.

Any person who requires assistance in order to attend a city meeting should call the ADA Coordinator at 240-314-8108.

Rockville City Hall will be closed until April 24, due to recent issued state directives for slowing down the spread of the coronavirus COVID-19 and social distancing.

To support social distancing, the Mayor and Council are conducting meetings virtually. The virtual meetings can be viewed on Rockville 11, channel 11 on county cable, livestreamed at www.rockvillemd.gov/rockville11, and available a day after each meeting at www.rockvillemd.gov/videoondemand.

If you wish to submit comments in writing for Community Forum or Public Hearings, please email mayorandcouncil@rockvillemd.gov by no later than 2:00 p.m. on the date of the meeting.

All comments will be acknowledged by the Mayor and Council at the meeting and added to the agenda for public viewing on the website.

Drop-In Sessions will resume by phone on Monday, April 27 from 5:30-6:30 p.m.
Please sign up by 2 p.m. on the meeting day.
https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227

6:00 PM **1. Convene**

2. Pledge of Allegiance

3. Agenda Review

6:05 PM **4. City Manager's Report**

6:15 PM **5. Coronavirus COVID-19 Update**

6:45 PM **6. Proclamation**

A. Proclamation Declaring April 21, 2020 as Yom HaShoah/Holocaust Remembrance Day

6:50 PM **7. Community Forum -submit written comments by email to mayorandcouncil@rockvillemd.gov by 2:00 p.m.**

8. Mayor and Council's Response to Community Forum

7:10 PM **9. Next Steps in the COVID-19 Staffing Strategy**

8:10 PM **10. Discussion and Instructions, Possible Introduction and Possible Adoption of an Ordinance to Permit the Temporary Residential Use of Recreational Vehicles (RVs) and Trailers in Residential Zones or Discussion and Instructions, Possible Introduction and Possible Adoption of an Ordinance to Amend the Property Maintenance Code, Being Article XII, Chapter 5 of the Rockville City Code, to Allow the City Manager to Issue Approvals for the Temporary Use of Recreational Vehicles and Trailers for Residential Purposes on Single-Family Lots in the City to Allow Residents to Quarantine in Place During a Public Health Emergency**

8:25 PM **11. Discussion and Instructions to Staff on Zoning Text Amendment Application TXT2019-00254, to Revise the Development Standards for Accessory Buildings in the Residential Zones, and for Accessory Buildings Located in Both the MXT (Mixed-Use Transition) and HD (Historic District) Zones; Mayor and Council of Rockville, Applicant**

12. Discussion on the Responses to the Request for Information for the King Farm Farmstead (RFI)

9:20 PM **13. Review and Comment - Mayor and Council Action Report**

A. Action Report

14. Review and Comment - Future Agendas

A. Future Agendas

15. Old/New Business

9:30 PM **16. Adjournment**

The Mayor and Council Rules and Procedures and Operating Guidelines establish procedures and practices for Mayor and Council meetings, including public hearing procedures. They are available at: http://www.rockvillemd.gov/mcguidelines.

Mayor & Council Meeting Date: April 20, 2020
Agenda Item Type: Proclamation and Recognition
Department: City Clerk/Director of Council Operations Office
Responsible Staff: Jacqueline Mobley

Subject

Proclamation Declaring April 21, 2020 as Yom HaShoah/Holocaust Remembrance Day

Recommendation

Staff Recommends that the Mayor and Council read and approve the Proclamation.

Discussion

On Yom HaShoah, we solemnly remember the six million Jews and the millions of others murdered by the Nazis during the Holocaust.

On this day, we honor the memory of the millions of individuals – the mothers and daughters, fathers and sons, friends and neighbors – who lost their lives during a time of unparalleled depravity and inhumanity. We reaffirm our ongoing responsibility as citizens and a nation to live out the admonition "Never forget. Never again." And we commit ourselves to preserve the memories of those who lived the horrors of the Shoah (from the Hebrew word meaning whirlwind) so that their experiences are not forgotten by our generation or by our children or grandchildren. We also honor those who survived the Holocaust, many of them spared from death because of the righteous individuals who risked their lives to save Jews and other victims from Nazi persecution.

Yom HaShoah was established in Israel in 1959. It falls on the 27th day in the Jewish month of Nissan, a date chosen because it is the anniversary of the Warsaw Ghetto uprising. Yom HaShoah is officially known as Yom Hazikaron L'shoah U'l'gevurah (Holocaust and Heroism Remembrance Day). Yom HaShoah ceremonies include the lighting of candles for Holocaust victims and listening to the stories of survivors. Religious ceremonies include prayers such as Kaddish for the dead and the El Moleh Rahamin, a memorial prayer.

In Israel, Yom HaShoah is one of the most solemn days of the year. It begins at sunset on the 26th of Nissan and ends, like all traditional Jewish special days, the following evening. During Yom HaShoah, memorial events are held throughout the country with national ceremonies being held at Yad Vashem in Jerusalem. Yad Vashem is the Jewish people's memorial to those murdered in the Holocaust. Sirens sound across Israel at 10:00 a.m. and a moment of silence is observed. Ceremonies and services are held at schools, military bases, various Holocaust

commemorative and educational institutions across Israel, and other public institutions and community organizations.

Mayor and Council History

This is the sixth time this item has been brought before the Mayor and Council.

Attachments

Attachment 6.A.a: 2020 Yom HaShoah Observance (PDF)

Sara Taylor-Ferrell, City Clerk/Director of Council Operations 4/15/2020

Proclamation

ROCKVILLE · MARYLAND

WHEREAS, Yom HaShoah is a day set aside for Jews to remember the Holocaust and is Israel's official commemoration for the six million Jews killed during the Holocaust; and

WHEREAS, the name comes from the Hebrew word 'shoah' which means 'whirlwind'; and

WHEREAS, the Holocaust was the state-sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945 during which six million were murdered, including 1.5 million children; and

WHEREAS, Roma (Gypsies), people with disabilities, and Poles were also targeted for destruction or decimation for racial, ethnic, or national reasons; and millions more, including homosexuals, Jehovah's Witnesses, Soviet prisoners of war, and political dissidents, also suffered grievous oppression and death under Nazi tyranny; and

WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and

WHEREAS, we the people of the City of Rockville should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny; and

WHEREAS, we the people of the City of Rockville should actively rededicate ourselves to the principles of individual freedom in a just society; and

WHEREAS, pursuant to an Act of Congress (Public Law 96-388, October 7, 1980), the United States Holocaust Memorial Council designates the Day of Remembrance of the Victims of the Holocaust to be April 21, 2020, including the Day of Remembrance known as Yom HaShoah.

NOW, THEREFORE, be it resolved that the Mayor and Council of the City of Rockville do hereby proclaim April 21, 2020 as Yom HaShoah Day of Remembrance and urge all citizens to remember the victims of the Holocaust and reflect on the need for respect of all people.

Bridget Donnell Newton
Bridget Donnell Newton, Mayor

Monique Ashton, Councilmember

Beryl L. Feinberg
Beryl L. Feinberg, Councilmember

David E. Myles
David Myles, Councilmember

Mark Pierzchala, Councilmember

April 20, 2020

Mayor & Council Meeting Date: April 20, 2020
Agenda Item Type: Presentation and Discussion
Department: City Manager's Office
Responsible Staff: Jenny Kimball

Subject

Next Steps in the COVID-19 Staffing Strategy

Recommendation

Staff recommends continuing the current approach to staffing and compensation through May 24, 2020.

Discussion

As the COVID-19 public health emergency evolves, the City of Rockville adapts and adjusts operations and staffing to continue serving customers, in accordance with Governor Hogan's emergency orders and within the guidelines established by the Centers for Disease Control and Prevention.

The State Superintendent of Schools announced on March 26 that Maryland schools would be closed through April 24, 2020. Governor Hogan issued a Stay at Home Emergency Order on March 30 that does not include an end date. It is unclear whether schools re-open or the Governor's Stay at Home Order will terminate by the end of April. To ensure efficient and effective ongoing City operations and emergency response, the City is prepared for an extension of the Order. Staff recommends that the current approach to staffing and compensation continue through Sunday, May 24, 2020.

Recommended Strategy

The Mayor and Council were briefed on the current approach to staffing and compensation for regular City employees on April 13, 2020. Staff recommends continuing the approach through the pay period that ends on May 24, 2020:

- **Essential employees reporting on a regular operational schedule** would receive compensation at time-and-a-half for the actual hours worked on essential tasks at the workplace (regular non-exempt employees), or compensatory time at a rate of one-half hour for each hour worked on essential tasks at the workplace (regular exempt employees).

- **Essential employees reporting as-needed** would receive compensation at time-and-a - half for the actual hours worked as-needed on essential tasks at the workplace (regular non-exempt employees), or compensatory time at a rate of one half hour for each hour worked as-needed on essential tasks at the workplace (regular exempt employees).

- **Teleworking employees** conduct as much of their job duties as possible from home and would continue to receive their regular pay.

- **Administrative Leave employees** whose positions do not lend themselves to teleworking would continue to receive their regular pay. However, efforts to assign training, development and other appropriate work assignments outside of their normal responsibilities will be stepped up for the period through May 24.

- **Temporary employees** were not included in the April 13 staffing report to the Mayor and Council. They are a separate non-salaried, non-permanent category of personnel who work less than 30 hours per pay period doing tasks of a temporary or seasonal nature. Most temporary employees work for the Recreation and Parks Department. Since March 14, and continuing to March 24, temporary employees would be paid their regular hourly rate for the hours that they would have normally been scheduled to work during the pay period.

Employee Safety

Ongoing City operations will prioritize protecting the health and safety of City employees. Work done in the community or at a City facility will continue to focus only on the most essential services. Minimal staffing, rotating shifts and other work adjustments for essential employees will continue, to ensure appropriate social distancing. All work that can be completed from home will continue, using teleworking tools.

If any City employees receive a positive diagnosis for COVID-19, current essential and telework operations may need to change to accommodate a smaller workforce or additional health and safety measures.

A suggestion shared during the April 13 Mayor and Council discussion of COVID-19 staffing involved using this time to proactively identify maintenance and repair needs across the city. While that type of proactive work is normally valuable, the City will not assign any non-essential work that could potentially expose personnel to the virus. Employee safety continues to be a top priority.

Administrative Leave Category

The Mayor and Council provided valuable suggestions on April 13th regarding the use of employees who fall in the Administrative Leave category. Efforts will continue to assign work to those employees who will contribute to City operations, provide a development opportunity for

the employee, and help to balance heavy workloads in other parts of the organization. The Learning and Development Manager will continue to provide opportunities for online training and development for all City employees. In addition, a new cybersecurity training initiative is beginning this spring that requires all employees to take online training to enhance the City's cybersecurity.

Compensatory Time

During the April 13th discussion, the Mayor and Council inquired about policies on use of compensatory time. This topic is relevant due to the increased accrual of compensatory time by exempt essential employees working during the COVID-19 response. The current policy allows employees to carry over up to 80 hours of compensatory time from one calendar year to the next.

Recognizing that calendar year 2020 is unusual, the Human Resources Department has recommended to the City Manager that the 80-hour restriction for calendar year 2020 not apply to employees designated as essential during COVID-19. Those employees would be authorized to carry over an unlimited number of hours into calendar year 2021 and the 80-hour carryover limit would be reinstated going into calendar year 2022. As the nature of the COVID-19 response continues to evolve, that approach would be reconsidered, as needed.

Mayor and Council History

On April 13, the Mayor and Council received a briefing on the City's COVID-19 staffing strategy for regular City employees for the period from March 14 to April 6, 2020.

Fiscal Impact

The budgetary impact of the recommendation is related to the premium pay for regular City employees in the non-exempt essential category (as described in the April 13 staff report) and the regular compensation for temporary employees.

It is expected that the number of hours worked by regular non-exempt essential employees would remain relatively consistent through May 24. The estimated cost to pay those employees, for the same number of hours worked as during the initial weeks of the COVID-19 response, is approximately $110,000 per week. For the four weeks from April 27 to May 24, the estimated total budget impact for essential non-exempt regular employees would be approximately $440,000.

Based on payroll data for the two-week pay period ending April 10, compensation to temporary employees totaled approximately $88,000. If temporary employee pay continues in the same manner through two more pay periods to May 24, the expense to the City would be approximately $176,000.

The total budget impact is estimated to be approximately $616,000. This figure would change if the numbers of hours worked adjusted to accommodate for changes in the COVID emergency in our area.

As Finance staff has reported, the fiscal impact of the COVID-19 event through the end of FY20 can be managed using snow and ice savings, fuel savings, unspent personnel funds and contingency. No budget amendment will be necessary to accommodate the fiscal impact of staffing through May 24.

Next Steps

Staff will take input from the Mayor and Council, make a determination about compensation through May 24, and notify all employees of the decision tomorrow, April 21. These decisions will be made to provide employees with information for planning, but all decisions will be reviewed as more information about COVID becomes available. The City will remain flexible and cognizant of the community's needs.

Work to engage employees in the Administrative Leave category in more work and professional development will continue. Opportunities for telework employees who are not working in a full-time status will also be explored. Any new work duties must be completed inside the home until the Governor's Stay at Home order is lifted.

Jenny Kimball

Jenny Kimball, Deputy City Manager 4/15/2020

Mayor & Council Meeting Date: April 20, 2020
Agenda Item Type: D & I, Possible Introduction & Possible Adoption
Department: PDS - Zoning Review & Other
Responsible Staff: Jim Wasilak

Subject

Discussion and Instructions, Possible Introduction and Possible Adoption of an Ordinance to Permit the Temporary Residential Use of Recreational Vehicles (RVs) and Trailers in Residential Zones or Discussion and Instructions, Possible Introduction and Possible Adoption of an Ordinance to Amend the Property Maintenance Code, Being Article XII, Chapter 5 of the Rockville City Code, to Allow the City Manager to Issue Approvals for the Temporary Use of Recreational Vehicles and Trailers for Residential Purposes on Single-Family Lots in the City to Allow Residents to Quarantine in Place During a Public Health Emergency

Recommendation

Staff recommends that the Mayor and Council discuss the proposed ordinances. If the Mayor and Council wish to adopt an ordinance, a motion to waive the layover period must be approved by an affirmative vote of at least four members of the Mayor and Council prior to adoption of the ordinance.

Change in Law or Policy

Pursuant to Article IV, Section I of the Rockville City Charter which authorizes the Mayor and Council to pass ordinances for the protection and promotion of the health, safety and welfare of the residents of the City, two ordinances are proposed which provide alternate methods for the Mayor and Council to temporarily permit the City Manager or his designee to approve the residential use of RVs and recreational trailers on properties zoned for single family detached residential use for residents of those properties to quarantine in place, subject to compliance with certain criteria.

Discussion

The proposed ordinances are in response to the Mayor and Council's desire to consider allowing recreational vehicles and trailers to be used for residential purposes while parked on single-family residential properties, on a temporary basis. This would be permitted only to allow for residents to quarantine in place in response to the COVID-19 pandemic.

Staff initially pursued Ordinance 1, Attachment A, as the preferred method for accomplishing this goal. Ordinance 1 temporarily suspends certain provisions of the City Code to the extent necessary to allow the City Manager to issue temporary approvals to City residents to use

recreational vehicles and trailers for self-quarantine. Ordinance 1 would expire upon the Maryland Governor's announcement of the end of the state of emergency for COVID-19. Ordinance 1 does not amend any language in the City Code.

In response to questions from members of the Mayor and Council as to whether it would be preferable to actually amend the City Code to accomplish the same purpose, staff drafted Ordinance 2, Attachment B. Ordinance 2 amends the portion of the City's Property Maintenance Code that prohibits the use of recreational vehicles and trailers for habitation within the city, described in more detail below.

This discussion section titled "Background" addresses the provisions of the City Code that currently prevent the use of recreational vehicles and trailers for residential purposes on single-family lots in the city. After this background information, each ordinance is addressed separately.

Background

Two sections of the Rockville City Code prevent the use of recreational vehicles and trailers for residential purposes on single-family lots in the city. Section 303.13 of the Property Maintenance Code, being Article XII of Chapter 5 of the City Code, "Buildings and Building Regulations," reads as follows:

> *303.13 Vehicles for habitation prohibited: No trailer, recreation vehicle, car or truck shall be brought within the corporate limits of the City of Rockville for the purpose of habitation and dwelling therein for a period of more than twenty-four hours.*

In addition, Section 25-16.02.b.1 of Chapter 25 of the City Code, the "Zoning Ordinance," which specifies the types of motor vehicles that are permitted to be parked off-street in the city's single family residential zones, does not permit the parking of recreational vehicles (RVs) on properties in the R-40, R-60, R-75, R-90, R-150, R-200 and R-400 zones, including residential properties in Planned Developments (PDs) with these designated equivalent zones. This section of the Zoning Ordinance also requires that recreational trailers be parked behind the front building line of the residence whenever possible. Trailers also may not be used for residential purposes while parked on a residential lot in these zones.

Ordinance 1 – To authorize City Manager to issue approvals for the temporary use of recreational vehicles and trailers for residential purposes on single-family lots in the city to allow residents to quarantine in place during COVID-19 state of emergency

Should the Mayor and Council adopt Ordinance 1, the provisions of the City Code described in the Background section of this report would be suspended to the extent necessary to allow city residents, with the City's written approval, to park a recreational vehicle or trailer on a residential property for the purposes of allowing persons that reside on the property to quarantine in place, on a temporary basis.

Approval of a recreational vehicle or trailer for temporary residential purposes would be subject to the following requirements:

- The occupants of the recreational vehicle or trailer must be permanent residents of the dwelling that exists on the lot where the vehicle is parked.
- The vehicle must contain cooking, sleeping, and sanitary facilities.
- The vehicle must be parked on a paved surface, but otherwise may be parked anywhere on the property.
- There must be reliable water and electric connections between the house on the lot where the vehicle is parked and the vehicle.
- Contents of any effluent (both gray and black water) from a holding tank must be disposed of in a safe and sanitary manner. It must not be drained directly onto the ground or into a public right-of-way.
- Recreational vehicles or trailers used for this purpose must have a current registration and display a current vehicle tag.
- The installation may be inspected at any time for compliance by the Community Enhancement and Code Enforcement or Public Works inspectors.

Residents who wish to park such a vehicle on their property under the ordinance would be required to notify the City that the vehicle is being used for quarantine purposes by emailing pds@rockvillemd.gov with information on the property address, number of occupants, vehicle tag number, and certification that all of the above requirements are met. If the information provided meets the above requirements, the City Manager or his designee would provide a written approval via e-mail.

Under the attached Ordinance 1, an approval would be granted for 90 days from the date of approval. The approval would terminate at that time, unless an extension of up to 60 days is granted.

Ordinance 1 would expire upon the Maryland Governor's announcement of the end of the state of emergency for COVID-19. To allow for the conclusion of quarantine periods, all approvals and any extensions granted under the ordinance before that date would automatically expire no later than thirty days from the announcement of the end of the state of emergency.

Ordinance 2 – To amend the Property Maintenance Code, being Article XII, Chapter 5 of the Rockville City Code, to allow the City Manager to issue approvals for the temporary use of recreational vehicles and trailers for residential purposes on single-family lots in the city to allow residents to quarantine in place during a public health emergency

Should the Mayor and Council adopt Ordinance 2, the provision in Section 303.13 of the Property Maintenance Code prohibiting the use of recreational vehicles and trailers for residential uses within city limits would be amended. The amendment would permit the City

Manager to issue the same approvals authorized under Ordinance 1, with the following changes:

- At the request of certain members of the Mayor and Council, Ordinance 2 would expire ninety days from the date of its adoption. The Mayor and Council would need to adopt another ordinance in order to extend the validity period of the new code provisions. In contrast, Ordinance 1, as drafted, would remain valid until the Governor's declaration of the end of the COVID-19 state of emergency.

- Ordinance 2 permits the City Manager to issue a temporary approval for up to thirty days, with an unlimited number of additional thirty-day extensions while Ordinance 2 remains in effect. Under Ordinance 2, any approvals or extensions outstanding upon the expiration of the ordinance would remain in effect until the end of their thirty-day validity period.

  In contrast, Ordinance 1 allows an initial temporary approval of up to ninety days, with one extension allowed for up to an additional sixty days.

- Although provisions of both Chapter 5 and 25 (the Zoning Ordinance) prohibit the use of recreational vehicles and trailers for residential purposes in the city, Ordinance 2 only amends the language of City Code Chapter 5. Amending the language of the Zoning Ordinance through a zoning text amendment requires a lengthy public process in accordance with City Code Section 25.06.02 that is inconsistent with swiftly providing an alternate means of self-quarantine during the COVID-19 pandemic.

  Ordinance 2 avoids the need for an amendment to the text of the Zoning Ordinance by simply noting in a portion of the ordinance that would remain uncodified that approvals granted under the amended Chapter 5 may be issued notwithstanding any conflicting regulations in the Zoning Ordinance.

Recommendation

Staff recommends Ordinance 1 over Ordinance 2. Ordinance 1 does not change any language in the City Code, but instead acts as a limited suspension of certain regulations in order to permit the City Manager or his designee to issue approvals for the use of recreational vehicles and trailers during the pendency of the COVID-19 pandemic. Because the time period under which such temporary approvals would be granted is so short, staff believes there is limited utility in actually amending the language of the Code, as in Ordinance 2.

Possible Adoption

If the Mayor and Council introduces one of the ordinances, the Mayor and Council will need to waive the layover period by an affirmative vote of at least four members of the Mayor and

Council in order to proceed to a vote to adopt the ordinance. A vote to adopt the ordinance needs a simple majority to pass.

Mayor and Council History

The Mayor and Council has received questions on whether RVs and trailers may be utilized to assist residents who must quarantine in place while maintaining separation from other household members. The Mayor and Council discussed a proposed draft ordinance at the meeting of April 13, and decided to add an ordinance on the agenda for consideration at its April 20 meeting.

Public Notification and Engagement

No public engagement on this issue has taken place to date. If the Mayor and Council adopt one of the two proposed ordinances, staff will inform neighborhood and homeowners associations.

Next Steps

If the Mayor and Council introduces one or both of the proposed ordinances but does not waive the layover period, the ordinance or ordinances will be brought back for Mayor and Council for possible action at a later meeting.

If the Mayor and Council adopts one of the two proposed ordinances, staff will inform affected staff as well as neighborhood and homeowners associations.

Attachments

Attachment 10.a: Draft Ordinance 1 - Residential Use of RVs (PDF)
Attachment 10.b: Draft Ordinance 2 - Amendment to Property Maintenance Code (PDF)

Jenny Kimball

Jenny Kimball, Deputy City Manager 4/15/2020

ORDINANCE NO._____

ORDINANCE: To authorize City Manager to issue approvals for the temporary use of recreational vehicles and trailers for residential purposes on single-family lots in the city to allow residents to quarantine in place during COVID-19 state of emergency

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND as follows:

On March 5, 2020, Maryland Governor Lawrence J. Hogan, Jr. proclaimed a state of emergency and a catastrophic health emergency for the entire State of Maryland pursuant to Title 14 of the Public Safety Article of the State Code, due to the impending threat and continuing impact of the contagious disease known as COVID-19. COVID-19 is a severe respiratory disease capable of extensive loss of life or serious disability currently circulating within Montgomery County, Maryland. Under current medical guidelines, certain individuals are recommended to self-quarantine.

Although some city residents own or have access to recreational vehicles that could be used for quarantine purposes, City law, specifically Section 303.13 of the Property Maintenance Code, being Article XII of City Code Chapter 5, and Section 25-16.02.b.1 of City Code Chapter 25, prohibits the use of recreation vehicles and trailers for residential purposes on single-family lots in the city and restricts the parking of such vehicles.

Under Article IV, Section 1 of the City Charter, the Mayor and Council of Rockville is authorized to pass ordinances for the protection and promotion of the health, safety, and welfare of the residents of the city.

Because the transmission of COVID-19 poses an immediate and serious threat to the health, safety, and welfare of the residents, businesses, and employees of the City of Rockville, the City Manager or the City Manager's designee is hereby authorized to issue approvals to city residents permitting the temporary use of a recreational vehicle or trailer on a single-family residential property in the city for residents of that property to quarantine in place. Any City law prohibiting such use of a recreational vehicle or trailer, including Section 303.13 of the Property Maintenance Code and Section 25-16.02.b.1 of City Code Chapter 25, is hereby suspended to the extent necessary to allow approvals issued under this Ordinance.

Approvals issued under this Ordinance must be in writing and are subject to the following requirements:

- The occupants of the recreational vehicle or trailer must be permanent residents of the dwelling that exists on the lot where the vehicle is parked.
- The vehicle must contain cooking, sleeping, and sanitary facilities.
- The vehicle must be parked on a paved surface, but otherwise may be parked anywhere on the property.
- There must be reliable water and electric connections between the house on the lot where the vehicle is parked and the vehicle.
- Contents of any effluent (both gray and black water) from a holding tank must be disposed of in a safe and sanitary manner. It must not be drained directly onto the ground or into a public right-of-way.
- Recreational vehicles or trailers used for this purpose must have a current registration and display a current vehicle tag.
- The installation may be inspected at any time for compliance by the Community Enhancement and Code Enforcement or Public Works inspectors.

The City Manager or his designee may grant an approval under this Ordinance for a period of up to ninety (90) days, which period may be extended in writing by the City Manager or his designee for up to sixty (60) days for good cause shown.

This ordinance will automatically expire upon the Maryland Governor's announcement of the end of the state of emergency for COVID-19. All approvals and any extensions granted under this Ordinance before that date will automatically expire no later than thirty (30) days from the announcement of the end of the state of emergency for COVID-19.

****

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Mayor and Council of Rockville at its meeting of _____.

_____

Sara Taylor-Ferrell

City Clerk/Director of Council Operation

ORDINANCE NO._____

ORDINANCE: To amend the Property Maintenance Code, being Article XII, Chapter 5 of the Rockville City Code, to allow the City Manager to issue approvals for the temporary use of recreational vehicles and trailers for residential purposes on single-family lots in the city to allow residents to quarantine in place during a public health emergency

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

SECTION I – That Chapter 5 of the Rockville City Code entitled "Buildings and Building Regulations" be amended as follows:

Chapter 5

BUILDINGS AND BUILDING REGULATIONS

ARTICLE XII. PROPERTY MAINTENANCE CODE

***

Sec. 5-287 – Same--Amendments.

The BOCA National Property Maintenance Code, Fifth Edition, 1996 is amended in the following respects:

***

Section PM303.13 is added to read as follows:

"*PM-303.13 Vehicles for habitation prohibited; exception for public health emergency:*

(a) No trailer, recreation vehicle, car or truck shall be brought within the corporate limits of the city for the purpose of habitation and dwelling therein for a period of more than twenty-four hours, except the City Manager or designee may issue a temporary approval for the use

of a trailer or recreational vehicle on a property in a single dwelling unit residential zone for residents of that property to quarantine in place in the event of a public health emergency. The approval must be in writing and is subject to the following requirements:

(a) The occupants of the recreational vehicle or trailer must be permanent residents of the dwelling that exists on the lot where the vehicle is parked.

(b) The vehicle must contain cooking, sleeping, and sanitary facilities.

(c) The vehicle must be parked on a paved surface, but otherwise may be parked anywhere on the property.

(d) There must be reliable water and electric connections between the house on the lot where the vehicle is parked and the vehicle.

(e) Contents of any effluent (both gray and black water) from a holding tank must be disposed of in a safe and sanitary manner. It must not be drained directly onto the ground or into a public right-of-way.

(f) Recreational vehicles or trailers used for this purpose must have a current registration and display a current vehicle tag.

(g) The installation may be inspected at any time for compliance by the Community Enhancement and Code Enforcement or Public Works inspectors.

(h) The approval may be for up to thirty (30) days. The City Manager or designee may extend an approval in writing for an unlimited number of additional thirty (30) day periods for good cause shown."

(b) Ordinance No. [*ordinance number*], permitting the issuance of a temporary approval for the use of a trailer or recreational vehicle on a property in a single dwelling unit residential zone for residents of that property to quarantine in place in the event of a public health emergency, shall expire ninety (90) days from the date of its adoption, at which time PM 303.13 shall revert to the version in effect on [*date prior to adoption of ordinance*]. Any approvals or extensions outstanding as of the expiration date of Ordinance No. [*ordinance number*] shall remain in effect for the duration of the approval or extension, but may not be further extended.

***

SECTION II – Temporary approvals under this ordinance may be granted by the City Manager or designee notwithstanding any conflicting regulations in City Code Chapter 25, titled "Zoning Ordinance."

SECTION III – This ordinance shall become effective immediately upon adoption.

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NOTE: ~~Strikethrough~~ indicates material deleted.

Underlining indicates material added.

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Mayor and Council of Rockville at its meeting of _____.

_____

Sara Taylor-Ferrell

City Clerk/Director of Council Operation

Mayor & Council Meeting Date: April 20, 2020
Agenda Item Type: Discussion and Instructions
Department: Planning & Development Services
Responsible Staff: Deane Mellander

Subject

Discussion and Instructions to Staff on Zoning Text Amendment Application TXT2019-00254, to Revise the Development Standards for Accessory Buildings in the Residential Zones, and for Accessory Buildings Located in Both the MXT (Mixed-Use Transition) and HD (Historic District) Zones; Mayor and Council of Rockville, Applicant

Recommendation

Discuss public testimony and provide direction to staff on further actions.

