



- An upgraded pedestrian environment, including enhanced sidewalks, landscaping, street trees, public/civic gathering spaces, and pedestrian-scale lighting.
- A mix of walkable, local-serving commercial uses and multi-unit residential, and residential attached uses at the N. Stonestreet Ave and Park Road intersection.
- A range of new, well-designed residential attached housing types, that complement, and not overwhelm, adjacent single-family housing.

### 2.1.2 Recommendations

#### A. Land Use and Zoning

**In general:** Amend the City's Master Plan to allow for and promote a mixed-use node of local-serving commercial, offices, multi-unit residential, and residential attached along Park Road, between the rail lines and N. Horners Lane (see Map 2.1). New Service Industrial uses are not encouraged at this transit node.

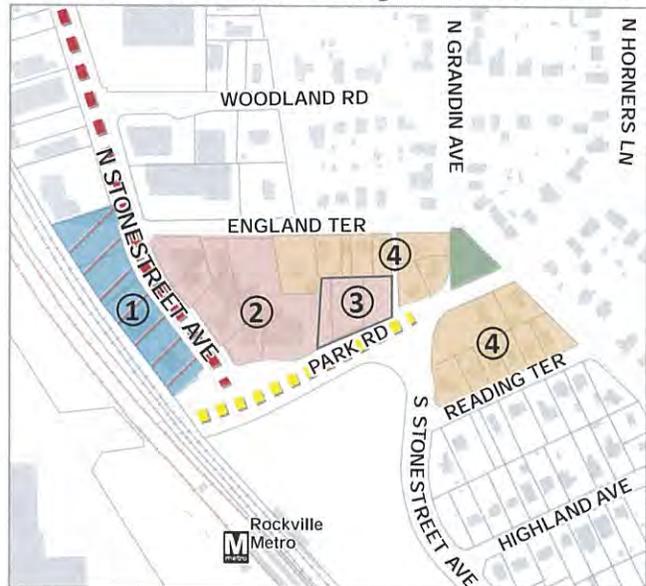
**Property specific (see Map 2.1):**

1. Rezone the properties from Mixed Use Business (MXB) to Mixed Use Neighborhood Commercial (MXNC) to promote retail, office, and services uses.
  - Residential uses are not encouraged given site constraints due to shallow lot depths.
  - Service Industrial is not a permitted use in MXNC and would be a non-conforming use. No new Service Industrial uses would be permitted, but existing uses would be allowed to remain.
2. Rezone the properties from Mixed Use Business (MXB) to Mixed Use Neighborhood Commercial (MXNC) with heights up to 4-5 stories (or 50-65 ft) to promote a mix of local retail and service uses and multi-unit residential across from the Rockville Metro Station.
  - Service Industrial is not a permitted use in MXNC and would be a non-conforming use. No new Service Industrial uses would be permitted, but existing uses would be allowed to remain.

3. Rezone the properties from Single-Family Residential (R-60) to Mixed Use Neighborhood Commercial (MXNC) to promote a greater mix of uses, including smaller-scale multi-unit residential, townhouses, and limited commercial at this transit node.

4. Rezone the properties from Single-Family Residential (R-60) to Residential Medium Density (RMD-15) or to a new zone specifically designed for infill residential to promote a mix of infill housing types, compatible in scale with single-family homes, including duplexes, triplexes, quads, townhouses and **stacked flats**.

Map 2.1: Land Use and Zoning Recommendations



Map 2.2: Aerial of the Area





William Kominers  
301-841-3829  
[wkominers@lerchearly.com](mailto:wkominers@lerchearly.com)

June 4, 2019

**VIA HAND DELIVERY**

Gail Sherman, Chair  
Rockville Planning Commission  
Rockville City Hall  
111 Maryland Avenue  
Rockville, Maryland 20852

RE: 5946 Halpine Road—Comprehensive Plan for the City of Rockville

Dear Chair Sherman and Members of the Planning Commission,

We represent the owner of the property (“Owner”) at 5946 Halpine Road in the City of Rockville (the “Property”) (highlighted in yellow on an excerpt of Tax Map GQ563 attached as Exhibit A). The Property is just to the east of the Twinbrook Station mixed-use development. The purpose of this letter is to comment on the Planning Commission Draft of the Comprehensive Plan for the City of Rockville (the “Plan”) and request that the land use recommendation for the Property in the Plan be changed from RF (Residential Flexible) to the RRM (Retail and Residential Mix) land use category.

The Property, located east of the railroad/Metro tracks, is a short walk to the Twinbrook Metro Station and adjacent to the Twinbrook Station mixed-use development to the west and across the street on the south. The approved plan for Twinbrook Station included four to six story buildings and similar sized parking structures adjacent to the Property, with taller buildings confronting to the southwest (all in the PD-TC Zone). To the immediate east of the Property are townhouse developments known as Cambridge Walk I and II, in the RMD-10 Zone. To the north and northwest are single family homes and industrial properties. (See excerpt from the Zoning Map attached as Exhibit B.) The Property is currently zoned R-60 and is improved with a small house as part of a non-conforming use.

The Owner of the Property has tried unsuccessfully in the past to have the Property rezoned comprehensively, because the single-family zone and use are out of character with the surrounding land uses and zones. The R-60 Zone, a single-family zone (and even the single-family land use), is inappropriate for the Property—because of the Property’s location close to the Metro Station, its nearness to the railroad tracks, its adjacency to property planned under the PD-TC Zone (and recommended in the Plan for an office/residential/retail/mixed land use, under the ORRM designation), and its location relative to other nearby developments (also recommended in the Plan for ORRM, office/residential/retail/mix, or more intense residential land uses). (See the Land Use Policy Map, page 35 of the Plan, attached as Exhibit C.)

The Plan recommends the RF (Residential Flexible) land use designation for the Property. But, the land use should not be limited to only residential uses. Instead, the Owner believes that a residential/retail land use designation (such as the RRM) would be more appropriate, allowing the Property to better serve as a transition from the townhouses to the east to the office/residential/retail/mixed land use of the planned development to the west of the Property (see Plan, Figure 5, p. 35).

