



## PLANNING COMMISSION

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**Meeting No. 05-25**  
**Wednesday, April 23, 2025 - 7:00 PM**

### AGENDA

Jaime Espinosa, Chair

Susan Pitman  
Eric Fulton

Shayan Salahuddin  
Meng Sun

Jim Wasilak, Staff Liaison  
Nicholas Dumais, Senior Assistant City Attorney

Rockville City Hall 111 Maryland Ave and  
Virtually via WebEx

Watch LIVE on Comcast Cable Rockville Channel 11 and online at <https://www.rockvillemd.gov>

See page 2 for more information

**1. Convene**

**2. Public Hearing**

Annexation Petition ANX2023-00147, to Conduct a Public Hearing of the Preliminary Annexation Plan for the Washington Metropolitan Area Transit Agency (WMATA) -owned Shady Grove Metro Station Properties and a Portion of the CSX Transportation, Inc. Property; Close the Public Hearing Record; and to Approve and Transmit the Annexation Plan to the Mayor and Council of Rockville

**3. Worksession**

Work Session on the Zoning Ordinance Rewrite (ZOR) Project, Focusing on Development Review Process Improvements (FAST 2)

**4. Commission Items**

- A. Staff Liaison Report
- B. Old Business
- C. New Business
- D. Minutes Approval

- November 13, 2024
  - December 11, 2024
  - February 19, 2025
  - February 26, 2025
- E. FYI/Correspondence

**5. Adjourn**

**PLANNING COMMISSION**

**HYBRID MEETING AND PUBLIC HEARING PROCEDURE**

The Planning Commission meets in person in the Mayor and Council Chambers at Rockville City Hall, 111 Maryland Avenue. The public is invited to participate in person or virtually via Webex. Anyone wishing to participate virtually may do so per the instructions below.

**HYBRID MEETING AND PUBLIC HEARING PROCEDURE**

**1. Pre-meeting Platform: Webex**

- A. Applicant Access: Provided by Community Planning and Development Services/IT
- B. Access for Oral Testimony and Comment: Provided by CPDS/IT (see below)

**2. Pre-Meeting Preparations/Requirements:**

**A. Written Testimony and Exhibits**

Written testimony and exhibits may be submitted by email to Jim Wasilak, Staff Liaison to the Planning Commission, at [jwasilak@rockvillemd.gov](mailto:jwasilak@rockvillemd.gov) or by regular mail to:

Jaime Espinosa, Chair  
 Rockville Planning Commission  
 111 Maryland Avenue  
 Rockville, MD 20850

Written testimony must be received no later than nine (9) days in advance of the hearing in order to be distributed with the Planning Commission briefing materials. Written testimony and exhibits received after this date, until 4:00 pm on the day before the hearing, will be provided to the Planning Commission by email.

**B. Webex Orientation for Applicants**

- i. Applicants must contact the planning case manager assigned to the Application no

later than five(5) days in advance of the hearing in order to schedule Webex orientation, which must be completed prior to the hearing.

### C. Oral Testimony by Applicants and the Public

- i. Applicants – Applicants must provide to the planning case manager a list of presenters and witnesses who will testify on behalf of the Application to the planning case manager no later than five (5) days prior to the date of the hearing.
- ii. Public Testimony/Comment on an Application – Any member of the public who wishes to comment on an application must submit their name and email address to the Staff Liaison Jim Wasilak (jwasilak@rockvillemd.gov) no later than 9:00 am on the day of the hearing to be placed on the testimony list.

Members of the public who seek technical assistance from City staff must submit their name and email address to Jim Wasilak no later than two (2) days in advance of the hearing so that an orientation session may be scheduled.

If a member of the public is unable to meet the deadline to be placed on the testimony list, they can submit written testimony to the Staff Liaison to the Planning Commission by email to jwasilak@rockvillemd.gov.

## 3. Conduct of Online Meeting and Public Hearing

### A. Rules of Procedure

The Meeting and Public Hearing will be held in accordance with the Planning Commission Rules of Procedure, including the order of testimony and applicable time limits on testimony. The Rules may be viewed here: <https://www.rockvillemd.gov/DocumentCenter/View/2023/Planning-Commission---Rules-of-Procedure>

### B. Oral Testimony

During the hearing, the Chair will sequentially recognize each person on the testimony list and ask the host to allow the speaker to speak. Each speaker must wait to be specifically recognized by the Chair before speaking.

If during the hearing a party wishes to speak, or a speaker wishes to request the opportunity to engage in cross-examination following specific testimony, the party must contact the Staff Liaison/Host by email at jwasilak@rockvillemd.gov with the specific request. The Host/Staff Liaison will inform the Commission. The Chair will determine if the party may be heard.

### C. Continuance of Hearing

The Planning Commission, at its discretion, reserves the right to continue the hearing until another date.

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## HELPFUL INFORMATION FOR STAKEHOLDERS AND APPLICANTS

### A. GENERAL ORDER OF SESSION FOR DEVELOPMENT APPLICATIONS

1. Staff presentation
2. City Board or Commission comment
3. Applicant presentation (10 min.)
4. Public comment (3 min, or 5 min for the representative of an association)
5. Planning Commission Discussion and Deliberation
6. Decision or recommendation by vote

The Commission may ask questions of any party at any time during the proceedings.

### B. PLANNING COMMISSION BROADCAST

- Watch LIVE on Comcast Cable Rockville Channel 11 and online at: [www.rockvillemd.gov](http://www.rockvillemd.gov)
- Replay on Comcast Cable Channel 11:
  - o Wednesdays at 7:00 pm (if no live meeting)
  - o Sundays at 7:00 pm
  - o Mondays, Thursdays and Saturdays at 1:00 pm
  - o Saturdays and Sundays at 12:00 am (midnight)
- Video on Demand (within 48 hours of meeting) at: [www.rockvillemd.gov/VideoOnDemand](http://www.rockvillemd.gov/VideoOnDemand).

### C. NEW DEVELOPMENT APPLICATIONS

- For a complete list of all applications on file, visit: [www.rockvillemd.gov/DevelopmentWatch](http://www.rockvillemd.gov/DevelopmentWatch).

### D. ADDITIONAL INFORMATION RESOURCES

- Additional resources are available to anyone who would like more information about the planning and development review process on the City's web site at: [www.rockvillemd.gov/cpds](http://www.rockvillemd.gov/cpds)

Maryland law and the Planning Commission's Rules of Procedure regarding ex parte (extra-record) communications require all discussion, review, and consideration of the Commission's business take place only during the Commission's consideration of the item at a scheduled meeting. Telephone calls and meetings with Commission members in advance of the meeting are not permitted. Written communications will be directed to appropriate staff members for response and included in briefing materials for all members of the Commission. Wednesdays at 7:00 pm (if no live meeting)



PLANNING COMMISSION Meeting Date: April 23, 2025  
Agenda Item Type: RECOMMENDATION TO MAYOR AND COUNCIL  
Department: PC - ECONDEV  
Responsible Staff: MANISHA TEWARI

## Planning Commission Memo

**MEETING DATE: April 23, 2025**

**REPORT DATE: April 16, 2025**

**RESPONSIBLE STAFF: Manisha Tewari**

### **SUBJECT:**

Annexation Petition ANX2023-00147, to Conduct a Public Hearing of the Preliminary Annexation Plan for the Washington Metropolitan Area Transit Agency (WMATA)-owned Shady Grove Metro Station Properties and a Portion of the CSX Transportation, Inc. Property; Close the Public Hearing Record; and to Approve and Transmit the Annexation Plan to the Mayor and Council of Rockville

### **BACKGROUND:**

The annexation proposal, initiated by the Mayor and Council, is for the annexation of the Shady Grove Metro station property that will enlarge the corporate boundary by approximately 107.9 acres of land. The Mayor and Council introduced the resolution for the annexation at their meeting on October 23, 2023, thus initiating the process for annexation. As described in the annexation resolution (see Attachment 1), the total annexation area is approximately 107.9 acres.

If approved, the annexation area would be incorporated within the city's corporate limits and be subject to the Charter, laws, ordinances, and regulations of the City of Rockville. Staff recommends Rockville's Mixed-Use Transit District (MXTD) zoning for the property upon annexation.

The Planning Commission received a presentation on the Annexation and the Preliminary Annexation Plan at their meeting on February 26, 2025. The presentation and the related materials are available on the City's website under the Planning Commission's Agenda Center under the February 26, 2025, meeting at <https://www.rockvillemd.gov/112/Planning-Commission>

Analysis of the City and County Master Plans and zoning, the provision of community facilities and the City's ability to provide the necessary services, and other discussion as required by the Local Government Article § 4-415 related to the subject petition is provided in the preliminary Annexation Plan (see Attachment 2), which is the topic of the public hearing.

## **DISCUSSION:**

The Annexation Plan is required by the State of Maryland under Local Government Article, Section 4-415 of the Annotated Code of Maryland. The Plan must be prepared and adopted by the local government, in addition to the resolution to annex property. The Annexation Plan must demonstrate that the annexation area is consistent with the City's Municipal Growth Element. Final adoption of the Annexation Plan is performed by the Mayor and Council. It should be noted that the approval of an annexation plan and the recommended zoning designation is not a binding approval of the annexation request.

The purpose of the public hearing is to review the proposed zoning as requested for the property and the Preliminary Annexation Plan. Within the Preliminary Annexation Plan, staff has evaluated the public service needs of the property and has determined the City has sufficient capacity to service the uses that are permitted in the MXTD Zone.

### **Providing Public Testimony on the Preliminary Annexation Plan**

Receiving testimony is both required by Rockville's Zoning Ordinance and welcomed by the Planning Commission and city staff. As indicated above, the Planning Commission released the Preliminary Annexation Plan at its meeting on February 26 and opened the record for receiving public testimony. The Planning Commission's hearing was originally scheduled for March 26, which was canceled. The Planning Commission hearing is now scheduled for April 23. Testimony will be accepted in any or all the following ways:

- Testify at the public hearing on April 23, 2025, at 7:00 p.m. The Planning Commission is conducting hybrid meetings that allow for both in-person and virtual participation via Webex. Email [jwasilak@rockvillemd.gov](mailto:jwasilak@rockvillemd.gov) before 4:00 p.m. on April 23, 2025, to register and participate in person or virtually at the meeting. Spoken testimony is limited to three minutes for individuals, or five minutes, if representing a group.
- Email testimony to [planning.commission@rockvillemd.gov](mailto:planning.commission@rockvillemd.gov). Please identify in the subject line that the testimony is for "ANX2023-00147."
- Mail testimony to: City of Rockville Planning Commission, c/o Manisha Tewari, 111 Maryland Avenue, Rockville, MD 20850

Background information on the annexation and the Preliminary Annexation Plan, that is the primary topic for the public hearing, is available [here](#). The Preliminary Annexation Plan is also included as Attachment 2 to this staff report. The Local Government Article, Section 4-415 of the Annotated Code of Maryland, requires that the Annexation Plan must be adopted by the legislative body, or the Mayor and Council, of the Municipality.

## **PUBLIC OUTREACH:**

For the Planning Commission public hearing, the Zoning Ordinance requires that the public hearing be advertised in a newspaper of general publication at least fifteen days before the Public Hearing, and that written notice be mailed in accordance with the provisions of Section 25.05.03.

The Planning Commission Public Hearing notice was originally published in the Washington Post newspaper on March 6, 2025 for the March 23<sup>rd</sup> public hearing, and then subsequently published on April 3, 2025 for the April 23 public hearing. Consistent with the Article 5, Section 25.05.03 provisions staff provided notification by mail and email to surrounding jurisdictions and other governmental agencies, including the Montgomery County Council, Montgomery County Planning Board, Montgomery County Public Schools, the City of Gaithersburg, and Maryland Department of Planning. Representatives of property owners (WMATA and CSX, Inc.) were also notified. Although not required, staff notified the adjacent property owners of the annexation. This notification included information on the Preliminary Annexation Plan, the time and dates of the public hearing, and the methods by which written testimony may be submitted. Attachment 3 provides information on the agencies and persons to whom the notifications were mailed, the Washington Post public hearing advertisement as published on April 3, 2025 and a sample notification.

Additional notifications were sent through the city's Rockville Reports newsletter, Development Watch e-newsletter, and city-maintained email distribution lists to provide information on the Preliminary Annexation Plan, public hearing dates, methods to provide testimony, and to keep the public updated on the process. An email message was also sent to the King Farm Citizens Assembly.

Per Montgomery County Planning staff's request, City staff presented the annexation proposal to members of the Westside and Derwood communities (that are outside the city limits and adjacent to the east side of the proposed annexation area) on April 2, 2025. Additionally, although not a City outreach effort, the MOCOSHOW newsletter published an article on April 1, 2025 on the proposed annexation that can be viewed [here](#).

## **BOARDS AND COMMISSIONS:**

The Mayor and Council introduced the resolution for annexation at their meeting on October 23, 2023 by approving a resolution to introduce the annexation (Attachment 1). The Planning Commission received a presentation on the annexation and the Preliminary Annexation Plan at their meeting on February 26, 2025, and set the public hearing date of March 26, 2026. That meeting was canceled and the public hearing was rescheduled for April 23, 2025.

## **RECOMMENDATION:**

Staff recommends that the Planning Commission conduct the public hearing, close the public record, and make a recommendation of approval to the Mayor and Council on the Annexation Plan and its proposed MXTD zoning designation.

The Planning Commission received testimony related to the pedestrian safety at the WMATA property. The testimony noted that during icy and snowy events in winter, the parking lot is not adequately treated. WMATA, as the property owners, will continue to be responsible for maintaining roads within its property and also provide snow removal and other related services. The city can advocate more with WMATA to ensure that snow removal services, that are crucial for safety and accessibility are provided in a timely manner, so that they do not pose significant safety hazards to the public.

Staff received testimony from Mr. Steven VanGrack in support of the annexation. Both testimonies are included as Attachment 4 to this report.

**NEXT STEPS:**

For the Planning Commission’s information, the intended schedule for the annexation process is shown below. The key next steps for the Planning Commission would be the public hearing on the Preliminary Annexation Plan, at which the Commission will receive testimony, direct any changes to the plan that the Commission may so choose, and then potentially approve the plan subject to any directed changes.

<b>Actions (ANX2023-00147)</b>	<b>Proposed Dates</b>
Planning Commission holds public hearing. Planning Commission reviews public hearing testimony and approves the staff recommended Annexation Plan for transmittal to Mayor and Council.	April 23, 2025
Mayor and Council holds a Worksession with presentation from NextGen consultants on the Fiscal Impact Analysis.	May 12, 2025
Mayor and Council adopts Annexation Plan. Mayor and Council sets public hearing date. Mayor and Council revises the resolutions as introduced on October 23, 2023: <ol style="list-style-type: none"> <li>1) Annexation resolution (enlarge city boundaries)</li> <li>2) Resolution to set public hearing date</li> </ol> Mayor and Council adopts the resolution to set the public hearing date.	June 9, 2025
County Review of Zoning Consistency.	June – July 2025
Mayor and Council hold annexation public hearing. Mayor and Council adopt the annexation resolution. Mayor and Council introduce the Ordinance(s) to amend zoning map to include annexed property. Adoption of Ordinance(s) to amend the zoning map to include annexed property (if they waive the layover period)	July 21, 2025
Annexation effective 45 days after enactment of annexation resolution.	September, 2025

## **Attachments**

Resolution to introduce the annexation, Preliminary Annexation Plan (ANX2023-00147), Washington Post Ad, List of Agencies and property owners that were notified, and a sample notification letter, Testimony received

Resolution No. 11A-23

RESOLUTION:

To provide for public hearing in connection with the annexation of 107.9 acres of land, more or less, owned by Washington Metropolitan Area Transit Authority and CSX Transportation, Inc.

WHEREAS, pursuant to the provisions of Section 4-403 of the Local Government Article of the Annotated Code of Maryland, the Mayor and Council of Rockville (hereinafter the "Mayor and Council") have introduced a resolution for the annexation of parcels of land totaling 107.9 acres, owned by Washington Metropolitan Area Transit Authority and CSX Transportation, Inc. that includes Shady Grove Metro Station, located adjacent to the City limits at and near 15903 Sommerville Drive in Rockville, which property is more particularly described in said resolution; and

WHEREAS, there are no resident registered voters or taxable real property within the area to be annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

1. That the City Clerk *is* instructed to cause a public notice of the resolution which has been introduced which, if adopted, would annex property of Washington Metropolitan Area Transit Authority and CSX Transportation, Inc., to be published not fewer than four times at not less than weekly intervals in a newspaper of general circulation in the City of Rockville and the area to be annexed, said notice to specify that a public hearing will be held on the resolution and annexation plan for the area proposed to be annexed at 7:00 p.m. or as soon thereafter as it may be held, on the 13<sup>th</sup> day of January 2025 in the Council Chamber, Rockville City Hall, 111

Maryland Avenue, Rockville, Maryland 20850 and/or virtually, consistent with current City protocols for public hearings.

2. That the City Clerk is instructed to provide a copy of the annexation plan for the area proposed to be annexed to the County Executive and County Council of Montgomery County, Maryland, the Secretary of the State Department of Planning and the Chairman of the Maryland-National Capital Park and Planning Commission at least thirty days prior to the holding of the scheduled public hearing.

3. That immediately upon the first publication of the public notice of said resolution, the City Clerk is instructed to cause said public notice to be provided to the County Executive and County Council of Montgomery County, Maryland, Secretary of the State Department of Planning and the Chairman of the Maryland-National Capital Park and Planning Commission.

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I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Mayor and Council at its meeting of October 23, 2023.

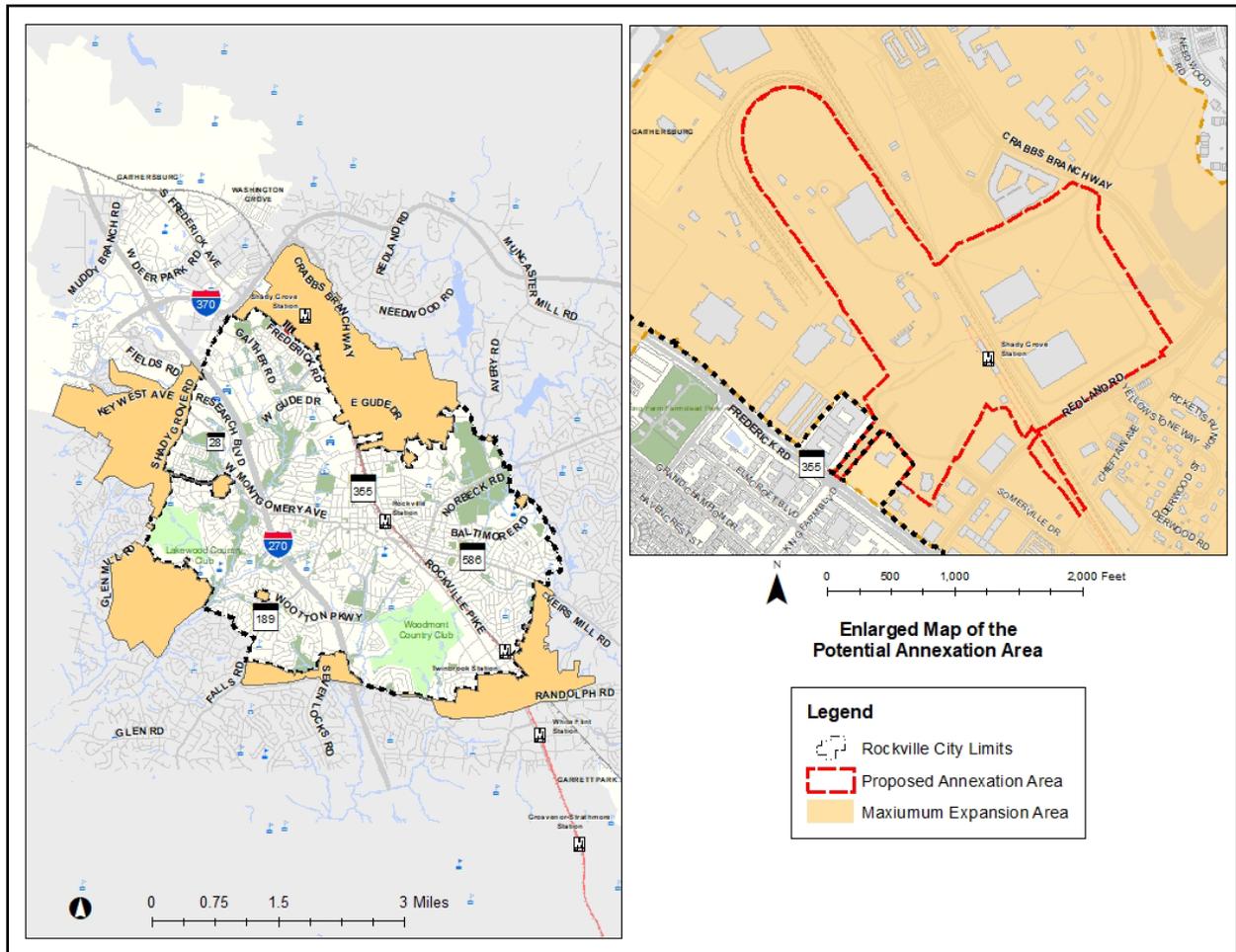
  
\_\_\_\_\_  
Sara Taylor-Ferrell, City Clerk/Director of Council Operations

## Preliminary Annexation Plan Annexation ANX2023-00147

This annexation plan has been prepared because of a City-initiated proposal (Mayor and Council of Rockville, Applicants) to annex land into the City of Rockville, pursuant to Local Government Article, Section 4-415 of the Annotated Code of Maryland.

