

Submitted October 7, 2020
Approved October 14, 2020

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. 16-2020
Wednesday, September 9, 2020**

The City of Rockville Planning Commission convened in regular session
via WebEx at 7:00 p.m.
Wednesday, September 9, 2020

PRESENT

Charles Littlefield - Chair

Anne Goodman	Suzan Pitman
Don Hadley	John Tyner II
	Rev. Jane Wood

Absent: Sarah Miller

Present: Nicholas Dumais, Assistant City Attorney
Jim Wasilak, Zoning and Development Manager
David Levy, Assistant Director of Planning and Development Services
Andrea Gilles, Comprehensive Planning Manager
Clark Larson, Principal Planner
Larissa Klevan, Principal Planner

Chair Littlefield opened the meeting at 7:06 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 state directives.

I. PUBLIC HEARING

A. Rockville 2040: Planning Areas Draft

Chair Littlefield reviewed the ground rules for the public hearing. Speakers will be granted 3 minutes of time, with representatives of neighborhood groups having five minutes. Extensions will not be granted but the chair will be somewhat lenient in timing. He encouraged written testimony, particularly because of the pandemic.

Clark Larson presented an overview of the draft Planning Areas document and explained the Master Plan review process. The Planning Areas draft includes more neighborhood-oriented policies that were developed by staff and edited by the Commission for public review. He noted that written testimony has been accepted on the draft since February 2020, and the public record will be closed at a date to be determined by the Commission.

The document covers 17 neighborhood planning areas and is formatted consistently, within exception. The draft allows for a more fine-grained approach to planning policies by noting policy changes, recommendations for zoning changes and further implementation steps. He

further summarized public outreach, including submission to the Maryland Department of Planning, adjacent jurisdictions, WMATA, MCPS, REDI, the Rockville Chamber of Commerce, and homeowners and civic associations, as well as social media. The public hearing was advertised in the Washington Post as well as on the City's web site and social media platforms.

He reviewed the methods for providing public comments, in addition to testifying at the virtual public hearing. All written testimony will be posted online for public review. Staff recommends that the public hearing record be closed at the close of business on Wednesday, October 7.

The following individuals spoke at the public hearing:

Jaime Espinosa of 5717 Ridgway Avenue recommended that the Planning Commission take a short pause in planning in order for the City to address the pandemic, which has completely changed the housing dynamic. The future may not support housing near public transportation, as it may be unreasonable to expect things to go back to the same market as it was previously. He feels that the pandemic may impact his housing decisions for the rest of his life, and that many of his peers agree. Some employers may choose to not have workers on site in office buildings, which could result in employees moving to areas with a lower cost of living, which in turn could impact home sales in Rockville. He stressed that the City should reassess its needs in light of COVID-19. Chair Littlefield asked what other uses would be viable, and Mr. Espinosa replied that less retail space may be needed.

Steven Van Grack of 401 King Farm Boulevard, spoke on behalf of Rockville Associates, the owners of 110 North Washington Street. He recommended that the Plan encourage and enhance the change of use for office buildings to residential. He reminded the commission that ULI recommended to increase residential density along East Middle Lane, and supported the rezoning of the west side of North Washington Street to the MXCD zone. Commissioner Wood asked if this is for all income levels, and Mr. Van Grack responded that every residential building should have affordable housing in it. Commissioner Tyner asked if his statement includes other owners, and Mr. Van Grack answered that Federal Realty may make the same request for their properties, but that he has not spoken to others.

Randy Alton of 2309 Glenmore Terrace spoke about Rockshire Village Center and ADA parking spaces that may be required for the Rockshire clubhouse and pool. There are other demands for parking on the property from the Korean Presbyterian Church of Rockville and Wootton HS. He further noted that Scott Drive has no sidewalks to support school students walking to Robert Frost MS. He advocated that the neighborhood needs a comprehensive master plan.

Kap Kapastin, representing the owners of 1460-1488 Rockville Pike, also known as Chesapeake Plaza, had submitted written testimony previously. The property is constrained by its depth, would be further constrained by the future extension of Chapman Avenue. This could potentially reduce the amount of developable land by dividing into three small parcels. In

addition, the State Highway Administration (SHA) may not allow a signal at Chapman Avenue extended and MD 355, as it may violate required minimum distance requirements between signalized intersections.