There is a long history of the Owner working with the City planners and officials to recognize and implement the most appropriate land use for the Property, to help it reach full potential. During the preparation of the Rockville Pike Neighborhood Plan (the "Pike Plan") the Owner requested that the Property, adjacent to the edge of the Pike planning area, be included in the Pike Plan by extending the boundaries of that Plan. At that time, the City Staff recommended against the request, stating in the Agenda Memo that the "most appropriate mechanism for reconsideration of the land use assigned to this property is already underway - - the Rockville 2040 process to update the Comprehensive Master Plan". During the Citizens Forum and worksession on the Pike Plan (held on June 6, 2016), an individual stated that he represented the Twinbrook Citizen Association and that "no one wanted" the Property to remain residential. He stated that the preference was for a non-residential land use such as office or "modern industrial".

At the June 6, 2016 worksession, Councilmember Pierzchala stated that he did not believe the Property should remain zoned R-60 because the Property is "too close to the path" and it would be too difficult for occupants of a home on the Property to have any privacy. In addition, Mr. Pierzchala opined that use as a park would be a risky use, because a very small park at that location would be an inviting location for dangerous activity. Mayor Newton agreed, at that time, that the R-60 Zone would not be appropriate, and thought that the neighbors would like "townhouses". During that worksession, Planning Staff agreed that the appropriate land use for the Property should be decided during the Comprehensive Plan process. Now that the Plan is well underway, it is finally time to address the future use of the Property.

The Owner is pleased that the Draft Plan recognizes that single-family use is not appropriate, by recommending the RF (Residential Flexible) land use category. However, given the proximity to the Metro Station and the Twinbrook Planned Development, there should also be an opportunity for a limited amount of ground floor retail in a residential redevelopment of the Property. For this reason, the Owner, requests a mixed-use land use designation for Property that would allow a variety of residential uses, including multi-unit residential (just like the Residential Flexible), but also allow limited retail uses. (The size of the Property is, by itself, protection against the size of a retail use.) Therefore, the Owner requests a change to the RRM (Retail and Residential Mixed) land use category. The RF use allows a mix of row houses, apartment buildings, and detached houses, but does not allow any retail uses. In contrast, the RRM mixed-use designation would accommodate a small component of retail to mix uses on the Property.

A multi-unit, primarily residential building would serve as an appropriately scaled transition from the townhouses on the east (Cambridge Walk I and II, currently zoned RMD-10) and the single-family properties further to the east. RRM would also serve as a transition to the

properties to the northwest that are designated as appropriate for SRM (Service Residential Mix), to those designated RA (Residential Attached) to the north, and to the properties to the west and southwest designated as appropriate for the ORRM mixed-use, supporting the planned development.

Establishing the RRM residential/retail/mixed land use for the Property to replace the outdated single-family residential zone on the Property, would be consistent with several policies outlined in the Plan, including Policy 10 on page 34. Policy 10 is to “plan for additional growth near the Twinbrook Metro Station.” One of the Actions described to implement the Policy (Action 10.2) is to “allow attached and small, multi-unit residential types on blocks in the Twinbrook neighborhood adjacent to the east side of the Twinbrook Metro Station as mapped in the Land Use Policy Map.” The Property directly responds to that Action. A land use designation such as RRM, that allows a mix of both retail and residential, would be consistent with Policy 10 and follow Action 10.2. RRM would be appropriate at this location, and would allow some flexibility in use and design of the site. In addition, a retail and residential mixed land use would be compatible with surrounding land uses and would also serve as an appropriate transition to those surrounding land uses.

For many years, through many planning processes, the City has recognized the errors of the R-60 zoning on the Property and of the recommendation for park use. Each time, the City authorities have said that the then-ongoing process was not the right one to use to correct the anomaly.

Most recently, in discussing the Pike Plan in 2016, the Mayor, Council, and City Staff pointed to the upcoming Comprehensive Plan as the method by which to make this correction. The Comprehensive Plan is here. The time has come. The time is now. RF is a start, but RRM is the better and more flexible path to solve a challenging property that is a short walk from the Metro Station. There are future residents waiting for just such an opportunity. Give the Property a chance to be what it can be.

Thank you for your consideration of these comments.