The area proposed for annexation is within unincorporated Montgomery County, adjacent and contiguous to the Rockville City limits, and within the City's maximum expansion limits (MEL), as established in the Municipal Growth Element (MGE), and therefore consistent with its Comprehensive Plan as adopted on August 2, 2021.

**Figure 1 – Map of Rockville's MEL per 2021 adopted MGE of the Comprehensive Plan and the proposed annexation area**



Rockville’s Comprehensive Plan notes that, because there is no expectation that the entire area as defined as the maximum expansion limits in the comprehensive plan will be annexed, each proposed annexation should be analyzed to determine its potential impact on public services. Thus, this annexation plan includes a description of the land use pattern proposed for the area to be annexed, a recommended approach for extending public services to the annexed area, a general method of financing the extension of anticipated services, and a demonstration of available land for public facilities that may be considered reasonably necessary for the proposed use.

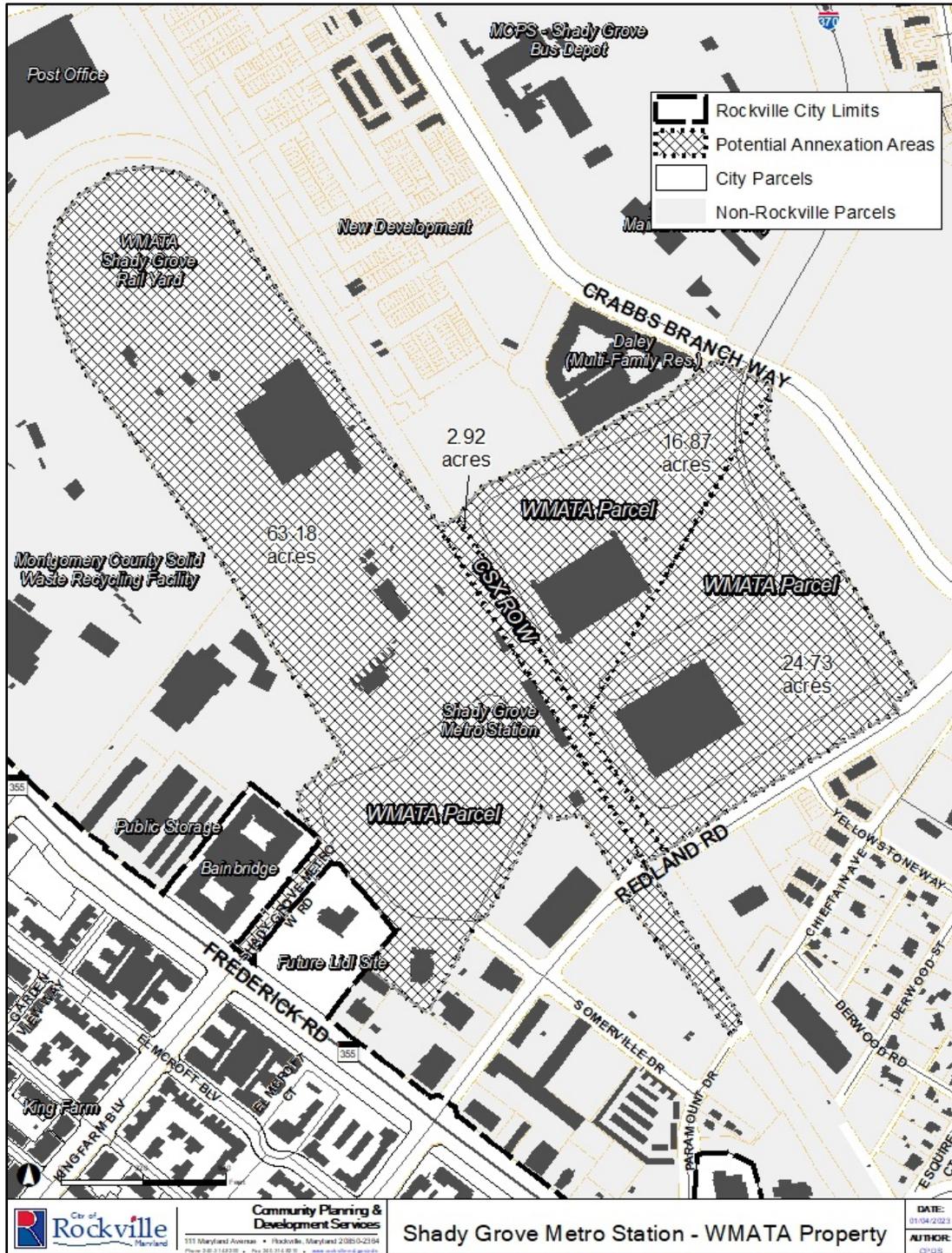
Pursuant to Section 4-415(a) of the Local Government Article of the Annotated Code of Maryland, an annexation plan shall be adopted by the legislative body for the area to be annexed. The Mayor and Council introduced the Annexation Resolution for the Annexation Area on October 23, 2023, and will be scheduling the public hearing on the Annexation Resolution at a future date. The Mayor and Council are tentatively scheduled to adopt the Annexation Plan for release for their public hearing at a meeting on April 28, 2025.

### **General Information and Description**

#### **Location:**

The annexation area is located approximately along the northern boundary of the City’s corporate limits. The area is adjacent and contiguous to the City boundary, and includes land owned by the Washington Metropolitan Area Transit Authority (WMATA), with the Shady Grove Metro Station located at 15903 Somerville Drive, Rockville, MD 20855, including the land owned by CSX transportation, Inc. The area proposed for annexation is located east of Frederick Road/MD 355 and north of Redland Road and described more in detail in Exhibit A as included with this Preliminary Annexation Plan. Exhibit A provides the property description and the survey map of the annexation area. The total area proposed for annexation is approximately 107.9-acres of land.

Figure 2 – Location map of the proposed annexation area



**Land Use pattern proposed for the area to be annexed, including the county master plan already in effect for the area**

The WMATA properties that are proposed for annexation include the Shady Grove Metro Station, the Shady Grove Rail Yard, surface parking, two structured parking garages, one surface parking lot to the west of the Station and three surface parking lots to the east. Montgomery County leases a day care center (Kinder Care) in an approximately 11,200 square-foot facility from WMATA, which is also located within the annexation area at 15910 Somerville Drive.

The Shady Grove Metro Station opened in 1984 and is the northwestern terminus of the Metrorail Red Line. Each side of the station contains a bus loop and Kiss & Ride facilities. The site contains a stream corridor and associated wetlands that bisect the eastern site. There are existing water and sewer lines through both the east and the west sites.

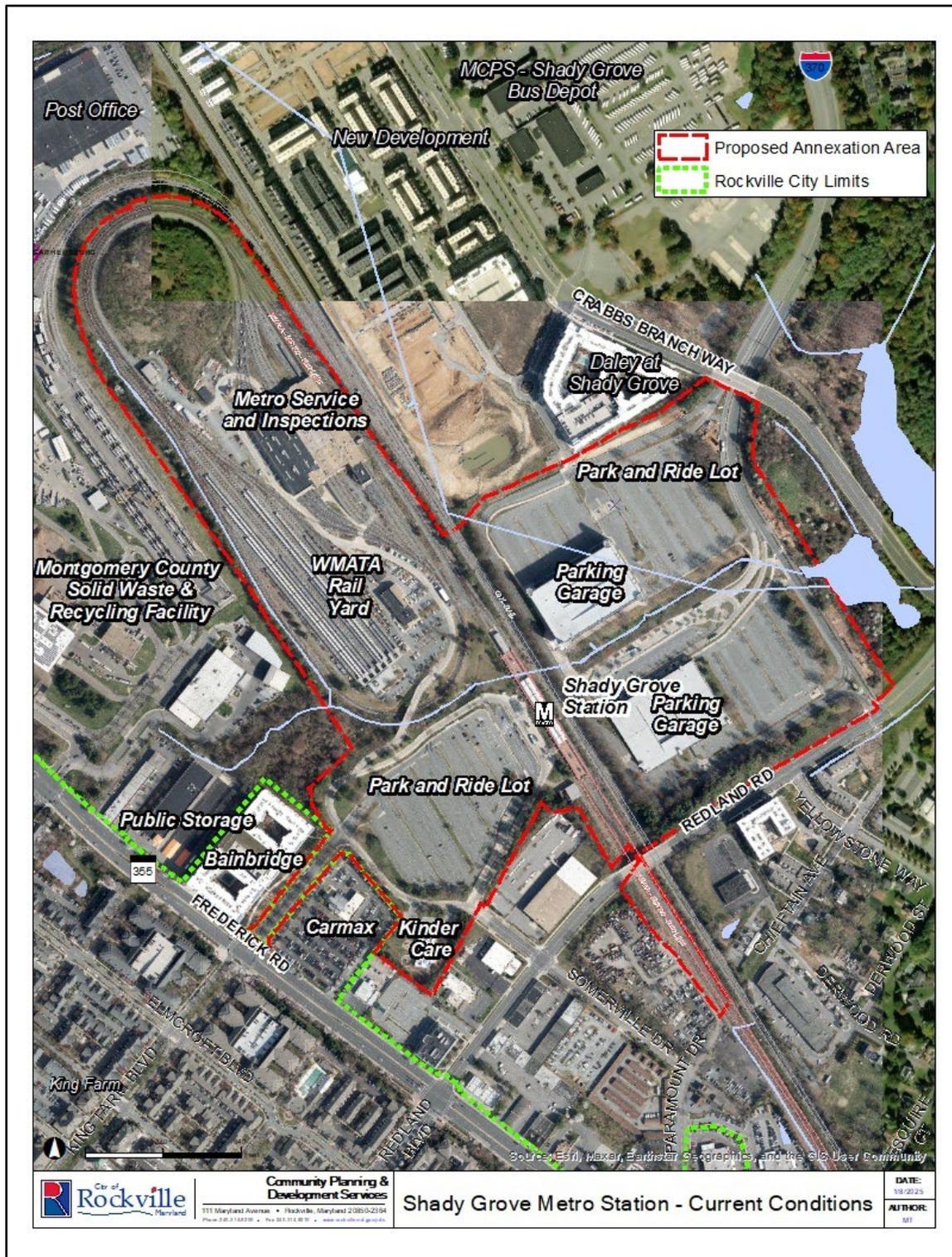
The station lies adjacent to the CSX tracks that serve freight trains, the Maryland Area Regional Commuter (MARC) trains and Amtrak intercity trains, neither of which stop at the station.

The Shady Grove Metrorail Station is a major commuter station with average weekday boardings of approximately 5,000 in the year 2025 (Figure 4 in this report or [Metrorail Ridership Summary | WMATA](#)). The station also handles many passenger transfers to Ride-On and other transit nodes. The station provides bike racks, lockers, and Capital Bikeshare docks on both sides of the station. Both sides of the stations require bicyclists to cross through large surface lots to access bicycle parking. Pedestrians access the station mainly from the west, but there is significant pedestrian activity through the Park & Ride, Kiss & Ride, and bus loop facilities on both sides of the station.

WMATA Shady Grove Rail Yard, which is a part of the proposed annexation area, is located near the train station, and is used to perform servicing and inspection functions for the Metro cars. The rail yard is also adjacent to the Montgomery County Department of Environmental protection (DEP)-managed Shady Grove Processing Facility and Transfer Station. The processing facility provides recycling services and solid waste management for county residents and businesses.

Developable WMATA parcels at this location, that are not a part of the Shady Grove Rail Yard, parking garages, the stream buffers and other environmental features include approximately 40 acres of land (calculated using ESRI's GIS mapping package) on both the east and west side of the tracks. The west side is comprised of a surface parking lot, bus loop, and a Kiss & Ride facility. The east side is comprised of two parking garages, three surface lots, a bus loop, and Kiss & Ride facilities.

Figure 3 – Map of current conditions



The WMATA property is a part of the Montgomery County’s Shady Grove Master Plan. The Montgomery County Council adopted the [Shady Grove Minor Master Plan Amendment](#) on April

6, 2021. The existing land use designation is noted as parking where the metro station access roads, Park & Ride, Kiss & Ride, bus loop, surface parking, and parking garages are located. The land use designation is noted as industrial at the rail-yard location (p.6).

### **Montgomery County Zoning**

The adoption of the [Shady Grove Minor Master Plan Amendment](#) was followed by a rezoning of the WMATA properties, including the surface parking lot adjacent to the Shady Grove Metro Station, to promote high-intensity mixed-use development at the metro station. The WMATA properties were rezoned from the County's CR 1.75 C0.5 R1.5 H-160T/TDR 1.77 Zone to the CR 2.25 C1.0 R1.75 H-200 Zone. The County uses Floor Area Ratio (FAR) methodology for development, that recommends the building's floor area in relation to the size of the lot/parcel that the building is located on. More information on the County's CR zoning is available [here](#). On the WMATA site, the maximum height recommended is 200 feet; the maximum overall FAR is 2.25, with a maximum commercial FAR of 1.0 and a maximum residential FAR of 1.75. A significant part of the Shady Grove Minor Master Plan Amendment's vision focused on redevelopment of the WMATA-owned Metro properties.

The County's Plan Amendment established a policy that 15 percent of new housing must be Moderately Priced Dwelling Units (MPDUs) and that there will be a higher percentage of MPDUs on publicly owned properties. Per the County Plan, as a publicly owned property, the WMATA site could potentially include up to 25 percent of their dwelling units as MPDUs. The County's plan also called for the new zoning to be used as a mechanism to permit development that contributes to the Sector Plan's public benefits, including the maximum percentage of affordable housing and a minimum one-acre Civic Green and a linear park at the WMATA property.

### **City of Rockville Land Use**

The [MGE of the Comprehensive Plan](#) establishes a land use designation of OCRM (Office, Commercial and Residential Mix) for the property (p.245), which would be applied at the time of annexation. The OCRM land use category provides the most flexibility, allowing a wide choice in office, commercial, and residential uses.

### **City of Rockville Zoning**

Staff recommends the City's MXTD (Mixed-use Use Transit District) zoning for the proposed annexation property. Rockville's MXTD Zone is intended for use in areas near Metro stations. It allows for high-density development of retail, office, and residential uses that are consistent with the City's Comprehensive Plan.

Rockville does not use the FAR methodology for calculating development potential. The City of Rockville's zoning ordinance is [Chapter 25 of the Rockville City Code](#). Section 25.13.03 outlines the uses permitted in the mixed-use (MX) zones. Rockville's zoning ordinance guides how buildings are constructed by establishing standards and uses as permitted by various zoning designations. These standards include minimum lot sizes; parking, setback, and open space

requirements; and design guidelines that shape urban form as outlined in the Comprehensive Plan. The following development standards apply to MXTD zones per Section 25.13.05.

**Table 1 - Development Standards for Mixed Use Transit (MXTD) Zone**

Zone	Maximum Height (in feet) <sup>2</sup>	Open Area and Public Use Space <sup>3</sup>		Minimum width at front lot line (in feet)	Setbacks				
		Minimum open area required (percent of project area)	Minimum public use space required within open area (percent of project area)		Public right-of-way abutting	Side		Rear	
						Residential land abutting	Non-residential land abutting <sup>1</sup>	Residential land abutting	Non-residential land abutting
MXTD	120	10% (15% if residential dwellings are provided); 15% within the Rockville Pike Neighborhood Plan area	10% 15% within the Rockville Pike Neighborhood Plan area	10	None	25' or height of building, whichever is greater	None. 10' min. if provided	25' or height of building, whichever is greater	None. 10' min. if provided

[See Sec. 25.13.05.a.2 and 25.13.05.b.2\(d\) for Special Regulations as they apply to the MXTD zone.](#)

The City does not have a comparable zoning to the County’s CR 2.25 C1.0 R1.75 H-200 Zone that offers 200’ heights by right. The City’s MXTD (Mixed-Use Transit District) baseline permitted height is 120 feet, though heights of up to 150 feet are permitted under certain circumstances, and heights of up to 200 feet are permitted if Mayor and Council determine that the Champion Project requirements are met.

Currently, the Champion Project designation is only available to projects in the South Pike area near the Twinbrook Metro Station, as designated by the 2016 Rockville Pike Neighborhood Plan. To date this designation has been requested by and granted to the Twinbrook Quarter development as a part of the project plan approval (PJT2018-00011). The Champion Project designation as it currently exists in the code cannot be applicable to the Shady Grove Metro Station property since the City’s 2021 Comprehensive Plan did not recommend changes to the Champion Project designation.

In order to allow the expansion of the Twinbrook Metro Station area Champion Project designation to other Metro Stations, a zoning text amendment would be required, either as part of the Zoning Ordinance Rewrite (ZOR) project or prior to completion of the ZOR. As part of this amendment, a policy discussion regarding the desire to expand the Champion Project designation to other areas of the city would be needed.

The city is currently engaged in a process to update the zoning ordinance (the Zoning Ordinance Rewrite Project, or ZOR). As part of the ZOR project, an alternative zone could potentially be applied to the site in the future. City staff is considering the development of a new Transit Oriented (TOD) zone or an overlay zone for application near the Twinbrook and Rockville Metro Stations and potentially would apply the same zoning to the Shady Grove Metro Station if/once annexed to the city. This zone is envisioned to include additional height and intensity allowances for areas near Metro stations.

Staff recommends the City's MXTD zoning for the WMATA property for annexation, as that zone would be close to and be the most consistent with the County zoning.

#### **Compliance with Municipal Growth Element of City's Comprehensive Plan**

The [Municipal Growth Element \(MGE\) of the Comprehensive Plan](#) creates a maximum expansion limit, denoting the identified area for future growth outside of the existing corporate limits. Per the MGE the City should, "consider annexation only for properties that are within the City's maximum expansion limit" (pg. 233). Additionally, the MGE policy 3.3 says to, "make annexing property on the east side of MD-355 (Frederick Road, north of College Parkway) to the CSX railroad tracks a priority for Rockville and reach out to the property owners to discuss annexation options" (page 237).

