

Submitted September 3, 2021

Approved September 8, 2021

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION  
MEETING NO. 13-2021  
Wednesday, July 28, 2021**

The City of Rockville Planning Commission convened in regular session  
via WebEx at 7:00 p.m.  
Wednesday, July 28, 2021

**PRESENT**

Suzan Pitman - Chair

Anne Goodman	Andrea Nuñez
Charles Littlefield	Sam Pearson
Sarah Miller	John Tyner, II

**Present:** Nicholas Dumais, Assistant City Attorney  
Jim Wasilak, Chief of Zoning  
Andrea Gilles, Comprehensive Planning Manager  
Sachin Kalbag, Principal Planner

Chair Pitman opened the meeting at 7:00 p.m., noting that the meeting is being conducted virtually by WebEx due to the coronavirus pandemic. Rockville City Hall is closed until further notice to reduce the spread of the virus, based on guidance from the Center for Disease Control (CDC) and state and local officials.

**I. RECOMMENDATION TO MAYOR AND COUNCIL**

**A. Sectional Map Amendment MAP2021-00122, for the Rezoning of a Property at 460 Hungerford Drive from MXCD (Mixed-Use Corridor District) to MXCD-HD (Historic District); Historic District Commission, Applicants**

Jim Wasilak introduced for the subject sectional map amendment (SMA), noting that this amendment was put forth by the Historic District Commission (HDC) and that while no members of the HDC were present at tonight's meeting, staff would make a presentation and members representing the developers and property owner would be available to speak.

Andrea Gilles further presented the SMA, highlighting that the purpose of the proposed map amendment was to designate the subject property at 460 Hungerford Drive as a historic property. She noted that additional information was included in the staff report which was not originally available to the HDC in its review. She further detailed that the process which led to the HDC applying to designate the property as historic began when the applicant proposed demolition of the existing building on the property, which triggered an Evaluation of Significance review by the HDC, as required by the City's Zoning Ordinance. At the May 2021 HDC meeting, staff

recommended denial of historic designation. However, the HDC recommended that the property be designated and an application be filed for the Historic District (HD) overlay zone through the filing of this SMA. She added that unlike the HDC's review at its May 2021 meeting, the Planning Commission could review the subject SMA with broader criteria rather than the HDC, which reviewed the application in accordance with the nine adopted criteria found in the 1986 Historic Resources Management Plan.

Ms. Gilles described the subject property and building, noting that the structure was designed in 1968 by prominent local architect John Sullivan and was initially built as a children's clothing store. She added that the building is an example of modern 1960s architecture and that it is reflective of the commercial development of the 1960s along Rockville Pike. Ms. Gilles added that the existing one-story building has been vacant for several years. She continued that in staff's evaluation, the unique aspects of the property such as the buildings unique mansard roofing design, the brick exterior, and the impact of John Sullivan's design were extensively considered. She added that there were some observed deficiencies in the building's current condition and challenges to the general maintenance of the structure that were characteristic of the history of the site.

Ms. Gilles continued that the HDC had recommended designation and the application of the HD zoning based on their finding that the property met six of the adopted criteria, including representing the development, heritage, or cultural characteristics of the City and representing a significant architectural, design, or landscape entity in the City.

Ms. Gilles indicated that the contrasting recommendation of the HDC and staff was unique in this particular situation, as in most cases staff and the HDC are in agreement for recommendations of such SMAs. She described that the staff findings in these situations are generally more broad in scope and consider such things as conformance with the HDC's adopted criteria, the Comprehensive Master Plan, and the purpose of the Historic District Zone. She added that staff's recommendation to not designate the structure as historic was generated by both the balancing of goals identified concerning the site in the Comprehensive Master Plan as well as the site not rising to the level of some of the HDC adopted criteria and purposes of the HD overlay zone, as well as particularly the low probability of the site successfully operating as a single-use retail space which would be preserved through historic designation.

Ms. Gilles concluded that the Planning Commission should provide a recommendation of denial of the proposed SMA, finding that the property does not meet the criteria for designation. She added that staff's recommendation also included that, prior to demolition, the building be documented with photographs using HABS Standards, and a 30-day period be provided to allow an interested party the opportunity to salvage parts of the building.