Very truly yours,

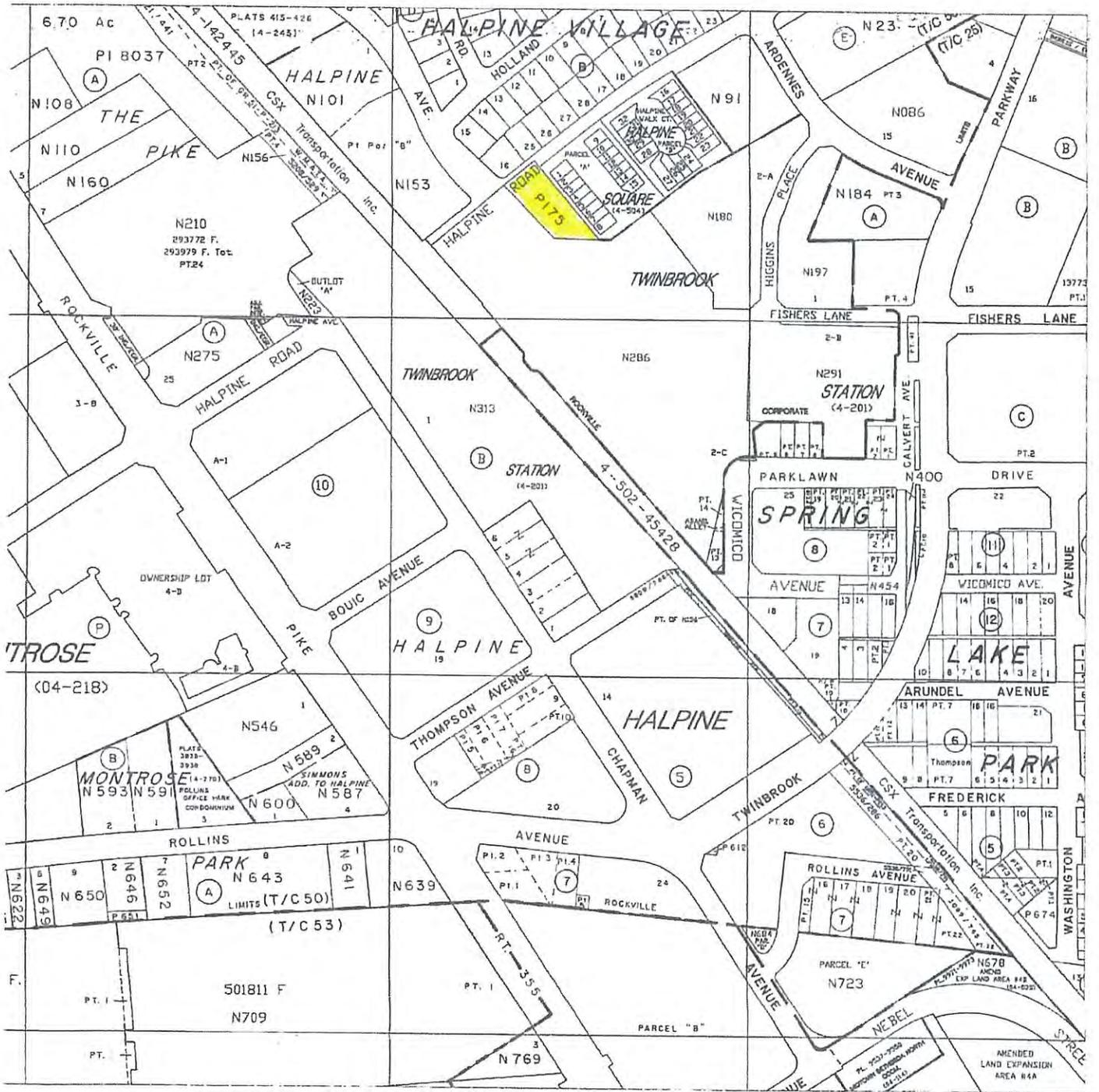
LERCH, EARLY & BREWER, CHARTERED



William Kominers

Enclosures

cc: Mr. Zion Avissar  
Mr. David Levy  
Mr. Barry Gore  
Ms. Cindy Kebba







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June 3, 2019

Gail Sherman, Chair  
Rockville Planning Commission  
Rockville City Hall  
111 Maryland Avenue  
Rockville, Maryland 20850

Re: Planning Commission Draft of the Comprehensive Plan for the City of Rockville (“Draft Plan”)--Comments

Dear Chair Sherman and Members of the Planning Commission:

The purpose of this letter is to comment on a philosophical aspect of the Draft Plan, rather than any of the substantive recommendations for particular properties. The Draft Plan separates the land use recommendations from zoning and implementation recommendations. This separation makes the consideration of the Draft Plan and its recommendations more challenging and uncertain.

With respect individual properties, the Comprehensive Plan only makes recommendations on land uses. While beneficial as a starting point, these recommendations only reflect a portion of the factors relevant to the use of a particular property. Inherent in an informed opinion about the land use recommendations, are at least the following two questions:

1. How will the proposed use be implemented through zoning, and what constraints or requirements will come with the particular zoning classification?
2. What other uses—unrelated or subsidiary—will be allowed by the zone, under the umbrella of the particular land use recommendation?

The uncertainty of these questions seriously affects a property owner’s opinion about a specific land use designation. Because the Plan does not appear to establish how expansive or restrictive these land use recommendations might be—only a few uses are specified in the land use descriptions on page 19. What other uses are allowed is left in limbo.

As an example of this problem, consider property recommended for “Office.” With a designation as “Office,” does that mean that only office structures and uses may be developed on the property? The textual description read very narrowly. While ground floor retail is specifically mentioned, residential and all other uses “are allowed only with Special Exception.” Could one build a stand alone hotel, or include a hotel as part of a mixed use project with this designation? To incorporate a hotel, in the project, or have a medical or food services in the building, would a special exception be required? Would including a hotel or a biotech dry lab require amendment to the Draft Plan? If so, attracting those uses to create a mixed use environment, may be problematic at best.

The term “office” is very limited because it is single, specific use itself, rather than a category of uses. The term “residential,” for example, covers a variety of types of residences. The terms “non-residential,” or “commercial” can cover a range of uses including “office,” because they are more generic, umbrella categories, sheltering a wide variety of individual uses.

If the land use designation of “Office” is coupled with a mixed use zone (like the MXTD, MXCD, or MXE) as may be mapped on a property today, the single use “Office” recommendation may be less limiting, and therefore more acceptable. More flexibility may be able to be given through the specific zone than through the land use recommendation. Flexibility is essential to allow properties to adjust to changing times and market forces.

Slavish adherence to the land use recommendation, even in the face of broader uses allowed by the zone, could severely limited an owner’s options, and could prevent approval of desirable projects. This conflict between the use recommendations and the allowable uses in the actual mapped zone can become a point of contention in any application, and could derail creativity and evolution of an area that seeks to progress beyond the reach of the Draft Plan’s crystal ball.

This disconnect between the land use recommendation of the Draft Plan, and the eventual zoning mechanism by which to build, is one reason why land use designations that encompass multiple uses and/or “mixed use” are preferred—so as to assure flexibility to choose from a variety of uses that can respond to the market demand over time as those demands change. Uncertainty about the second step in the continuum of regulation—the zoning classification—makes an opinion about the land use designation more difficult, thus encouraging a reserved comment of: “yes maybe, but ...”

