

Submitted July 12, 2023

Approved July 12, 2023

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. 7-2023
Wednesday, April 26, 2023**

The City of Rockville Planning Commission convened in regular session at City Hall and virtually via WebEx at 7:30 p.m.
Wednesday, April 26, 2023

PRESENT

Andrea Nuñez - Chair

Eric Fulton Sam Pearson
John Tyner, II

Absent: Suzan Pitman

Present: Nicholas Dumais, Senior Assistant City Attorney
Jim Wasilak, Chief of Zoning/Staff Liaison (via Webex)
Christopher Davis, Senior Planner
Jane Lyons Raeder, Principal Planner
Nelson Ortiz, Principal 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. Review and Action

A. Final Record Plat Application PLT2023-00616, for Approval of a Final Record Plat for the Consolidation of Two Record Lots into One Record Lot in the R-60 and the Historic District (HD) Zone at 203 Forest Avenue; Joseph P. Richardson and Carolyn K. Hoch, Applicants

Mr. Wasilak introduced Li Alligood, Deputy Zoning Manager, who presented the staff report. Nick Dumais swore in Ms. Alligood prior to her presentation, and she affirmed that she would provide truthful testimony. Ms. Alligood stated that the application is a resubdivision of an existing property to consolidate the two existing lots into a single lot to allow for a building addition. The staff recommends approval, subject to a condition.

Jospeh Richardson, applicant, was sworn in by Mr. Dumais and affirmed that he would testify truthfully. He stated that they are not permitted to add a garage on its own lot, so they were required to consolidate the properties.

Commissioner Fulton commended the applicants on their landscaping.

Commissioner Fulton moved, seconded by Commissioner Tyner, to approve Final Record Plat Application PLT2023-00616, for the consolidation of two lots into a single record lot in the Beall's subdivision, subject to the condition in the staff report. The motion passed 4-0, with Commissioner Pitman absent.

II. Briefing

A. Briefing on Project Plan PJT2023-00016, a Request to Amend an Existing Planned Development to Allow a Retail and Office Center at the Southeast Corner of the Intersection of Rockville Pike and Edmonston Drive, Known as 900 Rockville Pike, in the Planned Development - Champion Billiards (PD-CB) Zone; J. Danshes LLC, Applicant

Jim Wasilak explained why the project is a Project Plan, as it was approved under the optional method of development under the prior code and became a Planned Development along with other optional methods of development projects under the new ordinance in 2009.

Li Alligood briefed the Planning Commission on the application, which supersedes the previous Project Plan application that proposed a small retail center. That application was withdrawn, and the current application proposes 4,400 square feet of retail and a 15-foot multi-use path on MD 355. She noted that the application is on for a briefing for the Mayor and Council on May 8. If the Project Plan is approved, it will be followed by a site plan application.

Commissioner Tyner asked if staff is comfortable with the accommodations for BRT (Bus Rapid Transit) and plans for the upgrades to the corridor. Faramarz Mokhtari responded that staff is coordinating with the County and State, and that the proposal complies with the current design of the BRT and conforms with requirements of the State Highway Administration (SHA) and the Bikeway Master Plan and Rockville Pike Plan.

Commissioner Pearson asked for clarification on the location of the project.

Jody Kline, of the law firm of Miller Miller & Canby, spoke on behalf of the applicant. Ms. Alligood pointed out the site at the corner of MD 355 and Edmonston Drive on a map being presented. Mr. Kline noted that the Mayor and Council questioned how the prior application met all of the requirements of various transportation agencies. The applicant has designed the site based on how those requirements impacted the property. The biggest impact has been on the dedication of right-of-way on MD 355.

Chair Nunez asked if a BRT stop will be located on the property, to which Mr. Mokhtari responded that there would be a stop in the MD 355 median in the vicinity of Edmonston Drive.

Brian Donnelly of the firm of Macris Hendricks and Glascock, civil engineers for the project, presented the site plan. Site access will be via an access easement from the adjacent property as before. He also described the design of the building and site landscaping.

Commissioner Tyner asked about the fencing and landscape materials, and Mr Kline answered that they took all staff recommendations into account. Mr. Donnelly clarified that the screen wall

proposed for the front of the property is proposed in lieu of the required landscape strip width. Ms. Alligood noted that the Commission has the ability to grant a waiver of the landscape strip dimensions as part of the site plan.

Commissioner Fulton commented that there should be a clear pedestrian way to the site from the BRT stop. He asked if there are pedestrian access points other than the vehicular access, which was not answered. He noted that the Rockville Bike Advisory Committee (RBAC) and Rockville Pedestrian Advisory Committee (RPAC) should review the application as it moves through the review process. Mr. Mokhtari noted that staff would review the application for sidewalk connectivity as part of site plan review.

Chair Nunez asked about the amount of parking, which slightly exceeds the minimum. Mr. Donnelly responded that they were confident in the amount of parking provided, which is for general retail. She supported the comments made by Commissioner Fulton.

B. COMMISSION ITEMS

- A. Staff Liaison Report** – Mr. Wasilak stated at the next meeting on May 10th will include tow text amendments: for ADUs and parkland dedication. Ms. Ninez noted that she would be out of town for the next meeting. He noted that the potential retreat meeting on May 24 is not acceptable to the IT staff, who will be gearing up for Hometown Holidays that weekend. He would send out a poll to identify an alternate date. He expected that the retreat will be a good kickoff to the Zoning Rewrite process. He proposes that the retreat would be in early June on an afternoon or early evening.

Mr. Dumais noted that the draft Rules of Procedure would be bought back at a subsequent meeting.

- B. Old Business** – None.

- C. New Business** – None.

- D. Minutes Approval** – None.

- E. FYI/Correspondence** – None.

C. ADJOURN

There being no further business to come before the Planning Commission, Commissioner Fulton moved, seconded by Commissioner Pearson, that the meeting be adjourned at 7:44 p.m. The motion was approved unanimously, with Commissioner Pitman absent.

Respectfully Submitted,

R. James Nasulak

Commission Liaison