Change in Law or Policy

The proposed Text Amendment as authorized (Attachment A) would revise the height standards, maximum footprint, and the rear yard coverage requirements for accessory buildings and structures in residential zones. The revisions also add a grandfather provision for accessory buildings built under previous standards and clarify the requirements for accessory buildings in historic districts, including those in the MXT Zone.

Discussion

On July 15, 2019, the Mayor and Council held a public hearing on Text Amendment Application TXT2019-00254, which would revise the development standards for accessory buildings in residential zones, and for accessory buildings that are located in both the MXT (Mixed Use-Transition) and HD (Historic District) zones. After Discussion and Instructions on September 16, 2019, the Mayor and Council held a second public hearing on October 7, 2019.

The proposed changes are intended to accomplish the following:

- Address concerns expressed by the public about the size and height limitations for accessory buildings, which many felt were too restrictive;
- Include accessory buildings limitations for larger lot residential zones that do not presently exist;
- Impose new standards for accessory buildings on properties in both the MXT and HD zones to approximate those of residential properties in order to maintain their residential character, as most were initially built as single-family dwellings; and

- Allow for a second story on accessory buildings where the Board of Appeals grants a waiver from the height limit, if the building is deemed compatible and not contrary to the public interest.

The Mayor and Council have discussed various aspects of the text amendment during the public review process, and directed staff to discuss the proposal with neighborhoods. Staff presented this text amendment and the Accessory Dwelling Unit (ADU) text amendment with the Lincoln Park, East Rockville, Twinbrook, and West End neighborhoods. The discussion that follows includes the resulting staff recommendations to address these issues.

Building Footprint Limitations

The proposed text amendment would eliminate the maximum footprint of 500 square feet for any single accessory building, while retaining the cumulative maximum footprint limitation for all accessory buildings on a property:

- 600 square feet in the R-60 Zone (10% of minimum lot area)
- 675 square feet in the R-75 Zone (9% of minimum lot area)
- 720 square feet in the R-90 Zone (8% of minimum lot area)
- 900 Square feet in the R-150 Zone (6% of minimum lot area)
- 1,000 square feet in the R-200 and R-400 Zones

Eliminating the 500 square-foot limitation was supported by the neighborhood associations with whom we engaged, and staff recommends continuing to include it in the text amendment.

Another concern was raised at the public hearing regarding the impact of accessory building on properties with very small houses. Staff concurs that a limitation on footprint is necessary in those instances. We recommend an option that a limitation be put in place to limit the footprint of any single accessory building to 75% of the footprint of the main dwelling to ensure that accessory buildings are subordinate to the main dwelling. Staff is open to any other option that Mayor and Council feels can address this concern.

Additional Height for Accessory Buildings

Councilmember Feinberg requested previously that staff provide criteria for allowing additional height up to 20' that goes beyond the finding as initially proposed, that the accessory building not be contrary to the public interest. Staff recommended that the Mayor and Council consider that the Board of Appeals must find that:

- The proposed accessory building be consistent with the architectural style and predominant architectural features of the main dwelling; and
- The proposed accessory building be compatible in scale and placement with adjacent properties in the immediate neighborhood.

In discussing this issue with neighborhoods, there is a concern among some neighborhoods about allowing accessory buildings to have a second story, and the potential negative impact on neighborhood character. While staff continues to find that the recommended criteria address those concerns, one option would be for the Mayor and Council to remove this aspect from the accessory building text amendment so that the possibility of a second story would not exist, or move it to the ADU text amendment, so that a second story would only be possible for an ADU.

Accessory Building Setbacks

Accessory buildings up to twelve feet in height have a minimum setback requirement of three feet from the side and rear lot lines, with additional setback required for accessory buildings greater than twelve feet in height. The text amendment has proposed reducing the amount of additional setback required for accessory buildings that are greater than 12 feet, but less than 15 feet in height, from 3 feet for each additional foot in height to 2 feet for each additional foot in height. Councilmember Pierzchala had requested graphics with examples of the proposed changes to the accessory building setback requirements in relation to the current code, and how these changes relate to the proposed height measurement change (Attachment B). The attachments show that the minimum setback for a building that has a maximum height of 15 feet would be 9 feet, rather than 12 feet, the current code requirement.

Staff notes that the West End community did not support this change, which, along with the increase in height, they felt would be potentially detrimental to adjacent property owners. Staff therefore recommends that the Mayor and Council consider retaining this requirement as it is currently. The accessory building setback would then be responsive to the impact of additional building height.

Measurement Point for Building Height

The text amendment recommended returning to the point of measurement for accessory building height measurement, which previously had been from existing grade to the midpoint of the gable roof, rather than the peak of the roof. While the impact of this would increase the overall height of the structure by 2-3 feet, this is within the gable and would not allow a second story. Measuring height in this way is consistent with how height is measured on the main dwelling. Staff recommends retaining this change in the text amendment, particularly to allow for somewhat steeper roof pitches, where appropriate, to allow for a more compatible accessory building.

Building Footprint Exemption for Historic Accessory Buildings

Mayor Newton requested that staff provide options in lieu of exempting historic accessory buildings from the calculation of cumulative building footprint, in order to preserve existing contributing accessory buildings. Staff provided two options that are intended to ensure historic district properties are not overbuilt with accessory buildings, including

- Eliminating the historic accessory building footprint exemption from the code and allow for property owners to apply for a variance to construct new accessory buildings, if needed;

- Eliminating the historic accessory building footprint exemption but allowing for a waiver for additional accessory building footprint area to be granted by the Board of Appeals.

Staff recommends, in place of the exemption for historic accessory buildings from the building footprint limitations, to permit the Board of Appeals to grant a waiver to allow for additional accessory building footprint area for those properties in the historic district. This process is preferable to a variance, which requires findings for hardship and uniqueness of the property, and makes meeting all of the criteria difficult to achieve. The waiver process also evaluates new accessory buildings on a case-by-case basis and provides for public input on potential impacts. Staff recommends that criteria be established so it can be demonstrated that the new accessory building would have minimal impacts to the property and neighborhood. Such criteria could include:

- Whether the location of the proposed accessory building will have a negative impact on environmental features on the property, such as significant trees; and
- Whether the proposed accessory building is compatible in scale and placement with the overall character of the property and neighborhood.

Because these properties are located in the historic district, a Certificate of Approval would be required from the Historic District Commission (HDC), which would evaluate the impact on the district and adjacent historic properties. Staff recommends that the waiver allowance not exceed 20% of the cumulative maximum accessory building footprint area allowed in the zone where the property is located. The chart below outlines the maximum additional square footage that would be allowed for new non-contributing buildings.

Waiver Percentage/Square Footage Recommendation		
Zone	Maximum Cumulative Accessory Building Footprint	Waiver Allowance (20%)
R-40 and R-60 Zone	600 square feet	120 square feet
R-75 Zone	675 square feet	135 square feet
R-90 Zone	720 square feet	144 square feet
R-150 zone	900 square feet	180 square feet
R-200 and R-400 Zone	1,000 square feet	200 square feet

Staff finds that the additional square footage would allow for a modestly-sized additional building or building addition to be built and not result in overbuilding of the lot.

Rear Yard Lot Coverage Limitation

Another concern expressed by WECA representatives was that the removal of the limitation on accessory building coverage in the rear yard would potentially lead to inappropriate overbuilding in the rear yard with accessory buildings. Their suggestion is to not remove the overall 25% lot coverage limit in the rear yard. Staff undertook analysis and found that some lots with small rear yard areas, although relatively rare, could be affected by the removal of this requirement, which could allow inappropriately large accessory buildings in the small rear yard if only the overall lot coverage limitation remained in place. As a result, staff does not recommend removal of the rear lot coverage limitation for accessory buildings in the rear yard, and notes that this limitation would only impact those properties with small rear yards as before, as most lots are large enough that the maximum accessory building footprint area would apply instead. Without the limitation on rear yard coverage, an accessory building built to the maximum size permitted would appear out of character.

New and Grandfathered Accessory Buildings

The Planning Commission recommended approval of the text amendment, and included the following recommendations made just prior to the Mayor and Council public hearing on July 15, 2019. The recommendations include:

- Defining what a “new” accessory building is in the MXT Zone (Sec.25.13.08); and
- Adding a new Subsection “c” to Section 25.13.08 to address the grandfathering of accessory buildings in the MXT Zone, similar to the provision for the residential zones.

Proposed subsection “b” below includes an added provision that cross-references to the proposed new footprint waiver provision in Section 25.09.03.2(c) for consistency of review of accessory buildings in the historic district, as well as residential zones and the MXT Zone.

The revised subsection 25.13.08 reads as follow (proposed revision underlined):

a. All accessory buildings within mixed-use zones must comply with the provision of Article 9 of this Chapter.
b. New accessory buildings in the MXT Zone constructed after [date of adoption] and located within a historic district are subject to the provision of:
    1. Section 25.09.03.a.2(a);
    2. Section 25.09.03.a.2(b), with the applicable cumulative building footprint being based on the zone with the largest minimum lot area that does not exceed the existing lot area of the property where the accessory building is located; and
    3. Section 25.09.03.a.2(e) where contributing accessory buildings meet or exceed the maximum footprint in the applicable zone.

c. Accessory buildings and structures that were constructed in conformance with the standards in effect at the time they were erected are considered conforming and may be modified, repaired or replaced so long as they conform to the standards under which they were built, except they must maintain a minimum setback of three (3) feet from the property line.

Staff concurs with the addition of this language to the text amendment.

Breezeways

Staff recommends that a definition for "breezeway" be added to Article 3 of the Zoning Ordinance so that the term is clearly defined, given that a new regulation is related to breezeways. The proposed definition reads as follows:

> *Breezeway:* A covered passageway, which may be enclosed or unenclosed, for the purpose of providing a connection from the main building to an accessory building.

The text amendment proposes to limit the length of such breezeways to 20 feet. This limitation, combined with the added definition, is intended to limit the potential for extraordinarily long breezeways, and ensure they connect to accessory buildings that meet the accessory building standards. No neighborhood raised a concern about this, and staff recommends retaining the language in the text amendment.

Staff recommends that the Mayor and Council provide direction on the following recommendations:

- Maintain the Building footprint limitation recommendations to eliminate the 500-square foot limitation while retaining the current limitations based on zone;
- Modify the height measurement point to the midpoint of the roof as recommended
- Allow for additional height of an accessory building up to 20', approvable by the BOA, move this allowance to the ADU text amendment, or remove it completely;
- Retain staff's recommendation to allow for an increase of no more than 20% in floor area for new accessory buildings in the historic district on properties that include a contributing accessory building;
- Retain the maximum rear yard coverage limit, as recommended by staff;
- Retain the three additional feet in setback for each additional foot of accessory building height above 12 feet, or reduce it to two additional feet per the original text amendment;
- Include the provisions for accessory buildings in the MXT and Historic District to ensure there are limitations on such structures to retain the residential character of the original property;
- Retain the recommendation to grandfather accessory buildings built under a previous standard;

- Retain the breezeway definition and 20-foot limitation on breezeway length recommendation; and
- Limit the size of the accessory building footprint to a maximum of 75% of the footprint of the main building.

Mayor and Council History

The Mayor and Council held the initial public hearing on July 15, 2019. One member of the public addressed the Mayor and Council and provided written testimony. The Mayor and Council held a Discussion and Instruction session on September 16, 2019, at which time staff was directed to hold a second public hearing to address issues raised at the D&I session and provide for additional public comment opportunities.

The Mayor and Council held a second public hearing on this text amendment application on October 7, 2019. Four (4) members of the public addressed the Mayor and Council and provided them testimony. The Mayor and Council held a Discussion and Instruction session also on October 7, 2019, at which time staff was directed to meet with those providing testimony and work further with the community. Public testimony received up to and including the October 7 public hearing is included (see Attachment C).

The Mayor and Council have received numerous emails from residents of the West End neighborhood after WECA president Brian Shipley provided testimony on the text amendment at the March 2 meeting (see Attachment D). Most of these residents oppose changes that would increase the size of accessory buildings, particularly with respect to a potential increase in height so that an accessory building could have two stories, and including opposition to the proposed reduction in setback associated with increased height. Staff notes that there were also two emails in support of the changes included in the proposed amendment that were received in the group of emails from West End residents.

Public Notification and Engagement

Notice of the Mayor and Council public hearings was sent via the City's Listserv to civic and homeowners association. The code does not require public notice for a Discussion and Instructions session.

Boards and Commissions Review

The Planning Commission reviewed the application at its meetings on June 12, 2019 and July 10, 2019, and recommended approval (see Attachment E). The Commission initially had concerns about the relationship between this text amendment and the related text amendment for accessory apartments and accessory dwelling units (ADUs). Individual members discussed other concerns, including the potential for additional height, but ultimately recommended approval by a vote of 5-1, with the additional text added as noted previously.

Next Steps

Following discussion and instructions to staff, introduction and possible adoption of the ordinance to grant Zoning Text Amendment Application TXT2019-00254 will be scheduled.

Attachments

Attachment 11.a: TXT2019-00254 as Authorized for filing (PDF)
Attachment 11.b: Accessory Building Setback Study (PDF)
Attachment 11.c: Public Testimony through October 7 Public Hearing (PDF)
Attachment 11.d: Public Testimony since March 2 (PDF)
Attachment 11.e: Planning Commendation recommendation (PDF)

Rob DiSpirito, City Manager 4/15/2020

Application for
Text Amendment

TXT
2/09

City of Rockville
Department of Community Planning and Development Services

111 Maryland Avenue, Rockville, Maryland 20850
Phone: 240-314-8200 • **Fax:** 240-314-8210 • **E-mail:** Cpds@rockvillemd.gov • **Web site:** www.rockvillemd.gov

Application Information:

Is this an Amendment to Existing Text ? ☑ YES ☐ NO

Add New Zone Classes: ☐ YES ☑ NO **Add New Uses:** ☐ YES ☑ NO

Number of new uses: 0 Ordinance # _____

Please Print Clearly or Type

Property Address information N/A

Project Description To revise the development standards for residential accessory buildings in residential zones, and for accessory buildings in both the MXT and HD (Historic District) zones.

Applicant Information:
Please supply Name, Address, Phone Number and E-mail Address

Applicant Mayor and Council of Rockville, 111 Maryland Avenue, Rockville, MD 20850

Property Owner N/A

Architect N/A

Engineer N/A

Attorney N/A

2019 APR -9 PM 4:58

STAFF USE ONLY

Application Acceptance:
Application # _____
Date Accepted _____
Staff Contact _____

OR

Application Intake:
Date Received _____
Reviewed by _____
Date of Checklist Review _____
Deemed Complete: Yes ☐ No ☐

Attachment 11.a: TXT2019-00254 as Authorized for filing (2914 : Discussion and Instruction - Accessory Structures ZTA)

Application is hereby made with the Rockville Mayor and Council for Approval of a change in the text of the Zoning and Planning Ordinance of Rockville, Maryland.

Page_____ Article _____ Section _____

FROM: Which reads as follows see Attached.

TO: Reads as follows see Attached.

By: _____
(Signature of Applicant)

Subscribed and sworn before this _____ day of _____, 20____

My Commission Expires _____
Notary Public

The following documents are furnished as part of the application:

☑ A Complete Application

☐ Filing Fee

Comments on Submittal: (For Staff Use Only)

Attachment 11.a: TXT2019-00254 as Authorized for filing (2914 : Discussion and Instruction - Accessory Structures ZTA)

Draft – 4/1/19

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 9, "Accessory Uses; Accessory Buildings and Structures; Encroachments; Temporary Uses; Home-Based Business Enterprises; Wireless Communication Facilities" as follows:

25.09.02 – Accessory Structures

Requirements – Accessory structures must be customarily associated with and clearly incidental and subordinate to a legally established principal structure. Such structures cannot be attached to the main building by any part of a common wall or common roof except as set forth in Section 25.09.03.a.2(g). Uses within accessory structures must comply with the applicable provisions of Section 25.09.01, above.

25.09.03 – Accessory Buildings and Structures

a. *Residential Accessory Buildings and Structures*

1. Residential accessory buildings and structures are subject to the following development standards:

Attachment 11.a: TXT2019-00254 as Authorized for filing (2914 : Discussion and Instruction - Accessory Structures ZTA)

Development Standards for Residential Accessory Buildings and Structures						
Zone	Minimum Setback Requirements				~~Maximum Rear Yard Building Coverage~~	Maximum Height at Minimum Setback Not to Exceed[1] (see sub-section 2(a) below)
	Front	Side		Rear		
		Side - Street Abutting				
R-400	All accessory buildings must be located in the rear yard except as provided in Sec. 25.09.03.a.2(g)	30'	3'	3'	~~15%~~	12'
R-200		25'	3'	3'	~~15%~~	12'
R-150		30'	3'	3'	~~15%~~	12'
R-90		20'	3'	3'	~~25%~~	12'
R-75		20'	3'	3'	~~25%~~	12'
R-60		20'	3'	3'	~~25%~~	12'
R-60 (Qualifying Undersized Lot)		20'	3'	3'	~~25%~~	12'
R-40		20'	3'	3'	~~25%~~	12'

[1] The height of an accessory building or structure is measured from the finished grade at the front of the building to the ~~highest~~ mid-point of ~~the~~ a gable, hip or mansard roof. Additional height may be allowed in conformance with Section 25.09.03.a.2(a), below.

2. Residential accessory buildings are ~~limited to one story and are~~ subject to the following additional provisions:

   (a) *Accessory Buildings and Structures Greater than 12' High* - Accessory buildings and structures that exceed 12 feet in height must be set back from all lot lines an additional two ~~three~~ feet for each additional foot (or any portion thereof) of building height up to the maximum ~~allowable~~ height of 15 feet. Accessory buildings may exceed 15 feet in height, up to a maximum of 20 feet, if granted a waiver of the maximum height limitation by the Board of Appeals. The Board of Appeals must find that the waiver will not be contrary to the public interest.

   (b) *Building Footprint* ~~*Gross Floor Area*~~ - The ~~gross floor area~~ cumulative building footprint of all ~~any~~ detached accessory buildings must not exceed ten percent of the minimum lot area in the R-40 and R-60 Zones; nine percent of the minimum lot area in the R-75 Zone; ~~and~~ eight percent of the minimum lot area in the R-90 Zone; and six percent of the minimum lot area in the R-150 Zone. In the R-200 and R-400 zones, the cumulative building footprint of all ~~no single~~ accessory buildings must not exceed ~~can have a gross floor area greater than 500~~ 1,000 square feet.

   (c) ~~In no event can accessory buildings collectively occupy more than 25 percent of the rear yard~~ Accessory buildings and structures that were constructed in conformance with the standards in effect at the time they were erected are

Attachment 11.a: TXT2019-00254 as Authorized for filing (2914 : Discussion and Instruction - Accessory Structures ZTA)

considered conforming and may be modified, repaired, or replaced so long as they conform to the standards under which they were built, except that they must maintain a minimum setback of three (3) feet from any property line.

(d) *Historic Accessory Buildings* – Historic accessory buildings, located in a Historic District Zone are exempt from the calculation of cumulative building footprint ~~rear yard coverage~~.

* * *

(g) *Connection to Main Building* - An open, unenclosed breezeway with a length not exceeding 20 feet may connect a main building to one accessory building. No portion of the breezeway may be constructed in a way that could be interpreted to provide a common wall between the main building and the accessory building.

(h) *Accessory Structures*

i. Small open structures, such as gazebos, may be permitted with a ten-foot (10') setback in a yard abutting a street.

ii. An accessory swimming pool must be located in the rear yard. All portions of the pool must be set back at least three (3) feet from any lot line and comply with any provisions of Chapter 5 of this Code. ~~Such a swimming pool is not subject to the maximum rear yard coverage requirements of subsection (c) above.~~

Amend Article 10, "Single Dwelling Unit Residential Zones"

25.10.05 – Development Standards

* * *

b. *Maximum Lot Coverage*

1. *Inclusion of Accessory Buildings* – Maximum lot coverage includes accessory buildings; however, historic accessory buildings ~~structures~~, located in a Historic District Zone, are exempt from the calculation ~~of rear yard coverage pursuant to Section 25.09.03.a.2~~.

* * *

Amend Article 13, "Mixed-Use Zones", as follows:

25.13.08– Accessories

a. All accessory uses within mixed-use zones must comply with the provisions of Article 9 of this Chapter.

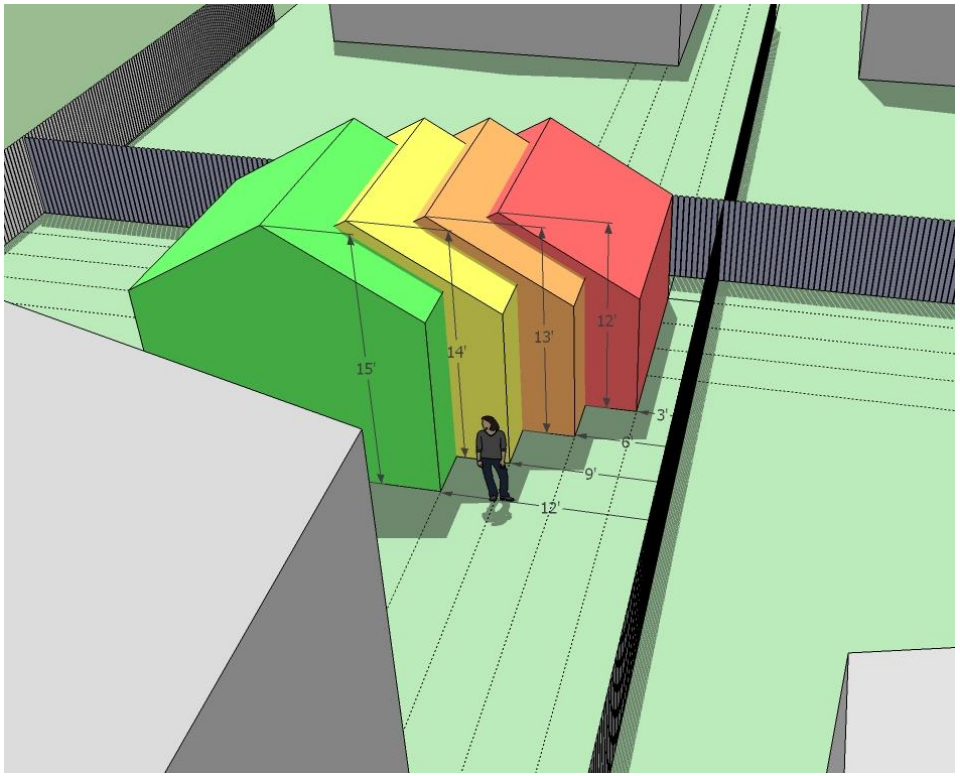
Attachment 11.a: TXT2019-00254 as Authorized for filing (2914 : Discussion and Instruction - Accessory Structures ZTA)

b. New accessory buildings in the MXT Zone located within a historic district are subject to the provisions of:

1. Section 25.09.03.a.2(a); and
2. Section 25.09.03.a.2(b), with the applicable cumulative building footprint being based on the zone with the largest minimum lot area that does not exceed the existing lot area of the property where the accessory building is located.

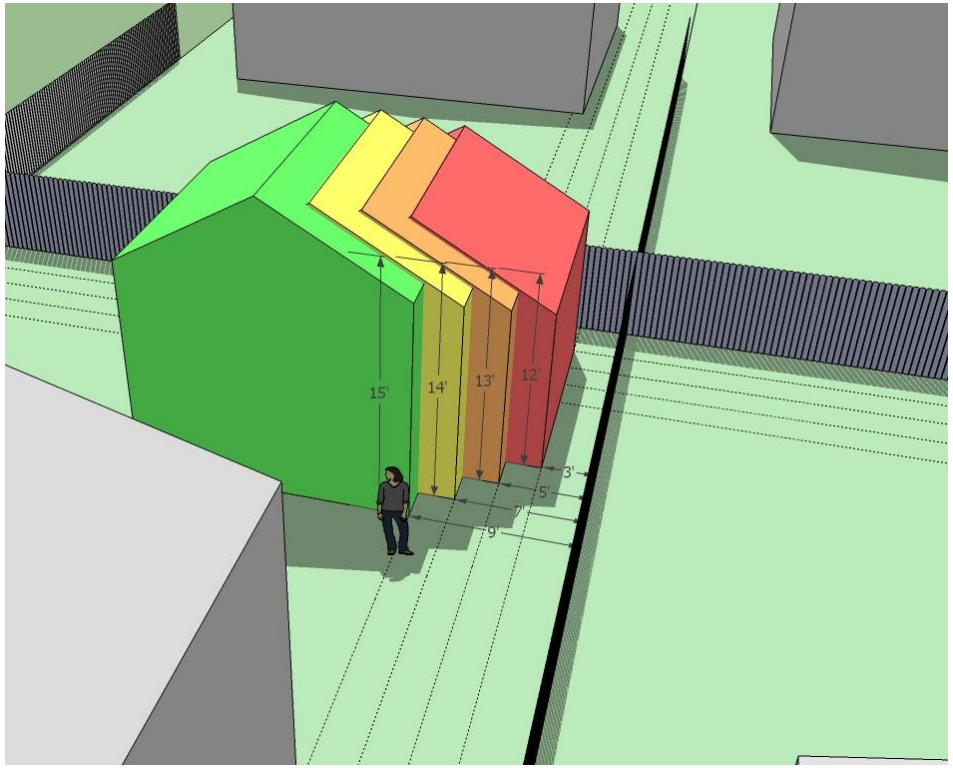
Attachment 11.a: TXT2019-00254 as Authorized for filing (2914 : Discussion and Instruction - Accessory Structures ZTA)

Accessory Structure Setback Study



Current Accessory Building setbacks – measured from finished grade at the front of the building to the peak of the roof (gable roof).

- Height to 12’ = 3’ setback required
- Height 12’-13’ = 6’ setback required
- Height 13’-14’ = 9’ setback required
- Height 14’-15’ = 12’ setback required



Proposed Accessory Building setbacks – measured from finished grade at the front of the building to the midpoint of the roof (gable roof).

- Height to 12’ = 3’ setback required
- Height 12’-13’ = 5’ setback required
- Height 13’-14’ = 7’ setback required
- Height 14’-15’ = 9’ setback required

1. Problem: Text Amendment TXT2019-00254: a) remains excessively limiting, b) is contrary to public interest, c) imposes additional limitations, d) is unfair, and e) is discriminatory.

I object to the excessive these excessive and unfair limits.

Indicators of excessive accessory building limitations: public feedback, Board of Appeals approved variances, and breezeways were constructed because Rockville accessory building code is excessive. Breezeways and accessory buildings are not out of character for Rockville neighborhoods. Numerous breezeways are in Rockville.

The 2009 Ordinance 29-09 changed from "accessory building" singular to "accessory buildings" plural thereby limiting the sum of all accessory building areas to the small percentages listed, via adding a single letter. Before 29-09, the limit applied to accessory buildings individually, not to the sum for all accessory buildings.

The related and unchanging 25.10.05.a Table of Development Standards sets maximum lot coverage percentages for the sum of all main and accessory buildings, which are reasonable. Then 25.09.03 sets unreasonable further limitations on accessory buildings.

2. Cumulative accessory building footprint limits should be removed from TXT2019-00254 under 25.09.03.a.2.(b).

That is already elsewhere in the Code, and is not changing, specifically 25.10.05.a Table of Development Standards. A copy is attached.

Rockville Code is **unfair** by limiting Landowner A to lot coverage of **35%**, while conversely limiting Landowner B to lot coverage of **18%** (=1600/9000).

Comparison of alternatives for a R-60 lot of 9,000 square feet		
	Lot Coverage (square feet)	Height (feet)
Case 1 Overboard	9000 lot area X 0.35 max coverage = 3150 main building	35
Case 2 Start Small	1000 main building + 600 accessory building=1600 total	20 and 12
"Penalty"	3150-1600=1550 Equivalent to 1550/3150= **49% *"Penalty" is HALF of a lot's buildable area, for the accessory building.***	35-12= **23 "Penalty"**
Results	**Ridiculous. Unfair. Discriminatory** against persons who start small and persons who want a smaller main building in order to have a moderate accessory building.	

3. Solution: Modify TXT2019-00254 per attached markup.

4. See the markup I handed you. What is your response to my markup?

Attachment 11.c: Public Testimony through October 7 Public Hearing (2914 : Discussion and Instruction - Accessory Structures ZTA)

Development Standards for Residential Accessory Buildings and Structures						
Zone	Minimum Setback Requirements				~~Maximum Rear Yard Building Coverage~~	Maximum Height at Minimum Setback Not to Exceed[1] (see sub-section 2(a) below)
	Front	Side		Rear		
		Side - Street Abutting				
R-400	All accessory buildings must be located in the rear yard except as provided in Sec. 25.09.03.a.2(g)	30'	3'	3'	~~15%~~	12'
R-200		25'	3'	3'	~~15%~~	12'
R-150		30'	3'	3'	~~15%~~	12'
R-90		20'	3'	3'	~~25%~~	12'
R-75		20'	3'	3'	~~25%~~	12'
R-60		20'	3'	3'	~~25%~~	12'
R-60 (Qualifying Undersized Lot)		20'	3'	3'	~~25%~~	12'
R-40		20'	3'	3'	~~25%~~	12' → 15'

[1] The height of an accessory building or structure is measured from the finished grade at the front of the building to the ~~highest~~ mid-point of ~~the~~ a gable, hip or mansard roof. Additional height may be allowed in conformance with Section 25.09.03.a.2(a), below.