The Draft Plan also does not indicate whether the intention is to utilize the existing zoning classifications that are mapped on the properties today, or whether new zoning classifications will be invented to implement this new Draft Plan. The potential for having to address new zoning classifications in conjunction with the implementation of this Draft Plan, can give one pause.

Only ten (10) years ago, in 2009, the Zoning Ordinance was totally rewritten to create a whole series of new zones, trying to encourage mixed use development in many places. The City went to those mixed use zones to allow uses to mingle, horizontally and vertically, and to get away from strict borders of single-purpose zones. Some of the land use recommendations in the Draft Plan seem to return to pre-2009 ideas. Even overlaying the current zones with new standards for certain areas or uses, tends to undermine the flexible, mixed use expectations created with the new zones, but in 2009. The changes in 2009 were dramatic, but have not yet been fully integrated and tested. Revamping the zoning classifications again, to correlate with new land use designations described on page 19 of the Draft Plan, just exacerbates a pattern of continuing change, and consequent uncertainty, that makes investment that much more challenging, particularly in the larger scale, longer term developments that usually bring more public benefits.

Summary.

Some clearer exposition of the zoning implementation methodology and mechanisms would allow better consideration of the acceptability of the land use recommendations set out in the Draft Plan.

Thank you for your consideration of my comments.

Very truly yours,

LERCH, EARLY & BREWER, CHARTERED

William Kominers

WK/paj

**William Kominers**  
*Attorney*  
Phone 301-841-3829  
[wkominers@lerchearly.com](mailto:wkominers@lerchearly.com)

June 4, 2019

Rockville Planning Commission  
c/o Gail Sherman, Chair  
Rockville City Hall  
111 Maryland Avenue  
Rockville, Maryland 20850

Re: Tower Oaks – Draft Comprehensive Plan recommendations

Dear Chair Sherman and Members of the Planning Commission:

This letter is written on behalf of Tower-Dawson, LLC, (“Tower-Dawson”), to present comments on the Planning Commission Draft of the Comprehensive Plan for the City of Rockville (the “Draft Plan”). Tower-Dawson is the original developer of the Tower Oaks Comprehensive Planned Development (“CPD”), located along the east side of I-270 and west of Woodmont Country Club. Tower-Dawson is also the owner of the buildings at 1101 Wootton Parkway and 2000 Tower Oaks Boulevard (where their office is located) within Tower Oaks along with the remaining undeveloped sites within the Tower Oaks CPD.

Attached to this letter is a copy of the Development Area Diagram for the Tower Oaks CPD, for use in identifying the recommendations for different portions of the CPD in the Draft Plan, (Exhibit 1) and an excerpt from the recommended land use map from the Draft Plan (Exhibit 2). The comments below also reference particular Policies and Actions in the Draft Plan.

The Draft Plan generally recommends the land use category of “ORRM” (Office Residential Retail Mix) for the principal undeveloped parcels at Tower Oaks (Development Areas 3 and 4 on Exhibit 1). This use is consistent with the Concept Plan for Tower Oaks and the PD-TO (Tower Oaks) Zone (Section 25.14.27), as well as being consistent with the MXE Zone, noted in Section 25.14.27.6 as the equivalent zone for these undeveloped parcels. Most importantly, the land use recommendations, in conjunction with other elements of the Draft Plan, reflect a belief in the need for flexibility, and that developing those portions of the Tower Oaks CPD with a wide range of land uses should be possible and be encouraged.

At the same time, the land use recommendations of the Draft Plan need to respect and work together with the existing CPD and its approved Concept Plan.

#### Development Area 4.

The area between Wootton Parkway and Cabin John Creek (the northern portion of the Development Area 4 on Exhibit 1) is currently approved for a full-service hotel, large scale health club, and hotel residences. Unfortunately, this combination of uses is not being embraced by the marketplace.

Tower-Dawson intends to seek approval to locate more viable, compatible, and complementary uses for the Tower Oaks CPD in Development Area 4, and uses for which there is more demand in the marketplace. The Draft Plan recommendation of ORRM for Development Area 4 provides a new flexibility to allow the property to introduce a wider range of uses through the CPD, to allow these developments to evolve in a changing market environment.

#### Development Area 3.

The ORRM designation for Development Area 3 on Exhibit 1 is an appropriate land use designation to support the existing CPD approval.

#### Development Area 1.

Development Area 1, on Exhibit 1, the narrow portion of Tower Oaks located along the east side of I-270 and west of New Mark Commons, is recommended for the RF (Residential Flexible) land use. The Residential Flexible is appropriate going forward. The Concept Plan approval designates that parcel for an extended stay hotel, expected to occur in a residential-looking format. However, such hotels are very challenging in today's economic climate. So the RF presents a positive direction. Certainly, the current PD-TO zoning authorizes the extended stay hotel use. But, being more expansive and flexible in allowing other uses provides good opportunities.

#### Policies and Actions.

There are a number of other Policies and Actions in the Draft Plan for which Tower-Dawson wishes to note support. Many of these Policies or Actions will be beneficial in utilizing the flexibility of the land use recommendations to create opportunities to complete the Tower Oaks CPD in the context of the current evolving nature of the market.

Tower-Dawson supports Policy 6 on page 27, urging the City to plan for, and thereby be receptive to, land use changes from commercial to residential uses. As occurred with the EYA development within Tower Oaks, the addition of residential to office parks to create a more mixed-use environment, has been shown to have a beneficial effect in supporting and promoting the nonresidential uses as well.

Tower-Dawson supports the Draft Plan language under Action 23.2 on page 50, which states that a goal of the Plan is to "simplify and shorten the process for amending an approved Planned Development." Currently the project plan amendment process required is cumbersome,

time consuming, and expensive. In order to take advantage of more flexible land use designations, a simplified methodology for making amendments to existing project plans is needed. Goal 9, on that same page 50, recognizes that some planned developments, such as Tower Oaks, envisioned from the outset the much longer build out that has, in fact, occurred (in contrast single-use, residential Planned Developments, most of which are “completed”). The ability for long term planned developments to evolve is inextricably tied to the process by which that evolution can occur. Tower-Dawson would welcome changes to the current amendment process that would make that process simpler, faster, and less costly.