Christopher Ruhlen of Lerch Early and Brewer addressed the supply of housing in region, which has been the subject of recent study by the Council of Governments (COG). There is an expected shortfall of 75,000 units of additional housing beyond current projections, including an additional 10,000 units in the City. This can be accomplished in part by allowing housing on commercial properties. Chair Littlefield asked if any of the studies taken the pandemic into account. Mr. Ruhlen noted that he has seen studies on the retail environment, which has been much more impacted. Commissioner Goodman noted that she wonders if housing concentrated around transit will be needed as much if commuting patterns change. There may be sites that are not transit accessible but might be appropriate for housing.

Joseph McClane of 216 Halpine Walk Court and president at Cambridge Walk II HOA, spoke on behalf of both townhouse communities on Halpine Road. He said that a petition has been supported by neighbors that are firmly opposed to the two zones recommended for their block of Halpine Road, in direct contradiction of the goals of the draft plan because it will negatively impact the transition area. It is an area of existing missing middle housing and the community does not support high density housing in this block. While the community supports the goals of the plan unlike some neighborhoods, the plan must be sympathetic to existing neighborhoods. He stated that both sides of the street should remain in Planning Area 8, Twinbrook. In response to a question from Chair Littlefield, Mr. Larson responded that this would be a boundary change which can be accomplished in the worksessions. Commissioner Tyner further noted that Halpine Road residents have been part of Twinbrook Citizens Association (TCA) for many years.

George Liechti of 221 Halpine Walk Court is a 5-year resident, and is opposed to rezoning on Halpine Road. He was shocked that more high density housing is proposed. He stated that the area should not be moved to Planning Area 9, but supports the goals of the Master Plan for additional housing but it should not be all in this area.

Meera Murgai of 221 Halpine Walk Court noted that the 5900 block of Halpine Road is a source of missing middle housing, as she pursued the neighborhood while searching for a home to buy. She thinks that high density housing units are fine where appropriate but also supports lower density housing units. She is also concerned about overcrowding at Twinbrook ES.

With the end of testimony for the evening, Chair Littlefield asked the Commission if they had any comments to make at this time. Commissioner Wood stated that it is important to keep in mind that we don't know when the COVID-19 pandemic will end, and that future discussions should keep this in mind.

Commissioner Goodman stated that she supported the requests from Halpine Walk residents to keep the boundaries as they are, and that the Commission address the issue now.

Commissioner Hadley supported hearing all of the public testimony before making a recommended change. Nick Dumais advised that the Commission should wait until the worksessions to make policy changes to the draft, as tonight's meeting is advertised as a public hearing. Commissioner Tyner supported waiting until all testimony has been received before making any decisions on changes to the draft plan. Chair Littlefield suggested that the Commission should heed the advice and continue the discussion after the record is closed.

Commissioner Hadley suggested that there may need to be a review of the plan, once adopted, sooner than in ten years, given not only the pandemic but other trends that are emerging or may emerge in that time. Chair Littlefield noted the testimony received that the plan process should slow down due to the pandemic, and further noted some trends that have been exacerbated by the pandemic.

Clark Larson pointed out that staff has suggested that the closing date for the public record be October 7 at the close of business. Commissioner Pitman asked what outreach will be used to notify the community about the close of the public record. Mr. Larson noted that all avenues that have been used to communicate about the public hearing would be used. Commissioner Tyner supported setting the closure date at this meeting so the public is informed, noting that there are only four regular Commission meetings after September.

Chair Littlefield asked if the public hearing record to be closed is for Volume II or both volumes. Mr. Larson advised that the record had been previously closed on Volume I, and that expected testimony now is for Volume II. David Levy further clarified that if the public record is open for the plan, then it is open for both volumes, and if closed, the record for both volumes would be closed. Commissioner Tyner reminded the Commission that they had agreed that the Elements (Volume I) may need to be adjusted based on decisions made regarding Volume II.

Commissioner Hadley moved, seconded by Commissioner Pitman, that the public record for the Rockville 2040 Plan, Volumes I and II, would close at the close of business on Wednesday, October 7, 2020. Commissioner Hadley suggested that the notice of the public record closing be distributed as soon as possible. The motion failed by a vote of 3-3, with Commissioners Pitman, Hadley, and Goodman voting yes, and Commissioners Tyner and Wood and Chair Littlefield opposed, and Commissioner Miller absent.