Within the borders of the maximum expansion limit, land is divided into two categories: proactive annexation areas and reactive annexation areas within the maximum expansion limit. This property is identified as being within the proactive annexation area within the maximum limits of expansion per [Figure 36 \(pg. 234\)](#), recognizing that this land has been specifically identified as an area where the city should pursue annexation. Reactive annexation areas are those in which the city responds when property owners petition for an annexation within the city limits.

The MGE of the Comprehensive Plan also creates policy 1.5, which is to, "be proactive in regard to annexations that are logical and feasible and, in the City's best interest" (pg. 233). By initiating the annexation process through the annexation application, the City is being proactive in determining if annexation of the subject property is in the City's collective best interest.

Thus, the proposed annexation is consistent with the MGE of the City's Comprehensive Plan and is within the boundaries of the City's Maximum Expansion Limits ("MEL"), as delineated in the MGE of the City of Rockville Comprehensive Master Plan as adopted in August 2021.

The annexation proposal is within the maximum expansion limits identified in the Comprehensive Plan, as well as within the focus area of Municipal Growth Element policy 3.

#### WMATA's Office of Joint Development and Adjacent Construction

Shady Grove Metro Station is currently placed in Group 4 in WMATA's 10-year [Strategic Plan for Joint Development](#), released in April 2022, which means that the station requires more planning and investment before being offered for joint development. In such situations, WMATA continues working with jurisdictional partners to advance projects, and notes that development at the Shady Grove Metro Station could move forward within the next ten years with an economic development strategy that can resolve the high costs of replacing the transit facility.

At the time of any redevelopment of the property, the applicant will be required to coordinate the design with the City of Rockville and WMATA's Office of Joint Development and Adjacent Construction (JDAC). JDAC is responsible for reviewing, approving, and overseeing implementation for compliance with WMATA requirements for all construction adjacent to and/or impacting WMATA interests. All necessary WMATA improvements, approvals, dedications, easements, and permits consistent with the JDAC Manual must be obtained prior to DPW's approval of any detailed engineering plan and issuance of permits.

There may be other infrastructure facilities at the site that might be taken over by the city, if the property is annexed, that may require investment by the City. This is generally explored in a WMATA JFDS study.

#### **Adequacy of Public Facilities**

The WMATA property lies within an urbanized portion of Montgomery County and is well served by public facilities. However, impacts on public facilities can only be evaluated more precisely when any development plans are submitted to the city.

The City of Rockville's Adequate Public Facilities Ordinance (APFO) and the Adequate Public Facilities Standards that implement the Ordinance, together, establish procedures and standards necessary to ensure that adequate public facilities and services are provided with new development. It requires tests of the capacity of public facilities based on current and projected data available at the time of development application. The city utilizes the development review process to ensure that adequate public facility systems exist during and after a development project and ensure that all concerns are adequately addressed and mitigated.

The methods to provide the required public facilities and services to the annexed parcels as hereby outlined are based on the understanding that there is no current plan for a joint development application with WMATA that would otherwise allow for a provision of more specific comments. This section discusses the public facilities and services that currently exist and provides a general consideration of new or expanded public facilities that may be needed in the future with any proposed development to meet the "adequacy of public facilities" requirements. The following public facilities and services are discussed below:

- 1) Water and Sewer services
- 2) Transportation services
- 3) Public safety services
- 4) School services
- 5) Parks and Recreation services
- 6) Library services
- 7) Other considerations (Stormwater Management and the Environment)

### **1. Water and sewer services**

The WMATA property currently serves as a transit facility. There are no known water or sewer capacity issues in its current function as a transit facility. The Washington Suburban Sanitary Commission (WSSC) currently provides public water and sewer services to the property within the proposed annexation area.

Any new development would likely require additional water and sewer capacity that will be evaluated as part of future project planning stages. During any new proposed development, WSSC conducts a hydraulic review to evaluate the impact of the development on existing water and sewer systems and determines needed infrastructures and facilities to serve the proposed as well as nearby future development within an identified service area. With new development, WSSC also assesses the proposed application from the developer for water and sewer systems within the property, seeking the best engineering solution that reduces impacts on the environment, provides the best service for potential customers, optimizes system maintenance cost, and makes recommendations for sizes and alignments that meet WSSC water and sewer design standards.

The City's Department of Public Works has investigated the location of the WSSC water and sewer pipes at the property and have outlined the following concerns that may require consideration with any potential new development:

- a) Potential Restrictions for Redevelopment with WSSC Prestressed Concrete Cylinder Pipes (PCCP).

WSSC water transmission pipelines, including parallel lines of 36" and 48" (PCCP), are adjacent to and cross the CSX/WMATA tracks and encumber portions of the eastside parcels (15910 Columbus Avenue and 16098 Redland Road). The design of PCCP water mains are site specific and require extreme caution while working in the area. Therefore, WSSC has special construction and design requirements for work performed in the vicinity of existing PCCP water mains, which generally restrict loading, grading, backfill and compaction due to the high-pressure and sensitive nature of the infrastructure.

With any new proposed development, WSSC will request that the PCCP water mains have the minimum required easement width, which is 40' wide for a 36" PCCP and 60' wide for a 48" PCCP. WSSC will also require a minimum horizontal separation of twenty-five (25) feet building

setback from the PCCP mains. The minimum setback and easement may be extended to limit potential property damage and physical injury during construction, and for the maintenance of the pipeline. Therefore, the existence of PCCP pipes on the WMATA property creates additional building restrictions due to the required setbacks and separations. To mitigate these restrictions and make the development economically feasible, the develop will need to creatively design the site to provide adequate easements, and locating the pipes within the street rights-of-way, pathways, parks, open spaces, and other features that meet the setback and separation requirements.

In addition to the PCCP mains, there is an existing 10" ductile iron water main that crosses the parcel on the east side. Future development will need to maintain a minimum 15' building setback from this main, although it may be possible to relocate this main.

The PCP lines on the west side are within the track area, so there are no anticipated impacts to the developable areas on the west side.

b) Corrosion Control.

The proposed development is next to a source of corrosion (Electrified rail systems, such as at-grade or underground WMATA Metrorail lines, AMTRAK lines, or Maryland Transit Administration (MTA) at grade rail lines.) The locations of MTA TPSS (Traction Power Substations) are potential sources of stray electrical currents, so WSSC will require a corrosion report. The report will most likely result in additional corrosion control measures for ductile iron pipes. The method of corrosion control is dependent on the source and the size of the pipes. Coating the pipe, encasing the pipe, or having a non-metallic material are possible controls.

c) WSSC Restrictions for Railroad Tracks.

WSSC requires all mains, structures, and infrastructure-to be located outside of rail zones of influence.

It is currently unknown if there is adequate sewer capacity on the WSSC system to accommodate redevelopment of the WMATA Shady Grove Station. Any redevelopment of the site will be subject to a Hydraulic Planning Analysis (HPA) by WSSC to identify sewer capacity and system deficiencies. WMATA typically conducts the analysis during the later phases of any joint development process. The costs of upgrades are typically borne by the WMATA joint development partner.

Insufficient information is available at this time as to whether sewage will flow solely into the Rock Creek basin or split between Rock Creek and Watts Branch. A preliminary dynamic hydraulic analysis was completed by WSSC in November of 2023, based on information provided by WMATA from a study conducted in 2021, that determined that currently there is physical capacity within the CIP-sized sewer in Rock Creek. A formal Hydraulic Planning Analysis by WSSC will be required during any redevelopment, which may identify sewer capacity and

system deficiencies. The impact of additional sewage flows into the Rock Creek and Watts Branch sewer basin will be evaluated at that time.

## **2. *Transportation services***

Comments related to the transportation services are general in nature since there is no current plan for a specific development application that would allow more detailed comments on traffic and access impacts. The site is currently a Metro station owned and operated by WMATA, and even after the potential annexation into the City of Rockville, would remain as such.

Currently, there are two roads on the west side of the tracks that access the station, Metro Access Road, and Somerville Drive. On the east side of the tracks, there is another Metro Access Road from I-370 and Crabbs Branch Way that accesses the parking and drop off/pick up operations that are offered on that side of the station (Figure 3).

On the west side, the Metro Access Road is a three-lane road, with metered parking on the northern side, sidewalks on both sides, and sharrows in both directions. It is completely within the metro station parcel and therefore is owned and maintained by WMATA. Existing lighting facilities on this road are not adequate and staff have heard concerns on numerous occasions by residents, primarily from King Farm who walk to/from the metro station along this road, about the lack of sufficient lighting. The approved redevelopment plans of the prior CarMax site on the southern side of the road with a grocery store, and a multifamily building includes approval conditions that will require the applicant to take some steps to improve the lighting along the subject property's frontage including the provision of conduits that will allow for future installation of streetlights to the city's standards.

Somerville Drive, between the property line for the station and Redland Road is within Montgomery County right of way. This section of Somerville Drive is four lanes, and provides access to two other properties, and transitions into two lanes as it goes into the metro station property, where it is owned and maintained by WMATA. It has existing lighting fixtures and a sidewalk on one side. This road provides access to the surface parking and the drop off/pick up operations on the south side of station.

The Metro Access Road from I-370 on the east side of the site serves as an access road to parking garages, the Kiss & Ride lot, and the bus pickup/drop off areas on the east side of the station. It eventually continues off site, becomes state maintained and provides further access to Shady Grove Road and MD-200. The road section on the metro station property has a buffered shared use path on the east side of the road. It also has a pedestrian signal to cross the roadway with access to and from the shared use path.

With an annexation into the city, these roadways would continue to be operated and maintained as they currently do. For Rockville to consider converting these roads to City-owned and maintained roadways, a more detailed evaluation will be required, comparing current conditions and features to city roadway standards and details. The roads would first

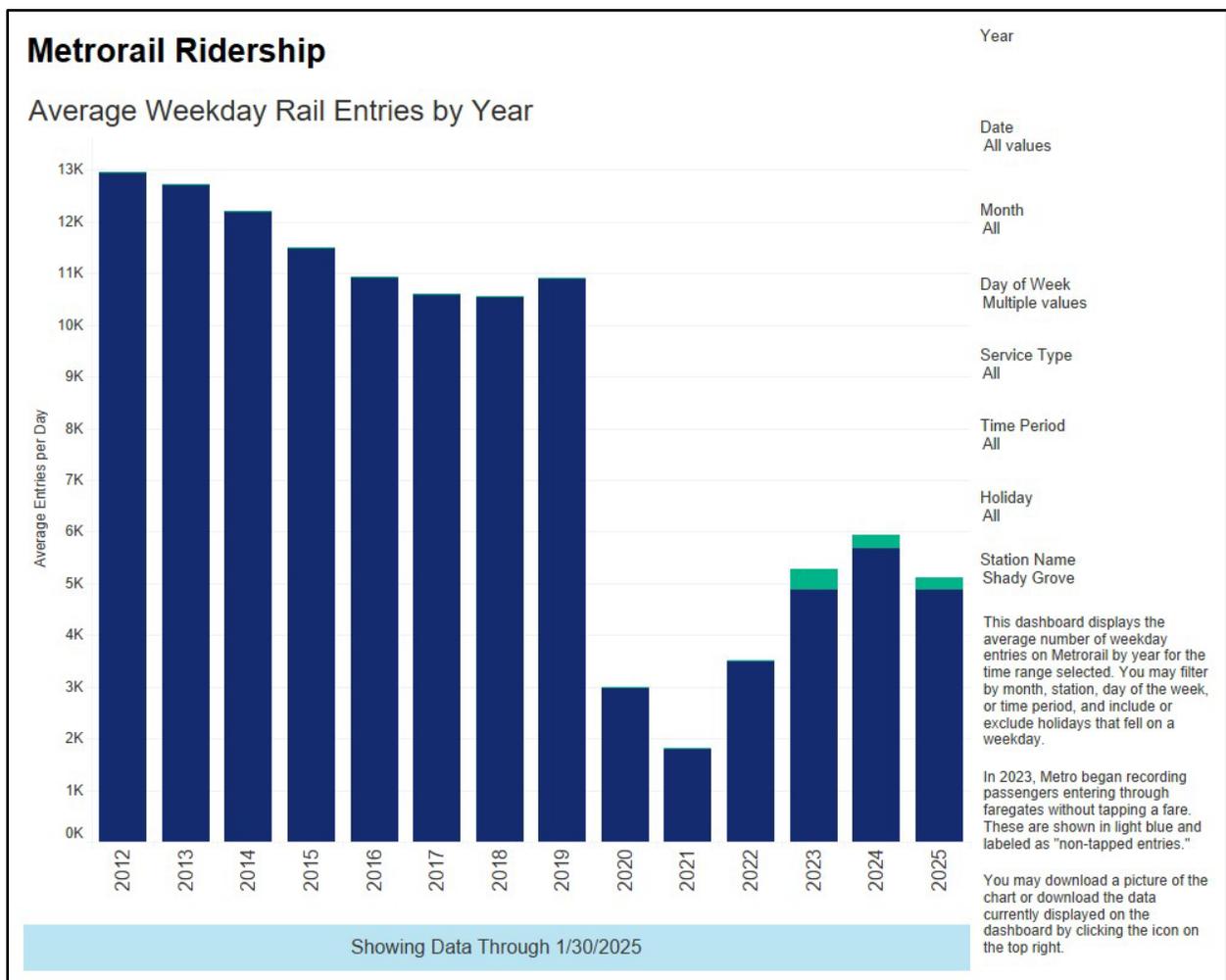
need to be brought into City standards before the city would agree to accept them as City-owned and maintained roadways.

**Transit considerations**

The proposed annexation property includes the Shady Grove Metro Station, which is the terminus of the WMATA Red Line. The station is above ground and has one island platform west of the CSX Metropolitan Subdivision tracks, which carry freight trains, Amtrak, and MARC trains. The Amtrak and MARC trains do not stop at the station.

Ridership growth and dips at Shady Grove Metro Station have more closely followed system-wide trends. The COVID-19 pandemic has impacted ridership, as seen in the chart below. The average entries per weekday was approx. 5,000 in the year 2025, as compared to approximately 11,000 in the year 2019, prior to the pandemic (Figure 4).

**Figure 4 - Metro Ridership Data**



Source: [Metrorail Ridership Summary | WMATA](#)

(Ridership Data Portal – Metrorail Ridership Dashboards. File created on 2/6/2025)

### Bus Service

Bus service is available through Ride On and WMATA, both at the station and along MD 355 and Shady Grove Road. At the WMATA property, the east bus loop features 8 bus bays serving Ride On and Maryland MTA routes. The west loop includes 3 bus bays, and a shuttle stop that serve WMATA, Ride On, and local shuttle routes.

### Bus Rapid Transit (BRT)

In addition to these current transit options, the MD 355 corridor is one of the planned Montgomery Bus Rapid Transit (BRT) routes. Per the MCDOT’s MD 355 BRT 35% preliminary design studying BRT station and alignment, a new BRT station and terminus facility is proposed within the existing WMATA bus loop on the west side of Shady Grove Metro, replacing the existing Somerville Drive station and providing a more convenient connection for BRT transfer passengers to/from Metrorail and local bus.

City staff has and continues to coordinate with the Montgomery County DOT on the latest plans for their Bus Rapid Transit (BRT) Project. The County presented the 35% plans to the Mayor and Council on January 22, 2024. Staff understands that this station will include a stop for the BRT project under the current plan, utilizing the current roadways into the station on the west side of the tracks for access.

There are no planned BRT facilities on the east side of the Shady Grove Metro Station. Additional bus bays may be needed to accommodate for an increase in bus routes in the future as a part of the County’s Reimagine study that is currently underway.

As a part of any joint development application between WMATA and a developer for the proposed area of annexation, a comprehensive and multimodal transportation evaluation and assessment would need to be performed in accordance with the City’s Comprehensive Transportation Review (CTR) to determine any potential transportation impacts and identify appropriate mitigation of such impacts as warranted. This would be based on the actual conditions at the time of application considering the proposed trips with the associated plan.

## **3. Public Safety Services**

### Police Services

Police protection will be provided by the Rockville City Police Department (RCPD), in conjunction with the Montgomery County Police Department (MCPD) and the Washington Metro Transit Police Department (MTPD) that already serves this area. The MTPD police officers have a tri-state jurisdiction with responsibility of law enforcement and public safety functions in transit facilities throughout the Washington, DC Metropolitan area, that include District of Columbia, Maryland and Virginia. County Police District 1 serves Rockville, though the resources of the entire County Department are available if needed.

The Montgomery County Police Department’s 1<sup>st</sup> District, located at 100 Edison Park Drive in Gaithersburg, and the 6th District, located at 45 West Watkins Road in Montgomery Village, provide public safety services to the plan area and the WMATA property, though the resources of the entire County Department are available if needed. The City has a Memorandum of Understanding with Montgomery County, which also has policing authority in Rockville, outlining priorities and responsibilities for the City and the County. That Memorandum of Understanding (MOU) in general asserts that the County will respond to assist with major crimes with investigative resources; and if the County has patrol units available, they will respond to assist the city with serious crimes in progress.

Both the MCPD and RCPD have been experiencing staffing shortages in recent years. Due to the current and projected shortage of police officers and the need to increase staffing, MCPD is pulling their officers out of the city to service other areas within the county. With the reduction in staffing in the County’s 1st Police District, the County Police have given up all primary responses in the City of Rockville to RCPD. Thus, RCPD is the primary responder for all police incidents in the City of Rockville.

A call for service (CFS), or number of incidents that police are dispatched to handle, such as reports of thefts, violence, or traffic issues, are a key metric to determine police staffing needs. The type of service and the nature of calls are also important, as crimes related to felony necessitate a multi-officer response. RCPD provided the following data as it relates to the CFS at the proposed annexation location, along with a 200’ buffer outside the property boundaries:

**Table 2 - Calls for Service at the proposed annexation location with a 200-foot buffer outside the property boundaries**

<i>Year</i>	2018	2019	2020	2021	2022	2023	2024
<i>Totals</i>	<b>359</b>	<b>295</b>	<b>207</b>	<b>231</b>	<b>249</b>	<b>364</b>	<b>324</b>

Source: RCPD

Metro ridership was lower during the pandemic, subsequently leading to lower CFS at that time, as evident in the time period from 2020 until 2022. Since then, there has been a gradual increase in service calls.

Currently, the MCPD is the primary responder to the proposed annexation area location. Once the property is annexed, RCPD will become the primary responder.

RCPD has concurrent jurisdiction with MTPD at the Twinbrook and the Rockville Metro stations. RCPD is almost always the first police department to arrive at police incidents taking place on WMATA property within the city. If MTPD officers are available, they will respond and assume responsibility; however, there are instances in which they are unavailable and RCPD handles the calls for service starting from the initial report, that includes criminal investigations, through the final prosecution. MTPD is responsible for locations in Maryland, the District of

Columbia and Virginia which oftentimes results in lengthy response times. MTPD has indicated that due to staff limitations, they intend to focus their resources in areas where they do not have the support of a municipal department.

In FY2025, Rockville authorized 73 sworn police positions serving an estimated city population of 68,000. In addition to the sworn officers, RCPD includes 25 administrative and support staff in areas such as criminal investigations, parking enforcement and other services. The sworn police position numbers vary due to ongoing hiring initiatives and current vacancies.

To manage the increased workload with the proposed annexation, RCPD estimates that it will need a total of 6 additional officers to ensure adequate public safety to all areas of the city. As of the date of this report, RCPD has thirteen vacant positions, and it is very unlikely that it will fill the additional 6 positions to coincide with the annexation schedule, and therefore are proposing that the additional 6 officers be added over two years, at 3 officers per year.

