



City of Rockville

M E M O R A N D U M

August 8, 2014

TO: Mayor and Council

FROM: Planning Commission

SUBJECT: Planning Commission Recommendation on Zoning Text Amendment Application
TXT2014-00238, Potomac Food Group, applicant

At its meeting on August 6, 2014 the Planning Commission reviewed and discussed Text Amendment Application TXT2014-00238. The Commission received a presentation from Planning and Zoning Division staff and testimony from the applicant. There were no other speakers at the meeting.

The initial application proposed to allow drive-through restaurants as a conditional use in the MXE zone, the conditions being that the restaurant had to be on the same lot as an existing hotel/motel and that the site have a minimum of 200 feet of frontage on a major highway. After discussion and deliberation on the aspects and intent of the proposed amendment, the Planning Commission voted to approve the text amendment with the modifications recommended by the staff.

The staff recommendation proposes to delete the requirement that a restaurant with a drive-through must be located on the same lot as an existing hotel and that the property have a minimum of 200 feet of frontage on a major highway. The frontage requirement is proposed to require that there be frontage and access to a major arterial roadway. The applicant is agreeable to these modifications.

The Commission agrees with the staff that there is no direct link between a hotel use and a drive-through restaurant. A drive-through restaurant seems to be a suitable use along a major roadway, as is already the case in the mixed-use zones where the use is currently allowed by special exception. Any such use will require a level 2 site plan review which includes an APFO review.

Therefore, on a motion by Commissioner Tyner, seconded by Commissioner Goodman, with Commissioners Tyner, Goodman, Littlefield, Leiderman and Hadley voting in favor the motion, and with Commissioners Hill and Trahan absent, the Commission recommends approval of Text Amendment TXT2014-00238 with the modifications recommended by the staff as shown below:

Amend Article 13, "Mixed-Use Zones", as follows:

Section 25.13.03 –Land Use Tables

* * *

	Uses	Zones							Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
	* * *								
	Food Services:								
Commer- cial, office, and industrial uses	* * *								
	Restaurant, no drive-through	P	P	P	P	P	P	P	
	Restaurant with drive-through	N	S	[N]C	S	N	S	N	<u>Special exception subject to [See] Sec. 25.15.02.c Conditional use subject to the requirements of Sec. 25.13.04.e.</u>
	Office Uses:								

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Section 25.13.04 – Special Regulations for Conditional Uses

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e. Restaurant with Drive-Through Window in the MXE Zone:

The use must be located on a site that has frontage on and access to a major arterial roadway at the front lot line.