2. Residential accessory buildings are ~~limited to one story and are~~ subject to the following additional provisions:

SECONDARY PROBLEM

(a) *Accessory Buildings and Structures Greater than ~~12'~~ 15' High* - Accessory buildings and structures that exceed ~~12~~ 15 feet in height must be set back from all lot lines an additional two ~~three~~ feet for each additional foot (or any portion thereof) of building height up to the ~~maximum allowable~~ height of ~~15~~ 20 feet. Accessory buildings may exceed ~~15~~ 20 feet in height ~~up to a maximum of 20 feet~~ if granted a waiver of the ~~maximum~~ height limitation by the Board of Appeals. ~~The Board of Appeals must find that the waiver will not be contrary to the public interest.~~

PRIMARY PROBLEM

(b) *~~Building Footprint Gross Floor Area~~* - The ~~gross floor area~~ cumulative building footprint of ~~all any~~ detached accessory buildings must not exceed ten percent of the ~~minimum~~ lot area in the R-40 and R-60 Zones; nine percent of the ~~minimum~~ lot area in the R-75 Zone; ~~and~~ eight percent of the ~~minimum~~ lot area in the R-90 Zone; and six percent of the ~~minimum~~ lot area in the R-150 Zone. In the R-200 and R-400 zones, the ~~cumulative~~ building footprint of ~~all~~ ~~no single~~ accessory buildings must not exceed ~~can have a gross floor area greater than 500~~ 1,000 square feet.

(c) ~~In no event can accessory buildings collectively occupy more than 25 percent of the rear yard~~ Accessory buildings and structures that were constructed in conformance with the standards in effect at the time they were erected are

Attachment 10.a: TXT2019-00254 as Authorized (2611 : Public Hearing - TXT2019-00254 - Accessory Buildings and Structures)
Attachment 11.c: Public Testimony through October 7 Public Hearing (2914 : Discussion and Instruction - Accessory Structures ZTA)

considered conforming and may be modified, repaired, or replaced so long as they conform to the standards under which they were built, except that they must maintain a minimum setback of three (3) feet from any property line.

(d) *Historic Accessory Buildings* – Historic accessory buildings, located in a Historic District Zone are exempt from the calculation of cumulative building footprint ~~rear yard coverage~~.

* * *

(g) *Connection to Main Building* - An open, unenclosed breezeway with a length not exceeding 20 feet may connect a main building to one accessory building. No portion of the breezeway may be constructed in a way that could be interpreted to provide a common wall between the main building and the accessory building.

(h) *Accessory Structures*

i. Small open structures, such as gazebos, may be permitted with a ten-foot (10') setback in a yard abutting a street.

ii. An accessory swimming pool must be located in the rear yard. All portions of the pool must be set back at least three (3) feet from any lot line and comply with any provisions of Chapter 5 of this Code. ~~Such a swimming pool is not subject to the maximum rear yard coverage requirements of subsection (c) above.~~

Amend Article 10, "Single Dwelling Unit Residential Zones"

25.10.05 – Development Standards

* * *

b. *Maximum Lot Coverage*

1. *Inclusion of Accessory Buildings* – Maximum lot coverage includes accessory buildings; however, historic accessory buildings ~~structures~~, located in a Historic District Zone, are exempt from the calculation ~~of rear yard coverage pursuant to Section 25.09.03.a.2~~.

* * *

Amend Article 13, "Mixed-Use Zones", as follows:

25.13.08– Accessories

a. All accessory uses within mixed-use zones must comply with the provisions of Article 9 of this Chapter.

Attachment 10.a: TXT2019-00254 as Authorized (2611 : Public Hearing - TXT2019-00254 - Accessory Buildings and Structures)
Attachment 11.c: Public Testimony through October 7 Public Hearing (2914 : Discussion and Instruction - Accessory Structures ZTA)

Zone	Minimum Lot Dimensions			Building Envelope Requirements						Lot Coverage		Additional Regulations
				Minimum Setbacks					Max. Height	Max. Lot Coverage (All main and accessory buildings) (See sec. 25.10.05.b)	Maximum Impervious Surface in Front Yard[1]	
				Front		Side		Rear				
	Area	Width at Front Setback Line	Width at Front Lot Line	Standard	Where established setback exceeds standard (See Sec. 25.10.05.e.2)	Where street abuts	Where land abuts					
R-400	40,000 sq ft	150'	25'	50'	Est. setback up to 100'	30'	20'	50'	40'	15%	10%	
R-200	20,000 sq ft.	100'	25'	35'	Est. setback up to 100'	25'	13'	35'	40'[2]	25%	20%	
R-150	15,000 sq ft	90'	25'	35'	Est. setback up to 60'	30'	13'	30'	40'	25%	25%	
R-90	9,000 sq ft	80'	25'	30'	Est. setback up to 60'	20'	11'	25'	35'	25%	30%	See Sec. 25.10.09 for limitations on building height in R-60, R-75 & R-90 zones
R-75	7,500 sq ft	70'	40'	25'	Est. setback up to 50'	20'	9'	20'	35'	35%	35%	
R-60	6,000 sq ft	60'	35'	25'	Est. setback up to 50'	20'	8'	20'	35'	35%	40%	
R-60 qualifying undersized lots	5,000 sq ft	50'	35'	25'	Est. setback up to 50'	20'	7'	20'	35'	35%	40%	See Sec. 25.08.03
R-40	4,000 sq. ft.	40'	25'	25'	Est. setback up to 50'	25'	10'	20'	35'	40%	45%	Single unit detached dwellings: R-60 standards in lieu of R-40 standards
Lincoln Park Conservation District	6,000 sq ft	60'	35'	25'	Est. setback up to 50'	20'	8'	20'	25'	1,500 square feet	40%	See Sec. 25.14.03

[1]Impervious surfaces include driveways, parking areas and sidewalks. In cases where the Director of the Department of Public Works approves a pervious paving material, the area of the front yard devoted to vehicle movement and parking is still limited to the percentage limits shown in the table above.

[2]In the case of an institution of higher learning located on a site greater than 75 acres, the maximum building height is 75 feet where the use adjoins property in a Single Dwelling Unit Residential Zone or a Park Zone, and building height cannot penetrate a layback slope formed by an angle of 30 degrees measured from the property boundary of the adjoining residential or Park Zone.

REFERENCE. NO CHANGES.

EXHIBIT NO. 2
TXT2019-00254 Chapter 5
PH: JULY 15, 2019

City of Rockville

MEMORaNDUM

July 29, 2019

TO: Mayor and Council

FROM: Planning Commission

SUBJECT: Planning Commission Recommendation on Zoning Text Amendment Application TXT2019-00254

At its meetings on June 12, 2019 and July 10, 2019 the Planning Commission reviewed and discussed Text Amendment Application TXT2019-00254. At the June 12th meeting, the Commission received a presentation from Planning and Zoning Division staff. After discussion and deliberation on the proposed revisions, it was determined that additional information was needed before a recommendation could be made. Specifically, several members needed information on the effects of this text amendment and the related Zoning Text Amendment TXT2019-00255, which addresses new accessory apartments and accessory dwelling units (ADUs) on single family residential lots.

At the July 10th meeting, the Commission received a presentation from staff, which included an overview of the Text Amendment for accessory apartments and accessory dwelling units (ADUs). Staff also recommended a modification to Section 25.13.08 - Accessories, as it relates to new accessory buildings in the MXT Zone located within a historic district. Staff recommended including language that defines what "new," means, as well as include a new subsection c, that will include a "grandfather" provision, with similar language that is being proposed in Section 2(c) for residential accessory buildings.

At the conclusion of staff's presentation of the text amendment, Commission members raised a number of questions and concerns regarding the subject text amendment, which included but was not limited to the following: 1) clarification regarding historic accessory buildings being exempt from the lot coverage limitations; 2) concerns with the intent of "Contrary to the Public Interest," and what that would mean on a case by case basis; and 3) regulating height via stories rather than by feet.

The Commission also raised a number of questions and concerns regarding the accessory apartments and accessory dwelling units (ADUs) text amendment (TXT2019-00255), including: 1) enforcement; 2) external issues such as parking; 3) potential school capacity issues; 3)

exploring mobile/temporary accessory dwelling unit options; 4) potential animal control issues; 5) use of the word "low cost housing;" and 6) rental rates in the Rockville. Staff noted that these issues would be reviewed and discussed further with the text amendment for accessory apartments and accessory dwelling units (ADUs).

After discussion and deliberation on the proposed revisions, the Planning Commission voted 5-1-1, with Commissioner Littlefield abstaining, to recommend approval of the proposed amendments to the text amendment including the edits to the MXT Zone.

With these comments included, on a motion by Commissioner Tyner, seconded by Commissioner Wood, with Commissioners Tyner, Hadley, Sherman, Miller and Wood voting in favor of the motion, Commissioner Littlefield abstaining, and Commissioner Goodman opposing, the Commission recommends approval of Text Amendment TXT2019-00254 with the additional recommendations set forth in this transmittal.

/nrw
cc: Planning Commission
Jim Wasilak, Zoning and Development Manager
Deane Mellander, Planning Supervisor

EXHIBIT NO. 3
TXT2019-00254 Chapter 5
PH: JULY 15, 2019

Sara Taylor-Ferrell

From: David Hill <DavidHill@tigger2.us>
Sent: Monday, September 16, 2019 12:13 PM
To: cityclerk
Cc: Nancy Pickard; mayorcouncil; Harold Pskowski
Subject: RE: re TXT2019-00254, Accessory Structures

Dear Madame Clerk,

Please include the following clarification with the prior correspondence below.

The correspondence below was necessarily written quickly between the posting of the latest meeting agenda and timely submission the business day before the subject meeting. It is not a fully vetted position of Peerless Rockville, regardless of appearing over my signature as an officer therein. Therefore, you should consider it the opinion of one knowledgeable citizen.

Thank you,
David Hill

-------- Original Message --------
Subject: re TXT2019-00254, Accessory Structures
From: "David Hill" <DavidHill@tigger2.us>
Date: Fri, September 13, 2019 2:28 pm
To: mayorcouncil@rockvillemd.gov
Cc: "Nancy Pickard" <director@peerlessrockville.org>, cityclerk@rockvillemd.gov

Dear Mayor and Council,

Regarding the TXT2019-00254 (Accessory Structures) item on your Sept. 16 meeting agenda, I offer a couple points below. Please note that difficulties related to the Luckett House accessory structure application have only solidified since your July public hearing on this subject, which why some of these points only being raised now.

- The change here that matches the MXT zones to underlying residential equivalent, guts accessory structure limits in the Historic District Zone Overlay. You might want to rethink that explicitly. The switch to parcel area coverage has entangling effect too with that overlay zone. If inclined to continue in this direction, I strongly urge you to make parallel changes to the Historic District Overlay Zone. Otherwise you write two "gotchas" into the zoning code, whence someone reading that portion separately, because that is their focus, will not locate the exemption for MXT properties nor different area calculation, from those constraints. I suggest to you, the MXT areas in the Historic Zones are the most susceptible to near term development pressure.
- I question why this was brought forward when it was and is receiving fast track attention. The most significant change, as social policy, is to the RDU arm of accessory land use, not the structures part. I fear these changes and timing are happening as follow-on to the Luckett House recent application and an asserted legal mistake made by the PC and legal staff there. Thus, impetus here may shade to be cover-up for that mistake (especially related to the MXT exemption), rather than wholesome community merits.
- I remind you that the M&C lately used infill constraints in the Historic District Overlay and related Master Planning to deny the Chestnut Lodge townhouse application. That path was not even brought forward in the Luckett House application by legal instruction. Is this a worthwhile land use mechanism? And if so, will staff follow-through on its applicability? The latest answer to that appears to be no. Staff replaced their judgement on this for denotation in the written ordinance and causing subterfuge to open discussion/consideration of this by deciding bodies (in

Attachment 11.c: Public Testimony through October 7 Public Hearing (2914 : Discussion and Instruction - Accessory Structures ZTA)

latest instance). Now they recommend you change this in ordinance. Please apply critical thinking on that, this is not all positives, as presented in staff examples, to impacts in the Historic District.

· These changes will shift much of accessory structure processing to staff judgment, lessening public transparency and input. Is that good? Are you aware the City is now under an Open Meetings Act complaint on this very topic of an accessory structure application? The Open Meetings Act Board is awaiting a response from the City (deadline Oct. 3) and then obligated to issue their opinion in next 30 days. I suggest you might want to hear that opinion, especially as it is germane to recent applicability of this ordinance topic, before moving swiftly to make changes. This does not look above board for the City, among those paying attention.

· Lastly, the staff report neglects to mention a point raised in the pre-submission public meeting. That is the illogic on the percentage sliding scale regarding zoning parcel size to allowed structure size. That scale is inverse, whereby larger parcels have smaller percentage accessory coverage limits. Does that make sense? Rather, larger parcels likely have greater (not lesser) potential for accessory structure implementation, without grievous impact. By recommended logic, areas of greater density (higher density residential zones) will be subject to greater proportional impact of accessory structure size. While larger parcels will enjoy greater proportional protection from impact. That smacks of socio-economic elitism. I advise this scale should be flat (thus rises proportionally as more space available on larger parcels), or perhaps even the reverse of that recommended (resembling progressive taxation). Please prompt staff to enunciate their rationale for this illogic.

Thank you for your attention and consideration.

Sincerely,
David Hill
Pres., Peerless Rockville
733 Beall Ave.

Cc City Clerk
Nancy Pickard, Exec. Dir., Peerless Rockville

September 16, 2019

SUBJECT: ZTA 254 Zoning Text Amendment re: Accessory Buildings in Residential Zones

Dear Mayor Newton and Members of the Council;

Last Wednesday, September 11, 2019, was the first time that citizens became aware that your discussions and deliberations on ZTA 254 would be held this evening. In reviewing the staff report, I have learned that there are new proposed revisions to the ZTA based on recommendations from the Planning Commission. These were not available to the public at the time of the Public Hearing of the Mayor and Council on July 15th.

The issues of accessory buildings in residential zones is of critical importance to our West End neighborhood. Given the fact that the new revisions were not available until a few days ago, residents have not had the opportunity to fully understand them and provide you with their issues and concerns. Further, since the public hearing was conducted during the summer, residents have not had sufficient time to fully understand the impact of ZTA 254 to themselves and the neighborhood as a whole.

In conversations with other neighbors and officers, I am particularly concerned that ZTA 254 does not provide adequate protections for residential historic properties. The ZTA had an exemption for historic accessory buildings, that was revised subsequent to the Public Hearing on July 15th. For historic properties, the ZTA exemption eliminates historic accessory buildings from calculation of maximum lot coverage. While I believe most residents would support grandfathering existing historic accessory buildings, it is unlikely that they would support eliminating a standard that would potentially allow for overburdening historic properties with more accessory buildings than would be allowed on a comparable residential lot.

Accordingly, I strongly recommend that you allow further public input on accessory buildings in residential zones prior to making a final decision.

Thank you very much for your consideration.

Brian Shipley
President
West End Citizen's Association

Sara Taylor-Ferrell

From: Brian Shipley <shipley.brian@gmail.com>
Sent: Monday, September 16, 2019 4:08 PM
To: mayorcouncil
Cc: Noreen Steed Bryan; jane.m.pontius@gmail.com; Jen Timmick; Larry Giammo; Donna Sprague; dennis.cain
Subject: Critical Information for M&C Deliberations RE ZTA-254
Attachments: ZTA-254 Letter to M&C.pdf

Mayor and Council –

Please accept the attached and consider as you deliberate on ZTA-254 as this evening's M&C meeting.

r/
Brian Shipley
President
West End Citizen's Association

Brian

1. Problem: Text Amendment TXT2019-00254 remains excessively ...
My 15 July 2019 comments were not incorporated.
I do not consent to TXT2019-00254. City Code applies force of law.
City Code limits residential buildings thereby people's lives too. You treat and write about person's diversity and differences saying "What makes us different makes us great. We respect all these differences..." Likewise as you amend accessory building city code, exercise an abundance of equity, fairness, and respect differences among buildings. These buildings merely are a reflection and extension of people. Strive for latitude for variation, within a broad equitable system.

2. Cumulative accessory building footprint limits should be removed from TXT2019-00254 under 25.09.03.a.2.(b). Cumulative limits are already elsewhere in Code 25.10.05.a Table of Development Standards (Packet page 149), which are reasonable and unchanged.

UNFAIR AND INEQUITABLE with lot coverage for Landowner B as HALF of Landowner A.

Comparison of Landowners A and B for a R-60 lot of 9,000 square feet shows TXT2019-00254 is a process administered INequitably*				
	Lot Coverage	Square feet	%	Height (feet)
Landowner A	9000 lot area X 0.35 max coverage =	3150	35	35
Landowner B	1000 main building + 600 accessory building =	1600	18	20 and 12
"Penalty"	3150-1600=1550. Equivalent to 1550/3150= **49%** ***"Penalty" is HALF of a lot's buildable area, for the accessory building.***			35-12= **23** **"Penalty"**
Excessive. Inequitable*. Discriminatory against persons who start small and persons who want a smaller main building in order to have a moderate accessory building. Contradicts Rockville's Critical Success Factors*, Diversity in housing**.				

3. Please reflect on attached Rockville's Critical Success Factors excerpts: Processes that are administered equitably*... Diverse neighborhoods... Diversity in housing**... Housing opportunities for diverse populations. And Diversity, Inclusion and Engagement: Our city includes people of all races, ancestries, languages, gender identities, sexual orientation, ages, abilities and education and income levels. What makes us different makes us great. We respect all these differences and believe they make our city stronger. Rockville celebrates and supports all the people who live here through community support and quality services.

Public Testimony, Packet Page 113	
Quote	My Adjustments (~~deletions~~, additions) and *Responses (in Italics)*
1. Allow for accessory buildings to have a minimum height of 15 feet and a maximum height of 20 feet with a setback of 3 feet from the property line.	~~1. Allow for accessory buildings to have a minimum height of 15 feet and a maximum height of 20 feet with a setback of 3 feet from the property line.~~ *While this latitude would be nice, my comments are on packet page 147. Shorter accessory buildings should be allowed (not disallowed).*
2. Allow for a height waiver with no findings, or a maximum height limit set if approved by the Board of Appeals.	2. Allow for a height waiver ~~with no findings, or a maximum height limit set~~ if ~~approved~~ granted by the Board of Appeals.
3. Eliminate the "cumulative" accessory buildings requirement and reinstate the "singular" accessory building requirement.	**3. Eliminate the "cumulative" accessory buildings footprint requirement. ~~and r~~Reinstate the pre 2009 ordinance 29-09 "singular" accessory building footprint requirement under 25.09.03.a.2.(b). Retain 25.10.05.a. Table of Development Standards.**

Attachment 11.c: Public Testimony through October 7 Public Hearing (2914 : Discussion and Instruction - Accessory Structures ZTA)

4. Allow the lot coverage for the main dwelling plus all accessory buildings to equal the total lot coverage allowed on the lot, with no limit on the size of the accessory building lot coverage.	4. Allow the lot coverage for the main dwelling plus all accessory buildings to equal the total lot coverage ~~allowed on the lot, with no limit on the size of the accessory building lot coverage.~~ Retain 25.10.05.a. Table of Development Standards.
5. Allow for accessory buildings to be equal to or greater in height and/or floor area than the main building for owners who desire the accessory building to be larger than the main dwelling.	*This point is exaggerated. Where this really applies is in rare cases where main building is shorter or smaller footprint than in 25.09.03 accessory building limits.*
6. Allow for the connection of the main dwelling and accessory buildings to continue without limitation, because this is not out of character for Rockville neighborhoods.	6. Allow for the connection of the main dwelling and accessory buildings to continue ~~without limitation,~~ because this is not out of character for Rockville neighborhoods.
The testimony, in summary, could make accessory buildings equal to or larger than the main dwelling, which is not consistent with the intent of the Zoning Ordinance to define accessory buildings as subordinate to the main dwelling.	*This point is exaggerated. An accessory building equal to or larger than the main dwelling would be a rare occurrence for a case where main building is shorter or smaller footprint than in 25.09.03 accessory building limits. I strive to lessen, not eliminate, accessory building footprint limitations under 25.09.03.a.2.(b)., while retaining 25.10.05.a. Table of Development Standards. Greater latitude in proportioning between main and accessory buildings is needed.*
Staff met with Mr. Roberson to discuss his concerns. SEE PKT. P. 147	*I appreciate the 26 July 2019 meeting attended by Ms. Nicole Walters, Deane Mellander, and Jim Wasilak who had to step away for another duty. Respectfully, "discuss" is exaggerated. I received some general understanding, and thank you. I did not receive specific responses with associated basis.* *I struggle to pull out Rockville's response and associated basis, to my comments.* *Paraphrasing Ms. Nicole Walters, from 26 July 2019 meeting: We are not prepared to respond to you today, and our response will be the staff report provided on 12 or 13 Sept.* *Ms. Walters mailed it to me on 12 Sept. Thank you. I received it on 13 Sept.* *I am happy to meet with Mayor, Councilmembers, Nicole Walters, Deane Mellander, and Jim Wasilak, as applicable to achieve a fair and equitable TXT2019-00254.*

4. I formally request a formal Mayor and Council vote upon the question: is TXT2019-00254 treating Landowner B fairly in comparison with Landowner A?

5. Solution: Modify TXT2019-00254 per packet pages 147-148.

6. See the papers I handed you and packet pages 147-148. Considering your vote, what is your response to me?

My markup of packet page 113 is attached. Friday 13 Sep 2019 was my first reading of the report. Indicators of excessive accessory building limitations: public feedback, Board of Appeals approved variances, and breezeways were constructed because Rockville accessory building code is excessive. Breezeways and accessory buildings are not out of character for Rockville neighborhoods. Numerous breezeways are in Rockville. The 2009 Ordinance 29-09 changed from "accessory building" singular to "accessory buildings" plural thereby limiting the sum of all accessory building areas to the small percentages listed, via adding a single letter. Before 29-09, the limit applied to accessory buildings individually, not to the sum for all accessory buildings.

9 of this Chapter.

b. New accessory buildings in the MXT Zone constructed after [date of adoption] and located within a historic district are subject to the provisions of:
   1. Section 25.09.03.a.2(a); and
   2. Section 25.090.3.02(b), with the applicable cumulative building footprint being based on the zone with the largest minimum lot area that does not exceed the existing lot area of the property where the accessory building is located.

c. Accessory buildings and structures that were constructed in conformance with the standards in effect at the time they were erected are considered conforming and may be modified, repaired or replaced so long as they conform to the standards under which they were built, except they must maintain a minimum setback of three (3) feet from any property line.

THERE ARE MISUNDERSTANDING AND MISINTERPRETATIONS BELOW. SEE MY MARKUPS ON PACKET PP. 147-148. SEE UNCHANGING TABLE AT PACKET P. 149 FOR CONTEXT.

Public Testimony (See Attachment C)

The written and oral testimony submitted by Mr. Scott Roberson at the public hearing requests a number of changes be made to the proposed text amendment:

WHILE THIS WOULD BE NICE, MY PRIMARY COMMENT IS ON PACKET PAGE 147. SHORTER ACCESSORY BUILDINGS ARE ALLOWED.

1. ~~Allow for accessory buildings to have a minimum height of 15 feet and a maximum height of 20 feet with a setback of 3 feet from the property line.~~
2. Allow for a height ~~waiver with no findings, or a maximum height limit set~~ GRANTED if approved by the Board of Appeals. UNDER 25.09.03.a.2.(b).
3. Eliminate the "cumulative" accessory buildings FOOTPRINT requirement, ~~and~~ R reinstate PRE 2009 ORDINANCE 29-09 the "singular" accessory building FOOTPRINT requirement, UNDER 25.09.03.a.2.(b). RETAIN 25.10.05.a. TABLE.
4. Allow the lot coverage for the main dwelling plus all accessory buildings to equal the total lot coverage ~~allowed on the lot, with no limit on the size of the accessory building lot coverage.~~ RETAIN 25.10.05.a. TABLE OF DEVELOPMENT STANDARDS.
5. Allow for accessory buildings to be equal to or greater in height and/or floor area than the main building for owners who desire the accessory building to be larger than the main dwelling. THIS POINT IS EXAGGERATED. RARELY IS A MAIN BUILDING SHORTER OR SMALLER FOOTPRINT THAN 25.09.03 ACCESSORY BUILDING LIMITS.
6. Allow for the connection of the main dwelling and accessory buildings to continue ~~without limitation,~~ because this is not out of character for Rockville neighborhoods.

EXAGGERATION. LARGELY I SEEK TO REVERT TO PRE-2009 ORDINANCE 29-09 LIMITS.

The testimony, in summary, could make accessory buildings equal to or larger than the main dwelling, which is not consistent with the intent of the Zoning Ordinance to define accessory buildings as subordinate to the main dwelling.

"DISCUSS" IS EXAGGERATED. I STRUGGLE TO PULL OUT ROCKVILLE'S RESPONCE AND ASSOCIATED BASIS. PARAPHRASING MS. NICOLE WALTERS: WE ARE NOT PREPARED TO RESPOND TO YOU TODAY... OUR RESPONCE WILL BE PROVIDED VIA REPORT ON 12 OR 13 SEPT.

Staff met with Mr. Roberson to discuss his concerns. While staff does not support most of the recommendations provided, staff finds that the Mayor and Council may want to consider the recommendation for additional height of accessory buildings. The current staff text amendment

* * *
ORDINANCE 29-09 -25- ORDINANCE 29-09
TO GRANT TEXT AMMENDMENT TXT2009 00221, MAYOR AND COUNCIL OF ROCKVILLE, APPLICANT

Sec. 25.09.03 – Accessory Buildings and Structures

a. *Residential Accessory Buildings and Structures*

1. Residential accessory buildings and structures are subject to the following development standards:

Development Standards for Residential Accessory Buildings and Structures						
Zone	Minimum Setback Requirements				Maximum Rear Yard Building Coverage	Maximum Height at Minimum Setback Not to Exceed[1]
	Front	Side		Rear		
		Side - Street Abutting	Land Abutting			
R-400	All accessory buildings must be located in the rear yard except as provided in Sec. 25.09.0[5]3.a.2(g)	30'	3'	3'	15%	12'
R-200		25'	3'	3'	25%	12'
R-150		30'	3'	3'	15%	12'
R-90		20'	3'	3'	25%	12'
R-75		20'	3'	3'	25%	12'
R-60		20'	3'	3'	25%	12'

R-60 (Qualifying Undersized Lot)		20'	3'	3'	25%	12'
R-40		20'	3'	3'	25%	12'

[1]The height of an accessory building or structure is measured from the finished grade at the front of the building to the highest point of the roof. Additional height may be allowed in conformance with Section 25.09.03.a.2(a), below.

2. Residential accessory buildings are subject to the following additional provisions:

(a) *Accessory Buildings and Structures Greater than 12' High* - Accessory buildings and structures that exceed 12 feet in height must be set back from all lot lines an additional three (3) feet for each additional foot (or any portion thereof) of building height up to the maximum allowable height of 15 feet.

(b) *Gross Floor Area* – The gross floor area of any detached accessory buildings must not exceed ten percent of the minimum lot area in the R-40 and R-60 Zones, nine percent of the minimum lot area in the R-75 Zone, and eight percent of the minimum lot area in the R-90 Zone. No single accessory building can have a gross floor area greater than 500 square feet.

* * *

Attachment 11.c: Public Testimony through October 7 Public Hearing (2914 : Discussion and Instruction - Accessory Structures ZTA)

'Critical Success Factors' to Achieving Mayor and Council Vision

In early 2016, the Mayor and Council set their vision and goals for the term that ends in November 2019. Mayor Bridget Donnell Newton and Councilmembers Beryl L. Feinberg, Virginia D. Onley, Julie Palakovich Carr and Mark Pierzchala reaffirmed, with some revisions, eight "critical success factors," which were first identified in January 2014, representing what the City will look like when the Mayor and Council achieve their shared vision.

EFFICIENT AND EFFECTIVE CITY SERVICE DELIVERY

Rockville is known for exceptional, personalized service delivery to residents and businesses, characterized by efficient, well documented processes that are administered equitably by a committed workforce of employees with a "can-do" attitude. The Mayor and Council, together with Senior Management, work well together as they govern the community. The City has talented leadership that ensures the City government is moving in the right direction.

GOOD GOVERNANCE

The Rockville Mayor and Council work well together to make decisions for the betterment of the City, and the City enjoys excellent relationships with Montgomery County, Montgomery College, Montgomery County Public Schools, the State of Maryland and other governmental entities. Rockville residents are engaged with the community, actively volunteer for boards and commissions and turn out the vote in City elections.

SAFE AND LIVABLE NEIGHBORHOODS

Rockville is a community of safe, diverse neighborhoods with well-kept homes and vital neighborhood centers. This is accomplished by the City's commitment to public and pedestrian safety, diversity in housing, support for high quality education and well-maintained infrastructure and by providing City services that address the needs of all constituencies.

FISCAL RESPONSIBLE

The City of Rockville has a track record of fiscal stability evidenced by exemplary bond ratings, appropriate reserve planning, and well thought out and researched capital and operating plans.

PLANNING AND PRESERVATION

Honoring its history, the City strives to protect the integrity of each neighborhood and ensure the quality of life for its residents. Rockville is the epitome of well-planned communities that has constantly reinvented itself and handled increasing density and growth associated with being part of a major metropolitan area. Rockville is known for quality transit-oriented development. The City's illustrious "Rockville Pike" is noted as a best practice application of multi-modal transportation planning and includes retail and housing opportunities for diverse populations.