When the annexation is complete, Rockville will be the only municipality in Maryland with three Metro stations on the red line. RCPD will continue to coordinate with MCPD and MTPD to increase cooperation and develop strategies to ensure equitable police services at the three Metro stations and city wide.

a) Fire, Rescue and Emergency Medical Services

Montgomery County Fire and Emergency Services (MCFRS) provides fire and disaster protection to the WMATA properties and will continue to do so after annexation, as this service is a county function. This area is primarily served by Fire and Rescue Station 8 at 801 Russell Avenue, which is in the City of Gaithersburg to the north, and Station 28 at 7272 Muncaster Mill Road, which is northeast of the property. Station 3, at 380 Hungerford Drive is also available to supplement the services. Additional resources from other fire-rescue stations are available to respond to the Plan area as needed.

The Montgomery County Fire and Rescue Service (MCFRS) has determined that a future fire-rescue station with emergency medical services (EMS) is needed for the Shady Grove area and recommended the vacant property at the southeast intersection of MD 355 and Shady Grove Road for the facility. The proposed location would provide access to the Plan area, as well as to the surrounding Rockville and Gaithersburg communities via Frederick Road, Shady Grove Road, and MD 200.

The [2006 Shady Grove Sector Plan](#) recommended the “provision of a police facility within the Plan area, potentially co-located with the Fire and Rescue facility” (p.102). [The 2021 Shady Grove Master Plan Amendment](#) supports a substation in the Plan area (p.95), in conjunction with the recommended fire station as a public benefit for redeveloping properties within the Metro Neighborhoods.

#### **4. School Services**

The current use on the WMATA has no impact on school services, as it is intended to serve the parking, bus, Kiss and Ride, Park & Ride services to the Shady Grove Metro Station. The proposed MXTD zoning would permit a variety of uses on the property, including commercial and residential. In its current condition, the annexation itself will have no impact on schools.

The WMATA properties are in the Gaithersburg High School cluster, including Gaithersburg Middle School and Washington Grove Elementary School. [The 2021 Shady Grove Master Plan Amendment](#) recommends an elementary school at the location where the Montgomery County Public Schools (MCPS) bus depot is currently located on Crabbs Branch Way, outside the proposed annexation area. A new high school was recommended in the Gaithersburg cluster at Crown Farm site, for which expenditures are programmed in the six-year period with the [MCPS FY 2025 Capital Budget and the FY2025-2030 CIP](#) for the completion of the project in August 2027. A new elementary school, Harriet R. Tubman, recently opened in August 2022, in the Gaithersburg cluster.

If new residential development is proposed as a part of any joint development application, an evaluation of students generated by new residential development and its impact on local schools will be performed to assess the impact of any proposed residential development. If deficiencies emerge that are not adequately addressed, the project will not be permitted to move forward.

#### **5. Parks and Recreation Services**

If the property remains in its existing condition as a transit facility, no additional park and recreation facilities are proposed. However, should the Metro Access Road become a city road as a part of annexation, the road would need to be improved with landscaping and street trees per the City of Rockville standards.

Any proposed development would follow the open space requirements of the proposed MXTD zone, including requirements for public use space, that must be met with redevelopment (10% or 15% of open space if residential dwelling units are provided, and 10% of public use open space).

[The 2021 Shady Grove Master Plan Amendment](#) on p. 96 recommends that a recreation center could be located within the Metro Neighborhoods, as a public benefit for redeveloping properties as follows:

- Locate a future recreation center within the Metro Neighborhoods as the preferred location. If all the County Service Park public facilities relocate, consider the adjacent Jeremiah Park as an alternative location if an elementary school is not located at this property.
- Explore co-location for the recreation center, along with other public facilities, to minimize public expenditures and maximize efficiencies.

#### **6. Library Services**

Public libraries in Rockville are provided by Montgomery County Public Libraries (MCPL). The closest library to the Project is the Rockville Memorial Library, which is approximately 3 miles away, Twinbrook Library is approximately 4 miles away and Gaithersburg Library is about 5 miles away, although any Montgomery County resident has access to the full resources of any library branch and all online services. The American Library Association has a standard that states that there should be 1,000 square feet of library space for each 10,000 population.

Libraries continue to evolve in response to new technologies and material formats. In addition, the use of library space changes over time. There have been preliminary discussions regarding new library services in response to recently updated master plans and expected growth in the areas of Shady Grove, however, any demands for library services will need to be coordinated with MCPL.

## **7. Other Considerations**

### **a) Stormwater Management**

If annexed, all properties shall be required to pay an annual Stormwater Management Utility Fee in accordance with Section 19-116 of the City Code. The City Stormwater Management Utility Fee will replace the Water Quality Protection Charge, an annual fee assessed by the Montgomery County Department of Environmental Protection. Once annexed, the fee is required for all impervious areas, with the exception of the railroad track.

The property drains to the Crabbs Branch Regional Pond facility, east of the WMATA parcel. Montgomery County Department of Environmental Protection (MCDEP) is responsible for maintaining the regional pond and will continue to be responsible for the maintenance of the pond if the property is annexed into the city. There are also two vegetated/grass swales that are currently County assets providing treatment for the bike path along the Redland Entrance and will become the city's responsibility if the property is annexed.

Per Chapter 19 of the city code, environmental site design (ESD) to the maximum extent practicable (MEP) must be provided for all new and replaced impervious areas of any redevelopment. Providing safe conveyance of the 10-year storm and protection of other properties must also be demonstrated as part of the project plan process required for future development of the WMATA property. New development will not be approved unless it is found to be in compliance with all regulations.

### **Storm Drain Infrastructure**

Department of Public Works staff had confirmed with Montgomery County Department of Transportation that there is no publicly maintained storm drain on the property. An existing large storm drain, and a culvert is located on the WMATA property.

If annexed and as a part of the redevelopment process, some of this private infrastructure may become the City's responsibility as part of the redevelopment approvals/agreements. The conditions of these large infrastructure pipes are unknown and may require replacement or relocation, including a 72" storm drain line that appears to be located under a portion of the

WMATA parking garage. Further coordination and investigation will be required to understand the implications during the redevelopment process.

b) Environmental Considerations

The site contains one sensitive feature, a stream corridor and associated wetlands that bisect the stream. The stream is an unmapped Montgomery County floodplain. As a part of any development process, the applicant must confirm with floodplain requirements as outlined in Section 10-5(d) of the City Code. As a part of the redevelopment process, it will also be the applicant's responsibility to obtain all necessary Federal, State and/or local approvals or permits for work within waters of the U.S., or 100-year Floodplain prior to issuance of a City Floodplain Permit.

**Conclusion**

The annexation of the WMATA Property, is consistent with the Municipal Growth Element of the City's Comprehensive Master Plan. A zone of MXTD would be consistent with City policies and is recommended for the WMATA Property.

Rockville is able to support the city provided public facilities and services that will be needed pursuant to annexation. Similarly, the County is able to support the services that it provides.

Both WMATA and Montgomery County would like to see high density development take place on the WMATA site as soon as possible. The primary advantages of annexing the WMATA site for Rockville would be the tax revenue that will be generated by future new development and add to the City's tax base, and including a third Metro Station within the city limit will also add to its branding and economic development goals.

A potential disadvantage of annexing the WMATA property is that development does not take place in the near future, and no revenue is generated since the WMATA properties are in the tax-exempt category. There is also the added cost to the City to provide services to the property, including additional police officers to provide services, once annexed.

**Enclosed**

Exhibit A – Metes and Bounds Property Description with a Survey Map

October 24, 2022

**DESCRIPTION OF  
THE LAND OF WASHINGTON METROPOLITAN AREA  
TRANSIT AUTHORITY (WMATA)**

**TAX ID. 09-03055594**  
**LIBER 5132 FOLIO 157**  
**LIBER 5422 FOLIO 251**  
**LIBER 5422 FOLIO 256**  
**LIBER 5498 FOLIO 485**  
**LIBER 5538 FOLIO 791**  
**LIBER 5577 FOLIO 568**  
**LIBER 11210 FOLIO 498**  
**LIBER 12437 FOLIO 458**  
**TAX ID. 09-02838665**  
**LIBER 8863 FOLIO 776**  
**TAX ID. 09-02182384**  
**LIBER 5465 FOLIO 304**  
**LIBER 5504 FOLIO 183**  
**LIBER 5841 FOLIO 39**

**9TH ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND**

**BEING** part of the property described in a Declaration of Taking conveyed by Virginia Casey Visnich, et al., to Washington Metropolitan Area Transit Authority by a deed recorded May 16, 1978 among the Land Records of Montgomery County, Maryland in Liber 5132 at Folio 157; and the property described in a deed conveyed by Thos. Somerville Co., to Washington Metropolitan Area Transit Authority, dated October 24, 1979 and recorded among said Land Records in Liber 5422 at Folio 251; and the property described in a deed conveyed by Thos. Somerville Co., to Washington Metropolitan Area Transit Authority, dated October 24, 1979 and recorded among said Land Records in Liber 5422 at Folio 256; and the property described in a deed conveyed by Miller Building Supply Co., Inc., to Washington Metropolitan Area Transit Authority, dated March 13, 1980 and recorded among said Land Records in Liber 5498 at Folio 485; and part of the property described in a deed conveyed by The Baltimore and Ohio Railroad Company, to Washington Metropolitan Area Transit Authority, dated August 21, 1979 and recorded among said Land Records in Liber 5538 at Folio 791; and the property described in a deed conveyed by Reed Brothers Dodge, Incorporated, to Washington Metropolitan Area Transit Authority, dated September 16, 1980 and recorded among said Land Records in Liber 5577 at Folio 568; and the fee simple property described in a deed conveyed by Montgomery County, to Washington Metropolitan Area Transit Authority, dated March 12, 1992 and recorded among said Land Records in Liber 11210 at Folio 498; and the property described in a deed conveyed by CSX Transportation, Inc., to Washington Metropolitan Area Transit Authority, dated February 14, 1994 and recorded among said Land Records in Liber 12437 at Folio 458; and part of the property described in a deed conveyed by Montgomery County,

to Washington Metropolitan Area Transit Authority, dated March 30, 1988 and recorded among said Land Records in Liber 8863 at Folio 776; and the property described in a Declaration of Taking conveyed by Thos. Somerville Co., et al., to Washington Metropolitan Area Transit Authority by a deed recorded January 9, 1980 among said Land Records in Liber 5465 at Folio 304; and part of the property described in a deed conveyed by Maryland National Bank and Loretta Mobley, trustees, to Washington Metropolitan Area Transit Authority, dated April 2, 1980 and recorded among said Land Records in Liber 5504 at Folio 183, saving and excepting therefrom that portion dedicated for public right of way of Redland Road as shown on Montgomery county Right of Way Plat No. 784; and the fee simple property described in a deed conveyed by Potomac Electric Power Company and The Riggs National Bank of Washington, D.C., to Washington Metropolitan Area Transit Authority, dated February 23, 1982 and recorded among said Land Records in Liber 5841 at Folio 39; and also including lands of CSX Transportation, Inc. (formerly Baltimore and Ohio Railroad); and all being more particularly described in one piece in the 1971 U. S. Coast & Geodetic Survey bearing datum as follows;

**BEGINNING** for the same at a point on the easterly line of Maryland Route 355, Frederick Road (variable width); said point being at Station 255+96.48 per baseline shown on Maryland State Highway Right of Way Plat No. 44321; said point also being at the beginning of the North 02°01'14" West 47.48 foot line as shown on a plat titled "Parcel N, Derwood" which is recorded in Plat No. 20049; thence running with said easterly line of Maryland Route 355, Frederick Road

1. North 52°51'00" West for a distance of 140.04 feet to a point at the end of the South 77°34'46" West 46.25 foot line as shown on a plat titled "Parcel B, Derwood Reed's Addition" which is recorded in Plat No. 24582; thence running reversely with said land the following three (3) courses and distances
2. North 77°35'45" East for a distance of 46.22 feet to a point; thence
3. North 38°42'27" East for a distance of 506.59 feet to a point; thence
4. North 51°17'33" West for a distance of 30.00 feet to a point at the end of the South 30°04'08" East 110.49 foot line as shown in a deed to Montgomery County, Maryland dated June 22, 1981 and recorded among said Land Records in Liber 5718 at Folio 807; thence running reversely with said land the following five (5) courses and distances
5. North 30°04'08" West for a distance of 110.49 feet to a point; thence
6. North 12°37'57" West for a distance of 64.03 feet to a point; thence
7. North 47°21'37" East for a distance of 245.92 feet to a point; thence
8. North 33°38'32" West for a distance of 628.88 feet to a point; thence
9. North 29°19'29" West for a distance of 144.51 feet to a point at the end of the South 35°24'27" East, 977.60 foot line as shown in a deed to Montgomery County, Maryland recorded August 1, 1979 among said Land Records in Liber 5369 at Folio 441; thence running reversely with said land the following three (3) courses and distances
10. North 35°23'20" West for a distance of 977.60 feet to a point; thence
11. 411.69 feet along the arc of a curve to the right, having a radius of 1000.00 feet, a delta angle of 23°35'17" and a chord bearing of North 23°35'42"W for a distance of 408.79 feet to a point;

thence

12. 513.38 feet along the arc of a curve to the right, having a radius of 362.00 feet, a delta angle of  $81^{\circ}15'18''$  and a chord bearing of North  $28^{\circ}49'36''$ E for a distance of 471.42 feet to a point; thence departing the lines described in said deed and running in, through, over and across said land as described in said Liber 11210 at Folio 498 the following four (4) courses and distances
13. North  $25^{\circ}27'48''$  West for a distance of 13.17 feet to a point; thence
14. 519.01 feet along the arc of a curve to the right, having a radius of 380.00 feet, a delta angle of  $78^{\circ}15'20''$  and a chord bearing of South  $74^{\circ}18'09''$ E for a distance of 479.60 feet to a point; thence
15. South  $33^{\circ}22'56''$  East for a distance of 512.26 feet to a point; thence
16. South  $37^{\circ}04'35''$  East for a distance of 181.80 feet to a point at the beginning of the South  $29^{\circ}04'59''$  East 170.82 foot line as shown in a deed to Maryland Waste Disposal Authority dated December 27, 1990 and recorded in said Land Records in Liber 11192 at Folio 356; thence running with said lands the following three (3) courses and distances
17. South  $28^{\circ}49'52''$  East for a distance of 170.73 feet to a point; thence
18. South  $35^{\circ}30'07''$  East for a distance of 232.46 feet to a point; thence
19. South  $37^{\circ}31'47''$  East for a distance of 265.55 feet to a point intersecting the southwesterly right of way line of CSX Transportation, Inc. as shown in a deed of inquisition to the Baltimore and Ohio Railroad company recorded in said Land Records in Liber EBP 31 at Folio 249; thence with said southwesterly line
20. South  $31^{\circ}46'48''$  East for a distance of 142.26 feet to a point; thence leaving said southwesterly line and running in, through, over and across the property of said CSX Transportation, Inc. for a new line of division
21. North  $58^{\circ}13'12''$  East for a distance of 65.70 feet to a point on the northeasterly right of way line of said CSX Transportation, Inc; said point also being the southwesterly corner of the lands acquired by Washington Metropolitan Area Transit Authority from Montgomery County in said Liber 8863 at Folio 776; said land being part of the land conveyed from Eugene B. Casey and Virginia K. Casey Visnich to Montgomery County, Maryland, by deed dated February 25, 1974, and recorded among said Land Records in Liber 4499 at Folio 180; thence running with the northerly lines of said Liber 8863 at Folio 776 and thence reversely with the southerly lines shown on a plat titled "Parcel A, Block A, Parcel A, Block D, West Side At Shady Grove Metro" which is recorded in Plat No. 24942 and thence reversely with the southerly lines shown on a plat titled "Lot 1, Block A, West Side At Shady Grove Metro" which is recorded in Plat No. 24998 the following five (5) courses and distances
22. North  $41^{\circ}37'26''$  East for a distance of 162.30 feet to a point; thence
23. North  $65^{\circ}50'10''$  East for a distance of 375.64 feet to a point; thence
24. North  $60^{\circ}07'32''$  East for a distance of 251.23 feet to a point; thence

25. North 65°50'10" East for a distance of 165.65 feet to a point; thence
26. North 53°18'55" East for a distance of 239.36 feet to a point on the southwesterly line of Crabbs Branch Way; thence with said southwesterly line
27. South 65°08'08" East for a distance of 243.59 feet to a point intersecting the first or North 29°28'36" East 1088.11 foot line as shown in a deed conveyed by Maryland National Bank and Loretta Mobley, trustees to Montgomery County, Maryland, dated April 29, 1980 and recorded in said Land Records in Liber 5513 at Folio 844; thence running reversely with said deed the following three (3) courses and distances
28. South 29°29'25" West for a distance of 46.79 feet to a point; thence
29. 184.81 feet along the arc of a curve to the left, having a radius of 500.00 feet, a delta angle of 21°10'40" and a chord bearing of South 03°16'59"W for a distance of 183.76 feet to a point; thence
30. South 31°48'01" East for a distance of 1114.29 feet to a point on the northerly line of Redland Road as shown on Montgomery County Right of Way Plat No. 784; thence with said northerly lines the following six (6) courses and distances
31. 100.73 feet along the arc of a curve to the right, having a radius of 1220.00 feet, a delta angle of 4°43'50" and a chord bearing of South 51°54'45"W for a distance of 100.70 feet to a point; thence
32. South 35°43'20" East for a distance of 9.62 feet to a point; thence
33. 71.63 feet along the arc of a curve to the right, having a radius of 1230.00 feet, a delta angle of 3°20'12" and a chord bearing of South 55°56'30"W for a distance of 71.62 feet to a point; thence
34. South 57°36'36" West for a distance of 98.02 feet to a point; thence
35. North 31°47'11" West for a distance of 0.13 feet to a point; thence
36. South 57°37'02" West for a distance of 889.23 feet to a point on the northeasterly right of way line of said CSX Transportation, Inc; thence leaving said northeasterly line and running in, through, over and across the property of said CSX Transportation, Inc. for a new line of division
37. South 58°11'58" West for a distance of 80.04 feet to a point on the southwesterly right of way line of said CSX Transportation, Inc; thence with said right of way the following two (2) courses and distances
38. South 31°48'02" East for a distance of 537.02 feet to a point; thence
39. South 32°48'07" East for a distance of 154.65 feet to a point at the end of the North 32°36'28" East 287.00 foot line of Parcel N as shown on a plat titled "Parcels G, H, L, M, N, & Q, Derwood, Somerville's Addition" which is recorded among said Land Records in Plat No. 9526; thence reversely with said line
40. South 32°37'21" West for a distance of 89.78 feet to a point; thence running in, through, over and across said Parcel N the following five (5) courses and distances

41. North 34°20'43" West for a distance of 342.61 feet to a point; thence
42. North 49°32'43" West for a distance of 52.50 feet to a point; thence
43. North 40°53'27" West for a distance of 101.27 feet to a point; thence
44. North 34°28'21" West for a distance of 150.15 feet to a point; thence
45. North 30°22'06" West for a distance of 26.72 feet to a point on the North 41°30'00" East 374.95 foot line of said Parcel N; thence running with said line
46. North 41°29'39" East for a distance of 122.68 feet to a point at the northwest corner of said Parcel N; thence with the outline of said plat and crossing Fields Road (80 feet wide) (now known as Redland Road)
47. North 31°49'03" West for a distance of 83.51 feet to a point at end of the North 41°30'00" East 398.95 foot line of Parcel Q as shown on said Plat No. 9526; thence reversely with said line
48. South 41°29'39" West for a distance of 120.45 feet to a point; thence running in, through, over and across said Parcel Q the following five (5) courses and distances
49. North 30°22'06" West for a distance of 89.15 feet to a point; thence
50. North 28°42'23" West for a distance of 185.26 feet to a point; thence
51. South 79°25'23" West for a distance of 110.49 feet to a point; thence
52. North 46°14'08" West for a distance of 72.20 feet to a point; thence
53. South 27°50'44" West for a distance of 486.79 feet to a point on the northerly line of Sommerville Drive (80 feet wide); thence with said northerly line
54. North 52°50'32" West for a distance of 20.27 feet to a point at the southwest corner of said Parcel Q; thence crossing said Sommerville Drive and with the westerly lines of Parcels M and L as shown on said plat
55. South 27°50'44" West for a distance of 436.29 feet to a point intersecting the South 52°51'06" 400.98 foot line as shown on a plat titled "Parcel T, Derwood" which is recorded in said Land Records in Plat No. 22602; thence running reversely with said line and also reversely with the northeasterly line of a plat titled "Parcel G, Derwood" which is recorded in said Land Records in Plat No. 11203
56. North 52°46'39" West for a distance of 294.24 feet to a point intersecting the South 37°09'19" West 433.68 foot line of said Plat No. 20049; thence running reversely with said plat lines the following five (5) courses and distances
57. North 37°09'30" East for a distance of 183.03 feet to a point; thence
58. North 39°10'15" West for a distance of 337.93 feet to a point; thence

- 59. North 79°56'47" West for a distance of 38.73 feet to a point; thence
- 60. South 38°42'27" West for a distance of 459.73 feet to a point; thence
- 61. South 02°01'05" East for a distance of 47.48 feet to the Point of Beginning.