The need, and likelihood, for extended implementation of large-scale comprehensive planned developments is acknowledged through language on page 50 that supports the PD Zones.

On page 43, the Draft Plan recognizes that “office uses in more isolated locations are allowed to convert to other uses including... [the] remaining sites in Tower Oaks.” Action 16.6 on that page suggests continuing to allow conversion of office uses to other land uses in areas that do not have superior access to transit systems. While Tower Oaks certainly has excellent access to the highway network, transit options are more limited and subject to creating sufficient demand to support a transit presence.

Policy 26, on page 53 (to study the current minimum parking requirements), and Action 16.2, on page 43 (to reduce the minimum parking for office uses to promote economic development), are related and important elements for making the ORRM use effective. While office buildings at Tower Oaks have provided the full parking required by the Code, large portions of that parking go unused each day. This suggests that even in suburban sites, a reduction in auto usage is occurring. The substantial costs for creating that parking, especially for structured parking, contribute to higher rents needed and thus slower absorption and consequent slower development. Reducing the minimum parking requirements, in addition to having a cost benefit, can also reduce the land areas that must otherwise be devoted to parking.

Tower-Dawson supports the Goal of the Draft Plan to provide more housing to meet projected needs in the City, particularly for older demographics, which represent a growing percentage of the population in the City. As the Draft Plan states on page 190:

“One example of a demographic trend is the increase in one-person households living in Rockville, from 24 percent in 2000 to nearly 30 percent in 2014.”

Policy 2, also on page 190, seeks to promote diversity in the supply of housing to meet market demand. This policy references recent projects in planned developments, such as EYA at Tower Oaks, that have delivered a mix of multifamily, attached, and detached units. This opportunity to provide diversity in housing can occur through a larger scale, collective approach among multiple projects and sites. This is an appropriate way to develop a mix of types over a broader area, rather than seeking a mix of types in any one particular project, or in every project. Projects should be analyzed collectively to provide the diversity and variety of housing that the market demands, without needing to occur on every property. In effect, the uniformity of variety should occur in the aggregate, rather than through set variety made uniform in every location.

Tower-Dawson supports the Action recommended in Section 3.1, page 193 of the Draft Plan, to “Allow new housing in locations where amenities and infrastructure already exist, and that are compatible with the existing neighborhood.” Allowing housing to be introduced into areas of the City where it may not have been envisioned previously, which have existing infrastructure, is an effective and appropriate way to meet the anticipated growing demand for housing.

#### Implementation.

While supporting many of the concepts and recommendations of the Draft Plan, there are some cautionary notes.

First, the existing Tower-Dawson office buildings at Tower Oaks are recommended for “Office” use. While seemingly logical, this is also limiting. The “Office” description on page 19 of the Draft Plan, notes that while ground floor retail is included, all other uses “are allowed only with Special Exception.” This last clause can have a chilling effect on tenant uses within office buildings, or similarly deter other complementary business uses. Especially without a clear understanding of the zones to be applied to implement these land use recommendations, a severe restriction in the description of the land use term itself can undermine success.

This first unknown leads to the second area of concern—how will zoning be applied to implement the land uses. (This is less of an issue with Tower Oaks, because of the remaining integrity of the PD-TO (Tower Oaks) Zone. But this can be a concern in other properties, or even with the use of equivalent zones listed in Section 25.14.27.b.)

Planned Development (“PD”) Zones. While the Draft Plan speaks of land use, it cannot be totally separated from the zones. This is rather simple for the planned developments. The zoning clearly retains the PD zones that reflect the approved Comprehensive Planned Development projects. The new land use recommendations should be used to provide suggested direction for the “equivalent zones” as called for in Section 25.14.27.b of the Zoning Ordinance for the PD zones. The PD Zones, and the CPDs they reflect, were carefully crafted to create a unified project environment that looked comprehensively at its own elements, while also being compatible with, and integrated into, its surrounding context.

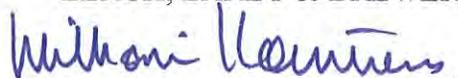
At the same time, the Draft Plan and the City’s development process should allow voluntary evolution of these Planned Development projects. Their unbuilt sites should be encouraged to evolve to meet the market of the present, without surrendering the original. The land use recommendations in the Draft Plan should be additive to the PD Zones, allowing more flexibility, not less. To this end, as mentioned above, Policy 6 on page 27, Goal 5 on page 43, Action 16.6 on page 43, Goal 9 on page 50, and Policy 26 and Action 16.2 on page 53, are particularly noted for support.

In summary, Tower-Dawson supports: (1) the ORRM recommendations for Development Areas 3 and 4, and (2) the RF recommendation for Development Area 1.

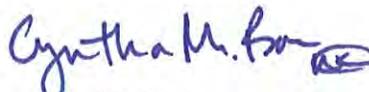
Thank you for your consideration of these comments.