Commissioner Goodman inquired about similar styles of architecture found within the City comparable to the subject building. Ms. Gilles responded and clarified that this building in and of itself had unique architectural features but such structures characteristic of single-use retail spaces along heavily auto-oriented Rockville Pike were still very much present in the City. Commissioner Goodman additionally inquired if, with the exception of the HDC, there would be

much desire to preserve structures in the City with similar architectural styles. Ms. Gilles responded that despite being on the market for several years, little interest has been shown to preserve the building through adaptive reuse of the structure. Commissioner Goodman commented that it would have been helpful for the members of the HDC to be present to expand on their recommendation. Ms. Gilles responded that staff had reached out to the HDC members, but unfortunately none were able to attend tonight's meeting.

Upon questioning from Chair Pitman, Ms. Gilles mentioned that the subject building isn't representative of John Sullivan's most characteristic work. In addition, she added that the current building and its materials had been altered over time thus taking away from its historic integrity. Chair Pitman inquired if there are any other structures by Mr. Sullivan which are designated historic. Ms. Gilles and Mr. Wasilak responded that they were unaware of any designated structures by Mr. Sullivan. Ms. Gilles responded that a more proactive approach to historic preservation of local structures by prominent architects is being considered in the Comprehensive Plan update. Commissioner Tyner recalled his experience in visiting the subject property as a children's clothing store and noted that the extensive changes which have occurred over time to the building would require a comprehensive renovation of the structure to restore it to its original condition.

Stacy Silber of the law firm of Lerch, Early and Brewer, representing the project developer, presented the proposed project to the Commission. She was joined by Matt McCool of JP Morgan Chase, architectural historian Anne Adams, Nicholas Speach of Bohler Engineering, and Liz Rogers also of Lerch, Early and Brewer. Ms. Silber thanked the staff for their review of the property and indicated the developer's support of staff's recommendation to not designate the property as a historic district. She added that it was the opinion of her client that the existing building does not rise to the level required by the City code to warrant designation. She continued that if the property were designated, her client would experience financial loss and the City would find it challenging to fulfill objectives established in the Comprehensive Master Plan. She further added that in the proposed redevelopment of the property, several of the City's Master Plan objectives would be met including the extension of Dawson Avenue, enhanced stormwater management facilities, pedestrian connectivity through sidewalk installation and the provision of necessary area for a planned cycle track along MD 355. She concluded that these objectives would not be able to be met by her client if the property was historically designated.

Architectural Historian Anne Adams then presented on the historic preservation aspects of the site. She gave an overview of her experience in historic preservation, noting that she has had over 40 years of experience in the field and in evaluating similar buildings for designation. After reviewing multiple aspects of the site, Ms. Adams indicated that the subject site did not meet any of the established criteria for the site to be designated as historic. She detailed that while incorporating unique elements, the subject building did not demonstrate any evidence of being historically or architecturally significant. She further added that she concurred with the staff's recommendation, and further urged the Planning Commission not to recommend designation of the HD overlay zone to the subject property.

Chair Pitman inquired if there was any additional testimony to be offered on this item. Mr. Wasilak proceeded to read a letter from David Potello, a resident of Upper Rock Circle. Mr. Potello requested that Commission uphold the staff recommendation to not designate the property historic, as it does not rise to the level of significance warranted to be historically significant for preservation. He added that allowing the property to remain MXCD will allow the City more flexibility to plan for the future of the property. Mr. Wasilak added that comments submitted by Peerless Rockville and another citizen were supportive of the HDC's recommendation to historically designate the property.

Commissioner Littlefield indicated his support and concurrence with staff's recommendation. He also communicated his support of staff to develop a plan to preserve more of the City's existing midcentury architecture through historic designation. He added that in consideration of future designations, the Commission should focus on the criteria for preservation rather than what the best use of the property should be.

Commissioner Tyner commented that if the Commission was interested in undesignated sites in Rockville that might be good candidates for designation, the Commission could further work together with Peerless Rockville to identify such sites. He further thanked the staff and Ms. Adams for their thorough presentations.

Commissioners Pearson, Nuñez and Miller also indicated their support for staff's recommendation. Commissioner Pearson also added that in making such a determination, the significance of such sites should not be undervalued, and while not being historically significant, such buildings did serve a specific purpose to people at a certain time, and those who made such buildings possible should not be forgotten.

