

Submitted June 12, 2019  
Approved as of  
Date June 12, 2019

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION  
MEETING NO. 13-2019  
Wednesday, May 8, 2019**

The City of Rockville Planning Commission convened in regular session in the Mayor and Council Chambers at 7:00 p.m.  
Wednesday, May 8, 2019

**PRESENT**

Gail Sherman – Chair

Anne Goodman                      John Tyner II  
Charles Littlefield                Rev. Jane Wood

**Absent:** Don Hadley  
Sarah Miller

**Present:** Eliot Schaefer, Assistant City Attorney  
Jim Wasilak, Chief of Zoning  
David Levy, Assistant Director  
Deane Mellander, Zoning Administrator  
Nicole Walters, Senior Planner  
Jim Woods, Principal Civil Engineer

**I. REVIEW AND ACTION**

**A. Level 2 Site Plan STP2016-00283, for Review and Approval of Proposed Office Building Design to Meet Condition #22 of Site Plan Approval; Chris M. Ruhlen for FP Redland Technology Center LP and FP540 Gaither LLC, Applicants**

Nicole Walters reviewed the applicant's proposed design of the upper floor of the buildings, which will be set back to satisfy a condition of approval. Staff recommended approval of the design.

Chris Ruhlen, attorney for the applicant, described the design and spoke in support.

Commissioner Littlefield moved, seconded by Commissioner Tyner, to approve the acceptance of the proposed design in satisfaction of condition #22 of the Site Plan approval. The motion passed 5-0, with Commissioners Hadley and Miller absent.

**II. RECOMMENDATION TO MAYOR AND COUNCIL**

**A. Zoning Text Amendment TXT2019-00252, Revisions to Article 20 (Adequate Public Facilities) to Reflect Changes to Chapters 21 and 24 of City Code; Mayor and Council of Rockville, Applicants.**

Deane Mellander presented an overview of the text amendment and companion item with proposed amendments to the Adequate Public Facilities Standards (APFS). In response to a question, Jim Woods explained how Public Works accomplishes the water and sewer analysis for development projects. He also noted that there are areas of the City that do not have available sewer or water capacity.

Commissioner Tyner moved, seconded by Commissioner Wood, to recommend approval of Zoning Text Amendment TXT2019-00252 to the Mayor and Council. The motion was approved 5-0, with Commissioners Hadley and Miller absent.

**B. Revisions to the Adequate Public Facilities Standards (APFS) to Reflect Changes to Chapters 21 and 24 of City Code, and Clarify Uses that Qualify for Exemptions and Waivers from the Standards; Mayor and Council of Rockville, Applicants.**

Commissioner Tyner moved, seconded by Commissioner Wood, to recommend approval of the Proposed Revisions to the Adequate Public Facilities Standards (APFS) to the Mayor and Council. The motion was approved 5-0, with Commissioners Hadley and Miller absent.

**C. Zoning Text Amendment TXT2019-00253, to Not Permit Certain Uses in the MXE (Mixed-Use Employment) Zone and Make Certain Technical Changes; Mayor and Council of Rockville, Applicants.**

Jim Wasilak presented an overview of the text amendment, which proposes that certain uses not be permitted in the MXE Zone. He answered questions from the Commission.

Commissioner Littlefield discussed the proposed uses that would no longer be permitted, and expressed concerns about some of them. He questioned whether the text amendment would then encourage location of some of the uses in areas where they were not desired.

Patricia Harris of Lerch, Early & Brewer on behalf of ProMark Partners, the property owners of Gude Plaza at 1300 East Gude Drive, addressed the Commission regarding the property. She proposed modifications to the proposed text amendment that would allow for the proposed self-storage warehouse use on the property to not become nonconforming until such time as the adjacent property is no longer zoned to allow for heavy industrial uses.

The Commission agreed to defer a recommendation on the Text Amendment application until the May 22 meeting, in order to allow for a review of the proposed revision by the City Attorney's Office.

**III. DISCUSSION**

**A. Presentation and Discussion on *A Better Maryland*, the Draft State Development Plan**

Andrea Gilles presented the draft plan, for which the Maryland Department of Planning is soliciting comment. It is an update to the 2011 State Development Plan known as *PlanMaryland*.

The Commission discussed the draft plan and staff recommendations, which included more focus on economic development, transportation, infrastructure, technology challenges and affordable housing.

Commissioner Goodman suggested that the document should provide support for local projects and further suggested that the document should include discussion about how priorities are set, decisions are made, and funding is secured. Chair Sherman stated that transportation issues should be more regional rather than state-wide. Commissioner Littlefield stated that some statement on state tax policy is needed, given its influence on economic development. He also noted that golf courses should be addressed.

The Commission decided that education resources and their relationship to economic development should be highlighted. The Commission agreed to have Ms. Gilles draft a letter to the state Department of Planning reflecting the stated concerns for circulation.

#### IV. COMMISSION ITEMS

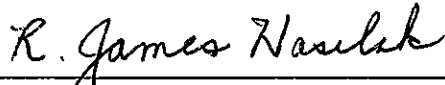
- A. Staff Liaison Report – Jim Wasilak reported that the next meeting would be on May 15, which will be the first public hearing on the Rockville 2040 Master Plan document. He also noted that there will be one more information session for the Master Plan on Saturday May 11 at City Hall, beginning at 9:30 a.m. He noted that there will be a series of open houses related to the FAST (Faster, Accountable, Streamlined and Transparent) process, which is looking at how to improve the development review process. These will be on May 21-23.
- B. Old Business – None.
- C. New Business – Commissioner Goodman asked for feedback on the provision of written comments provided to the Commission in advance of a discussion item, for which a commissioner would not be present for the discussion. She noted that some of her specific issues did not make it into the final recommendation on the sign code text amendment, although recommendations from attending members did. Commissioners noted that the discussion points were discussed and subsequently modified during the discussion. Chair Sherman noted that the final recommendation summarized the entirety of the discussion, which was a significant amount. Commissioner Tyner stated that he found submitted comments valuable and tries to raise those issues during the discussion, but that the recommendation reflects the discussion held by the entire commission. Commissioner Goodman said that she was unsure whether to contribute such comments in the future. Chair Sherman summarized that the Commission would consider submitted comments from commissioners on those occasions when they can be considered such as for text amendment with an extended timeline, but that comments should not be submitted for action items for which the Commission has authority, based on Eliot Schaefer's advice.
- D. Minutes: April 10, 2019. Commissioner Goodman noted that the recommendation that the Sign Review Board should be dissolved or restructured should be incorporated into the summary of changes. Commissioner Goodman moved, seconded by Commissioner Littlefield, to approve the draft minutes as presented with the suggested modification. The motion passed 5-0, with Commissioners Hadley and Miller absent.

- E. FYI Correspondence – Chair Sherman noted that the Commission has received the packet for next week’s public hearing. She asked if commissioners need to bring their copy of the draft plan to the public hearing, to which David Levy responded that it would be a good idea if testimony is focused on a specific section. Commissioner Tyner asked about outreach and if the community is aware of the upcoming hearings. David Levy responded that staff have heard about neighborhood groups intending to submit testimony but that we will just have to see who attends.

**V. ADJOURN**

There being no further business to come before the Planning Commission, Commissioner Wood moved, seconded by Commissioner Littlefield, to adjourn the meeting at 9:04 p.m. The motion was approved unanimously.

Respectfully Submitted,

  
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Commission Liaison