Very truly yours,

LERCH, EARLY & BREWER, CHARTERED



William Kominers



Cynthia M. Bar

Enclosures

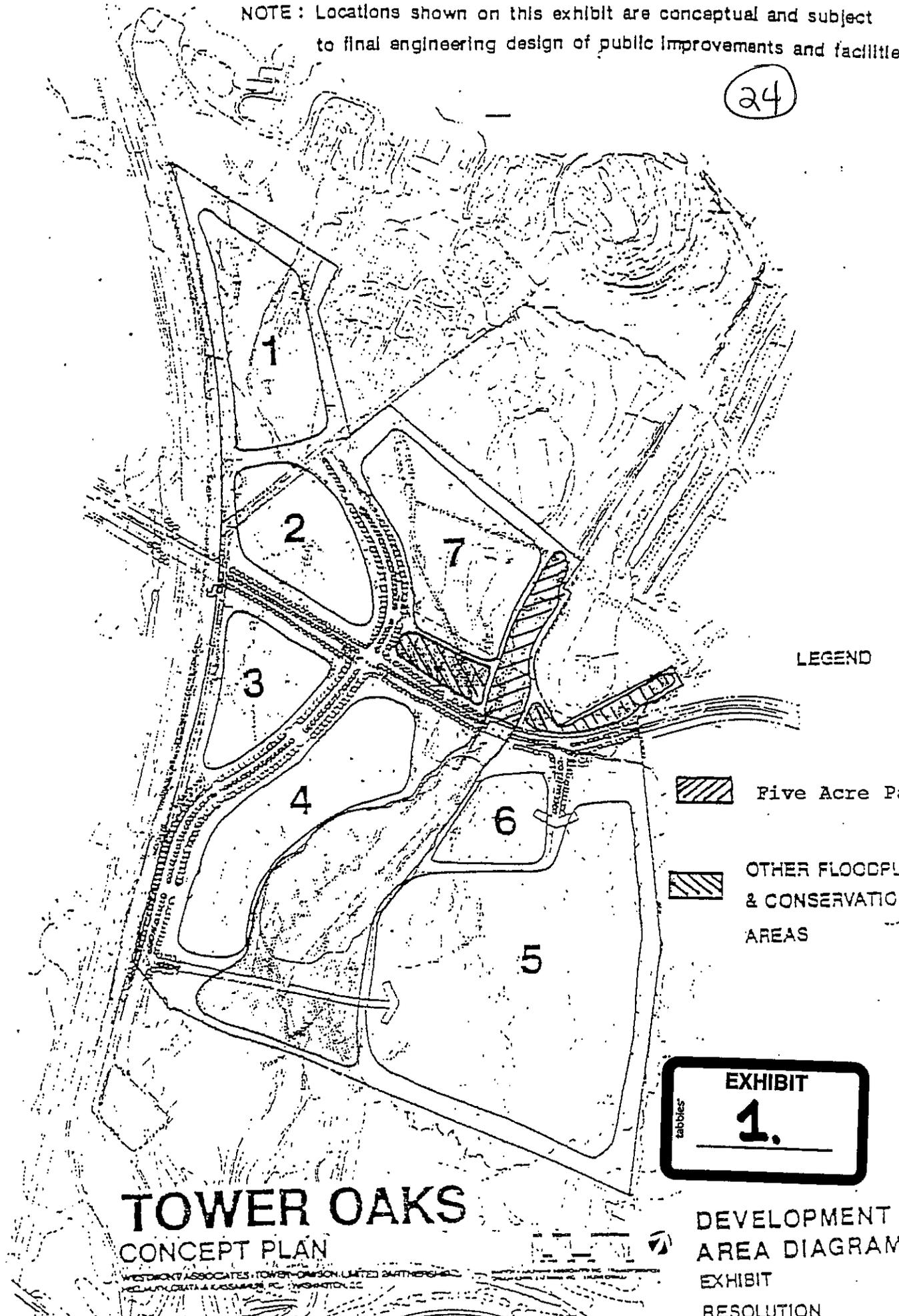
cc: Mr. Eric Posner  
Mr. Barry Gore  
Ms. Cindy Kebba  
Mr. David Levy

EXHIBIT "1"

[Development Area Diagram]

NOTE: Locations shown on this exhibit are conceptual and subject to final engineering design of public improvements and facilities.

24



LEGEND

-  Five Acre Pa
-  OTHER FLOODPL & CONSERVATION AREAS

tabbles  
**EXHIBIT**  
**1.**

# TOWER OAKS

## CONCEPT PLAN

WESTBURY ASSOCIATES, TOWER OAKS, LIMITED PARTNERSHIP  
10000 W. CENTRAL EXPRESSWAY, SUITE 100, WASHINGTON, DC 20007

DEVELOPMENT  
AREA DIAGRAM  
EXHIBIT  
RESOLUTION

**EXHIBIT "2"**

**[Excerpt of Land Use Map]**

24



tabbles' **EXHIBIT**  
**2.**

**Cynthia M. Bar**  
*Attorney*  
(301) 841-3827  
[cmbar@lerchearly.com](mailto:cmbar@lerchearly.com)

June 4, 2019

Rockville Planning Commission  
c/o Gail Sherman, Chair  
Rockville City Hall  
111 Maryland Avenue  
Rockville, Maryland 20850

Re: Chesapeake Plaza –Draft Comprehensive Plan recommendations

Dear Chair Sherman and Members of the Planning Commission:

I am writing on behalf of Shellhorn Rockville LLC, the owners of the Chesapeake Plaza Shopping Center located at 1488 Rockville Pike. On behalf of Shellhorn, we followed the recommendations for the Chesapeake Plaza property in the Pike Plan (adopted in 2016), and testified before the Planning Commission a number of times about the property.

Shellhorn not only has an interest in its own site, but also a broader interest in the viability of the entire Rockville Pike corridor. The Chesapeake Plaza site is directly adjacent to the BF Saul property, comprising about 18 acres, which is planned to become a new, vibrant mixed-use center near the Twinbrook Metro. Since the Chesapeake Plaza property is also between 1/4 and 1/2 a mile from the Twinbrook Metro, the development potential should be consistent with that of the BF Saul Property.

The 2016 Pike Plan recommended the MXCD zone for the Chesapeake Plaza property, and did not place specific height restrictions on the property in the Plan. We are pleased that the draft Comprehensive Plan recommends that the property remain in the land use category of Office Residential Retail Mix (ORRM), which is consistent with the character of the MXCD zone. We support that land use recommendation. Since the property is located within 1/2 mile from the Twinbrook Metro, we submit that the MXTD zone would also be appropriate for the Chesapeake Plaza property, at the time that zoning recommendations are made.

