

Submitted March 21, 2023

Approved March 22, 2023

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. 3-2023
Wednesday, February 15, 2023**

The City of Rockville Planning Commission convened in regular session at City Hall and virtually via WebEx at 7:00 p.m.
Wednesday, February 15, 2023

PRESENT

Andrea Nuñez - Chair

Suzan Pitman

Eric Fulton

John Tyner, II

Sam Pearson

Present: Nicholas Dumais, Senior Assistant City Attorney
Jim Wasilak, Zoning Administrator
Nelson Ortiz, Principal Planner
Chris Davis, Senior Planner

Chair Nuñez opened the meeting at 7:00 p.m., noting that the meeting was being conducted in a hybrid format both in-person at City Hall and virtually via WebEx.

I. RECOMMENDATION TO THE BOARD OF APPEALS

A. Recommendation to Board of Appeals on Special Exception Application SPX2023-00406, to Allow an Accessory Apartment Use at 2012 Henry Road in the R-60 Zone; Cao Cuong Nguyen, Applicant

Mr. Ortiz presented the application outlining the request to allow an Accessory Apartment at 2012 Henry Road. He mentioned that an Accessory Apartment was previously permitted at the site through a Special Exception granted to the previous owner in 1993. Staff recommended approval subject to the conditions in the staff report.

Commissioner Fulton made a motion to recommend approval to the Board of Appeals on Special Exception Application SPX2023-00406, to Allow an Accessory Apartment Use at the Property Located in the R-60 Zone at 2012 Henry Road, including the finding that the proposal is in compliance with the Comprehensive Plan. Commissioner Tyner seconded the motion. The motion was approved unanimously 5-0.

II. REVIEW AND ACTION

Waiver Application WAV2023-00004 - to Allow for a 22 Percent Reduction in the Amount of Parking Provided at 12303 Twinbrook Parkway in the MXTD Zone; Peake ReLeaf LLC C/O Warren Lemley, Applicant

Mr. Davis presented the application, which is a Waiver application to allow for a 22 percent reduction in the amount of parking provided at 12303 Twinbrook Parkway. Staff recommended approval.

Chair Nunez asked if the waiver was tied to the site or the tenant's lease, should they leave. Mr. Davis replied that the parking waiver would be attached to the site. Commissioner Tyner asked if the business would be dispensing mostly online pickups or holding in-house consultations. Warren Lemley, President of Peake ReLeaf stated that the majority of orders come in online or through the phone. He mentioned that there are staff at hand to answer customer questions in person; however, the majority are quick pickups and not lengthier stays.

Commissioner Tyner made a motion to approve Waiver Application WAV2023-00004, to allow for a 22 percent reduction in the amount of parking provided at 12303 Twinbrook Parkway. Commissioner Pitman seconded the motion. The motion was approved unanimously 5-0.

III. DISCUSSION

Recommendation to Mayor and Council on TXT2023-00261, an Interim Zoning Ordinance Update to Allow for Floating Zones that Implement the Rockville 2040 Comprehensive Plan Recommendations, and Proposed Changes to Sec. 25.06.05 Administrative Adjustments; Mayor and Council of Rockville, Applicant

Mr. Wasilak gave a presentation on the Zoning Text Amendment consisting of Comprehensive Plan Floating Zones functioning in the interim time before the Zoning Ordinance Rewrite and additional Administrative Adjustments. Commissioners Pitman asked about more pedestrian oriented walkways for increased pedestrian safety in parking lots. Mr. Wasilak mentioned that there are requirements for large parking lots currently, but this is something that could be included with the rewrite of the Zoning Ordinance. Commissioner Tyner reflected the adaptations over time that have come from changes caused by moving away from traditional separation of land uses to mixed use zoning, as well as from increased urbanization, and reminded staff to keep in mind how development standards have been implemented over time.

IV. COMMISSION ITEMS

- A. Staff Liaison Report** – Mr. Wasilak stated at the next meeting on March 8th and he anticipated a few items in addition to the Interim Zoning Ordinance, including a briefing for Tower Oaks, and changes to the Rules of Procedure. Mr. Wasilak confirmed that the Planning Retreat would occur

on March 11 at 10 a.m. to 2 p.m.

B. Old Business – None

C. New Business – None

D. Minutes Approval – Chair Nunez asked if there were any changes needed to the draft minutes of the Commission’s January 25, 2023 meeting. Commissioner Tyner made the motion to approve the January 25, 2023 minutes with the change mentioned. The motion was seconded by Commissioner Fulton. The motion was approved unanimously 5-0.

E. FYI/Correspondence – None

V. ADJOURN

There being no further business to come before the Planning Commission, Commissioner Pitman moved, seconded by Commissioner Fulton, that the meeting be adjourned at 8:19 p.m. The motion was approved unanimously.

Respectfully Submitted,



Commission Liaison