Chair Littlefield suggested that a motion be made to have the public record closed for Volume II only and not for Volume I. Mr. Dumais advised that it would be difficult for staff to administer, having to determine to which volume testimony applies, as the person may object to staff's rejection of testimony of the record has closed. Mr. Levy further clarified that closing one volume and not the other does not agree with what had been advertised for the public hearing.

Andrea Gilles stated that she would prefer having a set date to be able to tell the public when asked about the closure of the public record.

Commissioner Hadley moved, seconded by Commissioner Tyner, to close the public record on the Rockville 2040 Master Plan, including both Volumes I and II, at the close of business on Wednesday, October 7. The motion passed 6-0, with Commissioner Miller absent.

II. COMMISSION ITEMS

- A. Staff Liaison Report** – Jim Wasilak reported that the next meeting will be a continuation of the public hearing on the Planning Areas Draft. There are four meetings remaining in the calendar year after that meeting. There are no land use items scheduled, other than a plat on October 14.

Mr. Wasilak provided an update to the Planning Commission on the update to the County's Growth Policy. He noted that staff will be following the public hearing and committee worksessions for its impact on the City. The draft recommends significant changes to the County's school adequacy test for projects in the County.

Chair Littlefield suggested that staff should give an update on the economic impact of the COVID pandemic on the Town Center prior to discussing the topic in worksession. Commissioner Goodman requested that staff provide information on the impact of the pandemic on planning. David Levy noted that the October 5 of the Mayor and Council will include topics on the Town Center. He noted that many of the points raised by the testimony and commissioners are being considered by others, and that this would be an appropriate topic of discussion.

- B. Old Business** – None.

- C. New Business** – Boards and Commissions Task Force Report - Jim Wasilak noted that the Boards and Commissions Task Force Report was distributed to the Planning Commission as a result of a request by the City Clerk's office for comments from the City's boards and commissions. Commissioner Wood asked about the recommendation in the report about a new position to coordinate the boards and commissions, and if this is a salaried position. Commissioner Littlefield asked how the position would affect the Planning Commission, and Mr. Wasilak responded that the new position is intended to provide more support for commissions generally but a staff liaison would still be involved for each. Ms. Goodman added that there was a recognition on the Task Force that the land use boards were somewhat different than the rest, and that the position would ensure that some procedural matters for other boards were handled consistently.

Commissioner Hadley supported the recommendation to provide more support to boards and commissions. He also noted that the idea of providing advice to the Mayor and Council should be emphasized, and that perhaps a Mayor and Council liaison with each board and commission should be revisited. In terms of establishing new boards, he stated that the existing boards should be evaluated before new boards are created. Commissioner Wood was glad to see that the lack of diversity on boards was a concern.

Chair Littlefield asked if the Commission had additional comments, or if this should be considered at a future meeting. Commissioner Hadley suggested that additional time for comments for how the report applies to the Planning Commission was needed. Commissioner Tyner said that the report was very good from a procedural viewpoint, but that the biggest issues are achieving better diversity and finding qualified applicants. He also noted that making sure terms of board members are staggered so members don't turn over all at once.

Commissioner Pitman felt it should come back under Old Business for further discussion, and the Chair agreed.

Commissioner Tyner asked Commissioner Goodman if the Task Force discussion focused on how boards can improve neighborhoods, and she responded that she did not think so, but there was a lot of discussion about measures of effectiveness. Input from the community was a large part of the process. Commissioner Wood observed that board and commission meetings can appear to be long and boring, with an emphasis on small details and not the larger picture, which does not help to recruit a diversity of members.

D. FYI/Correspondence – Mr. Wasilak noted the emails received by the Commission on the Planning Areas Draft.

Commissioner Wood suggested that the Commission should receive printed versions of the public input due to the amount of graphics that have been included in the testimony. Commissioner Tyner suggested that electronic versions should also be received. David Levy noted that staff will provide the testimony in any format desired. Commissioners Wood, Goodman and Chair Littlefield prefer a printed version.

III. ADJOURN

There being no further business to come before the Planning Commission, Commissioner Hadley moved, seconded by Commissioner Wood, that the meeting be adjourned at 9:36 p.m. The motion was approved unanimously.

Respectfully Submitted,

A handwritten signature in blue ink that reads "R. James Wasilak". The signature is written in a cursive style with a small flourish at the end.

Commission Liaison