We are also pleased that the draft Comprehensive Plan did not recommend reducing heights around the Metro Core. We support this approach by the Plan. Reduced heights would thwart redevelopment in this important area of the City. We hope that the Plan will not include language that might limit heights to less than currently allowed by the Zoning Ordinance. The Plan may even consider additional heights. This additional height would give some of the narrower sites along the Pike more flexibility to achieve better designs if they are redeveloped.

Members of the Rockville Planning Commission  
June 4, 2019  
Page 2

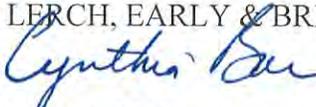
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This flexibility is particularly important for the Chesapeake Plaza site, because the adopted Pike Plan recommended that Chapman Avenue be extended along the western border of the property, thereby reducing the developable land area of the Chesapeake Plaza property.

Thank you for your consideration of our comments.

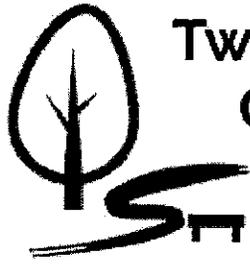
Very truly yours,

LERCH, EARLY & BREWER, CHARTERED



Cynthia M. Bar

cc: Mr. Marc Kapastin  
Mr. Fred Wine  
Mr. Barry Gore  
Ms. Cindy Kebba  
Mr. David Levy  
William Kominers, Esquire



**Twinbrook  
Community  
Association**

P.O. Box 834  
Rockville, MD 20848-0834

Exhibit (26)

**Testimony on the Draft Comprehensive Plan for Planning Commission Public Hearing**

The Twinbrook Community Association thanks you for this opportunity to provide initial feedback to the Planning Commission on the Draft Master Comprehensive Plan for the City of Rockville. This is another positive step forward in a long-range plan to develop our beloved City, and we are grateful for this opportunity to provide feedback. We will continue to testify and submit comments as appropriate as this process moves along.

**I. Land Use, Housing, and Economic Development**

We applaud the inclusion of the Twinbrook Metro Station area and the Veirs Mill Corridor in the Land Use Policy map, to ensure that Twinbrook residents have access to flexible zoning arrangements that allow for growth and housing options.

We also encourage the development of policy that allows access to the development of ADUs within the Twinbrook neighborhood if a homeowner desires one. ADUs, short term rentals, and diverse housing options will ensure that our children and our children's' children can live in the City that we love.

The area around the Twinbrook Metro is an important one to our community. It connects us to the retail and services provided along Rockville Pike. We applaud transit oriented development that can connect the residential side of the tracks to the Pike in a meaningful way, including a pedestrian/bike crossing. This will also fulfill our shared goal of a truly walkable City.

**II. Transportation**

Transportation is a vital issue to Twinbrook. We have a Metro station, a multitude of highly utilized bus lines that run through the center of our neighborhood, and major roads such as Veirs Mill and Rockville Pike. To the north, we are bounded by the Major Collector of Baltimore Road. Veirs Mill bisects our community under the purview of the SHA as a Major Arterial, and we are bounded to the south by another Major Arterial, Rockville Pike. We are bounded to the east by the Minor Arterial of Twinbrook Parkway, and to the west by the Major Arterial of First Street. Many of our interior streets such as Edmonston and Ardennes are noted as Major and Minor collectors.

We agree that creative solutions should be sought to address the capacity issues of our major arterials. Too often, Veirs Mill, Twinbrook Parkway, and Rockville Pike are backed up considerably simply due to capacity.

We also support the City codifying support for our public transit services, as many of our residents depend on them to get to work and around the City and County.

We strongly support the improvement of bus routes, stops, and shelters in Twinbrook. Many of the Ride On stops do not have a shelter, and some are not accessible to individuals with disabilities. This should be addressed. We also have a lack of bus routes within the interior of our community, and zero MetroBus routes that service Twinbrook Metro Station. We also only have two routes that service our neighborhood - the 44 and 45 Ride On routes. This should be increased.

We look forward to the possibilities that the BRT will bring for innovation, economic development, and easing traffic congestion. We strongly support a BRT hub at Atlantic Avenue. However, we need to invest as much resources into the Twinbrook Metro station as are planned at the Rockville Metro station. An esthetic redesign, incorporating local artists and native plants, should be encouraged.

**III. Recreation and Parks**

We are lucky to have access to our namesake brooks, parks, and recreation centers. TCRC is much beloved by many. We however would encourage an investment in the Rockcrest Community Center, to have it serve as a similar location for community meetings, programs, and sports.

**IV. Community Facilities**

Twinbrook spans two MCPS clusters: Richard Montgomery HS to the south of Veirs Mill, and Rockville HS to the north of Veirs Mill. Two MCPS schools reside in Twinbrook: Twinbrook ES and Meadow Hall ES. We encourage investment in the infrastructure needs of both schools, with the goal to bring both schools into a "green" rating across the board.

**V. Historic Preservation**

Preserving history in Rockville should mean more than simply keeping the look of a neighborhood as it was in a bygone era. It should also include acknowledging and preserving the historic nature of a given community, using signs and other means to convey a story from history.

Twinbrook has a rich history, and the founding of Twin-Brook along with the naming of streets within the development to honor World War II battles and important individuals is well worth acknowledging. We urge the inclusion of signage in Twinbrook and throughout the City to mark the history of a given community or neighborhood.

**From:** Monica Saavoss <  
**Sent:** Wednesday, June 5, 2019 11:24 AM  
**To:** Planning Commission <[Planning.Commission@rockvillemd.gov](mailto:Planning.Commission@rockvillemd.gov)>  
**Subject:** Master Plan Comment

Dear Planning Commissioners,

I was very happy to see the inclusion of the goal to "Undertake a study of minimum parking regulations and recommended changes to the Zoning Ordinance to promote access via modes other than private automobiles and reduce the financial and site development burden" in the Master Plan.