**Containing** 4,704,060 sq. ft. or 107.99036 acres of land.

I hereby certify that I was in responsible charge of the preparation of this document and all the survey work reflected herein and that it was prepared in compliance with COMAR 09.13.06.03.



3/15/2023

Zachary M. Mellott  
Professional Land Surveyor  
Maryland Registration No. 21890  
Expires 01/17/2024  
For A. Morton Thomas and Associates, Inc.

Date



LINE NO.	BEARING	DISTANCE
L1	N52°51'00"W	140.04'
L2	N77°35'45"E	46.22'
L3	N38°42'27"E	506.59'
L4	N51°17'33"W	30.00'
L5	N30°04'08"W	110.49'
L6	N12°37'57"W	64.03'
L7	N47°21'37"E	245.92'
L8	N33°38'32"W	628.88'
L9	N29°19'29"W	144.51'
L10	N35°23'20"W	977.60'
L11	N25°27'48"W	13.17'
L12	S33°22'56"E	512.26'
L13	S37°04'35"E	181.80'
L14	S28°49'52"E	170.73'
L15	S35°30'07"E	232.46'
L16	S37°31'47"E	265.55'
L17	S31°46'48"E	142.26'
L18	N58°13'12"E	65.70'
L19	N41°37'26"E	162.30'
L20	N65°50'10"E	375.64'
L21	N60°07'32"E	251.23'
L22	N65°50'10"E	165.65'
L23	N53°18'55"E	239.36'
L24	S65°08'08"E	243.59'
L25	S29°29'25"W	46.79'
L26	S31°48'01"E	1114.29'
L27	S35°43'20"E	9.62'
L28	S57°36'36"W	98.02'
L29	N31°47'11"W	0.13'
L30	S57°37'02"W	889.23'
L31	S58°11'58"W	80.04'
L32	S31°48'02"E	537.02'
L33	S32°48'07"E	154.65'
L34	S32°37'21"W	89.78'
L35	N34°20'43"W	342.61'
L36	N49°32'43"W	52.50'
L37	N40°53'27"W	101.27'
L38	N34°28'21"W	150.15'
L39	N30°22'06"W	26.72'
L40	N41°29'39"E	122.68'
L41	N31°49'03"W	83.51'
L42	S41°29'39"W	120.45'
L43	N30°22'06"W	89.15'
L44	N28°42'23"W	185.26'
L45	S79°25'23"W	110.49'
L46	N46°14'08"W	72.20'
L47	S27°50'44"W	486.79'
L48	N52°50'32"W	20.27'
L49	S27°50'44"W	436.29'
L50	N52°46'39"W	294.24'
L51	N37°09'30"E	183.03'
L52	N39°10'15"W	337.93'
L53	N79°56'47"W	38.73'
L54	S38°42'27"W	459.73'
L55	S02°01'05"E	47.48'

CURVE NO.	RADIUS	DELTA	LENGTH	TANGENT	CHD BEARING	CHORD
C1	1000.00'	23°35'17"	411.69'	208.80'	N23°35'42"W	408.79'
C2	362.00'	81°15'18"	513.38'	310.57'	N28°49'36"E	471.42'
C3	380.00'	78°15'20"	519.01'	309.12'	S74°18'09"E	479.60'
C4	500.00'	21°10'40"	184.81'	93.47'	S03°16'59"W	183.76'
C5	1220.00'	4°43'50"	100.73'	50.39'	S51°54'45"W	100.70'
C6	1230.00'	3°20'12"	71.63'	35.82'	S55°56'30"W	71.62'

PARCEL 466  
TAX ID NO. 09-03015383  
OWNER: NORTHEAST MD WASTE DISPOSAL AUTHORITY  
L 11192 F 356

TAX ID NO. 09-03749440  
OWNER: CARMAX AUTO SUPERSTORES, INC.  
PLAT 24895

PARCEL 848  
TAX ID NO. 09-01756551  
OWNER: MONTGOMERY COUNTY  
L 5369 F 441

PARCEL 837  
TAX ID NO. 09-03055594  
OWNER: WMATA OFFICE OF REAL ESTATE  
L 5132 F 157  
L 5422 F 251  
L 5422 F 256  
L 5498 F 485  
L 5538 F 791  
L 5577 F 568  
L 11210 F 498  
L 12437 F 458

PARCEL 31  
TAX ID NO. 09-02101594  
OWNER: MONTGOMERY COUNTY  
L 5718 F 807

TAX ID NO. 04-03719534  
OWNER: BAINBRIDGE SHADY GROVE APARTMENTS, LLC  
PLAT 24582  
PARCEL B, DERWOOD REEDS ADDITION

TAX ID NO. 09-03146564  
OWNER: LIDL US OPERATIONS, LLC  
L 65152 F 495  
PLAT 20049  
PARCEL N, DERWOOD

TAX ID NO. 09-00773215  
OWNER: CHRISTOPHER W. SAUNDERS  
L 51919 F 173  
PARCEL G, DERWOOD

TAX ID NO. 09-03413011  
OWNER: EDUCATIONAL SYSTEMS FEDERAL CREDIT UNION  
L 64283 F 27  
PLAT 22602  
PARCEL T, DERWOOD

TAX ID NO. 09-00776878  
OWNER: THOS. SOMERVILLE CO.  
L 3384 F 149  
PLAT 9526 (PARCEL Q)  
PARCELS G,H,L,M,N&Q  
DERWOOD SOMERVILLE'S ADDITION

TAX ID NO. 09-00776867  
OWNER: TSR-N313, LLC  
L 28929 F 523  
PLAT 9526 (PARCEL N)  
PARCELS G,H,L,M,N&Q  
DERWOOD SOMERVILLE'S ADDITION

PART OF PARCEL 790  
TAX ID NO. 09-01990426  
OWNER: MONTGOMERY COUNTY  
L 5513 F 844

OWNER: MONTGOMERY COUNTY  
REDLAND ROAD  
RIGHT OF WAY PLAT NO. 784  
FORMERLY PART OF L 5804 F 183

PARCEL 95  
TAX ID NO. 09-02182384  
OWNER: WMATA  
L 5465 F 304  
L 5504 F 183  
L 5841 F 39

### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT TO THE BEST OF MY PROFESSIONAL BELIEF AND KNOWLEDGE THE PLAN SHOWN HEREON IS CORRECT; THAT IT IS THE RESULT OF AN ACTUAL FIELD SURVEY PERFORMED UNDER MY SUPERVISION; AND THAT THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES AS DEFINED IN COMAR 09.13.06.12.

*Zachary M. Mellott*

Zachary M. Mellott  
Professional Land Surveyor  
Maryland Registration #21890  
Expires 1/17/2024

2-7-2023  
Date



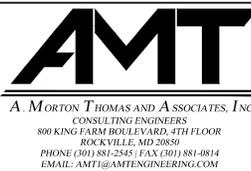
MD. ROUTE 355 - FREDERICK ROAD (VARIABLE WIDTH)

### LEGEND

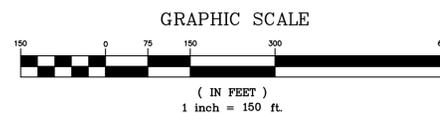
- PROPOSED ANNEXATION LINE
- - - INTERMEDIATE TAX PARCEL LINE
- INTERMEDIATE DEED PLAT LINE
- ADJACENT PROPERTY LINE

### GENERAL NOTES

- PRELIMINARY DRAFT OCTOBER 24, 2022
- INFORMATION PRESENTED IS BASED ON THE COMPILATION OF DEEDS AND PLATS OF RECORD. NO FIELD WORK WAS PERFORMED.
- TOTAL AREA SHOWN FOR POSSIBLE ANNEXATION = 4,704,060 SQ. FT. OR 107.99036 AC.



RES.	CS				
SURV.	AMT				
COMP.	CS				
DES.	AMT				
DRN.	CS				
CHK.	ZM	10/24/2022	DRAFT FOR REVIEW	CS	ZM
		DATE	REVISION	BY	APP'R.



METES AND BOUNDS SURVEY  
**SHADY GROVE METRO STATION**  
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY  
ROCKVILLE, MARYLAND  
9TH ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND

SCALE	CONTOUR INTERVAL	A.M.T. FILE No.
1"=150'	N/A	17-1019.004
DATE	TAX MAP No.	SHEET
OCTOBER, 2022	GS122,GS123	<b>1</b>

**Notice of Public Hearing  
Annexation ANX2023-00147**

Notice is hereby given that the Rockville Planning Commission will conduct a public hearing at Rockville City Hall at 111 Maryland Avenue, Rockville, MD 20850 on April 23, 2025 at 7:00 p.m. or as soon thereafter as it may be heard in connection with the preliminary annexation plan associated with Annexation Petition ANX2023-00147. The petitioners are the Mayor and Council of Rockville.

The petition seeks to expand the city's northern boundaries by annexing approximately 107.9 acres of land owned by Washington Metropolitan Area Transit Authority, containing the Shady Grove Metro Station, which also includes  $\pm 2.92$  acres of land owned by CSX Transportation, Inc.

The zoning requested under the City of Rockville's zoning ordinance is MXTD (Mixed Use Transit District).

Written testimony could be sent to the commission via [planning.commission@rockvillemd.gov](mailto:planning.commission@rockvillemd.gov), or by US mail to 111 Maryland Avenue, Rockville, MD 20850, c/o Manisha Tewari.

The Planning Commission is conducting hybrid meetings that allow for both in-person and virtual participation via webex. Persons wishing to testify are requested to email [jwasilak@rockvillemd.gov](mailto:jwasilak@rockvillemd.gov) before 4:00 PM on April 23, 2025, to place their names on the speakers list. Spoken testimony is limited to three minutes for individuals, or five minutes, if representing a group.

The Preliminary Annexation Plan is available at <https://www.rockvillemd.gov/2527/15903-Somerville-Drive-Annexation-of-the> [rockvillemd.gov]. For additional questions, you can reach City s [rockvillemd.gov]. For additional questions, you can reach City s nisha Tewari at [mtewari@rockvillemd.gov](mailto:mtewari@rockvillemd.gov) or by calling 240-314-

**39**

ROCKVILLE PLANNING COMMISSION  
by Jim Wasilak, Secretary to the Commission

## Planning Commission Notification List –

ANX2023-00147

Maryland Department of Planning  
Susan Llareus, - [susan.llareus@maryland.gov](mailto:susan.llareus@maryland.gov)

City of Gaithersburg  
Rob Robinson, - [Rob.Robinson@gaitthersburgmd.gov](mailto:Rob.Robinson@gaitthersburgmd.gov)

Montgomery County Planning staff  
Yearwood, Nkosi [nkosi.yearwood@montgomeryplanning.org](mailto:nkosi.yearwood@montgomeryplanning.org)  
Carrie Sanders, Montgomery Planning - [carrie.sanders@montgomeryplanning.org](mailto:carrie.sanders@montgomeryplanning.org)

Montgomery County Planning Board  
MCP-Chair@mncppc-mc.org

County Council  
Mark Elrich - [ocemail@montgomerycountymd.gov](mailto:ocemail@montgomerycountymd.gov)  
Kraut, Aaron [Aaron.Kraut@montgomerycountymd.gov](mailto:Aaron.Kraut@montgomerycountymd.gov)

Montgomery County DOT  
Haley Peckett, Montgomery County DOT - [Haley.Peckett@montgomerycountymd.gov](mailto:Haley.Peckett@montgomerycountymd.gov)  
Gary Erenrich - [gary.erenrich@montgomerycountymd.gov](mailto:gary.erenrich@montgomerycountymd.gov)

Montgomery County DPWT  
[rebecca.torma-kim@montgomerycountymd.gov](mailto:rebecca.torma-kim@montgomerycountymd.gov)

Department of General Services (DGS)  
Greg.Ossont@montgomerycountymd.gov

PEPCO  
[Vidhya.Dhanashan@exeloncorp.com](mailto:Vidhya.Dhanashan@exeloncorp.com)  
[Francis.Azebaze@exeloncorp.com](mailto:Francis.Azebaze@exeloncorp.com)

WSSC  
[DSGIntake@wsscwater.com](mailto:DSGIntake@wsscwater.com)  
[jon-edward.thorsell@wsscwater.com](mailto:jon-edward.thorsell@wsscwater.com)  
[mary.mapes@wsscwater.com](mailto:mary.mapes@wsscwater.com)  
[Philip.callahan@wsscwater.com](mailto:Philip.callahan@wsscwater.com)

Montgomery County Public Schools (MCPS)

[Gary\\_D\\_Mosesman@mcpsmd.org](mailto:Gary_D_Mosesman@mcpsmd.org)

Adams, Seth P [Seth\\_P\\_Adams@mcpsmd.org](mailto:Seth_P_Adams@mcpsmd.org)

SHA

[kwoodroffe@sha.state.md.us](mailto:kwoodroffe@sha.state.md.us)

[ROwolabi@mdot.maryland.gov](mailto:ROwolabi@mdot.maryland.gov)

[JMoges@mdot.maryland.gov](mailto:JMoges@mdot.maryland.gov)

Washington Gas

[AMelliza@washgas.com](mailto:AMelliza@washgas.com)

Montgomery County Police Communications

[Charles.schwab@montgomerycountymd.gov](mailto:Charles.schwab@montgomerycountymd.gov)

[Peter.Hanna@montgomerycountymd.gov](mailto:Peter.Hanna@montgomerycountymd.gov)

Montgomery County Fire Department

[john.devries@montgomerycountymd.gov](mailto:john.devries@montgomerycountymd.gov)

Rockville Memorial Library

[patrick.fromm@montgomerycountymd.gov](mailto:patrick.fromm@montgomerycountymd.gov)

King Farm Citizens Assembly

[Brandi@kingfarm.org](mailto:Brandi@kingfarm.org); [gm@kingfarm.org](mailto:gm@kingfarm.org)

Derwood Community

Shady Grove Committee

[shobhanasharma2020@gmail.com](mailto:shobhanasharma2020@gmail.com)

[Carol Kosary kosaryc@gmail.com](mailto:Carol Kosary kosaryc@gmail.com)

[Jeffrey S Reznick jeffrey.s.reznick@gmail.com](mailto:Jeffrey S Reznick jeffrey.s.reznick@gmail.com)

## **Property Owners**

CSX

[Karen\\_Clarke@CSX.com](mailto:Karen_Clarke@CSX.com)

WMATA

[lprice2@wmata.com](mailto:lprice2@wmata.com)

[Rubin, Nia I. NIRubin@wmata.com](mailto:Rubin, Nia I. NIRubin@wmata.com)

[Zimmerman, Aaron T. <ATZimmerman@wmata.com>](mailto:Zimmerman, Aaron T. <ATZimmerman@wmata.com>)

BUSINESS/NAME	OWNER ADDRESS	CITY, STATE, ZIP	PROPERTY ADDRESS
MIDWAY CENTER LLC	C/O ARUT KOSEIAN 10205 FLEMING AVE	BETHESDA, MD 20814	16041 FREDERICK RD
PS PARTNERS VIII LTD	C/O DEPT-PT-MD-24806 PO BOX 25025	GLENDALE, CA 91221	16001 FREDERICK RD
BAINBRIDGE SHADY GROVE APARTMENTS LLC	C/O BAINBRIDGE COMMUNITY 12765 W FOREST HILL BLVD #1307	WELLINGTON, FL 33414	15955 FREDERICK RD
LIDL US OPERATIONS LLC	3500 S CLARK ST	ARLINGTON, VA 22202	15931 FREDERICK RD
355 REAL ESTATE LLC	23538 POCAHONTAS DRIVE	GAITHERSBURG, MD 20882	15921 FREDERICK RD
EDUCATIONAL SYSTEMS FEDERAL CREDIT UNION	7500 GREENWAY CENTER DRIVE #1400	GREENBELT, MD 20770	15901 FREDERICK RD
BASSETT FAMILY INVESTMENTS LLC	8957 COLESBURY PL	FAIRFAX, VA 22031	15820 REDLAND RD
DUNLOP GANA R	C/O ROBERTS OXYGEN 15830 REDLAND RD	ROCKVILLE, MD 20855	15830 REDLAND RD
THOS SOMERVILLE CO	16155 TRADE ZONE AVE	UPPER MARLBORO, MD 20774	15901 SOMERVILLE DR
CARMAX AUTO SUPERSTORES INC	12800 TUCKAHOE CREEK PKWY	RICHMOND, VA 23238	16411 SHADY GROVE RD
UNITED STATES POSTAL SERV	16501 SHADY GROVE RD	GAITHERSBURG, MD 20898	16501 SHADY GROVE RD



March 27, 2025

## Notice

The City of Rockville's Department of Community Planning and Development Services wishes to notify you of a public hearing on an Annexation application, which has been filed with the City of Rockville and affects your neighborhood.

The Planning Commission meeting on March 26, 2025 was cancelled.

Rockville's Planning Commission will now conduct a public hearing at Rockville City Hall at 111 Maryland Avenue, Rockville, MD 20850 on **April 23, 2025**, at 7:00 p.m. or as soon thereafter as it may be heard in connection with the preliminary annexation plan associated with Annexation Petition ANX2023-00147. The petitioners are the Mayor and Council of Rockville.

The petition seeks to expand the city's northern boundaries by annexing approximately 107.9 acres of land owned by Washington Metropolitan Area Transit Authority, containing the Shady Grove Metro Station, which also includes  $\pm 2.92$  acres of land owned by CSX Transportation, Inc. The zoning requested under the City of Rockville's zoning ordinance is MXTD (Mixed Use Transit District).

This email serves as an official letter of notification as required by Section 25.05.03 of Rockville's Zoning Ordinance that the Planning Commission will be holding a Public Hearing regarding the proposed annexation on Wednesday, April 23, 2025. Advertising for the Public Hearing will be in accordance with the Section 25.02.04 d.2 of Rockville's Zoning Ordinance. The Local Government Article, Section 4-415 of the Annotated Code of Maryland, requires that the Annexation Plan must be adopted by the legislative body of the Municipality.