INFORMED AND ENGAGED RESIDENTS

Rockville residents are involved with their community and take an active interest in City government by participating in City activities, serving on Boards and Commissions, voting in municipal elections, and engaging in City governance. The City ensures residents have access to information about City services and current issues, and reaches out to all populations through the innovative use of all media.

ECONOMIC DEVELOPMENT

Rockville has an enviable business climate built on the success of its multi-phased Town Center, Rockville Pike, and Neighborhood Commercial Centers. The community enjoys a balance of commercial and residential development, small and large businesses and is characterized by mixed use development. New investment is encouraged by the City's innovative business incubators and the development community is supported by an efficient development process that balances and respects private and community interests in the process.

STEWARDSHIP OF INFRASTRUCTURE

Rockville maintains and enhances existing City infrastructure (i.e. roads, bridges, water and sewer systems, buildings, fleet, amenities, etc.), and while planning for future needs, makes fiscally sound decisions for the long term health of the City. The City strives to be an environmentally sustainable community that preserves its green spaces and continually reevaluates ways to reduce its environmental footprint.

1. Problem: Text Amendment TXT2019-00254 remains excessively limiting and unfair. My 15 July and 16 September 2019 comments were not incorporated.
I do not consent to TXT2019-00254. City Code applies force of law.
City Code limits residential buildings thereby people's lives too. You treat and write about person's diversity and differences saying "What makes us different makes us great. We respect all these differences..." Likewise as you amend accessory building city code, exercise an abundance of equity, fairness, and respect differences among buildings. These buildings merely are a reflection and extension of people. Strive for latitude for variation, within a broad equitable system.
2. Cumulative accessory building footprint limits should be removed from TXT2019-00254 under 25.09.03.a.2.(b). Cumulative limits are already elsewhere in Code 25.10.05.a Table of Development Standards, which are reasonable and unchanged.
UNFAIR AND INEQUITABLE with lot coverage for Landowner B as HALF of Landowner A.

Comparison of Landowners A and B for a R-60 lot of 9,000 square feet shows TXT2019-00254 is a process administered INequitably*				
	Lot Coverage	Square feet	%	Height (feet)
Landowner A	9000 lot area X 0.35 max coverage =	3150	35	35
Landowner B	1000 main building + 600 accessory building =	1600	18	20 and 12
"Penalty"	3150-1600=1550. Equivalent to 1550/3150= **49%** ***"Penalty" is HALF of a lot's buildable area, for the accessory building.***			35-12= **23** **"Penalty"**
Excessive. Inequitable*. Discriminatory against persons who start small and persons who want a smaller main building in order to have a moderate accessory building. Contradicts Rockville's Critical Success Factors* "...processes that are administered equitably...Diverse neighborhoods... Diversity in housing**... Housing opportunities for diverse populations...". And Diversity, Inclusion and Engagement: "What makes us different makes us great. We respect all these differences and believe they make our city stronger."				

3. Primary comment: Eliminate the "cumulative" accessory buildings footprint requirement. Reinstate the pre 2009 ordinance 29-09 "singular" accessory building footprint requirement under 25.09.03.a.2.(b). Retain 25.10.05.a. Table of Development Standards.

4. I formally request a formal Mayor and Council vote right now to answer the question:

* Is TXT2019-00254 treating Landowner B fairly in comparison with Landowner A?

5. Solution: Modify TXT2019-00254 per attached markup.

6. See the papers I handed you. Considering your vote, what is your response to me?

EXHIBIT NO. 6
TXT2019-00254 Chapter 5
PH: JULY 15, 2019

* * *

SECTION 2. Amend Article 9, "Accessory Uses; Accessory Buildings and Structures; Encroachments; Temporary Uses; Home-Based Business Enterprises; Wireless Communication Facilities" as follows:

25.09.02 – Accessory Structures

Requirements – Accessory structures must be customarily associated with and clearly incidental and subordinate to a legally established principal structure. Such structures cannot be attached to the main building by any part of a common wall or common roof except as set forth in Section 25.09.03.a.2(i). Uses within accessory structures must comply with the applicable provisions of Section 25.09.01, above.

25.09.03 – Accessory Buildings and Structures

a. *Residential Accessory Buildings and Structures*

1. Residential accessory buildings and structures are subject to the following development standards:

Development Standards for Residential Accessory Buildings and Structures						
	Minimum Setback Requirements					
		Side				
Zone	Front	Side - Street Abutting		Rear	Maximum Rear Yard Building Coverage	Maximum Height at Minimum Setback Not to Exceed[1] (see sub-section 2(a) below)
R-400	All accessory buildings must be located in the rear yard except as provided in Sec. 25.09.03.a.2(g)	30'	3'	3'	15%	12'
R-200		25'	3'	3'	~~25~~15%	12'
R-150		30'	3'	3'	15%	12'
R-90		20'	3'	3'	25%	12'
R-75		20'	3'	3'	25%	12'
R-60		20'	3'	3'	25%	12'
R-60 (Qualifying Undersized Lot)		20'	3'	3'	25%	12'
R-40		20'	3'	3'	25%	12' 15'

[1] The height of an accessory building or structure is measured from the finished grade at the front of the building to the ~~highest~~ mid-point of ~~the~~ a gable, hip or mansard roof. Additional height may be allowed in conformance with Section 25.09.03.a.2(a), below.

Attachment 11.c: Public Testimony through October 7 Public Hearing (2914 : Discussion and Instruction - Accessory Structures ZTA)

2. Residential accessory buildings are ~~limited to one story and are~~ subject to the following additional provisions:

SECONDARY PROBLEM

(a) *Accessory Buildings and Structures Greater than ~~12'~~ 15' High* - Accessory buildings and structures that exceed ~~12~~ 15' feet in height must be set back from all lot lines an additional ~~three~~ two feet for each additional foot (or any portion thereof) of building height up to the ~~maximum allowable~~ height of ~~15 feet~~ 20'. Accessory buildings may exceed ~~15 feet~~ 20' in height, ~~up to a maximum of 20 feet,~~ if granted a waiver of the ~~maximum~~ height limitation by the Board of Appeals. ~~The Board of Appeals must find that the proposed accessory building is consistent with the architectural style and predominant architectural features of the main building, and is compatible in scale and placement with adjacent properties and the immediate neighborhood.~~

PRIMARY PROBLEM

(b) *Building Footprint ~~Gross Floor Area~~* - The ~~gross floor area~~ ~~cumulative~~ building footprint of ~~any all~~ AND detached accessory buildings must not exceed ten percent of the ~~minimum~~ lot area in the R-40 and R-60 Zones~~,~~ nine percent of the ~~minimum~~ lot area in the R-75 Zone~~,~~; ~~and~~ eight percent of the ~~minimum~~ lot area in the R-90 Zone; and six percent of the ~~minimum~~ lot area in the R-150 Zone. In the R-200 and R-400 zones, the ~~cumulative~~ building footprint of ~~all~~ ANY ~~No single~~ accessory buildings must not exceed ~~can have a gross floor area building footprint greater than 500~~ 1,000 square feet.

(c) In no event can accessory buildings collectively occupy more than 25 percent of the rear yard.

(d) Accessory buildings and structures that were constructed in conformance with the standards in effect at the time they were erected are considered conforming and may be modified, repaired, or replaced so long as they conform to the standards under which they were built except that they must maintain a minimum setback of three (3) feet from any property line.

~~(d)~~(e) *Historic Accessory Buildings*

(i) ~~Historic~~ Contributing accessory buildings, located in a Historic District Zone are ~~exempt from the calculation of rear yard coverage per~~ subject to the provisions of Section 25.08.06.c.

(ii) For properties that include contributing accessory buildings, the maximum cumulative building footprint for accessory buildings may be increased by up to 20% if granted a waiver by the Board of Appeals. The waiver may be granted if it is demonstrated that (1) the proposed accessory building will not have a negative impact on environmental features on the property, including significant trees; and (2) the proposed accessory building is compatible in

Attachment 11.c: Public Testimony through October 7 Public Hearing (2914 : Discussion and Instruction - Accessory Structures ZTA)

Attachment 11.g: TXT 254 Final Draft Ordinance Accessory Buildings (2804 : Second Public Hearing - TXT2019-00254-Accessory Buildings)

Preserving Rockville's Heritage

EXHIBIT NO. 7
TXT2019-00254 Chapter 5
PH: JULY 15, 2019

Mayor and Council of Rockville
11 Maryland Avenue
Rockville, Maryland 20850

October 7, 2019

Dear Mayor and Council,

I speak to you today on behalf of Peerless Rockville, Historic Preservation in regards to Zoning Text Amendment TXT2019-00254. While generally supportive of easing requirements on accessory structures throughout the city and zoning review in anticipation of potential accessory dwelling units, Peerless has some concerns about the cumulative effect of the changes as proposed in the text amendment. We urge caution in your considerations this evening - Of particular concern is the impact these changes may have on designated historic properties, entire historic districts, near historic properties and mid-century neighborhoods comprised of smaller homes with smaller footprints.

The text amendment lacks significant protections against single structures that – if proliferated – may have a significant and disproportionate impact on character-defining aspects of our older neighborhoods and historic structures including those zoned other than residential. That this amendment introduces changes such as, second stories and larger gross floor areas, in advance of the pending accessory dwelling unit amendment should be clear and transparent. Items of most concern are the ability to add a full second story, via waiver, and the combined result of changing the calculation of size from gross floor area to building footprint, with the elimination of a maximum square footage of gross floor area. In reviewing the proposed amendments we ask you to consider the cumulative effects, the potential for further study and possible standards and design guidelines that could be adopted to protect property rights of adjoining property owners and the historic character of Rockville's neighborhoods. Please accept the following comments and suggestions from Peerless Rockville on changes proposed in the test amendment as well as the attached document that breakdown the size of a random sampling of homes in four of Rockville's early and mid-20th century communities.

PO Box 4262, Rockville, MD 20849-4262 | 301.762.0096 | PeerlessRockville.org

Subsection 1: Residential accessory building and structures development standards table

Delete the rear lot coverage limitation for accessory buildings

Peerless Rockville cautions against the deletion of a rear lot coverage maximum and supports the current staff recommendation to limit accessory buildings to 25% maximum rear lot coverage.

Modify how the height of accessory buildings is measured.

Peerless supports the change to height measured at the midpoint of the gable and believes the city should seek consistency with how the primary buildings are measured. However with this change we:

Recommend that regulations or guidelines be developed to ensure a degree of conformity between rooflines of new and enlarged accessory structures and the existing architectural style and pitch of the primary structure and surrounding properties.

Subsection 2: Residential accessory buildings

Delete the limitation on stories

Peerless suggests the Mayor and Council use caution or revisit this point in coordination with the ADU amendment. While Peerless generally supports an additional ½ story within a 15 foot structure. The change to full second story dwelling should be considered in tandem with ADU zoning and the development of applicable guidelines.

Subsection 2(a): Accessory buildings and structures greater than 12' High

Modify the additional setback required for accessory buildings taller than 12 feet

Peerless is supportive of the change to a 2:1 setback ratio for structures taller than 12 feet

Increase the potential height of accessory buildings up to 20 feet.

As noted earlier - the Board asks the Mayor and Council to hold on the waiver for additional height to 20 feet and full second story until pending text amendment TXT2019-00255 to allow time for additional guidelines and such to be determined.

Subsection 2 (b): Gross Floor Area

Modify the size limitation standard from gross floor area to footprint

Peerless also urges caution with this modification as it allows for a footprint of full size **plus** an additional ½ or full story. In effect, it grants accessory structures that could have double, triple, or more overall square footage than the current 500 square foot maximum area.

Modify the limitation on building footprint

We support the 10% limitation, but again caution against the elimination of the 500 square foot maximum without replacing it with a policy that limits the overall size as compared to the primary structure.

Recommend: *Adding a statement similar to the one noted in DC that states – Accessory structures must be subordinate to and secondary in size to main buildings. (Staff Report packet pg. 40)*

Subsection 2(c): In no event can accessory buildings collectively occupy more than 25 percent of the rear yard

Eliminate the rear yard coverage limitation

Peerless opposes the elimination of rear lot coverage limitation. We support the current staff recommendation to limit rear yard coverage to 25% maximum.

Reinstate the "grandfather" provision

Peerless supports the "grandfather" provision, with the caveat that guidelines be established for Historic District Commission and Planning Staff review of demolitions and replacement of historic structures.

Subsection (d) Historic District Building

Clarify the status of historic accessory buildings

Peerless opposes the earlier proposed exemption of historic accessory buildings from the calculation of maximum lot coverage. We note concern for the gradual diminishing of protections afforded by Historic designation and Historic District zoning, which has been put in place to protect against changes and overdevelopment, not make it easier. We strongly recommend crafting and adding development standards to Historic District overlay zones. Peerless does support the current staff recommendation allowing a 10% waiver, if partnered with clear guidelines for Historic District Commission and Board of Appeals.

Subsection (g) Connection to Main Building

New regulations on accessory buildings connected to main structure with a breezeway

We support this regulation on buildings connected to main structures with a breezeway.

25.10.05 Development Standards

Subsection b.1, Maximum lot coverage, inclusion of accessory buildings:

I reiterate Peerless' objection to the earlier exemption for existing historic accessory buildings. We support the 10% waiver and support guidelines to better protect historic districts and historic resources zoned other than residential.

Section 25.13.08 – Accessories

Peerless strongly supports new standards for accessory buildings in HD zones and the recognition of HD as supplemental zoning that provides additional protections for historic buildings and the character of the property. The HDC and Planning Commission need solid criteria and standards for MXT and HD zones.

Sincerely,

Nancy Pickard

Nancy Pickard

Executive Director

House and Lot sizes for four Early and Mid-Century Neighborhoods (Square Foot) (According to SDAT Data 10/7/2019

Zoning	R-60			R-60			R-60			R-60	
sorted by home size	Rockcrest	Simmons		Lincoln Park	Lincoln Ave		Geeraerts Addition to Twinbrook	Dean Drive		Halpine Village	Holland Rd
	home size	lot size		Home size	lot size		home size	Lot Size		home size	lot size
	702	9,021		660	12,100		1,044	7,524		1,460	6,006
	806	7,544		756	13,821		1,044	7,875		1,460	6,016
	806	7,638		775	11,000		1,124	7,429		1,460	6,193
	806	8,022		832	12,500		1,156	6,825		1,460	6,194
	806	8,516		886	7,250		1,287	6,875		1,460	6,209
	806	8,630		897	15,686		1,287	6,875		1,460	6,269
	806	8,839		945	8,517		1,287	6,875		1,460	6,350
	806	9,205		1,078	9,638		1,338	7,875		1,460	6,389
	806	9,306		1,190	9,000		1,338	8,394		1,460	6,401
	806	9,408		1,242	8,921		1,338	8,415		1,460	6,808
	878	6,325		1,292	8,530		1,353	6,875		1,460	6,892
	926	7,074		1,302	11,650		1,353	6,875		1,460	8,043
	988	8,802		1,312	17,859		1,383	6,832		1,460	11,053
	996	7,271		1,319	12,500		1,404	7,756		1,460	11,696
	1,062	7,802		1,482	13,200		1,431	6,824		1,642	6,000
	1,066	6,757		1,520	8,276		1,431	6,865		1,660	7,380
	1,102	7,443		1,568	9,236		1,457	6,875		1,772	6,096
	1,105	6,514		1,568	12,891		1,457	6,875		1,832	6,373
	1,105	7,424		1,624	9,800		1,491	6,875		1,874	7,529
	1,144	6,943		1,645	6,976		1,607	6,875		1,904	6,000
	1,167	8,228		1,680	11,000		1,623	6,875		1,946	6,192
	1,175	8,644		2,080	13,125		1,791	7,479		1,960	6,270
	1,302	8,089		2,090	10,454		1,800	7,875		1,988	6,000
	1,406	7,638		2,174	11,750		1,821	7,875		2,248	8,640
	1,801	8,807		2,297	8,977		1,846	6,875		2,460	8,890
	2,642	7,960		2,390	8,760		2,223	6,875		3,236	9,885
Avg.	**1,070**	**7,994**	Avg	**1,408**	**10,901**	Avg	**1,451**	**7,244**	Avg	**1,729**	**7,145**
Median	**996**	**7,994**	Median	**1,319**	**10,901**	Median	**1,404**	**6,875**	Median	**1,460**	**6,373**
Min.	**702**	**6,325**	Min.	**660**	**6,976**	Min.	**1,044**	**6,824**	Min.	**1,460**	**6,000**
Max	**2,642**	**9,408**	Max	**2,390**	**17,859**	Max	**2,223**	**8,415**	Max	**3,236**	**11,696**

David Hill 733 Bovil Ave.

In prior written submission, that contributed to the D&I deferral leading to this additional hearing, I made five points: I had good mtg. w/ staff.

1. The prior wording of draft ordinance, was undermining the distinction and protection of land use in the Historic Districts. I recognize that staff seemed motivated to standardize property rights per residential density zones. Yet I propose that people owning property in the historic districts do indeed buy into cultural resources that are clearly identified as deserving a greater level of impact care, than general parcels. I note further that as a policy direction, the City seems moving away from that greater protection for historic districts, by administrative and attitudinal changes. Recognizing this shift, and rethinking it explicitly, is what I was referring to in my point, rather than standing-by while it happens or accelerating into it with perhaps differently intentioned changes that still have effects. For example, changes in staff draft that excepted existing structures the historic district and then allowed same density atop, can make historic district parcels MORE vulnerable, than general parcels, not less. In discussion with staff since last session, we at least agreed to compromise of restricting this effect to historically contributing structures, not all structures on a parcel. That's like one in three possible steps in that direction. ~~Progress, while I still prefer additional steps.~~
2. I questioned the relatively swift movement of this ordinance update and whether it had legs to a recent unfortunate accessory structure outcome, and whether an effort was afoot to justify that outcome by aligning code changes to it. I've heard since that getting something approved this term is major driving force. I've always been suspicious of that as motivation, because if really worthwhile toward

public good, that should be apparent to whomever ~~sitting~~ sits on the dais, at time of content maturity; not a property of specific individual politicians. And then seems apparent this ~~was~~ is considered low hanging fruit toward accessory updates. Yet the socially important and likely more significant and controversial arm of this will be the residential dwelling unit arm [Mr. Pierschalla mentioned this last session in reference to the shelter agreement with the Co. and I wished at that time I was testifying in that session to connect those references.]

3. I reminded you that not so terribly long ago, the MC used the mechanism of the historic overlay zone and master planning description to turn down a notable dev. at Chestnut Lodge. And noted the inconsistency in late City case handling that mechanism is abandoned. That seemed to fit with criteria being so written here. So you might want to reflect on whether that is a worthwhile mechanism so tolerate its demise relevant to other building in the historic district.
4. I questioned that the prior draft shifted most approval decisions to staff, curtailing public input opportunity and consideration on such applications, and whether that was good. A compromise inserted here, since last session, is a return of public review process by way of BoA waivers. That is a good direction that has two instances likely hitting the most controversial aspects we can anticipate. But it could go further, for example to have a sliding scale threshold that much bigger proposed structures trigger greater input opening. All matters in the historic district should receive HDC certificate review, but maybe land use, not historic retention review might also apply.

< popping up primary structures is massimization issue
piling on accessory structures is a ~~[illegible]~~ matter
lot density

5. My last point was something that still strikes me as illogical: there exists a sliding scale where larger properties have small of percentage of allowed accessory structure size. That seems inconsistent with the foremost policy goal of better land use utilization in the residential zones, because that suggests the largest potential build areas line ~~and~~ up with more stringent standard, while the smaller parcels are allowed larger percentage, therefore more relative impact. Staff has since answered that they seek some limit on the large parcels and they are repeating a commonality that arises with similar code outside Rockville. I still posit that the first effect seems to be troubling related to socio-economic alignment, while I have never found "what everyone else does" as too compelling a reason for Rockville not to exercise its zoning control thoroughly to its own ends.

I standby to respond to any questions you have.

proportionality ~ by lot
~ other structures

Testimony from
West End Citizens Association (WECA)
Zoning Text Amendment (ZTA 254) for Accessory Buildings
7 October 2019

Good Evening, Madam Mayor and Members of the Council. My name is Brian Shipley and I live at 211 South Washington St. I am currently serving as the President of the West End Citizens Association (WECA) and I am speaking for the association this evening.

In changing the standards for accessory buildings, WECA is concerned to preserve the character of the neighborhood and our historic districts while allowing flexibility for property owners. Two provisions of the draft Zoning Text Amendment for Accessory Buildings are essential, namely, **Maximum Rear Yard Building Coverage** and **Maximum Cumulative Footprint for Historic Residential Districts.**

But first, I would like to thank City staff for working with us to address our concerns and provide detailed information. The opportunity for face-to-face discussion helped to clarify our understanding. We highly recommend this approach for the future.

Specifying **Maximum Rear Yard Building Coverage** is extremely important for the preservation of the character of our largely single-family residential neighborhood. As you know, the West End was built over more than a century with small clusters of streets added and developed in a piece-meal fashion. The result is a neighborhood that has many irregularly shaped lots that vary in size from little to large. For small lots, the requirement to place residences at a uniform distance from the street has resulted in small, sometimes very small, back yards. Establishing a Maximum Rear Yard Building Coverage standard is critically important. It will prevent small rear yards from becoming overburdened with accessory buildings, which would largely eliminate the green space in backyards for recreation, gardening and other uses. These backyards of trees and lawns are a defining characteristic of our neighborhood. Therefore, we strongly support inclusion of the table that defines Maximum Rear Yard Building Coverage by lot size and the provision that states that: *"In no event can accessory buildings collectively occupy more that 25 percent of the rear yard."*

The standards that establish **Maximum Cumulative Footprint for Historic Residential Districts** are equally important. Back yards of trees and lawns were the norm when most historic residences were built. Preserving the backyards is as essential as the residential structures themselves if the history of these districts is to be preserved. The provision in the revised draft that allows new accessory buildings, while setting a maximum cumulative building footprint, is the right compromise. It allows owners of historic residences to add new accessory buildings while preventing the loss of the back yards to too many accessory structures.

WECA strongly recommends that the provisions on Maximum Rear Yard Building Coverage and Maximum Cumulative Footprint for Historic Residential Districts be included in the Zoning Text Amendment. Thank you very much for your consideration.

EXHIBIT NO. 9
TXT2019-00254 Chapter 5
PH: JULY 15, 2019

WECA Statement of Position on Proposed Zoning Text Amendment TXT2019-00254
Community Forum, 2 March 2020

Good evening Mayor and Council Members. I'm Brian Shipley, speaking to you tonight as the President of the West End Citizens Association regarding the proposed zoning text amendment for Accessory Buildings [TXT2019-00254].

This amendment proposes that backyard Accessory structures in the City could be two stories high (where they are restricted to one story under present zoning), and could be two and a half to three times larger, and one and a half times taller, than under current zoning. The amendment was filed in April 2019, and may soon be on the docket for your Discussion and Instruction to the Planning Department staff.

At the February monthly WECA meeting, after a robust discussion among our Executive Board and members of the West End community, a motion expressing the following concerning TXT2019-00254 on Accessory Buildings was unanimously approved:

- WECA opposes the new limits in the amendment for building sizes, heights and property line setbacks
- WECA supports increasing the allowable size of Accessory Buildings from the 500 square feet allowed today, to a maximum of
    - 600 square feet on an R-60 lot
    - 720 square feet on an R-90 lot
    - up to a maximum of 1,000 square feet for larger lots
- We support retaining the current height limit of 15 feet, measured to the roof gable peak, and one story only
- We do not support the amendment's reduction of current property line setback requirements

I mention the unanimous nature of this vote against most of the proposed amendment to illustrate the strong consensus in the West End against increasing the height of, or substantially enlarging, Accessory Buildings. Since much of the neighborhood is composed of single story and one and a half story houses, residents are very concerned that two story Accessory Buildings, even if they are constrained to be no taller than the main house, would be too dominant and overwhelming.

This is consistent with feedback heard as WECA has spent the last four years updating its Neighborhood Plan. In responses to the neighborhood-wide survey and in public discussions, residents make it overwhelmingly clear that they want to preserve the green spaces and single-family residential zoning of the West End.

As I noted, we do support a limited size increase beyond the current 500 square feet to allow for comfortable-sized sheds or garages. We strongly oppose enlarging Accessory Buildings to the size proposed in the amendment - which could ultimately enable a detached second dwelling unit on single family lots[1]. This would minimize or eliminate back yards, make streets more congested and over-burdened with parked cars, and further incent the teardown of smaller, more affordable homes in the neighborhood. We urge you to reflect the same when you provide instruction about next steps on this amendment.

Since our neighborhood varies widely from large Victorian houses to small post-WWII houses, guidance, beyond zoning regulations, is needed to assure designs that enhance and preserve the neighborhood. This need is recognized as a recommendation calling for Design Guidelines in the Neighborhood Plan that will be coming to you later this year.

Thank you.

[1] Separate Zoning Text Amendment TXT2019-00255, also filed in April 2019, proposes allowing occupancy of detached Accessory Dwelling Units.

From: Frank Liu <fliu888@hotmail.com>
Sent: Sunday, April 5, 2020 4:32 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: zoning amendment TXT2019-00254

The Honorable Mayor and City Council:

Thank you for your service. I am writing in regard to zoning amendment TXT2019-00254.

- I oppose the changes in zoning amendment TXT2019-00254 to accessory building height, total size, property line setback, and the allowance of two stories
- I support retaining the current accessory building height limit of 15 feet, measured to the roof gable peak, and one story only
- To allow for comfortably sized garages or sheds, I support increasing the allowable ground footprint of one-story backyard accessory buildings from the 500 square feet allowed today, to the maximums in the amendment of:
    - 600 square feet on an R-60 lot
    - 720 square feet on an R-90 lot
    - up to a maximum of 1,000 square feet for larger lots

Sincerely,

Frank Liu & Shu Zhang

309 Misty Knoll Dr.

Rockville, MD 20850

From: Amy Brown <sf_brown@yahoo.com>
Sent: Sunday, April 5, 2020 5:01:20 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: Zoning amendment TXT2019-00254

I oppose the expanded accessory building total size and height allowances, and the reduced property line setback requirements, in zoning amendment TXT2019-00254.

Thank you,

Amy Brown

110 Evans Street

Rockville

Sent from Amy's iPhone

From: maxrozar@comcast.net <maxrozar@comcast.net>
Sent: Sunday, April 5, 2020 5:14:36 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: Opposition To Zoning Amendment TXT2019-00254

- I oppose the changes in zoning amendment TXT2019-00254 to accessory building height, total size, property line setback, and the allowance of two stories
- I support retaining the current accessory building height limit of 15 feet, measured to the roof gable peak, and one story only
- To allow for comfortably sized garages or sheds, I support increasing the allowable ground footprint of one-story backyard accessory buildings from the 500 square feet allowed today, to the maximums in the amendment of:
    - 600 square feet on an R-60 lot
    - 720 square feet on an R-90 lot
    - up to a maximum of 1,000 square feet for larger lots

Maxine Rozar

Lynn Manor Drive

From: Benjamin Marks <benpmarks@gmail.com>
Sent: Sunday, April 5, 2020 5:23:15 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: TXT2019-00254

I can't believe I actually have to say this, but I oppose the expanded accessory building total size and height allowances, and the reduced property line setback requirements, in zoning amendment TXT2019-00254. This sounds like something a developer or one off home owner might like to have, but something that would be terrible for nearly every resident of Rockville... additionally, it sounds like something that a few rich people would enjoy, but would be out of reach for everyone else. Don't change this zoning restriction. We've got enough problems dealing with ugly mega mansions popping up everywhere... let's preserve as much outdoor space as possible. Thanks.

Sent from my iPhone

From: Jane Karakashian <jkrash36@gmail.com>
Sent: Sunday, April 5, 2020 8:10:51 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: Amendment TXT2019-00254

Dear Mayor and Council Members,

I oppose enlarging accessory buildings to two stories and the total size allowed by this amendment, and urge you to reflect the same when determining the next steps on amendment TXT2019-00254. Thank you.

Jane Karakashian

724 Carr Ave

Sent from my iPhone

From: Marina Korobov <redrussian97@gmail.com>
Sent: Sunday, April 5, 2020 10:45 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: oppose the changes in zoning amendment TXT2019-00254 to accessory building height, total size, property line setback, and the allowance of two stories

Greeting

I live in westend and as many in my community oppose the changes in zoning amendment TXT2019-00254 to accessory building height, total size, property line setback, and the allowance of two stories

- I support retaining the current accessory building height limit of 15 feet, measured to the roof gable peak, and one story only
- To allow for comfortably sized garages or sheds, we support increasing the allowable ground footprint of one-story backyard accessory buildings from the 500 square feet allowed today, to the maximums in the amendment of:
    - 600 square feet on an R-60 lot
    - 720 square feet on an R-90 lot
    - up to a maximum of 1,000 square feet for larger lots
    -
    - Marina Korobov

From: Joanne F <gmojanda@yahoo.com>
Sent: Monday, April 6, 2020 4:30 AM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: amendment TXT2019-00254

Hello,

:

- I strongly oppose the changes in zoning amendment TXT2019-00254 to accessory building height, total size, property line setback, and the allowance of two stories
- I support retaining the current accessory building height limit of 15 feet, measured to the roof gable peak, and one story only
- To allow for comfortably sized garages or sheds, I support increasing the allowable ground footprint of one-story backyard accessory buildings from the 500 square feet allowed today, to the maximums in the amendment of:
    - 600 square feet on an R-60 lot
    - 720 square feet on an R-90 lot
    - up to a maximum of 1,000 square feet for larger lots

I oppose enlarging accessory buildings to two stories and the total size allowed by the amendment, and urge you to reflect the same when determining the next steps on amendment TXT2019-00254.