Chair Pitman advocated for additional investment for preservation within the City. She emphasized the importance of preservation in the City in order to establish anchors within the built landscape so as to give the City a sense of place where people become invested in and active participants of their communities and its spaces.

Commissioner Pearson made a motion to accept staff's recommendation to not recommend approval of Sectional Map Amendment MAP2021-00122, for the Rezoning of a Property at 460 Hungerford Drive from MXCD (Mixed-Use Corridor District) to MXCD-HD (Historic District). Commissioner Tyner seconded the motion. The motion carried unanimously, 7-0.

## **II. REVIEW AND ACTION**

### **A. Waiver Request WAV2021-00001 – for a 10-Percent Reduction in the Number of Required Parking Spaces at 1601 Rockville Pike and 1620 East Jefferson Street in the MXCD (Mixed Use Corridor District) Zone; Congressional Plaza Associate, LLC C/O Federal Realty Investment Trust, Applicant**

Mr. Kalbag presented the subject waiver request to the Commission, explaining that the proposed reduction in parking spaces was being requested in order to allow for a proposed conversion of a

portion of the existing building on the site (Congressional Plaza) from general office (26,528 square feet) to 11,686 square feet of medical and/or dental office uses and a 196-student daycare facility. He continued that the proposed change in use and subsequent request for reduction in parking was generated by a major office tenant leaving the existing building for another location, and the new uses occupying this vacated office space. He added that the Zoning Ordinance does allow the Commission to permit a reduction of parking in specific zones including MXCD, if certain criteria are met. He concluded that staff's recommendation was approval of the subject waiver, as it met several of the criteria for approval, including the site being in close proximity to a transit station, the site being in the immediate vicinity of several bus routes, and the provision of on-site bicycle facilities.

Commissioner Tyner made a motion, seconded by Commissioner Littlefield, to approve Waiver Request WAV2021-00001 for a 10-Percent Reduction in the Number of Required Parking Spaces at 1601 Rockville Pike and 1620 East Jefferson Street in the MXCD (Mixed Use Corridor District) Zone, subject to the findings in the staff report. The motion carried unanimously 7-0.

### III. COMMISSION ITEMS

- A. Staff Liaison Report** – Mr. Wasilak reported that the next Planning Commission meeting would be August 11. He indicated that a Level 2 Site Plan for Potomac Woods, a mixed-use project, would be presented before the Commission. He added that there was substantive interest and concerns raised from the surrounding community on this project and added that the City would be hosting a community meeting on July 29 to provide an opportunity for additional input on the project. He also indicated that the text amendment previously presented to the Commission for self-storage facilities in the MXE Zone would be brought back to the Commission at its next meeting. He detailed that staff was not in support of the proposed amendment, which was initiated by the applicant U-Haul, but added that an alternative amendment was being prepared by staff to further constrict such uses to certain locations and not be applied broadly across the City. Mr. Wasilak concluded that a Transit Plan for the I-270 Corridor would be presented by the Maryland-National Capital Park and Planning Commission staff at the next meeting as well.
- B. Old Business** – Chair Pitman communicated that the WMATA technical team had met and had not resolved the issue of bus locations regarding their current study.

Commissioners Tyner pointed out the pending Comprehensive Plan Update was scheduled to be adopted by the Mayor and Council on August 2.

- C. New Business** –None

**D. Minutes Approval**

Chair Pitman asked if there were any changes needed to the minutes of the Commission's June 23, 2021. Commissioner Tyner moved, seconded by Commissioner Goodman, to approve the

June 23, 2021 minutes with the requested change within the Old Business section from, “Chair Tyner,” to “Commissioner Tyner.” The motion carried unanimously 7-0.

**E. FYI/Correspondence** – None

**IV. ADJOURN**

There being no further business to come before the Planning Commission, Commissioner Pearson moved, seconded by Commissioner Tyner, that the meeting be adjourned at 8:39 p.m. The motion was approved unanimously.

Respectfully Submitted,

A handwritten signature in blue ink that reads "R. James Wasulak". The signature is written in a cursive style with a small dot above the 'i' in "James".

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Commission Liaison