Testimony will be accepted in any or all the following ways:

- Testify at the public hearing on **April 23, 2025**, at 7:00 p.m. The Planning Commission is conducting hybrid meetings that allow for both in-person and virtual participation via Webex. Email [jwasilak@rockvillemd.gov](mailto:jwasilak@rockvillemd.gov) before 4:00 p.m. on April 23, 2025, to register and participate in person or virtually at the meeting. Spoken testimony is limited to three minutes for individuals, or five minutes, if representing a group.
- Email testimony to [planning.commission@rockvillemd.gov](mailto:planning.commission@rockvillemd.gov). Please identify in the subject line that the testimony is for “ANX2023-00147.”
- Mail testimony to: City of Rockville Planning Commission, c/o Manisha Tewari, 111 Maryland Avenue, Rockville, MD 20850

Information on the project, including the Preliminary Annexation Plan that is the primary topic for the public hearing, is available at <https://www.rockvillemd.gov/2527/15903-Somerville-Drive-Annexation-of-the>.

Please feel free to contact Manisha Tewari at [mtewari@rockvillemd.gov](mailto:mtewari@rockvillemd.gov) or by calling 240-314-8213 with any questions.

**Name:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** [REDACTED]  
**Date:** Monday, March 10, 2025 9:48:46 am  
**Attachments:** [REDACTED]

PN

 **Rockville**  
www.rockvillemd.gov

**JENNIFER K. SHARP**  
202475-0001-0108  
Community Planning and Development Services  
111 Maryland Avenue  
Baltimore, MD 21202  
PHONY 410-336-2400 ext. 3334 4372  
PHNY 410-336-2400 ext. 3334 4399  
jsharp@rockvillemd.gov

**From:** Julia Hoffmann <julia.hoffmann@jghhs.com>  
**Sent:** Sunday, March 9, 2025 4:13 PM  
**To:** Planning Commission <PlanningCommission@rockvillemd.gov>  
**Subject:** AM2025-00147

**WARNING - External email. Exercise caution!**

**RE:LO,**  
This is how the Shady Grove Metro parking lot looks in the winter.  
This is the area of each assigned to disabled drivers. How are they expected to make it safely to the station?



Julia Hoffmann

**From:** Jenny Snapp  
**To:** Manisha Tewari  
**Subject:** FW: ANX2023-00147  
**Date:** Monday, March 10, 2025 9:37:51 AM  
**Attachments:** image001.png

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[www.rockvillemd.gov](http://www.rockvillemd.gov)

**JENNY R. SNAPP**  
DEPUTY DIRECTOR  
Community Planning and Development Services  
111 Maryland Avenue  
Rockville, MD 20850  
DIRECT EXTENSION: 240.314.8272  
OFFICE MAIN LINE: 240.314.8200  
[jsnapp@rockvillemd.gov](mailto:jsnapp@rockvillemd.gov)

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**From:** Julia Helfman <[julia\\_helfman@yahoo.com](mailto:julia_helfman@yahoo.com)>  
**Sent:** Sunday, March 9, 2025 4:11 PM  
**To:** Planning Commission <[Planning.Commission@rockvillemd.gov](mailto:Planning.Commission@rockvillemd.gov)>  
**Subject:** ANX2023-00147

**WARNING - External email. Exercise caution.**

Hello,

Below please find an image of slip and fall incident from January 2025. I did my best to help this victim, EMT took her to hospital with a broken wrist.

I witnessed several incidents like this, WMATA does not salt the parking lot and it is covered in ice whenever we have a freezing temperatures.



Julia Helfman

**From:** [Jim Wasilak](#)  
**To:** [Manisha Tewari](#)  
**Cc:** [Ricky Barker](#); [Jenny Snapp](#)  
**Subject:** FW: ANNEXATION  
**Date:** Wednesday, March 26, 2025 3:38:14 PM

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Manisha, please incorporate this in to the public record. I let him know that the hearing will be on 4/23. Thanks, Jim

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**From:** steven.stevenvangracklaw.com <steven@stevenvangracklaw.com>  
**Sent:** Wednesday, March 26, 2025 3:25 PM  
**To:** Jim Wasilak <jwasilak@rockvillemd.gov>  
**Cc:** Barry Jackson <bjackson@rockvillemd.gov>; Adam Van Grack <avangrack@rockvillemd.gov>; Monique Ashton <mashton@rockvillemd.gov>; Kate Fulton <kfulton@rockvillemd.gov>  
**Subject:** ANNEXATION

**WARNING - External email. Exercise caution.**

Jim

I learned today that the meeting of the Planning Commission for tonight had to be cancelled because of the lack of quorum and the next meeting is April 9. I am unable to attend the public hearing on that date and decided to send my comments to you to share with the Commission on Annexation ANX2023-00147, approximately 107 acres surrounding the Shady Grove Metro Station (SGMS), primarily owned by Washington Metropolitan Area Transit Authority (WMATA).

COMMISSIONERS ESPINOSA, FULTON, PITMAN, SALAHUDDIN and SUN

I have been involved in city government for a very long time and have lived in King Farm for over 6 years. When King Farm was first proposed I stated publicly that it was too large and would not work as the city annexed the property. I was wrong. 10,000 people live in King Farm, in a city of 70,000. I have worked to bring King Farm closer to our city government. It is great to see that Barry Jackson, former President of the KFCA, is now on the Mayor & Council.

Rockville should annex the property around the Shady Grove Metro Station

(SGMS) as provided in Annexation ANX2023-00147. It is extremely important for our city government to control the land around the SGMS. The people who live, work, study and play in King Farm are going to be most impacted by the development around the SGMS.

The Twinbrook Metro Station (TMS), the Rockville Metro Station (RMS) and the SGMS were opened in 1984 and WMATA has continued to operate all these stations with many surface parking lots on the east and west sides (4 SGMS, 2 RMS, 2TMS). In over 40 years WMATA has failed to do land use planning to our detriment. Rockville needs to be aggressive in annexing this property. We can then plan on how to best serve the people who now and in the future are in our city.

As you are also well aware, Rockville is involved with a process of what to do at King Farm Farmstead Park (KFFP). The location of this park is close to the SGMS. We should be able to coordinate the transportation or walking from the SGMS to the KFFP. It would certainly behoove the city and the King Farm community to have a Youth Facility which provides for athletic, artistic, dancing, academic and public service programs. Easy access will help.

With appreciation for the time which you devote to our city.

Steven VanGrack  
401 King Farm Blvd #202  
Rockville, MD



PLANNING COMMISSION Meeting Date: April 23, 2025  
Agenda Item Type: WORKSESSION  
Department: PC - DEVELOPMENT REVIEW  
Responsible Staff: JOHN FOREMAN

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## Subject

Work session on the Zoning Ordinance Rewrite (ZOR) Project, Focusing on Development Review Process Improvements (FAST 2).

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## Discussion

This work session is the first of six proposed Planning Commission work sessions for the Zoning Ordinance Rewrite. Each work session will follow a Mayor and Council work session on the same topics. The purpose of each Planning Commission work session will be to present the topics, provide information on Mayor and Council's direction and receive feedback. Between now and September, specific ordinance text will not be provided. Instead, staff will present recommendations on proposed regulations, receive direction and then draft the various articles of the new zoning ordinance. By September, the Mayor and Council and the Commission will have reviewed and discussed the most significant zoning map and ordinance recommendations so that the draft regulations will reflect the direction previously provided to staff. This approach should be more efficient and should make the adoption process smoother.

This report, beginning with the next paragraph, was originally presented to Mayor and Council at a [work session on March 3, 2025](#). At the meeting, the Mayor and Council expressed general support for streamlining processes. A majority of Mayor and Council expressed support for both recommendations one and two related to project plans as presented, but they were not yet comfortable with recommendations three and four related to site plans. They also requested the Planning Commission's feedback on all four items, so the report and presentation are provided here as they were to Mayor and Council, with one addition noted in recommendation three.

Improving the development process directly relates to three of the Mayor and Council's primary guiding principles:

1. Housing
2. Economic Development, and
3. Effective and Efficient Service Delivery.

The Mayor and Council have explicitly stated the expectation that development and permitting processes must significantly change and be streamlined to attract more economic development and significantly increase the amount of market rate and affordable housing in the City. At the

September 16, 2024, work session on Housing Supply strategies, the Mayor and Council endorsed the following strategies:

- Streamline the development review process.
- Provide applicants for new housing developments with speed, predictability, and certainty with administrative approvals.

Since the September 30th work session on FAST 2 (see Attachment 1 – FAST 2 Project Charter), staff has explored ways to achieve the Mayor and Council’s objectives in this area. During this work session, staff will present recommended changes to the city’s development review processes and seek the Mayor and Council’s guidance. Development review processes are regulated through the city’s Zoning Ordinance. As such, while FAST 2 identifies and recommends changes to development review processes, the proposed changes would be implemented by amending the text of the city’s Zoning Ordinance through the ongoing Zoning Ordinance Rewrite (ZOR) project.

### **Housing Guiding Principle**

As has been noted before, the United States is in a housing crisis. According to Freddie Mac, the mortgage finance giant, the nation is short by approximately four million units. The deficit is particularly true with low-cost rentals and entry-level starter homes favored by first-time buyers. The Great Recession of 2008 led to a severe drop in housing production throughout the nation, including in Rockville. Inflation, high interest rates, and zoning restrictions continue to contribute to the shortage. The lack of supply has caused home prices and rents to significantly rise, and the gap in affordability is worst for the lowest-income households. High housing costs are a challenge to many individuals and families, especially newcomers to Rockville and those with lower incomes. Finding a place to rent or buy is more expensive than in decades past. Much less undeveloped land is available in the city or county while the overall regional population has increased markedly, resulting in a rapid increase in the cost of land. Other pressure points to the city’s housing challenge are Rockville’s desirability as a place to live and work within the Washington, D.C. region and a growing senior population. Most future housing will be multi-family buildings in mixed-use centers served by public transportation.

### **National Strategies to Address the Housing Crisis**

A partnership between the American Planning Association (APA) and the National League of Cities (NLC), the **Housing Supply Accelerator** is a national campaign to improve local capacity, identify critical solutions, and speed reforms that enable communities and developers to work together to produce, preserve and provide a diverse range of quality housing by realigning the efforts of public and private stakeholders in the housing sector to meet housing needs at the local level.

The Housing Supply Accelerator Playbook is for local elected officials and community planners working to boost diverse, attainable, and equitable housing supply in communities nationwide. One of the many strategies within this Playbook includes streamlining processes for housing development review and approval including expanding administrative (staff) review and

decisions. Requiring a permitted use to go to a planning commission or an elected body for review and approval is an added step that can increase costs and risk due to the lack of predictability. Expanding administrative reviews can significantly help facilitate housing production.

The APA<sup>1</sup> provides guidance on the appropriate use of administrative decisions and describes their benefits in several publications. Administrative approvals offer numerous benefits for housing production, economic development, and job creation. The timeline for administrative approvals is typically shorter, more efficient, and more predictable, reducing project cost, delays, and uncertainty for applicants; this, in turn, encourages development.

- Administrative approvals allow for a faster and more efficient decision-making process. For projects that are approved at a staff level, time can be saved that would otherwise go toward preparing and presenting before an elected or appointed body. Streamlined approval processes can increase confidence among developers and increase the likelihood of investment in the community.
- With fewer meetings and associated legal or consultant costs, administrative approvals are typically less expensive for applicants. This can help make projects more financially viable, particularly in times of increasing construction costs.
- Administrative approvals can increase the predictability of development processes. Staff are trained in consistent interpretation and application of the city's development regulations, which reduces risk for the applicant. The APA Equity in Zoning Policy Guide states, "Because staff are often trained to make the same decision in the same way for similar applications, [...] some of the opportunities for inequity introduced in the public hearing process are removed. The 'applicant neutrality' of this type of decision-making has led some communities to focus on making as many zoning decisions as possible administrative decisions."
- Administrative approvals also increase overall efficiency by allowing appointed or elected bodies and the public to focus on more complex infill projects near existing residential areas while allowing desired development projects located in targeted growth areas to be handled administratively.

### **Economic Development Guiding Principle**

The housing crisis has led to a significant economic development issue. The lack of affordable housing has lasting impacts on the local workforce and can hinder businesses from attracting and retaining the talent they need, thereby hindering growth and deterring new businesses from moving in. A continuum of housing types is needed, especially a housing product that is affordable, in an urban setting, and close to transportation alternatives. When workforces cannot find housing or maintain housing expenses, they explore new options, sometimes driving them away from the community, region, or even state. As housing in Rockville becomes less available or affordable, the desire to work in Rockville is reduced due to the additional cost and time to

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<sup>1</sup> <https://www.planning.org/growingsmart/>, <https://www.planning.org/publications/report/9154841/>, <https://www.planning.org/publications/document/9264386/>

live farther away. This also results in greater regional traffic and environmental impacts too due to more vehicle miles driven.

### **Effective and Efficient Service Delivery**

Staff agrees that our processes are much longer than they should be and should be changed to create efficiency, and effectiveness, and remove some of the risk of developing in Rockville. We also believe our current requirements are not as flexible as needed to resolve development issues in a timely manner. To inform the recommendations presented in this report, staff first mapped out current development review processes. Then steps were analyzed and recommended for removal only if they were redundant or did not add value or provide a critical function. The intent is to provide an efficient and transparent review process that facilitates high-quality development that meets all requirements. Efficient, predictable processes are critical for economic development, job creation, and the construction of new housing. Increasing the number and types of applications that can be approved administratively is another way to increase efficiency and predictability in development decisions.

Our existing Zoning Ordinance has not been comprehensively updated for over 15 years. Our development processes have resulted in some proposed developments taking three years or more to begin construction. Some developers claim that the time and expense of our existing review and approval process limits Rockville’s attractiveness for new residential developments.

One example is the lengthy process that project plans, Planned Development amendments, and associated site plans must follow. A review of cases over the past five years shows that the average time from the initial pre-application submittal to the approval of the project plan is over 18 months. Additionally, projects subject to the project plan process must also receive site plan approval. Of the recent cases reviewed, subsequent site plans were in process for an average of an additional seven months, resulting in a total of two years from initial submission to final Planning Commission approval. This is not the result of a significant outlier, as only one project proceeded from pre-application to project plan approval within a year. There are a variety of factors for this. These are complex projects, often with design challenges that take time to resolve. Applicants may place a project on hold or choose to delay resubmittals. Often these issues are beyond the City’s control. However, reviewing the process shows several duplicative steps and several others that provide limited value, which are further discussed in the Recommendations for Development Process Improvements section below.

Processes for each of these are further described in flowcharts in Attachment 2 – Current and Proposed Processes.

### **Rockville’s Advantages**

Tackling this national housing supply shortage at the local level demands a comprehensive approach to achieve meaningful progress. Staff believes that Rockville is in a much better position than other localities to take action to make this progress.

## Pipeline For New Residential Development

Currently, Rockville has the zoning in place to permit thousands of new residential units. Specifically, owners have been given certain development rights and approvals to construct these residential units based on the zoning of the property provided that proposed site plans meet all the technical standards and requirements included in our current zoning ordinance.

Between now and 2050, there are nearly 6,000 housing units in the pipeline, with a total of 12,160 units either approved, projected, pending, or completed (see Figure 8). If the owners/developers move forward on these projects, Rockville would be on track to meet its housing targets of 3,800 units by 2030 and 8,600 housing units by 2040. However, not all approved, projected, or pending units will necessarily turn into completed projects due to a range of economic factors, including many outside of the city's control. Current factors such as higher than normal interest rates and high cost of construction materials impact the decisions on whether to move forward with projects even though housing demand is high. However, the city can take actions that could activate residential projects sooner.

*Figure 8. Housing Units Forecast<sup>16</sup>*

	<u>2020-2030</u>	<u>2031-2040</u>	<u>2041-2050</u>	<u>Total</u>
<u>Approved</u>	4,699	460	-	5,159
<u>Projected</u>	-	3,440	1,843	5,283
<u>Pending</u>	295	226	-	521
<u>Completed</u>	1,197	-	-	1,197
<u>Total</u>	6,191	4,126	1,843	12,160

*Source: City of Rockville Department of Community Planning and Development Services*

## Rockville 2040 and Recently Adopted Town Center Master Plan

The Mayor and Council adopted the Rockville 2040 Comprehensive Plan in 2021. Among its many recommendations related to land use and zoning, the Plan includes recommendations to rezone over 600 properties to allow for a significant increase in the number of housing units permitted. Additionally, the recently adopted Town Center Master Plan establishes a goal of 3,000 units for Planning Area 1 by 2040. The Plan also proposes new character areas in the Town Center that would allow significantly increased building heights and therefore a greater number of units than what is allowed under our current zoning.

With the adoption of a new Zoning Ordinance and associated Zoning Map in 2026, the potential number of new residential units will increase significantly if owners/developers move forward with projects.

## Zoning Ordinance Rewrite (ZOR)

The Zoning Ordinance Rewrite project provides an opportunity to create new development standards for all site plans to address items that are now required by conditions on a case-by-case basis. Making these items requirements in the Zoning Ordinance will bring about consistency and should reduce the need for discretionary reviews. For example, requirements for increased

EV charging stations and enhanced public use space requirements would address previous conditions placed on specific developments.

### **Updated FAST Plan**

The City has worked on changes to the development review and permitting processes for a number of years. In October 2018, the Mayor and Council endorsed an important City project entitled FAST (**F**aster, **A**ccountable, **S**marter, and **T**ransparent – Improvements to Permitting and Development Review Processes). This name reflects expected results among staff and stakeholders.

On September 30, 2024, staff presented an updated plan for a second phase of FAST containing outstanding items from the first phase as well as additional new action items (see Attachment 1 – FAST 2 Project Charter). The action items listed in the Charter include many different development review and permitting functions and identifying areas of improvement in administration, programs, and processes.

Following the September 30, 2024, Mayor and Council work session on FAST 2, staff began working on key items including:

1. Incorporating action items into the ZOR, including:
  - a. Adjusting the approving authority for certain types of site plans.
  - b. Streamlining the project plan process.
  - c. Streamlining the Planned Development (PD) amendment process.
  - d. Allowing for some Historic District Certificates of Approval to be approved administratively.
  - e. Establishing an administrative process for plats.
  - f. Creating a more efficient and effective alternative to the site plan process for changes of use for new businesses/tenants.
2. Drafting changes to City Code Chapter 21 (road code) for future Mayor and Council consideration.
3. Aligning permitting action items with the Results Rockville action item to establish and implement a metric to reduce the time to building permit issuance and re-establish an expedited building permit review process.
4. Restarting the Quick Start Program, effective on February 17, 2025, for commercial permits. A project may qualify to participate in the program if it is a commercial interior alteration/renovation or a new commercial tenant where there is no change of use or occupancy. The program allows for limited interior work to begin while the construction documents undergo a full review.
5. Working toward a virtual one-stop shop by configuring Development Review and Public Works applications into the City's online permitting system, with some planned to go live later this year.

While most of these items will not be further addressed in this staff report, the staff is now tracking the FAST project in the Envisio software system and is developing a variety of progress reports.

Three action items were included in the FAST 2 Charter (see Attachment 1 – FAST 2 Project Charter) and discussed during the September 30 work session, for which staff is now providing additional detail and alternative recommendations and requesting additional direction. Proposed changes to these four items are reflected in the updated project charter and are the focus of this report. It is important to note that the four items discussed in this report represent only a part of the whole development and permitting process. Therefore, while the recommendations would lead to faster and more efficient processes, changing these three items alone should not be viewed as a complete solution. Implementing the rest of the FAST action items and completing the ZOR is critical to achieving more comprehensive improvement.