Thank you,

Joanne Frysiak

325 Beall Avenue

From: J Lynch <plcinc@aol.com>
Sent: Monday, April 6, 2020 7:45 AM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: Zoning

Please know that we are against the current plans to change/increase backyard building heights and locations.

Thank you for your attention to this matter.

Jo Ann & John Lynch

624 Smallwood Rd.

Rockville, MD 20850

From: Harvey Strine <strineah@verizon.net>
Sent: Monday, April 6, 2020 9:43 AM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: Oppose Expanded Accessory Buildings

508 Carr Ave.

Rockville, MD 20850-2110

April 6, 2020

Mayor Bridget Donnell Newton

Councilmember Monique Ashton

Councilmember Beryl L. Feinberg

Councilmember David Myles

Councilmember Mark Pierzchala

Dear Mayor and Council:

Harvey and I have lived at 508 Carr Ave. for 51 years. We agree with the WECA position, that we oppose the expanded

accessory building total size and height allowances, and the reduced property line setback requirements, in zoning

amendment TXT2019-00254.

Yours truly,

Harvey E. Strine

Cecelia Ann Strine

From: Stacy Kaplowitz <stacykaplowitz@gmail.com>
Sent: Monday, April 6, 2020 5:43 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: SUPPORT for TXT2019-00254 & TXT2019-00255

Dear Mayor and Council Members,

I am writing to indicate my strong support for the upcoming zoning amendments TXT2019-00254 & TXT2019-00255. Although I am a member of WECA, I disagree with its official position.

I believe this should be a step in eventually allowing the by-right development of 2-6 unit multifamily buildings on large lots currently zoned single family. This would enhance the vibrancy of downtown Rockville by increasing density adjacent to the infrastructure already in place to support it. It will also help advance Rockville toward its goal of being pedestrian friendly, green, and walkable.

I LOVE living in the West End and I want it to preserve its character and stay vibrant. Multifamily housing is not threat to our neighborhood's character.

Thank you for your leadership!

Warm regards,

Stacy Kaplowitz

719 Beall Avenue, Rockville, MD 20850

From: Jane Pontius <jane.m.pontius@gmail.com>
Sent: Tuesday, April 7, 2020 3:41 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: Opposition to Expanded Accessory Building Modifications

TO: Rockville Mayor and Council. Citizens Forum

I am writing to you in opposition to the proposed expanded accessory building total size and height allowances as well as to the reduced property line setback requirements in zoning amendment TXT 2019-00254. Please do not go forward with these proposed changes as they threaten the very character and livability of our may family-oriented neighborhoods throughout the City.

Thank you.

Jane Pontius

S. VanBuren St.

Rockville

From: Ilian Bandaranayake <ilian_b@yahoo.com>
Sent: Tuesday, April 7, 2020 8:02:33 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: Oppose zoning amendment TXT2019-00254

Hello,

I am a homeowner in the West End of Rockville. I agree with the West End Citizens Association position on zoning amendment TXT2019-00254 as follows:

- We oppose the changes in zoning amendment TXT2019-00254 to accessory building height, total size, property line setback, and the allowance of two stories
- We support retaining the current accessory building height limit of 15 feet, measured to the roof gable peak, and one story only
- To allow for comfortably sized garages or sheds, we support increasing the allowable ground footprint of one-story backyard accessory buildings from the 500 square feet allowed today, to the maximums in the amendment of:
    - 600 square feet on an R-60 lot
    - 720 square feet on an R-90 lot
    - up to a maximum of 1,000 square feet for larger lots

Thank you.

sincerely,

Ilian Bandaranayake

From: Thomas.WEKO@oecd.org <Thomas.WEKO@oecd.org>
Sent: Wednesday, April 8, 2020 3:24 AM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: pending zoning decisions

Dear Mayor and Council,

As a homeowner in the West End of Rockville, I wish to note that WECA does not represent my thinking, nor does it represent the thinking of many other of my friends and acquaintances in the neighbourhood.

I enthusiastically endorse both current staff proposal for rentable living spaces within a house as described by WECA in this document, and a careful sequence of zoning modifications that would make it possible for West End homeowners to build accessory buildings that permit long-term rental residence.

Homeowners who have aging parents or young adults just starting their careers, for example, would greatly benefit from these zoning changes. As a long-term care-giver for my late mother, and as parent of three young adults, I would be eager to consider an accessory building that would permit them to join my wife and I in the West End.

Zoning laws are meant to carefully adapt to the changing needs of a community, and I invite you to respond to the many of us whose needs would be best served by these zoning modifications.

With kind regards,

Thomas Weko

From: Evan Herring <evanherring@yahoo.com>
Sent: Friday, April 10, 2020 7:34 AM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: Proposed Zoning Changes for Accessory Residential Buildings

Mayor and Council,

I oppose enlarging accessory buildings to two stories as well as the total size allowed by amendment TXT2019-00254.

I support retaining the current accessory building height limit of 15 feet, measured to the roof gable peak, and one story only.

I urge you to reflect this sentiment when determining the next steps on the amendment.

Thank you,
Evan Herring

From: Michael Dutka <ditko86@gmail.com>
Sent: Monday, April 13, 2020 8:44 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: Support for Zoning code ammendment TXT2019-00255-Accessory Dwelling Units

Dear Mayor and Council,
I want to express my wholehearted support for Zoning Code Amendment TXT2019-00255 which pertains to permitting accessory dwelling units in our detached single family neighborhoods. I think this is a smart policy that would promote more affordable options for younger folks looking to live in Rockville. They can also help homeowners who are struggling to pay their mortgage afford to stay in place since rental income can be used to pay for mortgages. As the value of home in our single family neighborhoods continues to rise we need to be looking at creative ways to make sure Rockville remains a welcoming place to more than just the very rich.
Michael Dutka
713 Shetland Street
Rockville MD 20851

City of Rockville

MEMORaNDUM

July 29, 2019

TO: Mayor and Council

FROM: Planning Commission

SUBJECT: Planning Commission Recommendation on Zoning Text Amendment Application TXT2019-00254

At its meetings on June 12, 2019 and July 10, 2019 the Planning Commission reviewed and discussed Text Amendment Application TXT2019-00254. At the June 12th meeting, the Commission received a presentation from Planning and Zoning Division staff. After discussion and deliberation on the proposed revisions, it was determined that additional information was needed before a recommendation could be made. Specifically, several members needed information on the effects of this text amendment and the related Zoning Text Amendment TXT2019-00255, which addresses new accessory apartments and accessory dwelling units (ADUs) on single family residential lots.

At the July 10th meeting, the Commission received a presentation from staff, which included an overview of the Text Amendment for accessory apartments and accessory dwelling units (ADUs). Staff also recommended a modification to Section 25.13.08 - Accessories, as it relates to new accessory buildings in the MXT Zone located within a historic district. Staff recommended including language that defines what "new," means, as well as include a new subsection c, that will include a "grandfather" provision, with similar language that is being proposed in Section 2(c) for residential accessory buildings.

At the conclusion of staff's presentation of the text amendment, Commission members raised a number of questions and concerns regarding the subject text amendment, which included but was not limited to the following: 1) clarification regarding historic accessory buildings being exempt from the lot coverage limitations; 2) concerns with the intent of "Contrary to the Public Interest," and what that would mean on a case by case basis; and 3) regulating height via stories rather than by feet.

The Commission also raised a number of questions and concerns regarding the accessory apartments and accessory dwelling units (ADUs) text amendment (TXT2019-00255), including: 1) enforcement; 2) external issues such as parking; 3) potential school capacity issues; 3)

exploring mobile/temporary accessory dwelling unit options; 4) potential animal control issues; 5) use of the word "low cost housing;" and 6) rental rates in the Rockville. Staff noted that these issues would be reviewed and discussed further with the text amendment for accessory apartments and accessory dwelling units (ADUs).

After discussion and deliberation on the proposed revisions, the Planning Commission voted 5-1-1, with Commissioner Littlefield abstaining, to recommend approval of the proposed amendments to the text amendment including the edits to the MXT Zone.

With these comments included, on a motion by Commissioner Tyner, seconded by Commissioner Wood, with Commissioners Tyner, Hadley, Sherman, Miller and Wood voting in favor of the motion, Commissioner Littlefield abstaining, and Commissioner Goodman opposing, the Commission recommends approval of Text Amendment TXT2019-00254 with the additional recommendations set forth in this transmittal.

/nrw
cc: Planning Commission
Jim Wasilak, Zoning and Development Manager
Deane Mellander, Planning Supervisor

Mayor & Council Meeting Date: April 20, 2020
Agenda Item Type: Discussion
Department: Recreation & Parks
Responsible Staff: Tim Chesnutt

Subject

Discussion on the Responses to the Request for Information for the King Farm Farmstead (RFI)

Recommendation

Staff recommends the Mayor and Council receive and discuss the proposals received in response to this RFI. Staff recommends the Mayor and Council provide direction to staff as to any need for additional information, and any next steps in the process.

Discussion

Four proposals were received in response to the Request for Information (RFI) for Ideas and Creative Direction for Re-Use of King Farm Farmstead Park that was advertised September 27, 2019. The proposals were submitted by Friday, January 17, 2020.

1) John McConnell – Hydroponic Farming
2) Oasis Productions Inc.
3) Minds in Motion Childcare
4) Therrien Waddell – GBR Architects, LLC

Copies of the four submissions are attached.

NOTE: Site-visits to King Farm Farmstead Park were held on the following days to give potential proposers an opportunity to tour the site.

October 11, 2019
October 18, 2019
December 30, 2019
January 3, 2020

Synopsis of Proposals

<u>John McConnell – Hydroponic Farming</u>

John McConnell is proposing a Hydroponic Farm Operation. This proposal will pay homage to the historic heritage of the site while recommending a new purpose as a center for promoting healthy living, serving as a showcase for community farming in a high-density urban setting.

Oasis Productions Inc.

Keenan Cooley with Oasis Productions Inc. is proposing that King Farm Farmstead be used as a Rockville Co-Op Event Space.

The King Farm Farmstead at Rockville events would be a combination of planned events in partnership with the City of Rockville and community business partners. Oasis Productions Inc. would engage all entities to plan events throughout the year helping to make The King Farm farmstead at Rockville a central place to enjoy entertainment and Rockville's finest event offerings. Additionally, allowing the use by and rental to community members will keep the value for Rockville, while inviting others to enjoy it as well.

Minds in Motion Childcare

The vision as a company is "On the Go Cakes and Weddings", and for the King Farm barns to serve as the base of operations while maintaining their historic value. King Farm farmstead is a blank canvas in which they envision being able to bring their own vision to life. Their experienced event professionals will offer a variety of packages to suit your needs and bring your visions to life.

Therrien Wadell and GBR Architects

We understand that a fundamental aspect of this RFI is to provide ideas and creative direction for the City of Rockville's consideration. To achieve this, Therrien Wadell and GBR Architects believe a comprehensive plan that is site-specific, compact, efficient, and economical is required. The TW/GBR team understands this RFI is issued solely for information and planning purposes, and does not constitute a Request for Proposals or Invitation to Bid. More importantly, we are aware that responses to this RFI are subject to Maryland Public Information Act (MPIA) requests. This prevents us from providing specific responses for ideas that are solely the intellectual property of our team. However, we are providing a general vision for what may be achievable on this site and providing the City with generic information about some multiple possibilities that may occur there. The TW/GBR team is taking this opportunity, however, to meet with the City of Rockville and, upon reaching an agreement regarding confidentiality of a more specific proposal, negotiate with the City of Rockville for the successful execution of a very innovative site-specific proposal.

Mayor and Council History

The King Farm Farmstead Task Force presented their recommendations to the Mayor and Council on June 12, 2017. On July 16, 2018, the Mayor and Council held a work session to discuss further the recommendations in the Task Force report.

Public Notification and Engagement

Members of the King Farm Farmstead Task Force, along with members of the King Farm HOA, have been notified of the RFI presentation.

Boards and Commissions Review

The Recreation and Parks Advisory Board has been involved throughout the RFI process.

Next Steps

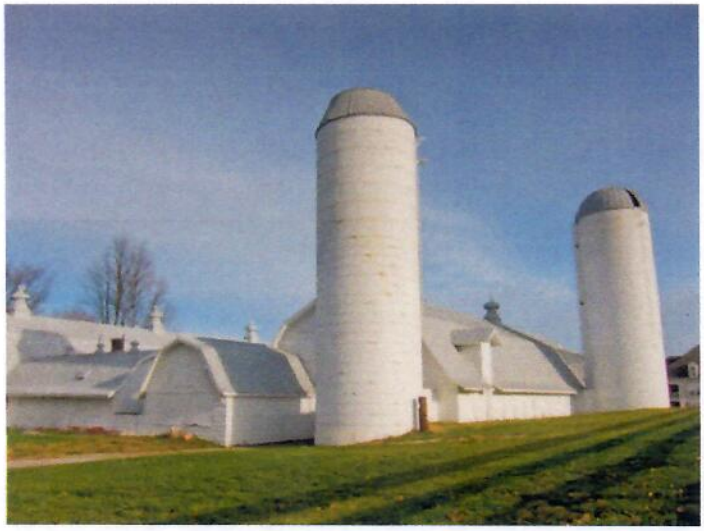
Mayor and Council to provide direction as to any next steps in this process.

Attachments

Attachment 12.a: Attachment A John McConnell Hydroponic Farming (PDF)
Attachment 12.b: Attachment B Oasis Productions Inc. (PDF)
Attachment 12.c: Attachment C Minds in Motion Childcare (PDF)
Attachment 12.d: Attachment D Therrien Waddell & GBR Architects, LLC (PDF)

Rob DiSpirito, City Manager 4/15/2020

King Farm Homestead
Vision of the future by drawing from the past



Proposal: A Hydroponic Farm Operation at the King Farm Homestead.

Rockville has a unique property, the King Farm Homestead. The King Farm today was designed as a "New Urbanism Development." However, before that, King Farm was a productive farm. This proposal will give homage to the historic heritage of the site while recommending a new purpose as a center for promoting health living and a showcase for community farming in a high density urban setting.

Across the nation, there is a strong movement called "agrihood". The term agrihood is used to describe communities that combine healthy living, better quality of life, and farming operations in a community setting. Residents living in agrihoods are given an opportunity use this as a community-building social event, as well as an ongoing opportunity to raise their children with more awareness about the earth, a healthier life style, and good choices. People want to know where their food comes from and farm-grown food is also a source of pride.

Although the King Farm Homestead property is not large enough for a traditional agrihood farming operation, the site is suited for an urban farming method known as hydroponic farming.

We are proposing converting the building currently known as the Horse (Hay)Barn into a Hydroponic farm to grow delicious nutrient-dense vegetables.

The average yield for hydroponic year-round tomatoes is about 40 pounds per square foot per year. The average yield for a one harvest season of conventional tomato farming yields less than 1 pound per square foot per year. Depending on the crops grown, hydroponic farming uses about 10 to 40 percent of water compared to conventional farming yet produce the same yield. In addition, the produce is grown without the use of any pesticides.

We think an indoor hydroponic farm paired with the recommendations by the King Farm Task Force, could create a great community space for Rockville.

If you have any questions please contact John McConnell : 240-498-6015 email : John@71h2o.com

By incorporating a hydroponic farming operation, we see the King Farm Homestead being a mecca within the area for promoting a healthy life style. Along with the farming operations and farmers market, there could be yoga studios, farm to table events, and space for special events such as weddings, art exhibits, and dance recitals. This makes the King Farm Homestead not only economically sustainable, but also maintains the site as a great historical and relevant asset to the community.

Hydroponic Farming

Growing plants without soil may sound like a futuristic gardening concept, but hydroponic gardening dates as far back as the 7th century BC. However, the popularity and mass integration of hydroponics is relatively new. In fact, it has become so popular in Europe, even well-known companies like IKEA and Amazon are selling hydroponic systems for home consumers. Many proponents even consider the mass utilization of hydroponics to be the future of farming. It has high output and uses limited resources, space and water, while providing a local source for nutrient-rich vegetables. Current produce to market travels an average of 1500 miles before it gets to the consumer. This causes a large strain on the environment as a result of the huge carbon foot print during shipping. The rigors of distance and time of travel adversely affects the produce by lowering its nutritional value and requiring it to be picked before ripe.

One of the biggest reasons hydroponics has become so popular is because recent studies on hydroponic farming have shown it to have many benefits. Plants grown hydroponically are of exceedingly high quality, nutrient rich, occupy less space, and consume fewer resources than traditional growing methods. Additionally, hydroponic growing methods, in combination with vertical gardening, have aided in expanding the possibilities of urban gardening and indoor gardening.

A growing operation like we are proposing, unlike traditional farming, does not present a negative impact on the local community. Because we are not using soil based growing techniques we do not have the smell or environmental impact of field fertilizers. There is minimum noise due to farming operations since we do not have tractors or harvesting equipment doing field operations. The only impact would be the delivery vans used to deliver to local markets and food banks.

The types of produce we could grow:

We are proposing replacing the existing Horse Barn with a greenhouse/market type building.

If you have any questions please contact John McConnell : 240-498-6015 email : John@71h2o.com

Our Proposal

We are proposing to create a non-profit, dedicated to promoting social wellness through a community market and Hydroponic growing operation Our mission is to create a community-driven, Rockville based food system by serving as a hub for food distribution, production, education, and economic opportunity. We feel we can achieve these goals by establishing the Homestead operations as a 501(c)(3) or a 501 (c)(5). Establishing a Nonprofits, the farm can provide education, such as a farm-training programs for veterans or a farm-school program for elementary aged kids. This would be in line with the current use of the property community garden model– which allows community members access to small patches of land to grow food.

The nonprofit structure would incorporate a board of directors. That means there will be many more voices involved in direction, planning, and decision making, but also more resources. Incorporating as a nonprofit doesn't mean the city would lose control over the land or the running of the farm, though. It's just a new, more participatory model. New stakeholders can bring both experience and resources, and this model has worked will for similar type operations in cities like Philadelphia and Seattle.

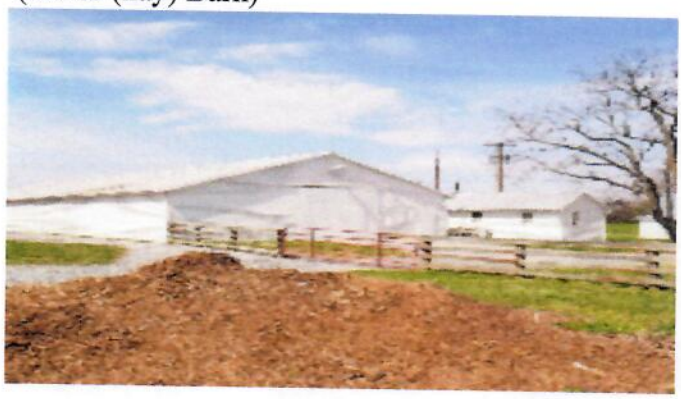
Due to the poor condition of the existing horse barn as stated in the "KING FARM FARMSTEAD PROPERTY CONDITION ASSESSMENT" presented to the Mayor and Council July 3rd 2014 we are recommending to replace the Horse (Hay) Barn with a green house and market structure. In the report it states the current structure would be costly to convert to a useable space due to major structural and compliance issues. The report recommends for both safety and financial reasons, that the building be removed and replaced in kind with a structurally sound building.

As outlined in the property assessment reports general recommendations:

"General Recommendations: The sheer number of structural deficiencies evidenced in this building will make any rehabilitation effort extremely challenging and costly. Throughout the building, the framing is undersized and not properly connected per current code requirements. Rather than try to address each of the numerous structural issues individually, it is recommended that this building be demolished. As much of the existing historical material (siding, etc.) as possible should be salvaged for use in a future reconstruction of the barn according to historic preservation standards."

We are proposing replacing the existing Horse Barn with a greenhouse market type building. We would do everything possible to incorporate some of the existing material into the new structure. The structure would be built to resemble the horse Barn from the King Farm homestead central area while providing green house space toward the rear of the building. Below is a photo which represent the type structure proposed. It would be built within the foot print of the existing building and incorporate the design and look of the exciting Horse Barn facade.

(Horse (hay) Barn)



(Example of new structure)

If you have any questions please contact John McConnell : 240-498-6015 email : John@71h2o.com

Hydroponics Farming Business Plan

We have done preliminary market research and looked at the feasibility of a Hydroponics farm operations on the King Farm Homestead. We feel this type of operation keeps to the history of the property while providing new urban method of farming and a community benefit. In keeping with the traditions of the property and the demand for locally grown and heathy alternative foods we are proposing to convert a portion of the King Farm Homestead into a Hydroponic grow operation.

Aside from the cultivation of crops via hydroponics farming method, we have plans to start our own Community Share program and local wholesale market. With the local demand for local fresh grown produce we feel the demand within Rockville, Bethesda and the county will be more than enough to sustain a grow operation of the size we are proposing.

Unlike traditional agriculture, hydroponics is a technology that provides a closed-loop indoor food production solution which is positive for our human health as well as the health of our environment this type of farming technic uses 85% less water than traditional farming for the same yield.

Our Mission Statement

Our mission statement as a Nonprofit hydroponics crops farm is to go into full – time cultivation of vegetables and fruits that would be marketed and consumed in Rockville and Montgomery County. Our type of operation meets the growing demand for healthier and local grown foods. Our purposes will be to produce high-quality sustainable hydroponic greens and vegetables at a commercial scale in an urban setting, while also connecting with the Rockville community by providing access to the farm and educational programming to our residents,

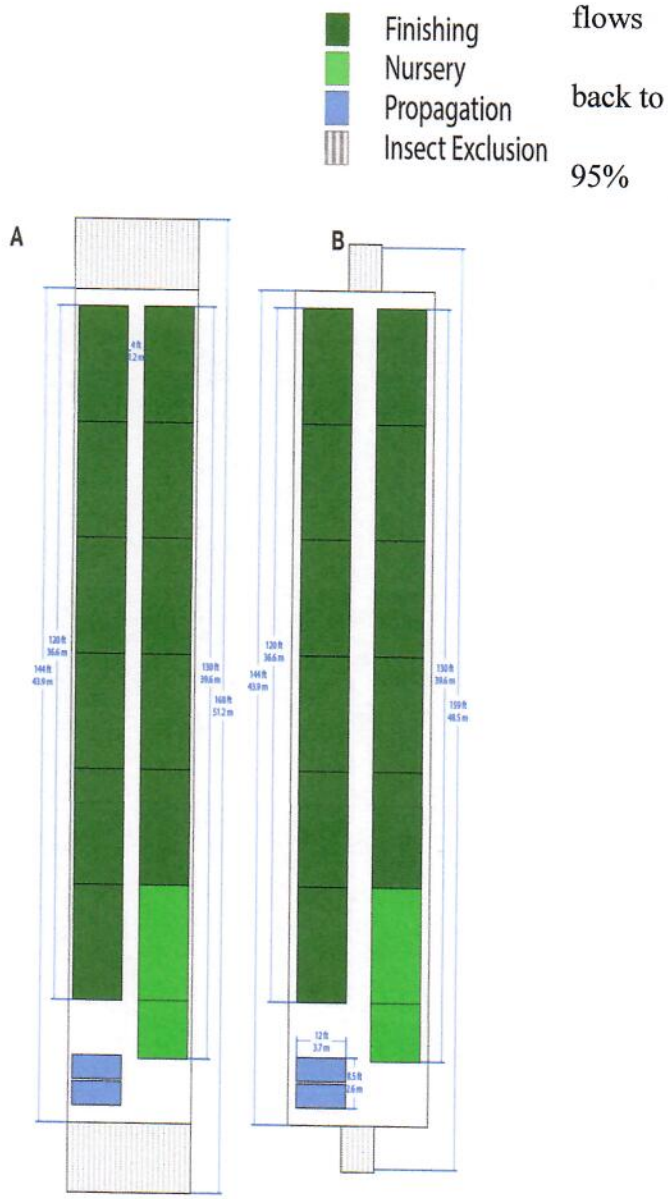
If you have any questions please contact John McConnell : 240-498-6015 email : John@71h2o.com

neighboring schools, and area organizations. We are dedicated to growing sustainable, responsibly-grown food that promotes optimum nutrition for a healthy life. We hope to inspire our community to embrace fresh, hyper-local, and delicious food.

Operations

Our growing operations will be using existing Hydroponics methods and systems developed by AmHydro of California. Nutrient Film Technique systems are designed with long, narrow channels in which plants (like lettuce) are placed at regular intervals. This is our primary system, for vine crops, we will use a gutter systems that are drip-fed and recirculating in which crops are rooted in a soilless medium, placed in a bag of growing medium on the gutter, and nutrient-rich water circulates back to the reservoir. These gutters are elevated from the floor of the greenhouse so the roots' temperature can be regulated.

Both systems use nutrient-rich water which continuously flows down the channels, past exposed plant roots. Any unused solution is captured at the end of each channel, funneled back to a reservoir, automatically remixed for nutrient balance and recirculated with the help of a pump. This means we use 95% less water than traditional farming. Proposed King Farm Operations:



Drawing **A** showing Greenhouse layout with: Greens growing operation

Drawing **B** showing layout with:

Mixed Greens and Vegetables

If you have any questions please contact John McConnell : 240-498-6015 email : John@71h2o.com

Attachment 12.a: Attachment A John McConnell Hydroponic Farming (3095 : Discussion on the Responses to the Request for the King Farm

Benefits:

- More than 10 times the produce compared to other agricultural methods
- Up to 2,300 crop units per week
- Up to 350 pounds of vining crops per week

- 80% less water compared to traditional agricultural methods
- A small fraction of the minerals compared to traditional farming methods
- 90% less land compared to soil based agricultural methods

Having a farming operation and market have many benefits, for both the gardening community and fresh food consumers. These benefits include: Fresh Food – Many, many studies have shown the shorter the distance between harvest and table, the better the food is for you. If you cannot grow food in your home, an indoor growing operation will allow you to grow healthy fruits and vegetables for local consumption.

Market Space

Farmers Markets, Food-to-Table, Farm-to-Fork and Community-supported agriculture (CSA) are alternative, locally based economic models of agriculture and food distribution. We envision a market which incorporates these types of programs. Rockville and King Farm have a robust community garden movement, we see the market and growing operations as focal point and resource for these efforts.

If you have any questions please contact John McConnell : 240-498-6015 email : John@71h2o.com

Estimated Cost with assumptions, the total cost for a 5000 Sq ft Vertical Greenhouse is around $435,000 (including the grow towers, site preparation and new water/electrical lines).

The market space construction buildout cost an estimated $95,000.

We estimate the intial cost of the King Farm Green growing opertions located at Horse (Hay) Barn on the King Farm Homestead to be $550,000.00.

We have budget informtion on overall operating cost and will be glad to submit during a RFP process.

Our Team

- John McConnell (Key Contact)
  - 25 Years experience in senior level program management and communications
    Senior VP at MELE Associates (Rockville Based Company)
    Communication projects for the Sectary of Defense, Air Force,
    DoT, NSA and CIA.
    Served 20 years as a Congressional Staffer on three Senate Committees, Rules and Administration,
    Armed Services and Foreign Committee.
    Serving 9 Chairmen as a Senior Staff Analyst
- John Barile PhD
  - 35 years in Bio Science
  - Developed bio-feed stocks for Hawaii Farming Operations
- Michael Thiemann
  - Former Deputy at Department of Agriculture
  - Developed organic farms in Belize and Hawaii
- Claire Seesman
  - 15 years in organic and horticulture growing operation
- Steve Grover, Registered Environmental Health Specialist
  - Former Vice President of Health and Safety Regulatory Affairs for the National Restaurant Association National
  - Vice President, Food Safety, Quality Assurance and Regulatory Compliance, Burger King Corporation

Our team looks forward to working with the city of Rockville on incorporating a hydroponic farming operation and community market at the King Farm Homestead. Please feel free in contacting us with additional questions or concerns.

John McConnell

240-498-6015

John@71h2o.com

THE KING FARMSTEAD AT ROCKVILLE CO-OP EVENT SPACE

by Kennan Cooley/Oasis Productions Inc.
info@oasisproductionsinc.com 240-838-0710

The King Farmstead at Rockville(aka King Farm) property has a rich history in Rockville and Montgomery County Maryland. As a long-standing structure it has become an integral part of the city of Rockville's heritage. We want to work with the city of Rockville to preserve that heritage while using the King Farm buildings, property and land to become a new, improved location where local residents and businesses can benefit. We also want to attract outside members of the community to use the space and enjoy all Rockville has to offer. We want The King Farmstead at Rockville to be a landmark to visit and enjoy by everyone in the vicinity.

OUR COMPANY

Oasis Productions Inc. has been in business in Maryland for over 20 years. We work with businesses, non-profits, and individuals providing an array of event, media and marketing services. We have worked with large companies and entrepreneurs to provide quality services and products. We have also developed a network of connections with local business owners who are looking to develop relationships within the communities in which they are located and the surrounding areas. We understand the value of connecting the business owners with their neighbors as this builds trust and rapport in the community. This also helps residents and visitors enjoy the services of the businesses and thereby benefiting them and the city, county and state. We would like to use the King Farmstead at Rockville to build and develop those relationships. Our company would use our services to handle the farm's administration of events, acquisition of vendors, engagement with local businesses, procuring of partnerships with corporations and supervision of property.