However, given what the Planning Commission already understands about parking, I think a study is unnecessary, and it is not clear what the goal of such a study would be. A study may find, for example, that if parking requirements were eliminated and parking was free, then more people would want to park at certain peak times than the available spaces allow. However, this does not mean that any inefficiency is occurring due to significant costs of parking requirements that you highlighted.

Instead of recommending a study, I suggest that you just directly recommend that parking requirements be eliminated or greatly reduced (with the exception of handicap spots). You could also recommend alternatives such as mandating that businesses subsidize their employee's public transportation.

If you do include a recommendation for a study, I ask that you specify exactly what the purpose of the study is to avoid interpretation of "a study to find the number of spaces that satisfies the demand for free parking at peak hours". Instead, consider "Conduct a study where the sole focus is to examine the potential effects of spill-over parking and ways to alleviate them."

Thank you so much for your hard work on this important plan.

Sincerely,

Monica Saavoss

408 Mclane Court  
Rockville, MD

### Rockville 2040 Public Testimony

The Planning Commission needs your input!

You may provide testimony to the Planning Commission on the draft Rockville Comprehensive Plan through this online form, in addition to any email or physical mail testimony you submit directly to the Planning Commission. Submitting written testimony does not limit your right to also provide oral testimony during the Planning Commission's public hearing, held over three days on May 15, May 22, and June 4, 2019.

All submitted testimony is considered an item of public record and will be included in the Planning Commission testimony report for the draft Comprehensive Plan.

**Which Plan element(s) is your testimony about?**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Land Use and Urban Design | <input type="checkbox"/> Economic Development  |
| <input type="checkbox"/> Transportation                       | <input type="checkbox"/> Housing               |
| <input type="checkbox"/> Recreation and Parks                 | <input type="checkbox"/> Historic Preservation |
| <input type="checkbox"/> Community Facilities                 | <input type="checkbox"/> Municipal Growth      |
| <input type="checkbox"/> Environment                          | <input type="checkbox"/> Other                 |
| <input type="checkbox"/> Water Resources                      |  |

Name (required):\*

Phillip Staub

Address of Residence (recommended):

206 Upton St

Email Address (recommended):

By including your Address of Residence or Business and/or Email Address, you are expressing your willingness for staff to contact you for clarification or for legal notifications related to the Comprehensive Plan. Staff will not use your address or email for any other advertisement or notification lists.

**Please type your testimony in the field below:\***

As a resident of West End, I strongly support policies 8 & 18, for a vibrant transit-oriented town center. Increased density will welcome more people into this lifestyle, build the community and help businesses. I believe the town center should also be pedestrian-oriented: increase sidewalk depth, close roads during busy periods, increase pedestrian signage and safety. When turning the Metro station into a transit center, also provide easy and safe means to get to work and play in Rockville: e.g. bike/scooter lanes and a pedestrian-only bridge and walkway leading to the town center.

\* indicates required fields.

View any uploaded files by signing in and then proceeding to the link below:

<http://www.rockvillemd.gov/Admin/FormHistory.aspx?SID=11>

The following form was submitted via your website: Rockville 2040 Public Testimony

Rockville 2040 image:

Which Plan element(s) is your testimony about?: Land Use and Urban Design

Name (required):: Phillip Staub

Address of Residence (recommended):: 206 Upton St

Email Address (recommended):: [phillip.staub@rockvillemd.gov](mailto:phillip.staub@rockvillemd.gov)

Please type your testimony in the field below:: As a resident of West End, I strongly support policies 8 & 18, for a vibrant transit-oriented town center. Increased density will welcome more people into this lifestyle, build the community and help businesses. I believe the town center should also be pedestrian-oriented: increase sidewalk depth, close roads during busy periods, increase pedestrian signage and safety. When turning the Metro station into a transit center, also provide easy and safe means to get to work and play in Rockville: e.g. bike/scooter lanes and a pedestrian-only bridge and walkway leading to the town center.

**Additional Information:**

Form submitted on: 6/11/2019 10:02:27 PM

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Form Address: <http://www.rockvillemd.gov/Forms.aspx?FID=64>

Cynthia Kebba

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**From:** Animal Exchange <animalexchange@verizon.net>  
**Sent:** Wednesday, June 12, 2019 9:24 AM  
**To:** Planning Commission  
**Subject:** 20-40 plan

The city has invested much effort in preparing the plan which does in general reflect my feelings on development in East Rockville, however some clarification is needed on one area. The RA zone, designed to encourage density in areas easily accessible to Metro, has an incursion into East Rockville existing housing along Reading, Highland and Croyden. Included in this on page 24 is a reference to apartments which were never mentioned in our discussion of duplexes, etc. An apartment building on the highest point in East Rockville seems inappropriate at best.

Please eliminate the option of apartments in this area and limit the RA designation to a narrow band, perhaps 2 lots deep along South Stonestreet consistent with the narrow band proposed along Park Road.

Thank you for your consideration,  
Ruth Hanessian

***Ruth Hanessian***  
**301-674-RUTH**

Cynthia Kebba

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**From:** Monica Saavoss <m.saavoss@gmail.com>  
**Sent:** Wednesday, June 12, 2019 3:50 PM  
**To:** Planning Commission  
**Subject:** Master plan comment

Dear Planning Commissioners,

I was very pleased to see goal 4, policy 7 under the Environment chapter about promoting a healthy and sustainable food system for all residents. I ask that you also include "promoting plant-based foods" as part of that goal. Choosing plant-based foods is beneficial to our health and to the environment. Plant based foods require less water, fuel, and land to produce compared to animal products, and they result in fewer pollutants. Plant-based diets are also promoted by organizations such as American Heart Association as proving a myriad of health benefits. Finally, eating more plant-based foods will result in fewer animals suffering on factory farms. Plant-based foods are an important part of a healthy, sustainable, and community-oriented food system.

Thank you so much for your important work on this plan.

Sincerely,  
Monica Saavoss

408 Mclane Court  
Rockville, MD