### **Recommendations for Development Process Improvements**

#### **1. Streamline the Project Plan process to be achievable within six months, as follows:**

- Mayor and Council continue to be the deciding body, making findings on Adequate Public Facilities (APF), consistency with the comprehensive plan, and the proposed uses and intensity of the development, following a recommendation from the Planning Commission.
- Combine the preapplication area meeting and the post-application area meeting into a single post-application meeting, consistent with the Mayor and Council direction at the September 30 work session.
- Remove the mandatory briefings for the Planning Commission and Mayor and Council. There are a variety of other means for these bodies to learn about the proposed development. Plans are posted on the city's website, applicants are required to notify the Mayor and Council electronically, and city staff is available to answer any questions about proposed projects. Reducing the number of public meetings is also consistent with the State's goals of limiting the number of public meetings required for priority development projects as stated in the Housing Expansion and Affordability Act.
- Allow site plans that follow project plans to be approved administratively. Currently, these site plans are approved by the Planning Commission even when they are subsequent to a project plan. Because the Mayor and Council have already made the more discretionary findings on the project at the project plan stage, including consistency with the Comprehensive Plan (considering and informed by a recommendation from the Planning Commission), staff can confirm that the site plans are consistent with the project plan and comply with all aspects of the Zoning Ordinance and other city requirements such as transportation, utilities, stormwater, fire access, and forestry. These site plans can be processed concurrently with the project plan, so long as the project plan is approved first.

For a comparison of the current process and these proposed changes, see Attachment 2 – Current and Proposed Processes. Staff estimates that these changes would result in a reduction of approximately seven weeks in the minimum time required to complete the project plan and associated site plan process. This change would also result in significant time savings for staff. The project plan portion of the process would be achievable in six months provided that applicants are able to address comments and provide timely resubmittals.

*Mayor and Council March 3 Direction – Supported staff’s recommendations listed above.*

## **2. Streamline the Planned Development (PD) amendment process to be achievable within 6 months.**

Throughout the City, there are a variety of Planned Development (PD) zones with special provisions for development standards and uses. Development or redevelopment within these zones requires a PD amendment, which the Zoning Ordinance currently requires to follow the same process as the project plan. While both are subject to Mayor and Council approval, they represent different requests. While project plans represent new development or complete redevelopment, PD amendments propose a change to a development previously approved by the Mayor and Council. Because of this, the staff proposes a new PD amendment process that reflects this.

- The Mayor and Council will continue to be the deciding body, making findings on Adequate Public Facilities (APF), consistency with the comprehensive plan, and the proposed uses and intensity of the development, as well as any changes needed to the PD regulations.
- One post-application area meeting would be required, consistent with the Mayor and Council’s direction at the September 30 work session.
- The Planning Commission would approve subsequent site plans. These site plans should be eligible for concurrent review along with the PD amendment, so long as the PD amendment is approved prior to the site plan.

For a comparison of the current process and these proposed changes, see Attachment 2 – Current and Proposed Processes. Staff estimates that these changes would reduce the minimum time required to complete the PD amendment process by approximately five weeks.

*Mayor and Council March 3 Direction – Supported staff’s recommendations listed above.*

## **3. Designate certain mixed-use district developments for administrative site plan approval.**

A review of site plans for new development processed over the last five years found that of the 20 applications filed, only one met the criteria to be processed administratively. The other 19 required Planning Commission approval. There is an opportunity to identify additional types of developments that could be approved under the administrative process.

- Redevelopments in the most intense Mixed-Use zones (MXB, MXCT, MXE, MXCD, and MXTD) when not within 300 feet of a residential zone (see Attachment 3 – Mixed Use Zones Residential Buffer Map) should be eligible for administrative approval.
- *Additional recommendation not presented to Mayor and Council* - To ensure that projects have limited impacts to nearby property, there could be limitations on projects eligible for administrative approval such as additions, expansions, or redevelopments of up to 50% of the site and/or redevelopments of a certain size or square footage.

This recommendation is similar to Montgomery County's process. Within Montgomery County's mixed-use zones, new development proposals that are within height and area thresholds and not adjacent to certain zones can be approved administratively. However, many developers in Montgomery County go through a process called the "optional method" which significantly increases the density and must go through the County Planning Board for approval.

*Mayor and Council March 3 Direction – Not yet comfortable with staff's recommendations.*

#### **4. Designate additional project types for administrative site plan approval.**

The staff has developed the list below of types of development that align with current City plans, policies, and priorities that could be approved administratively.

- Nonresidential to residential conversions of existing buildings.
- Research and development (including life sciences) in the MXE zone (see Attachment 4 – MXE Zone Map). This aligns with the City's economic development goals and REDI's FY 25 Strategic Plan priority effort:

"Assist the City in marketing the Faster, Accountable, Smarter, Transparent (FAST) permitting program and other initiatives for businesses and with the Zoning Code re-write to streamline opening and operating bio/life science businesses and reduce barriers to coming to Rockville. This includes more 'by right' uses." In addition, the city can promote sites within Rockville that are 'Bio-Ready' which means biotech laboratory and manufacturing uses are by right.

- Housing developments with 20% or greater affordable housing units. City code currently requires 15% of residential units in a development to be Moderately Priced Dwelling Units (MPDUs). Some housing developments, especially if funded by Low-Income Housing Tax Credits (LIHTC), may exceed this, and the administrative process would benefit them.

- Housing for senior adults and persons with disabilities. This would reduce barriers to the development of supportive housing types for vulnerable populations.
- Residential development up to 19 units. These projects are below the City’s threshold for providing Moderately-Priced Dwelling Units (MPDUs). This would allow small projects to proceed faster, which is critical for challenging smaller residential projects.

For a comparison of the current process and these proposed changes, see Attachment 2 – Current and Proposed Processes. Because the processes remain similar, time savings for this change would result from establishing an available Planning Commission agenda, drafting staff reports and presentations, and sending notices, which amounts to a minimum of three to six weeks, along with the other advantages to administrative approvals referenced in the “National Strategies to Address the Housing Crisis” section above.

*Mayor and Council March 3 Direction – Not yet comfortable with staff’s recommendations.*

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## **Recommendation**

Staff recommends that the Planning Commission receive the presentation, discuss, and provide feedback on the recommended development process improvements.

The following feedback is requested from the Planning Commission:

- Do you support the proposed streamlined Project Plan process?
- Do you support the proposed streamlined process for Planned Development Amendments?
- Do you support certain development types proposed for administrative site plan approvals?

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## **Previous Related Actions**

In October 2018, the Mayor and Council endorsed the original FAST Project Charter. In May 2019, the Mayor and Council endorsed an updated list of action items. Based on this, staff developed and implemented a work plan and presented it to the Mayor and Council in November 2019. Staff provided updates by memo during this first phase of FAST. On [September 30, 2024](#), the Mayor and Council held a work session on a second phase of FAST. Following this work session, several action items were revised to reflect the Mayor and Council’s direction. On [March 3, 2025](#), the Mayor and Council held a work session on these same topics.

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## **Community Outreach**

In anticipation of launching this next phase of FAST, staff established an internal working group, which developed a statement of purpose and outcomes as shown in the draft charter. The team also assessed the development and permitting process and created a list of priority items to improve. In addition, the team engaged external customers through a survey and a listening session, and staff met and received feedback from both REDI and the Chamber of Commerce.

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## **Next Steps**

Staff will report the Planning Commission's feedback to the Mayor and Council at a future meeting. Staff will then continue to draft revised processes in the Zoning Ordinance Rewrite (ZOR) based on the direction from the Mayor and Council. The draft language will be presented for public review and discussion and further direction from the Mayor and Council through the ZOR process.

## **Attachments**

Attachment 1 - FAST 2 Project Charter, Attachment 2 - Current and Proposed Processes, Attachment 3 - Mixed-Use Zones Residential Buffer Map, Attachment 4 - MXE Zone Map

# Improvements to Rockville’s Development and Permitting Processes

## Faster, Accountable, Smarter and Transparent (FAST) Project Charter Version 2

### Introduction

### Project Charter

The first step to initiate this project is to establish a “plan to do the project” or a Project Charter. This document contains information on:

1. Reason and purpose, and outcomes for the project;
2. Organizational structure with roles, responsibilities, decision-making authority, and project assignments;
3. Description of the community outreach and engagement strategy;
4. Reasonable schedules for project components; and
5. An implementation and monitoring plan.

### 1. Reason and Purpose

The new Mayor and Council have selected Economic Development and Housing as two of the three main focus areas for their term. They have explicitly stated the expectation that our development and permitting process must significantly change to streamline these processes to attract more economic development and to significantly grow the number of market rate and affordable housing in the City. The Comprehensive Plan also endorses these objectives.

There is a sense of urgency by the Mayor and Council, the City Manager, and our customers to successfully develop and follow-through with implementing improvements to these processes. Progress must be shown throughout the project including initial short-term accomplishments. Specific ordinance and code changes must be incorporated into the Zoning Ordinance Rewrite.

### Outcomes

This project’s proposed outcomes are grouped into four areas – **F**aster, **A**ccountable, **S**marter and **T**ransparent. All four outcomes are equally important. We are not focusing solely on faster because faster is not always the best outcome. Taking more time may be a smarter choice to gain the needed information to make the right decisions. In turn, we shouldn’t analyze items to the extent that we unnecessarily slow down the process. Likewise, we need to establish processes that are understandable, fair, and provide information that is accessible to the public to create a truly transparent process.

### **Faster**

The 2040 Plan and Mayor and Council’s priorities demand an efficient development and permitting process. At the end of this project, non-value-added steps and procedures need to be identified and eliminated, and others streamlined, to improve processes that yield *faster* turn-around times and decisions on most applications.

To ensure that these changes make Rockville the premier location for high-quality development in the region, we must benchmark development review and permitting processes from other jurisdictions such as Montgomery County, Gaithersburg, and others and propose changes (zoning ordinance and other codes/standards as well as needed resources) to match or exceed the most effective and efficient processes.

### **Accountable**

The City must continue and build on the focus on meeting a higher level of customer service established in the first phase of FAST. The City is accountable for delivering this higher level of customer service and the recommended actions from this effort needs to reflect and measure our progress toward this end. In these recommended actions, the applicants/customers also need to be accountable for the submission of complete/accurate applications and timely resubmissions.

### **Smarter**

Improvements to the development and permitting process should result in gains in staff’s efficiency and effectiveness. Staff within multiple departments need to work smarter by delivering seamless service through:

- Processes that are accessible and easily understood;
- Sound and timely decisions;
- Reasonable ordinances and regulations that are consistently applied;
- Solution-oriented approaches;
- Processes that balance and respect private and community interests; and
- Unified delivery of services (multiple departmental staff working as one for customers).

The project team will identify and propose innovative and creative actions to improve the customer experience.

In addition to drawing on staff’s expertise for how to work smarter, we must seek recommendations from a “developer/builder” focus group on what changes are needed to make Rockville the premier place for development and propose how to make these changes.

### **Transparent**

The City must provide for a transparent process through openness, accountability, and honesty. Our customers should know what is expected and have access to the public information they need to develop within the city.

Transparency is an obligation by the City to share information with citizens on the development and permitting process and how decisions are made based on adopted

ordinances, plans, and requirements. This outcome is important to maintain trust with the citizens and customers we serve and holds staff and other public officials accountable for our actions.

## **Project Name:**

Since these outcomes are critical to the success of this project and their prominence is important, the name of the project is **FAST** (**F**aster, **A**ccountable, **S**marter, and **T**ransparent). This name will keep our expected results always in the forefront among staff and stakeholders and will be a constant measurement for our progress and success.

## **2. Organizational Structure**

The organizational structure is composed of:

- **Mayor and Council (M&C)** – The Mayor and Council has provided the priority initiatives and overall purpose of this project. M&C must be kept informed of our efforts and progress. They also need to approve code changes that will be required to implement certain process improvements. The Mayor and Council must ultimately decide the balance needed to respect both public and private interest when considering code and process changes. The Mayor and Council provides guidance and direction on policy and process changes.
- **City Manager** – The City Manager helps develop and ultimately approves the Project Charter and provides overall direction to the Executive Team and Project Manager at key points throughout the project.
- **Executive Team** – This team is composed of the Directors of Public Works and Community Planning and Development Services. Craig Simoneau and Ricky Barker are responsible for the development and execution of the Project Charter, making executive decisions for the Project Team when appropriate, providing overall communication to staff within their departments, providing resources, encouragement, and support for staff working on the project. The Executive Team, in conjunction with the City Manager, will have final say over the recommendations, actions, and implementation schedule. This Team will also play a critical role in establishing an effective process for making key decisions among competing objectives. The Executive Team will need to coordinate closely with the City Attorney's Office on changes to codes and processes. The Team, with the City Attorney, will need to determine how best to accomplish this (e.g., representation on a team or teams). This Team will also provide regular progress reports to the Mayor and Council.

- **Project Manager (PM)** – The project manager is the Development Services Manager, John Foreman. John is accountable to the Executive Team and the City Manager to ensure that the Project Charter is implemented, progress reports are provided, and recommendations are acted upon. John will promote engagement, collaboration, and accountability among the Project Team. He is also accessible and available to the Team for support, guidance, and direction.
- **Project Team** – The project team will contain front line staff and management from CPDS and Public Works.

### 3. **Community Outreach and Engagement Strategy**

In anticipation of launching this next phase of FAST, staff established an internal working group, which developed a statement of purpose and outcomes as shown in the draft charter. The team also assessed the development and permitting process and created a list of priority items to improve. In addition, the team engaged external customers through a survey and a listening session, and staff met and received feedback from both REDI and the Chamber of Commerce.

### 4. **FAST Schedule**

The overall time frame to complete this phase of the FAST project is approximately a year to eighteen months. Since many of the recommended action items are changes associated with other processes such as the Zoning Ordinance Rewrite (ZOR) and updates to other sections of the code, the FAST schedule will coincide with the schedules for these processes. For other actions, the Project Manager will work with the Project Team to develop schedules as appropriate.

### 5. **Implementation and Monitoring Plan**

The long-term success of this project depends upon the effectiveness of the solutions that are implemented. It will be important to include ways to measure our success to achieve our outcomes (Faster and Smarter), and to determine if additional changes are needed. This evaluation should be based on internal/external evaluations by our customers. Time-periods will be established by the Executive Team for evaluating results and making adjustments as needed.

### 6. **Key Issues and Recommended Action Items**

**Issue 1: Numerous items require Planning Commission and/or Mayor and Council approval. Limited administrative approvals.**

1. For all processes, consider changes to the approving authority where a different body or process could ensure that all requirements are met while reducing time, cost, and risk.
2. ~~Adjust the approving authority for site plans as follows:~~

- ~~Designate the Planning Commission as the approving authority for site plans that request modifications to development standards such as setbacks, building height, buffer width or other similar items.~~
  - ~~Allow for administrative approval for site plans that meet all standards and requirements can be approved administratively.~~
2. Make certain types of projects that align with current City plans, policies and priorities eligible for administrative approval of site plans.
  3. ~~Change the focus of the project plan to be for large multiphase developments (for example on sites greater than ten acres) to gain conceptional approval, including Adequate Public Facilities (APF) for the entire project with subsequent site plans to be approved administratively unless relief from development standards is requested. Streamline the process to be achievable within six months.~~
  3. Streamline the project plan process by combining the two area meetings into one meeting, removing mandatory briefings before Planning Commission and Mayor and Council, and allowing subsequent site plans to be approved administratively. The process should be achievable within six months.
  4. ~~For properties within a Planned Development (PD) zone, provide the option to develop either (a) according to the PD or (b) through a PD amendment subject to Planning Commission approval. Currently, property within a PD must follow the more extensive project plan process even when developing under the equivalent zone.~~
  4. Create a new streamlined Planned Development (PD) amendment process with one required area meeting followed by a decision from the Mayor and Council, with subsequent site plans to be approved by the Planning Commission.  
[Note these three action items are the subject of the March 3 Works Session with updated recommendations]
  5. Allow certain changes of use such as changes to similar commercial uses or changes from higher impact uses to lower impact uses to be processed through the Occupancy Permit process without triggering a site plan amendment. This action would significantly reduce the requirements for certain changes of use that do not produce the need for improvements on the site.
  6. Allow the Planning Commission to delegate final plat approval to an administrative officer as allowed by state law.
  7. As identified in the Historic Resources Work Plan, review and add an Administrative Level Certificate of Approval (COA) into Chapter 25. Assess Historic District Commission applications and develop a proposed list of Administrative or Staff-Level Approvals.
  8. Convert most special exceptions to conditional uses to yield a shorter, less costly process.
  9. Chapter 21 (Road Code & ROW Agreements) – allow staff additional flexibility by further delegating more common approvals to the Director for efficiencies and to approve some waivers based upon criteria.

## **Issue 2: Lots of required public meetings**

1. Streamline the process by combining the preapplication and postapplication area meetings into a single meeting with the neighborhood.

## **Issue 3: Notification requirements are overly reliant on mailed notices.**

1. Require mailed notification only for area meetings and public hearings before the Planning Commission and Mayor and Council.
2. Continue to provide the initial packet of information for public notice on applications while limiting subsequent mailings to postcards.
3. Encourage residents to sign up for online notification or through social media for those who want to do so.
4. Improve our notifications of public meetings on the city's webpage by creating a central location for all notices.
5. Improve posting sign requirements.

## **Issue 4: Projects take longer than other jurisdictions, with different processes**

1. Benchmark key processes to similar processes from other jurisdictions to match or exceed the most effective and efficient processes. In addition to benchmarking, examining other jurisdictions' processes provides an opportunity to identify and implement their effective practices.

## **Issue 5: Comprehensive Transportation Review (CTR) requirements extend application processing timelines for small projects without providing actionable benefits.**

1. Develop new thresholds for transportation report requirements through the CTR, allowing for de minimis cases where qualifying small or minor projects would be exempt from the requirement of submitting a transportation report.
2. Clarify the transportation report requirements for all types of projects through the CTR.

## **Issue 6: Variety of guidelines separate from the code.**

1. Incorporate guidelines as requirements into relevant sections of City code, as appropriate.
2. For others, update the guidelines.

## **Issue 7: No single point of application, multiple applications required.**

1. Complete virtual One-Stop Shop by including all development and permitting applications in a comprehensive system.
2. Where possible, streamline the process by combining separate applications and fees.

### **Issue 8: Incomplete information and resources for customers**

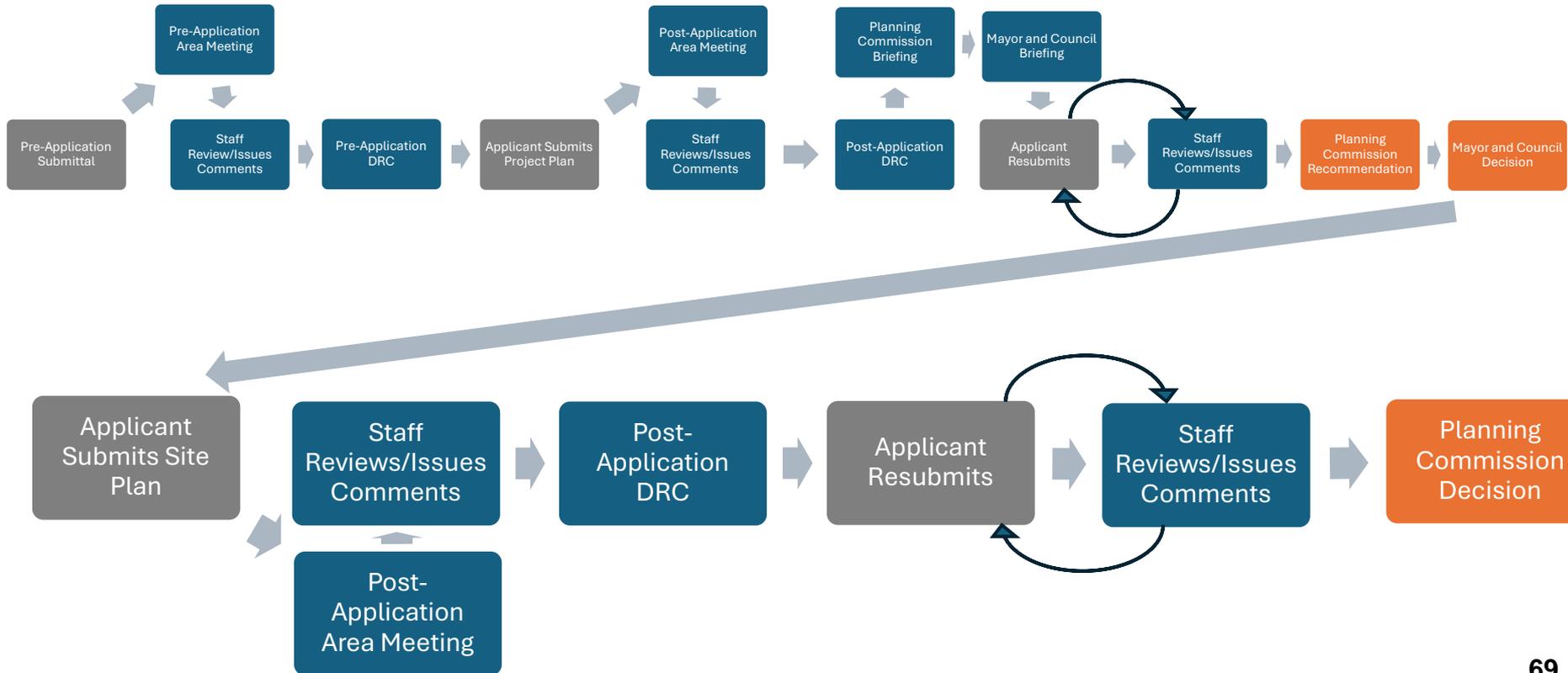
1. Update guidance documents such as the Development Review Procedures Guide and application checklists. Update the City's website to make this information more accessible.
2. Post information such as approved site plans, use permits, and other information online for the public to access.