COMMUNITY BUSINESS PARTNERSHIPS & EVENTS

Rockville is ripe with multiple businesses up and down route 355 as well as other major areas. The recent renovation of Rockville Town Square has helped revitalize the area and bring visitors and revenue to the city. The upscale businesses, stores and residences that have been added to the area, make

THE KING FARMSTEAD AT ROCKVILLE CO-OP EVENT SPACE
by Kennan Cooley/Oasis Productions Inc.
info@oasisproductionsinc.com 240-838-0710

Rockville a more vibrant and entertaining place to enjoy. We would like to make King Farm an equally valuable location.

The King Farmstead at Rockville events would be a combination of planned events in partnership with the city of Rockville and community business partners. Oasis Productions Inc. would engage all entities to plan events throughout the year helping to make The King Farmstead at Rockville a central place to enjoy entertainment and Rockville's finest event offerings. Additionally allowing the use and rental of community members will keep the value for Rockville while inviting others to enjoy it as well.

PARTNERSHIPS

Working with large scale corporations for The King Farmstead at Rockville will be a huge asset to the validity and vitality of using The King Farmstead at Rockville as an event space. We will work with large entities such as banks, cable companies, hotels, chain restaurants and others to help revitalize the The King Farmstead at Rockville property as well as support future projects and events. Forming this type of partnerships makes it a collaborative effort and helps the large companies show an interest in the area and the community. These type of investments by large corporations are a proven method of marketing that help build trust and commitment to the areas they serve. We will provide financial offerings and marketing ROI that will attract the large stakeholders to support King Farm's renovations and sustainability. Many corporations will invest in local entities especially if it will carry their brand in some fashion per event or in a more permanent opportunity such as naming a building as a result of financial support. Our goal is formulating maximum impact, engagement and longevity in our relationships with our partners.

TYPES OF EVENTS

The King Farmstead of Rockville is a prime location for a myriad of events that will serve the community and build a solid entertainment venue where citizens and visitors can enjoy entertainment. The farm can host concerts, plays, wine tastings, farmer's markets, pop up shops, classes, weddings, parties, conferences

THE KING FARMSTEAD AT ROCKVILLE CO-OP EVENT SPACE
by Kennan Cooley/Oasis Productions Inc.
info@oasisproductionsinc.com 240-838-0710

and more. While some of the buildings are needing renovations, we can currently use the renovated area of the dairy farm and the main house. These events would be supplemented by bringing in necessarily items such as tables, chairs, food, drink, decor, portable heating and air conditioning, portable toilet facilities and other items through vendors (as many as possible within the city, county or state) to provide a pleasant and entertaining experience.

Many types of venues that have similar structures and fluidity of events have been successful throughout the area. Venues such as Wolf Trap and Merriweather Post Pavilion have converted their locations to prime concert and event spaces for all ages. While venues such as Bethesda Farm Women's Market and Union Market have shown the value of providing seasonal opportunities for local growers and artisans to share their produce and products especially during the summer months and winter holiday seasons. We would like to take these ideas and others and bring them to The King Farmstead at Rockville.

This venue can also provide opportunities for local business organizations such as local chambers of commerce to hold business expos and conferences to help promote local business engagement. These businesses can also host their own events to interact with the public. Businesses can also provide their own collaborations for successful marketing and exposure.

The King Farmstead at Rockville Co-op would operate seven days a week excluding major holidays observed by county unless deemed more beneficial to remain open for rental use.

ACCESS TO VENUE

Being an established and historical landmark in Rockville, King Farm is already well known in the area. Additionally, it is conveniently located on Rockville Pike just off Interstate 370. The closest metro is less than one mile away and on the route of the bus transportation systems. This helps provide easy access for events and visitors.

THE KING FARMSTEAD AT ROCKVILLE CO-OP EVENT SPACE
by Kennan Cooley/Oasis Productions Inc.
info@oasisproductionsinc.com 240-838-0710

While parking is currently limited on the premises, we can offer a variety of options to serve large events. We plan to use the grass areas currently on the property for general or VIP parking. We will also partner with the city of Rockville and private parking structure owners to procure parking partnerships. In addition to the local bus transportation, we can also arrange shuttle services for large events from the local metro and partnering parking facilities.

PROBLEMS AND SOLUTIONS

Our recent visit to The King Farmstead at Rockville shared the benefits and problems that currently exist on the property. We have considered the major issues and possible solutions that we feel will help for short-term and long-term use of the facilities.

Some of the major issues are the lack of water, gas and electricity. While these problems can and should be resolved long-term, it can easily be resolved short-term as well. Since our proposal involves short-term events, the lack of utilities can be resolved with portable toilet facilities (from porta potties to portable toilet trailers), portable heating and air conditioning units, temporary lighting based on needs and generators for powering all necessary units. This will allow for the space to generate money and branding while the larger and more permanent problems are resolved. We would work with large corporate funding in partnership with the city of Rockville and surrounding municipalities to help fund the renovations for proper utilities and bathroom facilities as well as other large scale renovations.

Another major issue is parking. As previously indicated, once the on-site grass parking is used for larger events, we can work with local public and private parking structures to provide extended parking. Additional access would be supplemented with local bus and shuttle services from key paking locations close to the venue.

THE KING FARMSTEAD AT ROCKVILLE CO-OP EVENT SPACE
by Kennan Cooley/Oasis Productions Inc.
info@oasisproductionsinc.com 240-838-0710

Additionally there are long-term, major renovations needed to reconstruct and renovate the buildings that have deteriorated as well as finalize the rebuilding of those have begun receiving updates. We want to work with the city and large corporations for funding support. The city would be a valuable asset for helping curate funding from the government entities as they become available, negotiating with utility companies for discounts and providing tax cuts for our costs and the costs of those helping with upgrades. Corporations would find value in marketing and brand awareness and community engagement. We can also solicit investors and philanthropist who find value in supporting this project.

BUILDING USAGE

The King Farmstead at Rockville has multiple buildings available but only a couple would be quickly accessible for use. We would like to eventually upgrade all of the buildings to use as support for events. The main buildings we would currently like to use are building 1/main house and buildings 3 and 4/dairy barn complex. With a few areas improved, building 5/horse barn could also serve the renters as well.

The main house is a great house with completed plumbing and it is ready for immediate use. We believe this house could be used for an office as the central location for our staff to meet with potential renters, vendors and other interested parties. Additionally it can work as the operations facility for events. It can be a place for VIP, performers, play cast members, brides and grooms and others to gather during their events, weddings or conferences. It can also possibly house overnight guests who are out of town but apart of the event staff.

The dairy barn is renovated enough to handle small or medium events on the upper floor with the appropriate support of portable supplies to allow renter and attendees to have a successful affair such as weddings, conferences, parties and concerts. The lower level needs some work to flooring but could be used for similar events as mentioned for the upper area. It could also house the supplies

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for vendors as a place for helping to set up and execute events being held upstairs.

The horse barn would need a minimum amount of work on floor and some walls but could be used for events that have animals, livestock, or other activities with similar options. Eventually with full repairs, it could be used for a farmer's market with vendors and product retailers. It also currently has an interesting look and vibe that could interest media and movie production houses looking to produce at this type of location.

The remaining smaller buildings could eventually be renovated for additional short-term storage for events or long-term storage for our purposes.

The picnic shelter is also an excellent place for attendees to eat and relax during events or classes to be held during the summer months (or whenever seasonably feasible).

MARKETING

Oasis Productions Inc. is a full service marketing company. We have produced successful marketing campaigns and strategies. Our expertise will be an excellent asset to help spread the word about The King Farmstead at Rockville. We will set up a website, provide social media marketing, produce print materials to send to residents and post in local places across the area. Additionally, we will produce media for online and cable advertising opportunities. We also work with other companies willing to provide services and vendor support as a regular part of our work. These relationships will be beneficial for long-term assistance for the project. Their expertise can also be used to support renters (photography, videography, marketing, etc).

PRESERVING THE THE KING FARMSTEAD AT ROCKVILLE AT ROCKVILLE HERITAGE

We understand and value the history that has been created at The King Farmstead at Rockville for the city of Rockville, its residents as well as the former

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owners. We believe our proposed usage will not change the current look and feel of the farm but instead improve it. Our goal is preserving the overall vibe and history while increasing the benefits to the community and providing increased revenue to the city. By having a venue that encourages multiple uses from businesses, partners and citizens, we create an environment of full alliance to keep the farm's history alive and build a new future for all who use and attend events on the property. Additionally we would like to set up a wall inside the main house commemorating the original owners and providing visitors with a historical recounting of the farm through brochures, wall plaque and video.

TERMS

We believe this proposed use of The King Farmstead at Rockville would be a long-term opportunity to partner with the city. We see the value it would bring to the city, the businesses and residents. We would like to be a part of this project for at least five years to ten years. This would give us ample time to get the brand established, partnerships developed and ability to reap the rewards of the project. We would also like to donate up to 10% of the revenue we accrue to local shelters and other entities designated to help the less fortunate in Rockville and in Montgomery county. Our business would profit as we rent the facilities to cover our costs and services. However we would be operating the facility in a daily capacity with approximately five full-time staff members which helps keep the facility in use. We would procure daily administrative costs from the acquisition of funding. In exchange we would propose that we incur a minimum of rental fees or create a partnership with the city to return a percerntage of profits back to the city based on fees obtained thru rentals.

We are confident that our services will provide a viable option for the use and preservation of The King Farmstead at Rockville.

Attachment 12.b: Attachment B Oasis Productions Inc. (3095 : Discussion on the Responses to the Request for the King Farm Farmstead (RFI))

Ideas and Creative Direction for Re-use Of King Farm Farmstead Park

Bid Number: RFI 06-20

SUBMITTAL CONTENTS: (ON THE GO CAKES)

1. Our vision as a company" On The Go Cakes and Weddings", for the King farm barn is to maintain it's historic value. King farm is a blank canvas in which we are able to bring our own vision to life. Our experience event professionals will offer you a variety of packages to suit your needs and bring your visions to life.

2. LaTisha Gasaway 240-876-8055
Minds_in_motion@yahoo.com

3. We will plan, conceptualize, organize and handle all your dreams.

A. We will offer:

- **Complete planning and venue of your wedding**
- **Initial wedding budget planning for (number of guests)**
- **Face to face meetings to create time lines and go over set ups and designs**
- **Meeting for a walk through of the site to finalize budget**
- **Meeting to gather items that need to be taken to the site**
- **Any other meetings needed will be left for design and vendors at the request of the wedding couple**

B. Our vision: Every great event starts with organized details while executing them brilliantly, our vision is to provide outstanding service in the area of catering, events, hospitality and tourism.

C. Mid- size event up to maximum occupancy

D. The wedding and events will be located in the historic Kings Farm Barn.

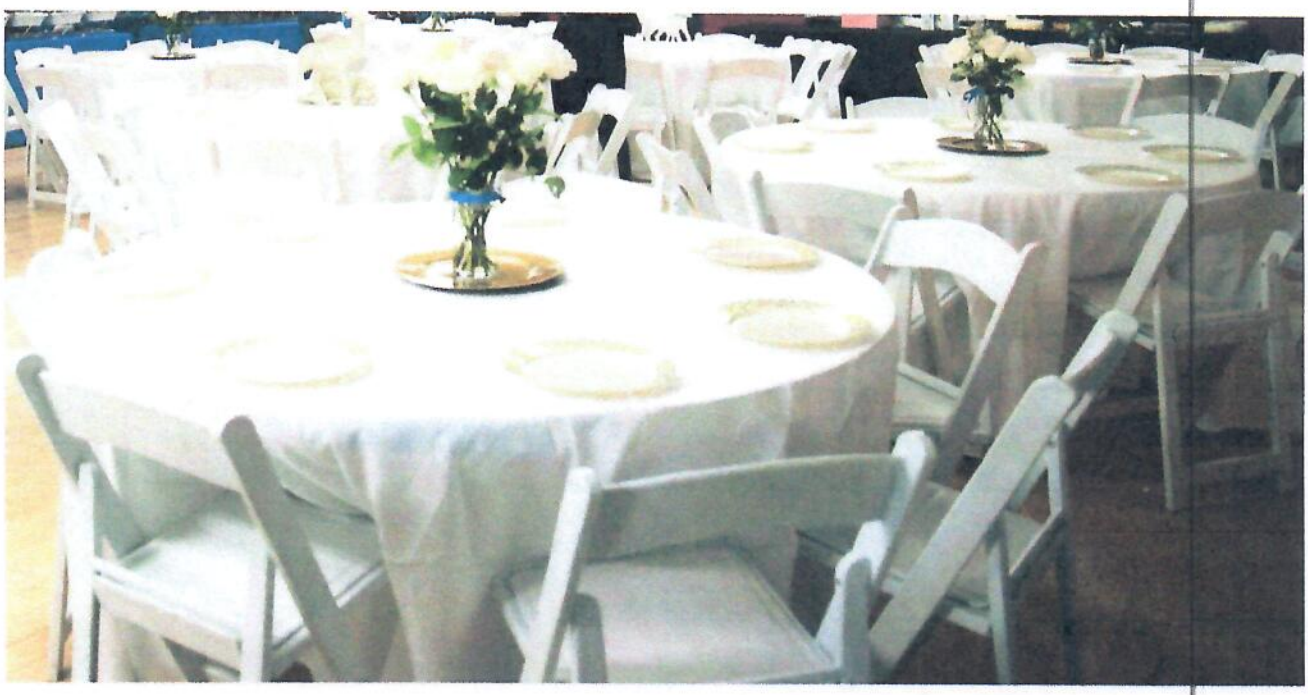
E. The maximum number of employees that would be needed to cover the event.

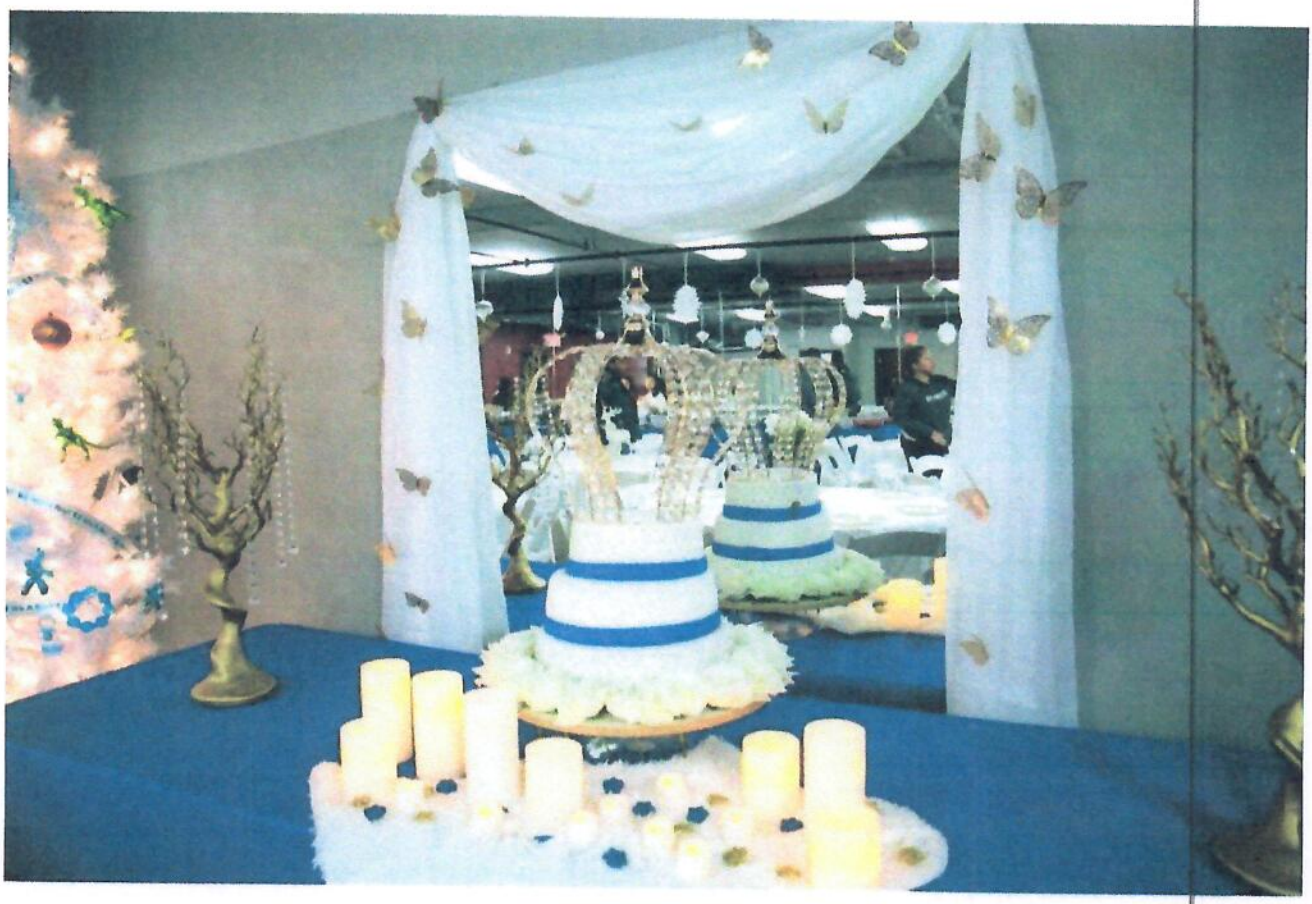
F. We are a full service company that provides complete consulting services for weddings Holy unions and anniversaries. TLC is unique in that we give our clients our undivided attention. Our clients wishes become our commands.

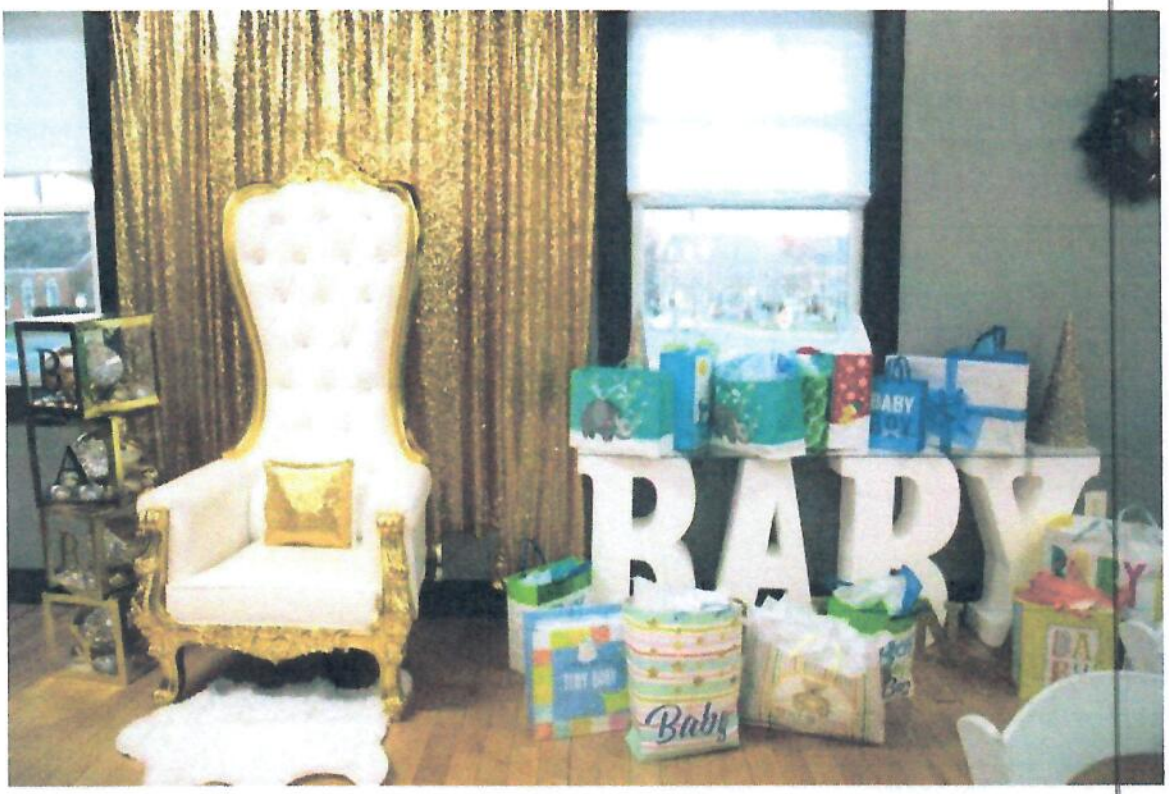
G. Our company currently has three locations in which we provide event consultations as well as events to suit the needs of the communities.

H. We have a relationship with many companies that include vendors, colleagues, lenders, employees and business partners.

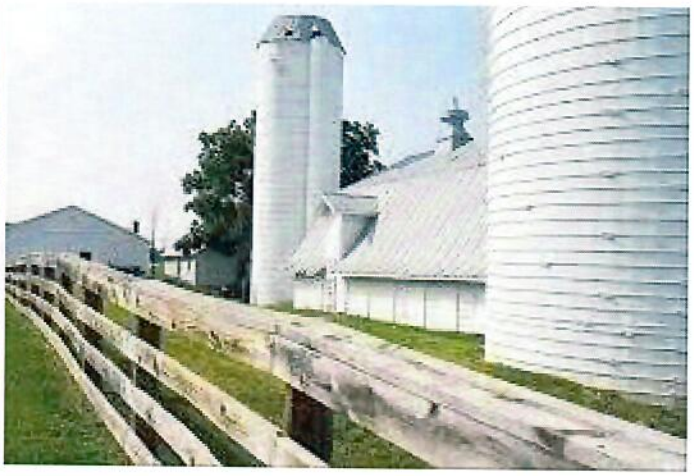
Attachment 12.c: Attachment C Minds in Motion Childcare (3095 : Discussion on the Responses to the Request for the King Farm Farmstead





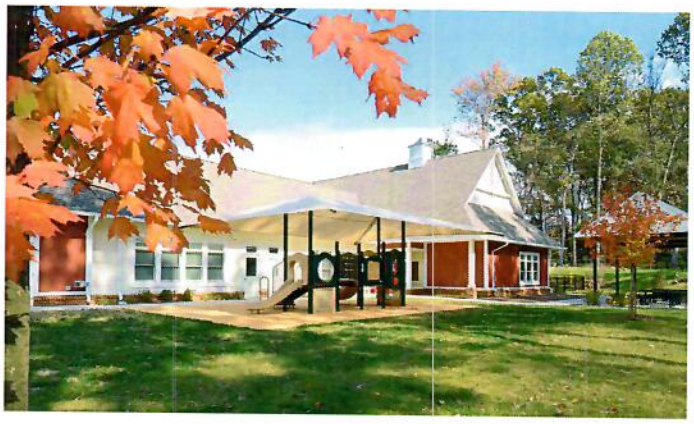

BABY
Baby

CITY OF ROCKVILLE - KING FARM FARMSTEAD



THERRIEN WADDELL

GBR| Architects



TherrienWaddell.com

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Gaithersburg, MD 20877

Attachment 12.d: Attachment D Therrien Waddell & GBR Architects, LLC (3095 : Discussion on the Responses to the Request for the King Farm

THERRIEN WADDELL

GBR| Architects

TABLE OF CONTENTS

SECTION A COVER LETTER

SECTION B CAPABILITY STATEMENTS

SECTION C RESUMES

SECTION D PROJECT PROFILES

SECTION E CONCEPTUAL PROJECT IMAGES

CITY OF ROCKVILLE - KING FARM

Attachment 12.d: Attachment D Therrien Waddell & GBR Architects, LLC (3095 : Discussion on the Responses to the Request for the King Farm

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SECTION A

COVER LETTER

CITY OF ROCKVILLE - KING FARM

Attachment 12.d: Attachment D Therrien Waddell & GBR Architects, LLC (3095 : Discussion on the Responses to the Request for the King Farm

GBR Architects, LLC

January 17, 2020

Jessica J. Lewis, CPPO, CPPB, MBA
Director of Procurement
Procurement Division
City of Rockville, City Hall
111 Maryland Avenue
Rockville, Maryland 20850

Re: REQUEST FOR INFORMATION #06-20
IDEAS AND CREATIVE DIRECTION FOR RE-USE OF
KING FARM FARMSTEAD PARK

Dear Mrs. Lewis:

Therrien Wadell (TW) and GBR Architects (GBR) have formed a strategic association to provide the City of Rockville an appropriate response to the City's request for "Ideas and Creative Direction for Re-use of King Farm Farmstead Park". This is an exciting site that has a lot of potential for improving the already successful King Farm Development. The TW/GBR team combines experience designing and building clubhouses, park facilities, housing and miscellaneous office and retail spaces. We are also very experienced with Historic Preservation and have rehabilitated and restored many historic listed properties. Our combined portfolio provides successful completion of extraordinary projects for unique, scenic sites. We are an experienced Design-Build team with full knowledge and management experience working alongside communities like the City of Rockville.

This RFI is well suited for our team. Both individually and collectively we specialize in place-making and sustainable on-budget designs. Our common goal is to analyze, listen to your needs and craft unique solutions that create a memorable place. We are dedicated to innovative design strategies that are both memorable and on-budget. Our combined work is filled with the results of such collaboration. Our reputation for creating community treasures that continue to inspire is born from our simple approach to every project- provide great design built upon the community's values and assets. We have designed and built inspiring places of all scales – from small intimate spaces to large scale communities, knitting together those features that form a common bond for all.

A new vision for any public space, project site or community, large or small, must respond to the intrinsic energy of the place. The project types you will see in the following examples are all different but they all illustrate these same principles and dedication. We have formed a compact team with deep experience to work alongside the City of Rockville to achieve your goals of Revitalizing the King Farm Farmstead Park into an exciting destination.

Our Work Approach and Your Project

We understand that a fundamental aspect of this RFI is to provide Ideas and creative direction for the City of Rockville's consideration. To achieve this, we believe a comprehensive plan that is site-specific, compact, efficient and economical is required. This also requires assembling the proper team. Our team is ideally positioned to deliver on this and collectively we have unparalleled experience in envisioning and

custom crafting housing and urban parks and recreational and cultural facilities around our local neighborhoods and the state. The TW/GBR team also understands this RFI is issued solely for information and planning purposes, and does not constitute a Request for Proposals or Invitation to Bid. More importantly, we are aware that responses to this RFI are subject to Maryland Public Information Act (MPIA) requests. This prevents us from providing specific responses for ideas that are solely the intellectual property of our team. However, we are providing a general vision for what may be achievable on this site and providing the City with generic information about some multiple possibilities that may occur there. The TW/GBR team is taking this opportunity, however, to meet with the City of Rockville, and upon reaching an agreement regarding confidentiality of a more specific proposal and negotiate with the City of Rockville for the successful execution of a very innovative site specific proposal.

Your Context inspires our creativity

Our first action has already been to visit the site and all its amenities. The 6.9-acre site contains an assemblage of historic buildings, outbuildings and agricultural structures that recall life in Montgomery County at the beginning of the 20th century. This context is a driving force in creating a new future for the site, an end destination for many activities that will end up strengthening the community and the economy of the City. We will continue this once we have come to an agreement with the City of Rockville on the next steps, gathering important information about the most prominent aspects of the site, its topography, vantage points, and views and getting a sense for what makes this place special. And quite importantly as well, making sure this endeavor will be economically feasible. We know that great design is derived from spending time on the site as well as making sure a vision is financially feasible. All of these will be addressed by our lead team members as they engage their creativity with the surrounding context of the King Farm Farmstead Park.

The following content provides the TW/GBR team's response to the RFI and we look forward to interviewing with the City of Rockville on this exciting new endeavor.

Respectfully,

Mr. Daniel Coffey
Vice President of Business Development
Therrien Waddell Construction Group

Gabriel Romero, RA, LEED AP
Project Manager
GBR Architects. LLC

Attachment 12.d: Attachment D Therrien Waddell & GBR Architects, LLC (3095 : Discussion on the Responses to the Request for the King Farm

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SECTION B

CAPABILITY STATEMENTS

CITY OF ROCKVILLE - KING FARM

Attachment 12.d: Attachment D Therrien Waddell & GBR Architects, LLC (3095 : Discussion on the Responses to the Request for the King Farm

THERRIEN WADDELL

CAPABILITY STATEMENT

THERRIEN WADDELL, INC.

Commercial Construction Manager & General Contractor

INTRODUCTION

Therrien Waddell, Inc. (TW) is a mid-size General Contracting & Construction Management firm established in 1987. We provide pre-construction planning, project management, and full-service design to move-in management of new building, interiors and renovation projects. Our unique advantage is the project development approach to the construction process and level of sophistication we apply to serve our client's most complicated needs. With a background of experience in construction where meeting financial, market, and facility needs is paramount, TW is prepared to provide a wide perspective for achieving critical goals through the application of clear communication, creative solutions, and positive outcomes. Our team approach extends to all project stakeholders and our experienced project leaders make sure that responsibilities are clearly defined, activities are managed efficiently, and quality, safety and optimum performance is achieved.

TW has managed design-build renovation projects, best-value government construction, local public institutional renovations, and IDIQ projects for public and private clients. We have repeatedly represented development owners as their construction expert in government lease agreements. Our general contracting approach has always met regulatory requirements for transparency, competitiveness, and accountability.

