

Submitted July 24, 2023

Approved July 26, 2023

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. 08-2023
Wednesday, May 10, 2023**

The City of Rockville Planning Commission convened in regular session at City Hall and virtually via WebEx at 7:00 p.m.
Wednesday, May 10, 2023

PRESENT

Suzan Pitman
Eric Fulton

Sam Pearson
John Tyner, II

Absent: Andrea Nuñez – Chair

Present: Nicholas Dumais, Senior Assistant City Attorney
Jim Wasilak, Chief of Zoning
Shaun Ryan, Development Review Supervisor
John Foreman, Development Services Manager
Timothy Chesnutt, Director of Recreation & Parks
Nelson Ortiz, Principal Planner
Faramarz Mokhtari, Senior Transportation Planner

Commissioner Pearson 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. Commissioner Pearson served as Acting Chair in the absence of Chair Nuñez.

I. Recommendation to Mayor and Council

A. Recommendation to the Mayor and Council on Zoning Text Amendment TXT2019-00255, to Allow Accessory Dwelling Units (ADUs) as a Permitted Conditional Use in Residential Zones; Mayor and Council of Rockville, Applicants

Mr. Wasilak gave a presentation on a text amendment to allow Accessory Dwelling Units as conditional uses. Accessory Dwelling Units are a secondary unit within a detached accessory building located on the same lot as a single unit detached dwelling. Accessory Dwelling Units were included in the ZTA on Accessory Apartments but have since been separated from that amendment. ADUs are not currently permitted in the city; however, the Mayor and Council authorized the filing of this Amendment in January. Mr. Wasilak stated that staff seeks feedback on the draft ADU ZTA, along with additional time to consider and analyze testimony. He concluded by recommending that the Commission receive public testimony on the text amendment this evening and formulate a recommendation to the Mayor and Council at the subsequent meeting.

Commissioner Pitman asked if Mr. Wasilak had recently heard from any other neighborhoods about this issue. Mr. Wasilak responded that he had not heard from anyone recently but the topic had been discussed with other neighborhoods during the ongoing review process.

Commissioner Fulton asked how the 7/10 of a mile radius is determined or if it is described in the Comprehensive Plan. Mr. Wasilak responded that it is a common distance used and is comparable to a walking distance of fifteen minutes.

Ajay Khetarpal gave public testimony representing the West End Citizens Association (WECA). Mr. Khetarpal noted that WECA conducted a community-wide survey for feedback on the text amendment to provide public input on allowing these units, and summarized the results.

B. Recommendation to Mayor and Council on Zoning Text Amendment TXT2023-00262, Proposed Parkland Dedication Requirements, and Proposed City Code Amendment to Implement a Parks Impact Fee; Mayor and Council of Rockville, Applicants

Mr. Wasilak provided a presentation on Parkland Acquisition and Impact Fees for new residential development in the city. He stated the goal is to have a standardized tool to use regularly as new development occurs that will give the city an opportunity to carefully manage demands placed on the park and recreation system and ensure that new capacity can be provided to meet those demands. This would be a Zoning Ordinance standard for residential and nonresidential development with 20 or more dwelling units or 25,000 square feet of commercial or office space, with a minimum project size requirement of 5 acres. There would be a minimum ten percent (10%) land dedication requirement, which could be a combination of land dedication or fee-in-lieu of dedication. Mr. Wasilak concluded the presentation by noting that further recommended changes to the text amendment would be brought back to the Commission for its consideration at a later date.

Commissioner Tyner suggested providing clarification to landowners that the use of the dedicated land area is strictly for increasing the land available for parks outlined through the proposed plan, what type of use the land will fulfill, or the landowner's ability to make use of the property.

Commissioner Pitman talked about the possibility of a height waiver being given so that landowners can minimize their footprint, while maintaining their square footage requirements as well as the parkland dedication requirements. Commissioner Pitman also expressed consideration for rooftop parks and activating passive parks that need rehabilitation to help meet these requirements.

Commissioner Pearson asked how the voluntary contributions of land or to a fund is to work operationally once a donation is received by the city. He also inquired if the city is to save the money received until enough funding has been accumulated for said park, or if development can begin simultaneously, once land or funds are received. Mr. Wasilak responded that there may be stipulations that the donor might add to the funds or property donated, so their immediate needs can be resolved. Other funds received can be accumulated and assigned to land, or to increase capacity of existing parks as needed.

II. Review and Action

- A. Adoption of Revised Rules of Procedure** – Mr. Wasilak introduced the revised document and offered to answer any questions about outlined procedures. Commissioner Pearson suggested waiting on reviewing the Rules of Procedure until Chair Nuñez has returned. Commissioner Pitman seconded the motion to postpone this review until the next meeting.

III. Commission Items

- A. Staff Liaison Report** – Mr. Wasilak informed the Commission that the Planning Commission Retreat would be sometime in between the May 24th and June 14th meetings.
- B. Old Business** – Commissioner Pitman asked how to go about starting the reading list developed for the Planning Commission Retreat. Mr. Dumais advised commissioners to be careful of a quorum of members communicating by email or in person about business, which would require a public meeting.

Commissioner Pitman asked for an update on status with recommendations from the 2016 Housing Study and the 2019 ULI TAP Report on Town Center. Mr. Wasilak responded that the Housing Study results have been incorporated into the Comprehensive Plan, but updates will be provided.

- C. New Business** – None.

- D. Minutes Approval** – None.

- E. FYI/Correspondence** – Commissioner Tyner informed commissioners about a report done by Park and Planning discussing proposals for land near the Montgomery County Conference Center outside the city and suggested looking into the listed developments for further reference.

IV. 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 7:56 p.m. The motion was approved unanimously.

Respectfully Submitted,



Commission Liaison