

Submitted July 25, 2022

Approved July 27, 2022

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. 09-2022
Wednesday, May 25, 2022**

The City of Rockville Planning Commission convened in regular session
via WebEx at 7:00 p.m.
Wednesday, May 25, 2022

PRESENT

Suzan Pitman - Chair

Andrea Nuñez Sam Pearson
John Tyner, II

Present: Nicholas Dumais, Senior Assistant City Attorney
Jim Wasilak, Chief of Zoning
Christine Henry, Deputy Director, Recreation & Parks Department
Sachin Kalbag, Principal Planner
Nelson Ortiz, Principal Planner
Faramarz Mokhtari, Senior Transportation Planner

Chair Pitman opened the meeting at 7:00 p.m., noting that the meeting was being conducted virtually via WebEx. Chair Pitman briefly commented on recent events in Uvalde, Texas and thanked local and national educators for their commitment to students and their safety. She further invited discussion of how the Commission could aid in the provision of safe open spaces in its work.

I. REVIEW AND ACTION

A. Final Record Plat PLT2021-00592, for the Resubdivision of Property at 11511 Fortune Terrace to Create Wheel of Fortune Subdivision, Lot 25, Block A, Including a Dedication of Land for Public Use in the MXCD Zone, Marsol Fortune Terrace LLC C/O Finmarc Management, Applicant

Mr. Kalbag presented the subject application, noting that proposed subdivision was for the purpose of facilitating development in which an existing office building would be demolished but an existing health club would remain on the new proposed subdivided lot. He added that the subject subdivision follows on the previous approved Level 2 site plan for the Potomac Woods mixed-use development including townhouse, multi-family, and senior living uses with retaining of the existing fitness facility. Mr. Kalbag added that the proposal would include a joint driveway easement and 380 square feet of land dedication to public use would be provided along the north side of Fortune Terrace. He concluded with staff's recommendation of approval of the subject application with conditions contained in the staff report.

Scott Wallace of the law firm of Miles & Stockbridge presented on behalf of the applicant. He

thanked members of staff and the Commission for consideration of the subject application and indicated support for the recommendation and conditions contained in staff's report.

Upon inquiry from the Chair no members of the public requested to speak regarding the subject application. Chair Pitman inquired if any of the Commissioners had questions on the subject application, to which all the Commissioners indicated that they had no questions and were comfortable to proceed with a vote.

Commissioner Tyner moved to approve final record plat application PLT2021-00592, for the resubdivision of property at 11511 Fortune Terrace to create the lot known as Wheel of Fortune subdivision, Lot 25, Block A, including a dedication of land to public use, in the MXCD Zone, with Marsol Fortune Terrace LLC, adding that such item was an administrative matter in which all issues had been previously deliberated in preceding applications. Commissioner Nuñez seconded the motion. The motion carried unanimously 4-0.

II. DISCUSSION

A. Proposed Concept for RedGate Park

Mr. Ortiz briefly provided an overview that staff was bringing this item before the Commission once again to obtain its feedback on the proposed concept plan for RedGate Park to further offer such recommendations to the Mayor and Council on a final plan for the park site.

Chair Pitman voiced her opinion over inclusion of the proposed amphitheater. She explained that the park is currently a "peaceful natural area," which would dramatically change if the amphitheater was realized at the park. She further inquired of Ms. Henry whether the Recreation and Parks Department was required to be revenue neutral in regards to facilities and services related to RedGate Park. Ms. Henry responded that the Department followed a cost recovery policy rather than a revenue neutral approach and added that there were different levels of recovery for different activities. Chair Pitman further inquired if the amphitheater would be rented out in order to essentially fund the cost of providing the amphitheater to the public. Ms. Henry responded that the ultimate purpose and programming for the amphitheater would be dependent on the desires of the Mayor and Council. She added that the general idea of the amphitheater space was to provide an open concept where the public could easily access the space to be utilized freely by the public for various purposes when not being used for a particular programmed purpose. Ms. Henry elaborated that while the amphitheater could be used for rental purposes, the design concepts are intended for a less formalized concert-type venue. Mr. Ortiz added that staff was also requesting input from the public to provide ideas on both the design and use of the amphitheater to make such space welcoming to the community. He emphasized that such plans for the amphitheater were preliminary and conceptual in nature and no formal decisions had been made.

Commissioner Nuñez indicated that she was also concerned about the amphitheater space being included in the plan for the park. She pointed to the public comments and the comments generated specifically from city residents on the park's conceptual plan and noted that the

amphitheater was less represented as a priority feature to be included in the proposed plans for RedGate Park. She added that an amphitheater may be more appropriate at another site within the City.

Commissioner Tyner commented that RedGate Park is a unique open space within the City where residents can partake in several different kinds of activities. He inquired about the proposed community gardens feature and how they would be made readily accessible to the public.

Commissioner Pearson stated that most commissioners like the concepts proposed, although he supports the amphitheater while the three other commissioners do not. Commissioner Tyner encouraged staff to utilize the explanations from the staff, while Chair Pitman encouraged that the comments should reflect the commission's discussion.

Ms. Henry encouraged the Commission to comment on the concept of the arboretum, and what that design should be, such as identifying what exists on the site versus a formal arboretum that would be enhanced. Chair Pitman asked if there were opportunities for partnerships with related organizations, and Ms. Henry responded that at least one other arboretum related that their partners had aged out of the program, leaving the staff to implement what had been agreed upon. Commissioner Nunez encouraged the City to partner with the county to obtain additional trees, while Commissioner Pearson supports interpreted arboretum as his preference.

Chair Pitman stated that a draft recommendation would be available for approval on June 15.

III. COMMISSION ITEMS

- A. Staff Liaison Report** – Mr. Wasilak reported that the Commission's next meeting on June 15, which is being advertised as a hybrid or all virtual meeting, and encouraging the public to consult the agenda as the meeting date approaches to confirm how the meeting will take place. He noted that the meeting agenda would include a Level 2 site plan for property near the Shady Grove Metro station as well as a Special Exception for an accessory apartment.

Mr. Wasilak noted that the parkland dedication ordinance was authorized by the Mayor and Council, and that the accessory building ordinance would be considered for adoption by the Mayor and Council. The text amendment to allow accessory dwelling units (ADUs) will also be moving forward to public hearing and recommendation from the Mayor and Council.

He confirmed that there would be no commission meeting on June 22, and the only June meeting will be held on June 15.

- B. Old Business** – None.

- C. New Business** – None.

- D. Minutes Approval**– Chair Pitman asked if there were any changes needed to the minutes of the Commission's April 13, 2022 meeting. Commissioner Tyner moved to approve the April 13,

2022 minutes. The motion was seconded by Commissioner Pearson. The motion carried unanimously 4-0.

E. FYI/Correspondence – None.

IV. ADJOURN

There being no further business to come before the Planning Commission, Commissioner Nuñez moved, seconded by Commissioner Pearson, that the meeting be adjourned at 8:41 p.m. The motion was approved unanimously.

Respectfully Submitted,

A handwritten signature in blue ink that reads "R. James Nasulak". The signature is written in a cursive style with a prominent initial "R".

Commission Liaison