CAPABILITIES & EXPERTISE

- Construction Management at Risk
- General Contracting & Management
- Pre-construction Planning
- Design-Build Solutions
- Design-Assist Delivery
- Conceptual Estimating, Strategic Planning
- Value Engineering, Research & Options
- Constructability Reviews
- Building Assessments
- Permit Processing and Expediting
- Complete Project Scheduling
- Sustainable Construction & Administration
- Environmental Solutions, LEED, Green Globes, IgCC
- Minority Procurement & Administration
- Quality Assurance/Control
- Safety Protocols, Compliance Assessments, Enforcement
- Accelerated Delivery Methods
- Mission Critical Projects (datacenters, SCIFs, security)
- Laboratory & Medical Suites & Facilities

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Gaithersburg, MD 20877

Maryland Office
100 Lakeforest Blvd. Ste 600
Gaithersburg, MD 20877
301-770-2275

Contact: Nina Manguiri
Director of Business Development
nmanguiri@therrienwaddell.com

Website: www.therrienwaddell.com

MONTGOMERY COUNTY
SMALL BUSINESS ENTERPRISE

DUNS Number: 177960580
FIN # 52-1527423
D&B # 17-796-0580
MD Lic # 15358041

SIC

15	Building Construction
1542	Nonresidential Construction
1541	Industrial Buildings & Warehouses
8741	Management Services

NAIC

236220	Commercial & Institutional Building Construction
236210	IndustrialBuildingConstruction

Bonding Level

Single Limit: $15 Million
Aggregate: $25 Million

Insurance

General Liability Umbrella: $10 Million
MOD Rate .88

Work Experience

Department of Commerce
NIST
General Services Administration
Montgomery County Government
Army Legal Services
Montgomery County Public Schools
Commercial Buildings
Retail Centers & Stores
Institutional Facilities
Daycare Facilities
Lab & Medical Facilities
Site Development
Facade & Lobby Renovations
Multi-family
Community Centers

Attachment 12.d: Attachment D Therrien Waddell & GBR Architects, LLC (3095 : Discussion on the Responses to the Request for the King Farm

THERRIEN WADDELL

CAPABILITY STATEMENT

VALUE

TW sets high standards for organization, quality control, safety, compliance, and communication with clients and managers enables us to achieve critical mission goals. Relationships, teamwork, and collaboration are the hallmarks of working with TW. Our success is ensured by a commitment to the following practices:

- Experienced & trained managers
- OSHA Safety Training
- Continuing Education & Certification
- Schedule Achievement
- Manage as part of the team
- Pursue solutions, not problems
- Proactive approach
- Use best technology tools
- Seek economies & best cost solutions
- Communicate, Report, Document
- Quality Assurance practices
- Engage trusted partners

TW is set to manage all projects with tools necessary to obtain maximum accuracy and efficiency, while providing the information and documentation needed to address and react to on the job activities effectively.

Construction Management – Sage Project Management Program
Job Cost Systems – Timberline Accounting, Accounts Payable & Receivable, Payroll Management, Job Cost Reports.
Estimating – Bluebeam Paperless Workflow Software, Timberline Extended, On-Screen Take-off.
Subcontractor Management – iSqFt vendor & planning database, digital take-offs, invitations, document distribution & tracking
Scheduling – Primavera P3 Contract, Project Management & Scheduling
Quality Control – 3rd Party BIM Coordination & Application
Surveying – Total Station, Topcon Tools Data Collector, Level & Transit Tools
Data Processing – Cloud Based Egnyte File Sharing Software

REPRESENTATIVE PROJECTS

PROJECT	CLIENT
NIST/Net Zero Energy Test Facility	Department of Commerce
GSA Patent Trademark Office-Warehouse	Bristol Capital Corporation
NIST IDIQ General Construction	National Inst of Stds & Tech
NDC1 Datacenter	Total Site Solutions
MedImmune Lab #P69	MedImmune
Stanford Overlook Building	Baxley Development
Montgomery County Education Assoc.	Mont. County Education Assoc.
Singleton Electric Headquarters	S & S Investment Properties
Gaithersburg-Wash. Grove Fire Station	Gaithersburg Fire Department
Crystal Rock Office Building	Williamson Group Development
Hughes Network Systems Datacenter	McShea Management
Gene DX Laboratories	Gene DX
John Hopkins University	John Hopkins University
Secure Medical Care	Secure Medical Care
US Army Legal Services Agency	Lowe Properties
Urbana Day Care & Medical Center	AMR Community Real Estate
Montgomery County Public School	TA Western c/o McShea MGT
Bode Laboratory Phases I &II	Bristol Capital Corporation
SEIU Local 500	Local 500 Building Corp.

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Attachment 12.d: Attachment D Therrien Waddell & GBR Architects, LLC (3095 : Discussion on the Responses to the Request for the King Farm

GBR | Architects

WHO WE ARE

We are a collaborative group of architects and designers that approach projects with unique expertise and diverse perspectives, but with a shared goal to create places that connect with the communities they serve.

GBR Architects, LLC provides a team that combines experience designing civic and park facilities with a portfolio of extraordinary planning for unique, scenic sites. We are a design team with full knowledge and management experience working alongside communities like yours.

We specialize in place-making and sustainable design. Our goal with all clients is to analyze, listen and craft unique solutions that can only exist in one place. We are dedicated to innovative design strategies that are both memorable and sustainable. Our portfolio is filled with the results of such collaboration. Our reputation for creating community treasures that continue to inspire is born from our simple approach to every project- provide great design built upon the community's values and assets. We have designed inspiring places of all scales – from small intimate spaces to large scale communities and campuses, knitting together those features that form a common bond for all.

We work in a vernacular style, creating and designing facilities and landscapes that belong to their time and place. A new vision for any public space, project site or community, large or small, must respond to the intrinsic energy of the place. The project types are varied but they all illustrate these same principles and dedication. We have formed a compact team with deep experience to work alongside your community to achieve your goals of engaging the visitor and lay out before them the opportunities that abound in the hills, lakes and valleys

Viewing planning, programming, and deisgn as a collective enterprise, we have developed interactive techniques to engage all stakeholders. That process is dynamic. Each experience is unique yet employs methods that lead to new ideas, concepts, and consensus. Our overarching philosphy "innovation grounded in your traditions" leads to the best solutions. These solutions are then crafted by our design team to fit comfortably with the site, the community, and will build upon the richness of the area.

Our respective design practices were each formed nearly 40 years ago. Such a continuum reperesents a solid foundation of experience and skills. Together we will seek innovative soutions that can exist only in this place you call home.

Montgomery County Humane Society Site Plan

Attachment 12.d: Attachment D Therrien Waddell & GBR Architects, LLC (3095 : Discussion on the Responses to the Request for the King Farm

THERRIEN WADDELL

GBR| Architects

SECTION C

RESUMES

CITY OF ROCKVILLE - KING FARM

THERRIEN WADDELL

GERALD (JERRY) N. THERRIEN, LEED ®AP
PRINCIPAL & OWNER

Jerry's career started upon graduation from Gettysburg College in 1972 when he joined a local real estate investment corporation's construction department. He worked in the field managing the construction of new office building projects, and with continuing education at George Washington University, he was soon promoted to project manager, then director, and ultimately vice president of construction. In 1987, he joined his current business partner, Donnie Waddell, as part owners of the development company, Williamson Group Construction, Inc. Jerry and Donnie led the construction operations for Williamson Group Construction, Inc. for 19 years.

The business partners created a fully functional competitive general contracting business. Jerry and Donnie fully purchased the company in 2005, and re-branded to Therrien Waddell, Inc. Jerry is responsible for the overall management of the construction company—inspiring, communicating and implementing the organization's vision and strategic plan. Jerry's leadership has contributed to the successful commercial construction management services provided to numerous clients throughout the Washington-Baltimore metropolitan areas.

GENERAL RESPONSIBILITIES:

- Organizational oversight of all business activities
- Negotiation and execution of contracts
- Corporate planning and financial management
- Review of risk management and avoidance procedures and practices
- Implementation of standardized operational procedures

REPRESENTATIVE PROJECT EXPERIENCE: * Historic Preservation Project

- Taiwanese Cultural Center*
- Town of Somerset Town Hall*
- Church of the Ascension*
- 600 Quince Orchard Road
- Quince Orchard Plaza
- Montgomery Plaza Office Building
- Diamond Farms Office Buildings: 19, 20, 21, and 22 Firstfield Rd.
- Shady Grove Office Buildings: 2092, 2094, 2096, and 2098 Gaither Rd.
- Quince Orchard Office Bldgs.: 704, 708, 1300 Quince Orchard Rd
- Key West Corporate Center - #1 and #2
- DANAC Corporate Center - #1 and #2
- Marsh-McBirney Office Building
- Largo-Kettering Library, Largo, MD
- Westview Office Building
- Over 3,000,000 square feet of tenant interiors and renovations throughout the Metropolitan area.

Jerry's community involvement includes: past Chair/Current Board Member of Gaithersburg-Germantown Chamber of Commerce, member of Board of Directors of Sandy Spring Museum, Board of Directors and member of Associated Builders and Contractors (ABC) of Metro Washington, and member of Associated General Contractors of Maryland (AGC). Jerry is a LEED Accredited Professional (Leadership in Energy & Environmental Design). He was a 2013 graduate of Leadership Montgomery.

TherrienWaddell.com

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Gaithersburg, MD 20877

THERRIEN WADDELL

DANIEL W. COFFEY
VICE PRESIDENT

Dan joined Therrien Waddell in 1985. Over the years, he has held various positions, such as, project manager, senior project manager to his current role of vice president. During the course of his career, Dan has gathered a wealth of construction knowledge, wide range of project experience, and has mastered the art of pre-construction planning. Every day, Dan uses the knowledge he has gained to assist peers, design consultants, and customers in understanding their projects, the options available, and ways to achieve their construction and real estate goals. Because of his deep understanding of the construction process, Dan is able to use this knowledge to provide reliable conceptual estimates and schedules for projects. Dan is equipped with the technical and support skills necessary to offer our clients exemplary service.

EDUCATION/CERTIFICATIONS:

- BA, Management, University of Maryland University College
- AA, Management of Construction, Montgomery College

GENERAL RESPONSIBILITIES:

- Manage Construction Budgeting and Estimating
- Manage & Coordination of Project Transition from conceptual to actual production
- Direct Sales and Marketing Strategies
- Maintaining customer relationships

REPRESENTATIVE PROJECT EXPERIENCE:

- Blue Bottle Coffee
- Warby Parker – Georgetown
- Taiwanese Cultural Center
- Town of Somerset Town Hall
- University of Maryland Medical Center
- Church of the Ascension
- Gene DX (Multiple Phases)
- Lakelands Clubhouse & Pool
- American Red Cross Holland Labs
- Rollins Park Clubhouse & Pool
- ProNeuron/Pro Virus
- NIST Net Zero Test Facility
- Journey's Crossing
- MedImmune
- Clarksburg Pool Renovation
- Community Services for Autistic Adults and Children (CSAAC)
- DANAC Corporate Center
- Aspen Publishers, Inc.
- Washington Post Distribution Center
- Stanford Overlook
- Goddard School Clarksburg, Ellicott City
- Danker Furniture (3 locations)
- Snowden Professional Center

Dan's community involvement includes: Instructor for construction management curriculum programs at: Montgomery Community College in Rockville, MD, University of Maryland, and Associated Builders & Contractors (ABC). He has served as the Chairman on the Montgomery College Industry Advisory Board, past Chair of Montgomery County Branch of the USGBC National Capital Region Chapter. Dan is currently a member of NAIOP DC/MD Leadership Committee.

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THERRIEN WADDELL

MATT MAYNARD
VICE PRESIDENT

Matt joined Therrien Waddell in 2004, and has successfully supervised, estimated, and managed base building construction including offices, warehouses, retail spaces, religious projects, and laboratories as well as façade renovations, and interior tenant renovations throughout the Washington, DC Metropolitan area. Most recently, Matt has developed and supervised Therrien Waddell's Data Center Division which has successfully completed over three million square feet of construction across multiple jurisdictions in Northern Virgina and has brought every project in on-time and on-budget. He has coordinated with design teams during preconstruction planning, preparing budget and value engineering analysis, as well as bidding and negotiating with key contractors. He leads and coordinates the activities and work assignments of project management and estimating staff and is the Director of the TW Safety Program.

EDUCATION/CERTIFICATIONS:

- Bachelor's in Political Science - James Madison University
- Green Advantage Certified
- Project Management Continuing Education and Safety Training

GENERAL RESPONSIBILITIES:

- Manage project estimating, budgeting, and subcontracting
- Analyze constructability concerns and provides solutions
- Coordinate the workload and activities of the TW Project Teams
- Analyze, make decisions, and provides estimating and project management oversight
- Develop goals, prioritize and promote strategies for corporate growth and development
- Manage the project reporting requirements and accounting functions of staff

REPRESENTATIVE PROJECT EXPERIENCE:

- Over 3 Million SF of Data Center Construction, No. VA
- Holy Cross Hospital Medical Office Building Tenant Suites
- Kings Crossing Shopping Center
- GSA-US Customs and Border Protection
- Singleton Electric Company
- Westover Place, Washington, DC
- Travilah Square Trader Joe's
- Blue Bottle Coffee
- GSA-US Patent & Trademark Office
- Rockville Porsche Audi Dealership
- Total Site Solutions
- Hewlett Packard
- The Container Store
- MedImmune
- Dr. Hess Plastic Surgery Office
- Travilah Square Shopping Center
- Journey's Crossing Church
- Glen Forest Shopping Center

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Gabriel Romero

AIA, LEED AP - Project Manager

Gabriel's main responsibility for the Bath County Visitor Center project will be to provide design team leadership and will be the primary person in contact with the county. He will also be in charge of coordination for all disciplines and to move the project forward as it obtains approvals with the various Bath County offices.

Gabriel Romero visualizes the end in the beginning in all of his projects, from concept drawings through the final phases of construction. While his thorough understanding of master planning and design principles energizes the start of a project, Gabriel's appreciation for the beauty of seeing plans taking form through the entire process to completion underscores his precision in meticulous construction drawings and on-site construction supervision – a mindset informed by dual degrees in architecture and civil engineering.

With extensive leadership in the successful development of numerous complex sites, Gabriel also has broad experience in managing complex civic and development ventures. His significant expertise in all phases of design, planning and construction--plus critical strategic relationships with civil, structural and mechanical engineers and building contractors--plays a key role ensuring that Bath County's Visitor Center project goals and priorities are met. Mr. Romero has been a regular guest juror at Catholic University's School of Architecture and has a long history of community involvement. He was elected as a School Board member in Montgomery County, MD and has served as a board member for the Strathmore Hall for Fine Arts and Identity, Inc. He is a graduate of Leadership Montgomery, Class of 2002.

Education:
M. Architecture
Catholic University of America, 1985

B.S. Architecture
Catholic University of America, 1984

B.S. Civil Engineering
Catholic University of America, 1984

AA Arch/Const Tech.
Montgomery College, 1979

Professional and Charitable Associations:
Identity, Inc., Member, Board of Directors (2004 -2016)
Strathmore Hall Art Center, Former Member, Board of Directors (2004-2012)
Montgomery County Board of Education, Former Member (2002-2006)

Registrations
Licensed Architect, Maryland, Pennsylvania

Years of Experience
32

Years with GBR
5

Select Project Experience
Master Planning
- Aspen Hill Memorial Park, Aspen Hill, MD
- Cabin Branch Community Center, Clarksburg, MD
- Distrito Portales, Guatemala City, Guatemala
- Tavistock Lake Nona Corporate Campus, Orlando, FL
- Community Center, Clarksburg, MD

Arts-Recreation
- The Warner Theatre, Washington, DC
- Gaithersburg Arts Barn, Gaithersburg, MD
- City Hall Concert Pavilion, Gaithersburg, MD
- Temple Hall Visitor Center, Leesburg, VA

Planning-Community Centers
- Overlee Community Center, Arlington, VA
- Villages of Urbana, Urbana, MD
- Lakelands Community Center, Gaithersburg, MD
- Kentlands Community Center, Gaithersburg, MD

Honors and Awards:
- 2012 Delta Associates Award for Excellence. Best Renovation-Mid Atlantic. The Milano Apartments.
- 2008 MHN Design of Excellence Awards. Traditional Neighborhood Design/ New Urbanism for Park Village, Ft. Belvoir/VA.
- 2008 Fairfax County Exceptional Design Award-Merit Award, Historical Category Park Village, Ft. Belvoir, VA.

Mario Rodríguez

Project Designer

Mario Rodríguez brings a renewed perspective on design to the team, with his understanding of sustainable methods in construction and with his knowledge of new technologies. He strongly believes that great projects are driven by good ideas with a great vision. In the projects he is involved, he delivers with great momentum and commitment, always maintaining a clarity until completion. His broad perspective constantly pushes the boundaries of creativity and increases the level of efficiency, bringing new resources and methods to the table.

For him, architecture has the intrinsic potential, along with the collaboration with other disciplines, to create a positive impact on society and in people's lives. With a background in music, poetry, drawing, painting, sports, languages, Mario possesses a palette that comes into play when planning and executing projects with quality and with a subtle sensibility in the human experience.

Education:
M. Architecture
Virginia Polytechnic Institute and State University, 2019

B.S. Architecture
University of Utah, 2016

A.S. Architecture Technology
Salt Lake Community College, 2014

A.S. Business Management
LDS Business College, 2012

Years of Experience
6

Years with GBR
3

Select Project Experience

Commercial:
- OC Tanner Headquarters, Salt Lake City UT
- Maverik Gas Station Prototype, Western United States
- Canyons Parking Structure, Park City UT
- Good Earth Natural Foods, Orem UT
- Casino Arizona, Scottsdale AZ

Offices:
- Nordic House Office Building, Minneapolis MN
- District of Columbia Bar, Washington DC

Arts-Recreation:
- National Gallery of Art, Washington DC
  - -Concourse Auditorium Entrance
  - -Skylight Replacement
- Montgomery County Humane Society, Silver Spring MD
- Bretton Woods Recreation Center, Germantown MD
- Sidgmore Pool Pavilion, Rockville MD

Educational:
- Oakwood Classroom Renovation, Annandale VA

Residential:
- Gonzaga Rectory Renovation, Washington DC

Honors and Awards:
- AIA|DC 2019 Emerging Architects Committee Thesis Showcase - Selected Graduate Thesis

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SECTION D

PROJECT PROFILES

CITY OF ROCKVILLE - KING FARM

Attachment 12.d: Attachment D Therrien Waddell & GBR Architects, LLC (3095 : Discussion on the Responses to the Request for the King Farm

THERRIEN WADDELL

PROJECT PROFILE

Institutional

THE GODDARD SCHOOL

LOCATION Clarksburg, Maryland	**SCOPE** New Building / 22,000 SF
CLIENT The Goddard School	**ARCHITECT** MV+A Architects

Constructed a new one story daycare and after school care facility featuring concrete slab on grade, wood framed exterior walls and roof trusses, masonry/stone wainscot, fiber cement siding, double hung windows and aluminum and glass entry doors. Warmly decorated classroom interiors included linear strip wood vinyl, custom fabricated millwork, offices, bathrooms, and meeting areas. The after school building includes a classroom for school homework crafts, enclosed gym, and outside play areas for older school age children. Work was performed on a sensitive site protected forest conservation and storm water areas, pervious pavement. Extensive public utility extensions and modifications along with state road widening and restriping were performed. Planned for LEED Certified.

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THERRIEN WADDELL

PROJECT PROFILE

INSTITUTIONAL

LAKELANDS COMMUNITY CENTER

LOCATION Gaithersburg, Maryland	SCOPE New Building / 12, 000 SF
CLIENT Classic Communities	ARCHITECT RKtects Studio, Inc.

Therrien Waddell constructed a new three level center in a new residential community. The coomunity center includes an elevator, fitness room, locker areas, offices, conference, and multipurpose rooms. Complex structural frame included combination of wood, steel and concrete. Extensive pool deck encompassed three swimming pools, pool house, arbors, and a concession stand.

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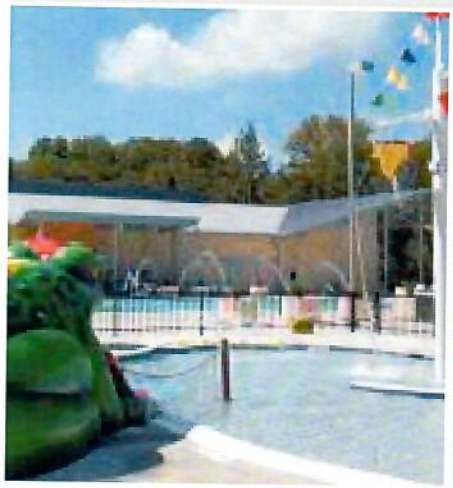
THERRIEN WADDELL

PROJECT PROFILE



INSTITUTIONAL

ROLLINS PARK COMMUNITY CENTER

LOCATION Rockville, MD	SCOPE New Building / 13,000 SF
CLIENT Rollins Congressional Clubhouse, LLC	ARCHITECT MV + A Architects

Therrien Waddell was hired to manage the construction of the Rollins Park Community Center in Rockville, Maryland. Extensive site construction and foundation work was required due to a high water table and unsuitable soils. The scope of work included demolition of old pool areas, major stream restoration work, and construction of a new clubhouse, with shower & locker areas, state-of-the-art exercise room, and large assembly & conference center. Three pools were constructed: a vortex pool with a lazy river, a tsunami feature, and water spouts; an elaborate kiddie pool with slides and waterfalls; and a completely refurbished

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THERRIEN WADDELL

PROJECT PROFILE

Retail

TRAVILAH SQUARE SHOPPING CENTER

LOCATION Rockville, MD	SCOPE Facade Renovation /Base Building 13,612 SF
CLIENT Finmarc Management Inc.	ARCHITECT MV&A

Therrien Waddell was hired by Finmarc Management to assist with the revitalization efforts for the Travilah Square Shopping Center. The shopping center was originally constructed by Therrien Waddell in 1987. The scope of service include façade renovation for the entire shopping center. Therrien Waddell also handled the demolishion of an existing office building and Burger King restaurant and the construction of the core and shell building for a Trader Joe's grocery store.

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VILLAGES OF URBANA

Urbana, MD

A Master Plan re-imagined an existing pool community center, replacing an existing two story wood frame structure with a new community association building containing administrative office space, a large gathering room for the membership and a resident manager's residence. The plan includes a new competition pool, as well as new social and baby pools. All pools are fully accessible, and the pool deck area has been greatly increased. The clubhouse and pools are linked with stepped terraces overlooking the competition pool and a new stone retaining wall defines a landscaped playground area where the old house once existed. The project also includes a sand volleyball court and reconfigures driveway and parking areas to maximize tree protection on the wooded portions of the site.

LOCATION
Urbana, MD

CLIENT
Overlee Community Association

KEY PERSONNEL & ROLE
Gabriel Romero, Principal & Lead Designer

REFERENCE
Mr. Paul Coleman
Natelli Communities, Inc.
301-620-0857
pcoleman@natelli.com

OVERLEE COMMUNITY CENTER

Arlington, VA

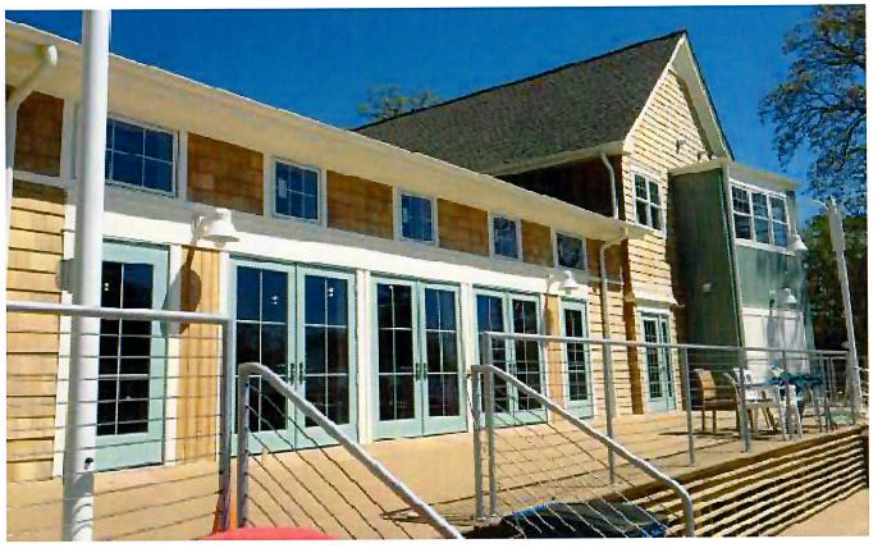
A Master Plan re-imagined an existing pool and community center, replacing a two story wood frame structure with a new community association building containing administrative office space, a large gathering room for the membership and a resident manager's residence. The plan includes a new competition pool, as well as new social and baby pools. All pools are fully accessible, and the pool deck area has been greatly increased. The clubhouse and pools are linked with stepped terraces overlooking the competition pool and a new stone retaining wall defines a landscaped playground area where the old house once existed. The project also includes a sand volleyball court and reconfigures driveway and parking areas to maximize tree protection on the wooded portions of the site.

LOCATION
Arlington, VA

CLIENT
Overlee Community Association

KEY PERSONNEL & ROLE
Gabriel Romero, Principal & Lead Designer

REFERENCE
Mr. Christopher Tai
703-517-2652
ctai@steptoe.com



MONTGOMERY COUNTY HUMANE SOCIETY

Silver Spring, MD

The Campus Plan for the Montgomery County Humane Society headquarters is located in the historic Aspen Hill Memorial Park in Montgomery County, MD. Two historic properties, listed with the Maryland Historic Trust, will be fully rehabilitated and new buildings that house other programmatic elements for MCHS are arranged around an open landscaped courtyard. The new structures are modern in design using the vernacular aesthetic of Maryland rural architecture but are also very respectful of the historic buildings and their historic view shed. The new 16,000 sf headquarters will serve MCHS to serve its mission to provide adoption, pet education and a community services clinic at the site. It will also be open for a number of community events and will provide an inviting park setting accessible to the public. The historic pet cemetery will be fully restored with new interpretive paths and columbarium added to enhance the historic cemetery and landscape grounds.

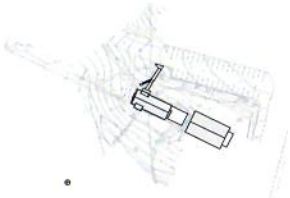
Planning was required to proceed with a Preliminary Site Plan approval from MNCPPC since the site was on an unrecorded lot and contained historic structures. Our team has prepared and completed the MNCPPC required historic preservation reviews as well. The full planning process will be completed in a January 2020 hearing before the Planning Commission for final development approval.

LOCATION
Silver Spring, MD

CLIENT
Humane Society

KEY PERSONNEL & ROLE
Gabriel Romero, Principal & Lead Designer

REFERENCE
Cris Bombaugh
240-252-2555
bombaugh@mchumane.org



BRETTON WOODS RECRECATION CENTER

Germantown, MD

The fundamental aspect of this project is to create a Tennis Clubhouse with very compact but pleasant amenities —including an exercise area— to serve the Bretton Woods and IMF community. To achieve this, we have made a comprehensive plan that was site-specific, compact, efficient and economical. We also first found a sense of common purpose that is shared by all stakeholders and built a spirit of collaboration among all of the design and construction team.

From the beginning we saw on the site the main source of inspiration, gathering important information about the most prominent aspects of it, its topography, vantage points, and views and the sense for what makes this place special. Thus, our designers have engaged their creativity with the surrounding context.

True to its surroundings, the new Tennis Clubhouse will sit on the site being respectful with the Maryland country architecture, being thoughtful on the choice of materi-

LOCATION
Germantown, MD

CLIENT
International Monetary Fund

KEY PERSONNEL & ROLE
Gabriel Romero, Principal & Lead Designer

REFERENCE
Merrell B. Ashley
703-625-0755
mba@alignccm.com

THERRIEN WADDELL

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SECTION E

CONCEPTUAL IMAGES

CITY OF ROCKVILLE - KING FARM

Attachment 12.d: Attachment D Therrien Waddell & GBR Architects, LLC (3095 : Discussion on the Responses to the Request for the King Farm

CITY OF ROCKVILLE - KING FARM FARMSTEAD

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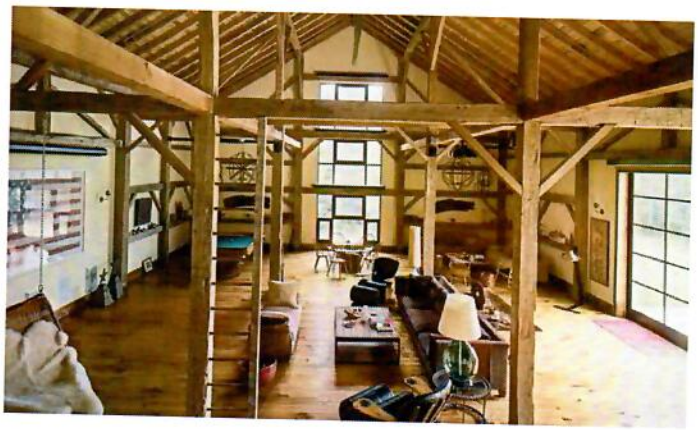

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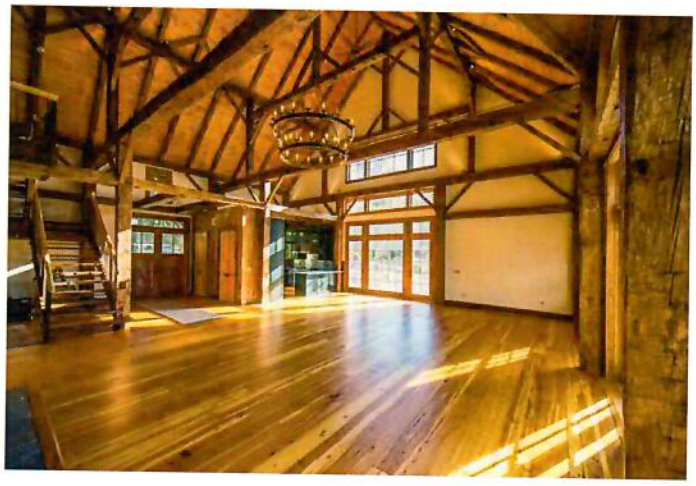
CITY OF ROCKVILLE - KING FARM FARMSTEAD



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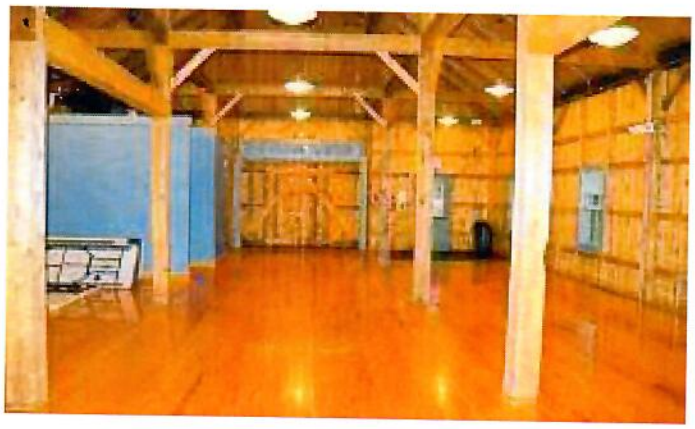

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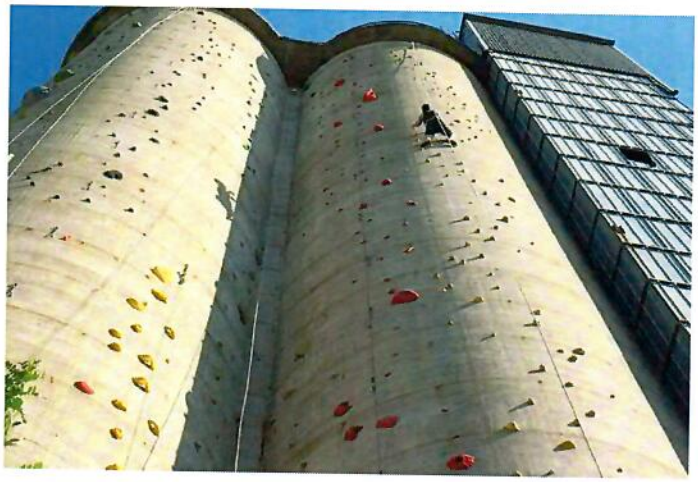
CITY OF ROCKVILLE - KING FARM FARMSTEAD



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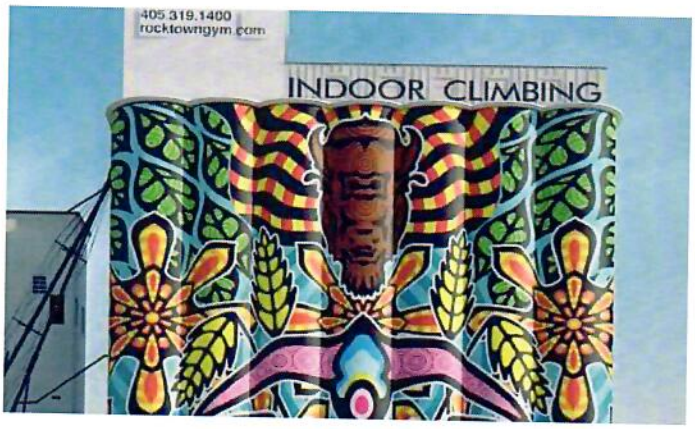

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CITY OF ROCKVILLE - KING FARM FARMSTEAD

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301 770 2275 phone
301 816 9131 fax

Mayor & Council Meeting Date: April 20, 2020
Agenda Item Type: Review and Comment
Department: City Manager's Office
Responsible Staff: Jenny Kimball

Subject

Action Report

Recommendation

Staff recommends that the Mayor and Council review and comment on the Action Report.

Attachments

Attachment 13.A.a: MC Action Report Master 2020 _REVISED 041520 (DOC)

Rob DiSpirito, City Manager 4/15/2020

Attachment A

Blue - new items to the list.
Red - latest changes.

Mayor and Council Action Report

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff / Action Taken / Status	Timeline
2014-23	9/8/11	R&P	Future agenda	**King Farm Farmstead** **Status: Responses to a request for information (RFI) on potential future uses of the Farmstead were shared with the Mayor and Council on January 24, 2020. The responses will be discussed at the April 20, 2020 meeting.**	Ongoing
2015-14	7/13/15	CMO	Future agenda	**Purchasing Study Response** **Status: An update on the Procurement Action Plan was shared on January 27, 2020. Another update will be provided in July 2020.**	Ongoing
2016-12	9/26/16	HR	Future agenda	**Vacancy Report** Provide a Vacancy Report to the Mayor and Council at the end of each Quarter. **Status: The Fiscal Year 2020 second quarter report was shared on January 27, 2020 meeting. The next report will be shared with the Mayor and Council via e-mail by April 27, 2020.**	April 27, 2020 Email distribution
2016-16	10/10/16	PDS	Future agenda	**Global Issues on BRT** Schedule another discussion on BRT with the City of Gaithersburg and Montgomery County, to include broader issues such as governance and finance. Consider holding the meeting in Gaithersburg. **Status: County transportation is studying alternatives to identify a recommended alternative for design of the MD 355 route. A recommended alternative for the Viers Mill route was selected. The project is funded for preliminary design in the County Budget for FY23.**	Ongoing
2016-18	10/24/16	PDS	Future agenda	**FAST – Faster, Smarter, More Transparent (Site Plan/Development Review Improvements)** Provide regular updates on the status of the work. **Status: A FaST update was provided to the Mayor and Council on November 18, 2019. The next update is scheduled for June 1, 2020.**	Ongoing

Attachment 13.A.a: MC Action Report Master 2020 _REVISED 041520 (3093 : Action Report)

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff / Action Taken / Status	Timeline
2017-6	2/27/17	CMO	Email	**Minority-, Female- & Disabled-Owned Businesses** Provide updates on the Procurement Division's activities to engage and support minority-, female- and disabled-owned businesses. **Status: The next update will be provided by email by April 27, 2020. Staff is researching a veteran's preference component and will share information with the material emailed by April 27. A local preference approach for City procurement will be discussed as a separate agenda item.**	April 27, 2020 email distribution.
2017-11	6/12/17	R&P	Agenda item	**Deer Population in Rockville** Continue to monitor the deer population. Consider action steps and gather community input. **Status: The Mayor and Council directed staff to implement the pilot deer culling program. Staff will bring required changes to the City Code for Mayor and Council for approval on June 1, 2020. Given the increased use of RedGate as a park, staff will bring back on the Mayor and Council's May 18, 2020 agenda the topic of an alternate location for the pilot program.**	September-November 2020
2018-1	1/22/18	Finance	Action Report	**Utility Billing System** Provide updates on the replacement of the Velocity Payment System, powered by Govolution. **Status: Contracts are in place, a kick-off meeting was held and implementation underway, with estimated completion in July 2020. By the end of April, Finance will decide, based on the current environment, whether the planned July 2020 utility billing system live date will need to be delayed to the fall of 2020.**	July 2020
2018-7	6/18/18	CMO	Agenda Item	**LGBTQ Initiatives** Identify and implement Mayor and Council suggestions. **Status: Comments about future gender-neutral bathroom installations were shared during the Mayor and Council's March 2 budget worksession. Discussion will continue through the remaining budget worksessions. Signs directing users to the gender-neutral bathrooms in City Hall were ordered and temporary signs are currently up.**	Ongoing

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff / Action Taken / Status	Timeline
2018-8	6/18/18	CMO/RCPD /R&P	Town Meeting	**Opioid Town Meeting** Schedule a Town Meeting on the opioid crisis, to include prevention, enforcement and treatment. **Status: A subset of the committee working on a strategic plan for the Rockville Goes Purple Initiative will convene after the immediate needs of the COVID-19 response are addressed.**	Ongoing
2018-11	8/1/18	PDS	Agenda Item	**Neighborhood Shopping Centers** Discuss mechanisms to encourage neighborhood shopping center revitalization and explore additional zoning and uses	Summer 2020
2018-15	10/8/18	PDS	Future Agenda	**Short-Term Residential Rentals** Discuss how to manage short-term residential rentals' (e.g., Airbnb) impact on city neighborhoods and explore options for taxing users. **Status: Short-term residential rentals was discussed on January 13. Staff emailed the results of additional research requested by the Mayor and Council on January 23, 2020. The Mayor and Council also requested that a public hearing be held at a future date.**	Fall 2020
2018-19	10/15/18	HR	Future Agenda	**Volunteer Program** Discuss whether the Mayor and Council want to direct the City Manager to create a centralized volunteer program. **Status: A report on the number of volunteers and volunteer hours for the first half of FY20 was provided on the January 13, 2020 agenda. The next update will be on the July 27, 2020 agenda.** **On March 30, the Mayor and Council inquired about the annual Volunteer Appreciation Party. This is an annual event, hosted by the Mayor and Council, as a token of thanks to all the volunteers who have contributed their time throughout the year. Attendees have a buffet dinner and beverages, and hear remarks of thanks from the Mayor and Council. Invitations are sent to all the boards and commissions, coaches, senior center, REDI, Rockville Concert Band, Rockville Chorus, Rockville Civic Ballet, Rockville Sister City, F. Scott Fitzgerald Literary Festival and other volunteers. This year's party is scheduled from 5:30-7:30 p.m. on Wednesday, September 16 at Glenview Mansion.**	July 27, 2020

Attachment 13.A.a: MC Action Report Master 2020 _REVISED 041520 (3093 : Action Report)

Attachment A

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff / Action Taken / Status	Timeline
2019-1	10/29/18	PDS	Future Agenda	**Accessory Structures** **Status: The Mayor and Council authorized the filing of a Zoning Text Amendment on April 8. A workshop was held on May 29th for the public to learn more about these proposed regulations. A public hearing was held on July 15 and October 7, 2019. Discussion and Instruction was held on September 16, 2019. Mayor and Council and staff determined that there are outstanding issues to continue flushing out and to discuss further at a future meeting. This topic will be discussed at the April 20, 2020 meeting.**	April 20, 2020
2019-2	2/25/19	R&P/PDS/ CMO	Future Agenda	**RedGate Golf Course Property** **Veterans Home –** Consider the proposed partnership with the Maryland Veterans Administration to establish a home for veterans at the Redgate property. **Status: On April 13, the State Secretary of Veteran's Affairs confirmed that the State selected a site in Carroll County for the second veteran's home, and thanked the City for the consideration of a Rockville site.** **Master Planning** – Prepare a scope of work for a master planning consultant. **Status: With the removal of RedGate from consideration for a home for Veterans and the feedback obtained during the March 30 Mayor and Council discussion, staff is revising the approach to plan the future use of the site and will share a proposed path forward via memo to the Mayor and Council by the end of April.**	Ongoing TBD
2019-4	3/25/19	PDS	Future Agenda	**Business Improvement Districts (BIDs) and Tax Increment Financing (TIF)** Discussion of potential City uses of BIDs and TIFs	TBD
2019-7	4/1/19	R & P	Memo	**Child Care Services** Discuss city provision of child care services (history of the current program, community need for the service, private sector market, expansion to additional Rockville locations). **Status: This item was discussed on September 9, 2019. Staff answered questions about child care cost recovery by email the week of October 14, 2019. A worksession discussion occurred on November 25, 2019. Additional information was provided via e-mail to the Mayor and Council on November 26, 2019. Staff is preparing a strategy to follow up on the worksession discussion.**	Summer 2020

Attachment 13.A.a: MC Action Report Master 2020 _REVISED 041520 (3093 : Action Report)

Attachment A

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff / Action Taken / Status	Timeline
2019-9	4/1/19	HR	Memo	**Reduction in Force (RIF) Policy** **Prepare a Reduction in Force (RIF) policy, to be incorporated in the Personnel Policy and Procedures Manual update.** **Status: Mayor and Council will consider this policy in the context of the ongoing review of the proposed Personnel Policies and Procedures Manual (PPM). The next discussion of the PPM is scheduled for May 18, 2020.**	May 18, 2020
2019-10	4/1/19	HR	Email	**Personnel Policy and Procedures Manual Update** Share an update on the status of this effort. **Status: The draft revised manual was distributed to Mayor and Council on January 31, 2020 and was discussed at the February 24, 2020 meeting. Mayor and Councilmembers are forwarding questions to staff who will provide responses in writing. The next discussion on agenda was planned for May 18, 2020. That will be rescheduled to a later date to be determined given the ongoing COVID-19 response.**	TBD
2019-11	4/1/19	HR	Future Agenda	**Retirement Incentive/Employee Buyout Program** Provide information about employee buyout programs and discuss the potential for a Rockville program. **Status: Director of Finance provided an update to the Mayor and Council via email on May 3, 2019.**	Summer 2020
2019-12	4/1/19	Police	Future Agenda	**Parking Enforcement at Street Meters** Share an overview of Rockville's current program and how other local jurisdictions handle parking enforcement at street meters, including hours of enforcement. **Status: Parking meter operations was a component of the Mayor and Council's parking discussion on July 15th, 2019. Staff will continue to discuss this topic with FRIT and will keep the Mayor and Council informed as developments occur. To support take-out only operations of Rockville food service businesses during COVID-19 response, parking meter spaces have been signed as 15- minute curbside pick-up.**	Ongoing

Attachment 13.A.a: MC Action Report Master 2020 _REVISED 041520 (3093 : Action Report)

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff / Action Taken / Status	Timeline
2019-19	12/16/2019	City Clerk/Director of Council Operations	Worksession	**Boards and Commissions Task Force Work Session** – Continue the Mayor and Council's discussion of the Boards and Commission Task Force (BCTF). **Status: The Mayor and Council will discuss the BCTF's top four recommendations during a regular meeting on June 8, 2020.**	June 8, 2020
2019-20	12/16/2019	City Clerk/Director of Council Operations	Meeting	**Post-Election Presentation** **Status: On April 6, 2020, the chair of the Board of Supervisors of Elections sent a 2019 Vote By Mail Election Report to the Mayor and Council. The report is posted on the Board of Supervisors of Elections web page. The Board will present the report to the Mayor and Council on May 11.**	May 11, 2020
2020-01	1/6/2020	Police	Future Agenda	**Emergency Management Program** – Receive an update from the Emergency Manager on the city's emergency management program and activities. **Status: Staff is briefing the Mayor and Council on the COVID-19 pandemic on each meeting agenda. A comprehensive update on the emergency management program will be scheduled in July 2020 or as soon as possible after the Emergency Manager's response to COVID-19 concludes.**	July 2020
2020-02	1/13/2020	CMO	Memo and Future Agenda	**5G Wireless Technology** **Status: On March 18, 2020, the Mayor and Council discussed Zoning Text Amendment TXT2019-00251 on regulating the Installation of Small Cell Antennas and directed staff to return on agenda with a revised ZTA based on the results of the discussion.**	May 11, 2020
2020-03	1/13/2020	DPW	Memo and Future Agenda	**Climate Change Efforts -** Brief the Mayor and Council on City efforts related to climate change. **Status: A memo describing potential future options to strategically support energy efficiency, renewable energy, greener fleets, and long-term strategic planning was shared with the Mayor and Council by email the week of April 6, 2020.**	TBD
2020-04	1/13/2020	Police	Memo and Future Agenda	**Drones and Public Safety –** Explore potential public safety issues associated with drones and how the City could consider monitoring, regulating and penalizing criminal activity.	Fall 2020

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff / Action Taken / Status	Timeline
2020-05	1/13/2020	R&P	Email	**Americans with Disabilities Act** – Provide information about the City's work to ensure compliance with ADA requirements at City facilities. **Status: Staff provided initial information via email to the Mayor and Council on January 17, 2020. Funding for ADA-related projects is being discussed by the Mayor and Council in the context of the FY21 proposed budget.**	May 2020
2020-07	1/13/2020	PDS	Future Agenda	**Affordable Housing Goals -** Discuss Rockville's strategy to meet the affordable housing goals established by the Metropolitan Washington Council of Governments (COG). **Status: Future agenda items will explore paths that the city could take to meet the COG housing allocation. In addition, staff will conduct a forum with stakeholders in the development community and building trade association to solicit feedback on the following items, then bring the feedback to the Mayor and Council on agenda:** **1. Affordable Housing Fee for Small Residential Developments** **2. In-Lieu Fee for Condominium Development** **3. Require Developments with 50 or More Units to Provide 15% MPDUs**	Ongoing
2020-08	1/27/2020	CMO/PDS/ Finance/ DPW	Worksession	**Town Center –** Follow up on Mayor and Council direction from the Town Hall meeting and Urban Land Institute (ULI) report. **Status: A status update and discussion of Town Center initiatives is on the Mayor and Council's May 11 agenda.** **Parking** – Explore improvements to parking in Town Center **Status: Staff is preparing a proposal on parking improvements to present to the Mayor and Council.** **Town Center Road Diet –** Study and report to Mayor and Council on suggestions in the TAP report and Mayor and Council's discussion. **Status: Public Works examination of options is underway. Funding was identified for a consultant to continue the examination in FY20. Proposals were received on April 3, 2020 and are under review.** **Real Estate/Broker/Economist Assessment –** In the context of the next update on the ULI recommendations, invite industry experts to dialogue on competitive challenges to Town Center **Undergrounding of Route 355 –** Revisit the information provided to the Mayor and Council, including community impacts, to formulate an official Mayor and Council position. **Status: Discussion is scheduled for June 1, 2020.**	Ongoing

Attachment 13.A.a: MC Action Report Master 2020 _REVISED 041520 (3093 : Action Report)

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff / Action Taken / Status	Timeline
2020-09	1/27/2020	DPW	Future Agenda	**Corridor Cities Transitway –** provide background information to facilitate the current Mayor and Council taking an official position on the CCT route. **Status: Discussion will be scheduled for late summer**	TBD
2020-10	1/27/2020	DPW	Future Agenda	**I-270 widening –** Establish a strategy for negotiating with the State. **Status: City staff met with SHA staff and their consultant on February 14, 2020, to begin coordination on a potential MOU. State staff provided preliminary findings related to the potential impacts of different alternatives on traffic, parks, bridges, utilities, and storm water facilities. More information will be needed to develop the parameters to be used for negotiating an MOU between the City and MDOT. MDOT is preparing to release an RFQ this spring to seek their private developer partner, and they expect to complete this process by 2021. City staff will use information collected to draft parameters for negotiating an MOU with the State for Mayor and Council discussion and instructions. During the next meeting, staff will discuss with SHA utility relocation cost and expectations.**	Ongoing
2020-11		PDS	Future Agenda	**Annexation Options** – Discuss annexation options.	TBD

CLOSED/COMPLETED

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff / Action Taken / Status	Timeline
2019-16	9/16/19	CMO	Future Agenda	**County Bill 29-19 – Health and Sanitation–Electronic Cigarettes; Bill 31-19 – Health and Sanitation–Electronic Cigarettes – Distribution-Use and Possession; and Bill 32-19–Health and Sanitation- Flavored Electronic Cigarettes -** Monitor County Council consideration of the Bill, Resolution, and Text Amendment **Status:** **On March 31, the County Council voted unanimously to approve the three bills and ZTA 19-06. Staff shared an email update with the Mayor and Council on April 3, 2020.**	Completed

Mayor & Council Meeting Date: April 20, 2020
Agenda Item Type: Review and Comment
Department: City Clerk/Director of Council Operations Office
Responsible Staff: Sara Taylor-Ferrell

Subject

Future Agendas

Recommendation

Attachments

Attachment 14.A.a: 04.27.2020 Mock Agenda (DOC)
Attachment 14.A.b: Future Agendas 04.20.2020 (XLS)

Sara Taylor-Ferrell, City Clerk/Director of Council Operations 4/15/2020

MAYOR AND COUNCIL

MEETING NO.
Monday, April 27, 2020 – 6:00 PM

MOCK AGENDA

Agenda item times are estimates only. Items may be considered at times other than those indicated.

Any person who requires assistance in order to attend a city meeting should call the ADA Coordinator at 240-314-8108.

Rockville City Hall will be closed until April 24, due to recent issued state directives for slowing down the spread of the coronavirus COVID-19 and social distancing.

To support social distancing, the Mayor and Council are conducting meetings virtually. The virtual meetings can be viewed on Rockville 11, channel 11 on county cable, livestreamed at www.rockvillemd.gov/rockville11, and available a day after each meeting at www.rockvillemd.gov/videoondemand.

If you wish to submit comments in writing for Community Forum or Public Hearings, please email mayorandcouncil@rockvillemd.gov by no later than 2:00 p.m. on the date of the meeting.

All comments will be acknowledged by the Mayor and Council at the meeting and added to the agenda for public viewing on the website.

Drop-In Sessions will resume by phone on Monday, April 27 from 5:30-6:30 p.m.
Please sign up by 2 p.m. on the meeting day.
https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227

6:00 PM **1. Convene**

2. Pledge of Allegiance

3. Agenda Review

6:05 PM **4. City Manager's Report**

6:15 PM **5. COVID-19 Update**

Attachment 14.A.a: 04.27.2020 Mock Agenda (3096 : Future Agendas)

6:45 PM **6. Proclamation**

A. Asian-American and Pacific Islander Heritage Month

B. Proclamation Declaring May as Building Safety Month

7:00 PM **7. Community Forum**

Any member of the community may address the Mayor and Council for 3 minutes during Community Forum. Unless otherwise indicated, Community Forum is included on the agenda for every regular Mayor and Council meeting, generally between 7:00 and 7:30 pm. Call the City Clerk/Director of Council Operation's Office at 240-314-8280 to sign up to speak in advance or sign up in the Mayor and Council Chamber the night of the meeting.

8. Mayor and Council's Response to Community Forum - submit written comments by email to mayorandcouncil@rockvillemd.gov by 2:00 p.m.

7:20 PM **9. Consent**

A. Approval Minutes

7:25 PM **10. FY 2021 Mayor and Council Budget Worksession**

9:25 PM **11. Discussion on Scope of Charter Review Commission**

9:55 PM **12. Vision Zero Plan Presentation, and Discussion and Instructions to Staff**

10:55 PM **13. Discussion, Instruction, and Possible Adoption of the Comprehensive Transportation Review**

11:05 PM **14. Review and Comment - Mayor and Council Action Report**

15. Review and Comment - Future Agendas

16. Old/New Business

Attachment 14.A.a: 04.27.2020 Mock Agenda (3096 : Future Agendas)

11:30 PM **17. Adjournment**

The Mayor and Council Rules and Procedures and Operating Guidelines establish procedures and practices for Mayor and Council meetings, including public hearing procedures. They are available at: http://www.rockvillemd.gov/mcguidelines.

Attachment 14.A.a: 04.27.2020 Mock Agenda (3096 : Future Agendas)

Future Agendas
Tentative as of 04/20/2020

Meeting : 05/04/20 07:00 PM (11 items)		
Category	Estimated Agenda Time Needed (in minutes)	Title
Proclamation	5	Proclamation Declaring Older Americans Month May 2020
Proclamation	5	Proclamation Declaring Women's Health Week May 10 - 16 2020
Consent	5	Authorize the City Manager to Execute the Seventh Amendment to the Interim Management Agreement Between the Mayor and Council of Rockville and Street Retail, Inc. (Herein Referred to as "FRIT") to Temporarily Manage the Town Square Commercial District and the Town Square Street and Area Lighting District (Collectively, the "Town Square Management District") and the Plaza at Rockville Town Square
Introduction and Possible Adoption	10	Introduction and Adoption of an Ordinance to Amend Chapter 24 Entitled "Water, Sewers and Sewage Disposal, " Article III, "Rates and Charges" So as to Establish the Water and Sewer Usage Charges and Water and Sewer Ready to Serve Charges for Fiscal Year 2021
Adoption	5	Adoption of a Resolution to Establish the Service Charge Rate for Municipal Refuse Collection
Adoption	5	Adoption of an Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 2021
Introduction and Possible Adoption	5	Introduction, and Possible Adoption, of an Ordinance to Levy Special Assessments For Driveway Aprons Constructed in Fiscal Year 2019, Project TC16
Adoption	5	Adoption of a Resolution to Close Completed Capital Improvements Program Projects
Adoption	5	Adoption of Resolution to Declare the Official Intent of the Mayor and Council to Bond Finance Certain Projects Under U.S. Treasury Income Tax Regulation Section 1.150-2
Discussion	20	East Rockville Design Guidelines and Standards: Zoning Text Amendment Discussion
Proclamation	5	Proclamation Recognizing May as Bicycle Awareness Month
Total Meeting Time (In Hours)	1 HRS 15 MINS	

Attachment 14.A.b: Future Agendas 04.20.2020 (3096 : Future Agendas)

Future Agendas
Tentative as of 04/20/2020

Meeting : 05/11/20 07:00 PM (5 items)		
Category	Estimated Agenda Time Needed (in minutes)	Title
Presentation and Discussion	60	Board of Supervisors of Elections - 2019 Vote by Mail Election Report
Discussion	60	Town Center Initiative - Status Update and Discussion
Discussion and Instructions	20	Discussion and Instructions, Project Plan Application PJT2018-00010, an Amendment to the Preliminary Development Plan PDP2006-00011 Located at 900 Rockville Pike; J. Danshes, LLC, Applicant
Introduction and Possible Adoption	45	Introduction and Possible Adoption of Text Amendment TXT2019-00251 -To Adopt Regulations for the Installations of Small Cell Antennas
Consent	5	Authorization to Release and Extinguish an Existing Stormwater Management Easement on Lot 29, Block 2 of the Autrey Heights Subdivision
Total Meeting Time (In Hours)	3 HRS 10 MINS	
Meeting : 05/18/20 07:00 PM (3 items)		
Category	Estimated Agenda Time Needed (in minutes)	Title
Consent	5	Award WMATA Rider Contract #(Contract #), Diesel Fuel, to (Vendor) in the Amount Not to Exceed $199,337. Award of Contract for Diesel Fuel for City Vehicles and Equipment for a Contract Period Up to (????) Years in the Aggregate Amount Not to Exceed $(????)
Proclamation	5	Proclamation Recognizing May 18-22, 2020 as National Public Works Week
Presentation and Discussion	30	Alternative Location for Deer Culling Operation
Total Meeting Time (In Hours)	HR 40 MINS	

Future Agendas
Tentative as of 04/20/2020

Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 06/01/20 07:00 PM (6 items)		
Discussion, Instructions and Possible Adoption	45	Discussion and Instruction and Possible Adoption of Rockville Economic Development, Inc. (REDI) Agreement
Proclamation	5	Proclamation Declaring June 20 as World Refugee Day
Proclamation	5	Proclamation Declaring June as LGBTQ+ Pride Month
Presentation	30	FAST Project Report
Introduction and Possible Adoption	30	Introduction and Possible Adoption of an Ordinance to Amend Chapter 13 of the Rockville City Code Entitled "Miscellaneous Provisions and Offenses" by Adding a New Article to Amend Chapter 13 of the Rockville City Code, Entitled “Miscellaneous Provisions and Offenses” to Add a New Section 13-71 to Regulate the Discharge of Bows Within the City and to Require a Bow Hunter to Report the Failure to Recover a Wounded Deer to City Police.
Introduction and Possible Adoption	30	Introduction and Possible Adoption of an Ordinance to Amend Chapter 14 of the Rockville City Code, Entitled “Parks and Recreation” So as to Amend the Animals; Malicious Mischief, Damage, Etc; Operating Hours; and Traffic Regulations Sections Contained in Article III to Allow for the Establishment of a City Managed Deer Culling Program on City Park Property.
Total Meeting Time (In Hours)	2 HR 25 MINS	
Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 06/08/20 07:00 PM (6 items)		
Discussion and Instructions	40	Boards and Commissions Task Force Priority Recommendations
Discussion, Instructions and Possible Adoption	60	Park Road and North/South Stonestreet Avenue Area Work Session and Possible Adoption

Attachment 14.A.b: Future Agendas 04.20.2020 (3096 : Future Agendas)

Future Agendas
Tentative as of 04/20/2020

Public Hearing	30	Map Amendment MAP2020-00119, for the Rezoning of 102 Aberdeen Road from R-60 to R-60 (Historic District) in Order to Place the Property in a Historic District; Historic District Commission, Applicants
Presentation	30	Briefing on Project Plan PJT2020-00012, Key West at Fallsgrove, for an Amendment to the Fallsgrove Planned Development (PD) to Permit Up to 350 Multifamily Dwellings in Place of the Approved Office Development at 1800 Research Boulevard; Key West Center Fallsgrove LLC, Applicant
Adoption	30	Resolution to Adopt Vision Zero Plan
Total Meeting Time (In Hours)	3 HR 10 MINS	
Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 06/22/20 07:00 PM (1 items)		
Discussion, Instructions and Possible Adoption	30	Proposed Appointment Selections - 2020 Charter Review Commission and Scope of Work
Total Meeting Time (In Hours)	HR 30 MINS	

Attachment 14.A.b: Future Agendas 04.20.2020 (3096 : Future Agendas)