### **Issue 9: Building Permit Review Process:**

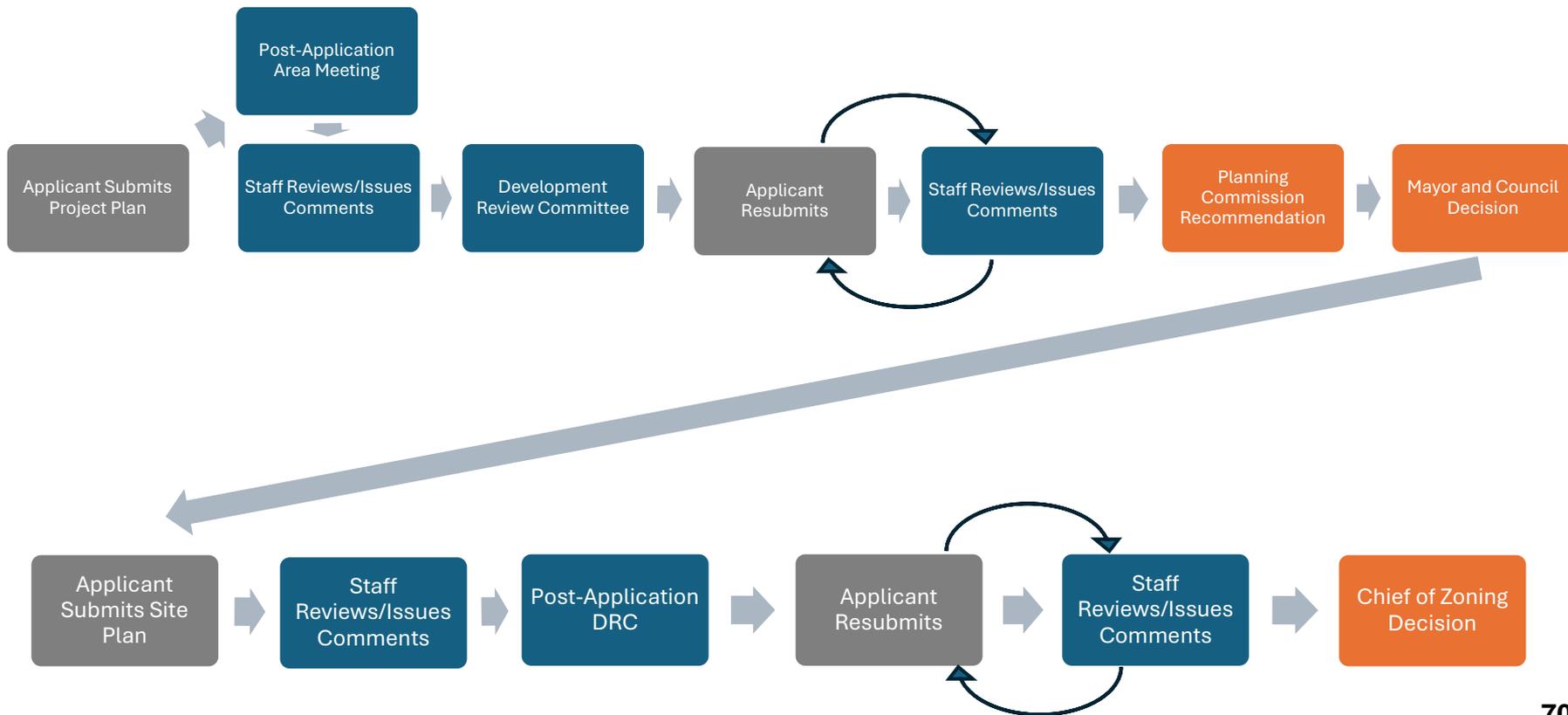
1. Consistently meet published review targets.
2. Ensure we are on par or faster than neighboring municipalities building permit process.
3. Build on the current expedited process for residential sheds and fences, which are currently reviewed by CPDS within 3 days of submittal.
4. Through benchmarking with other localities, implement an effective "Expedited Review" program.

In summary, initial focus on the above items will make a positive impact and provide an improved level of service for our customers.

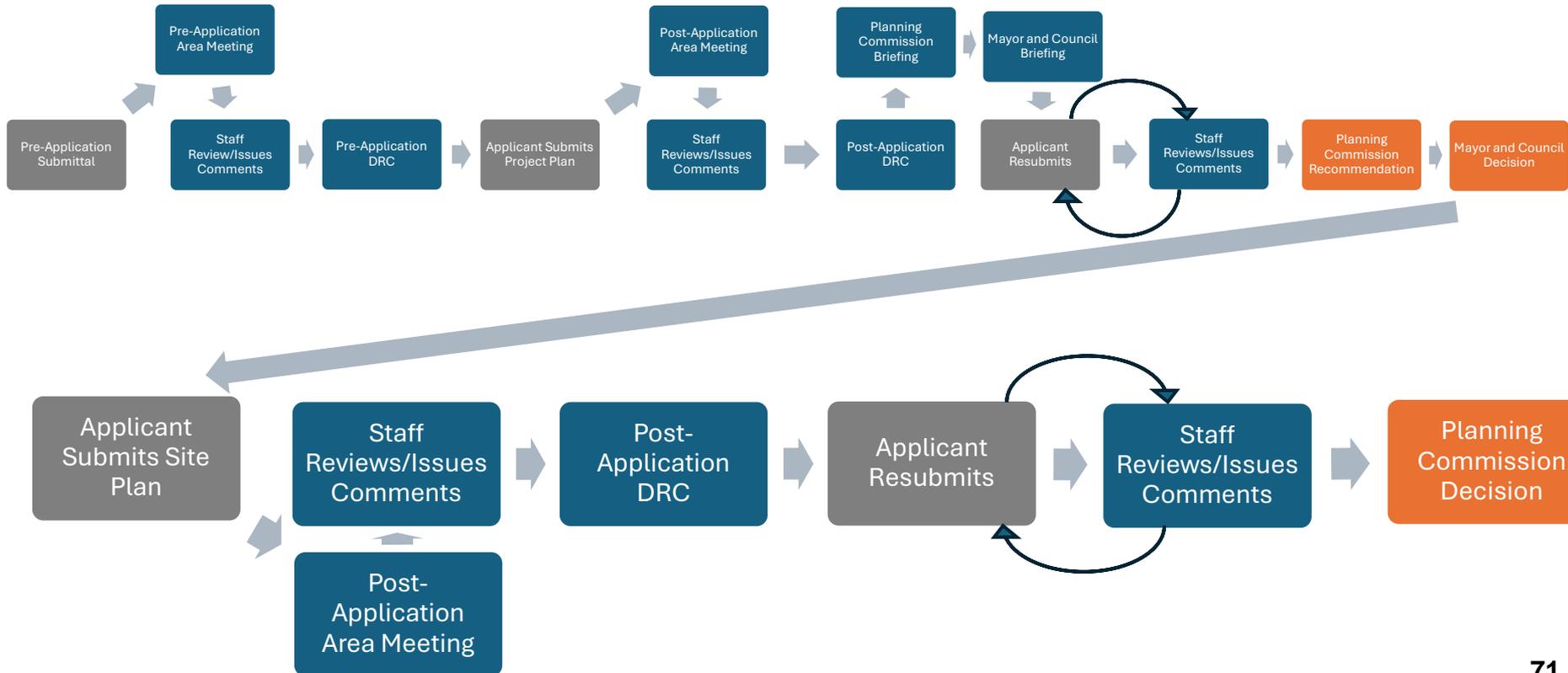
# Current Project Plan Process



# Proposed Project Plan Process

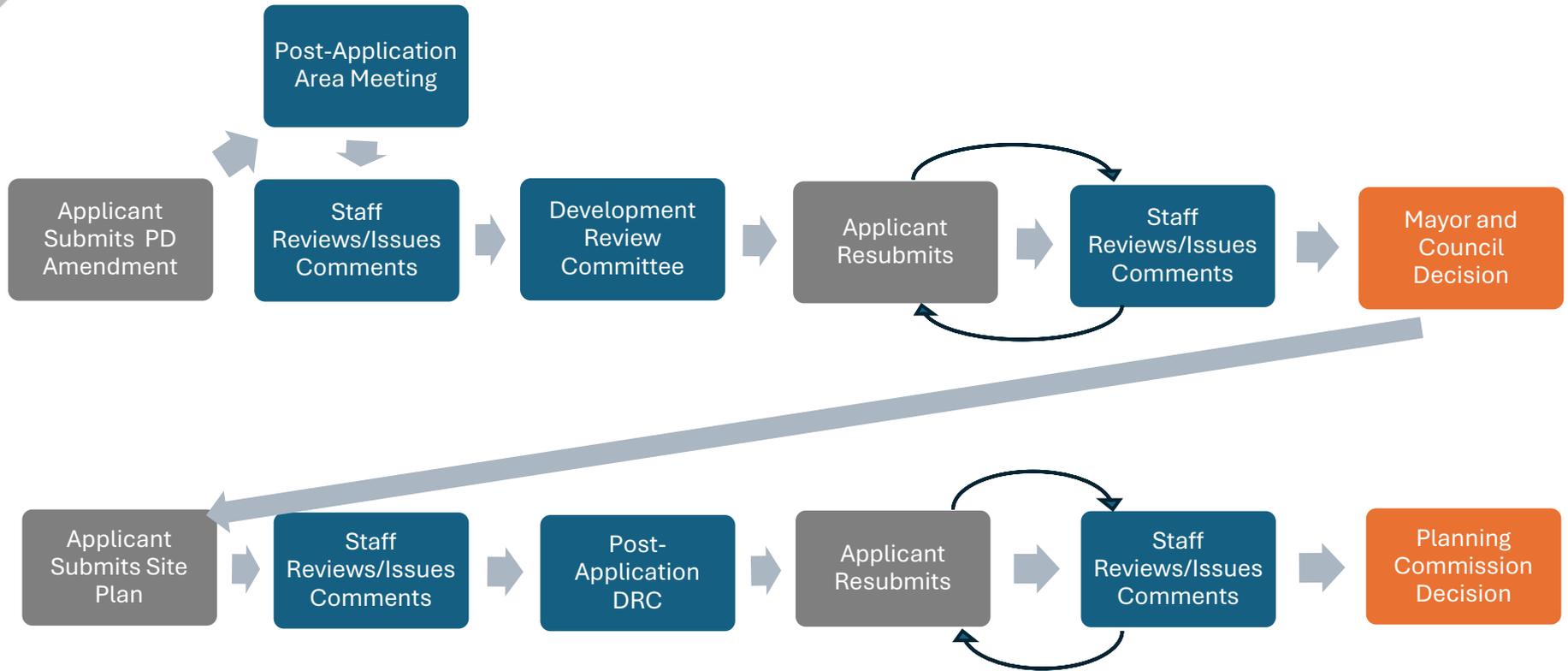


# Current PD Amendment Process





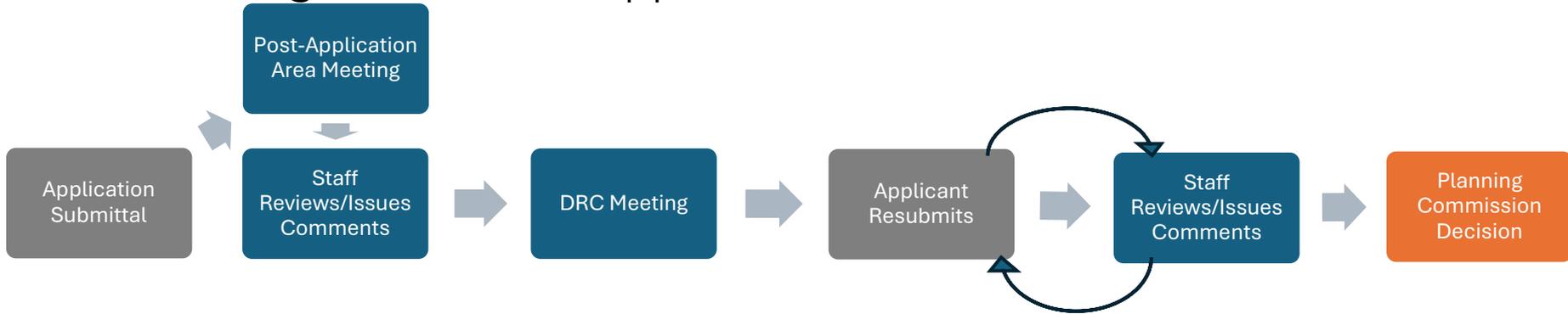
# Proposed PD Amendment Process



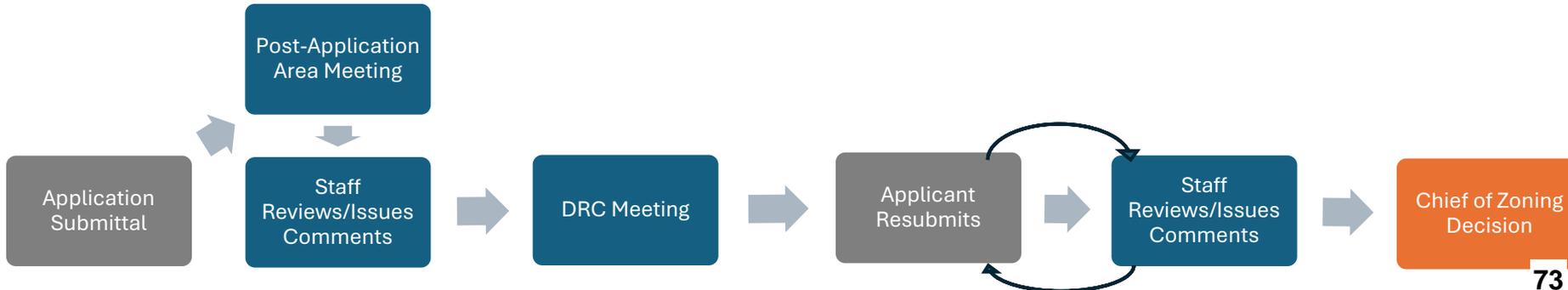


# Proposed Site Plan Process

## ► Planning Commission Approval

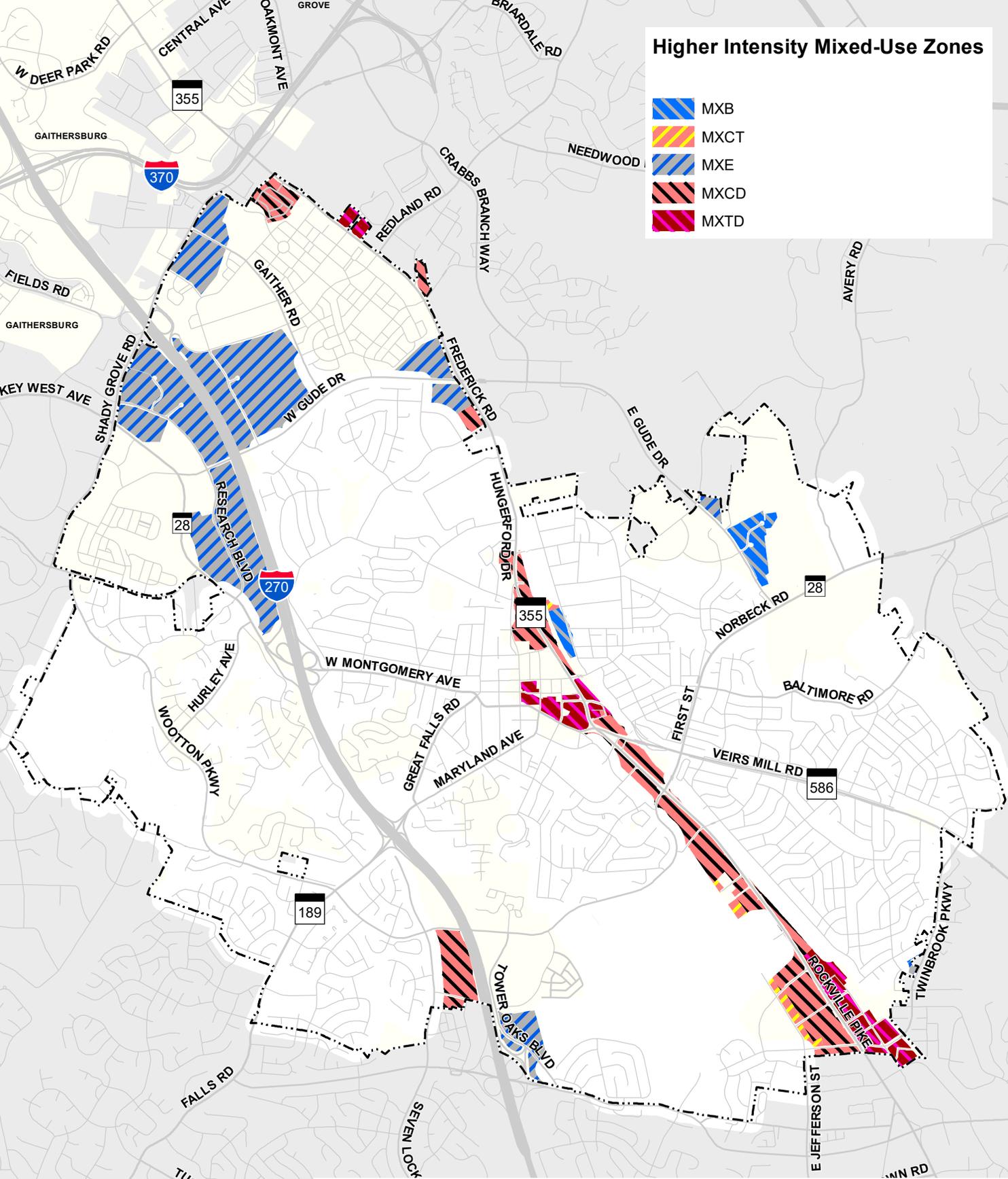


## ► Chief of Zoning Approval

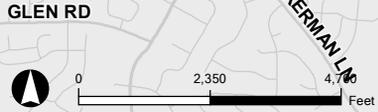


# Higher Intensity Mixed-Use Zones

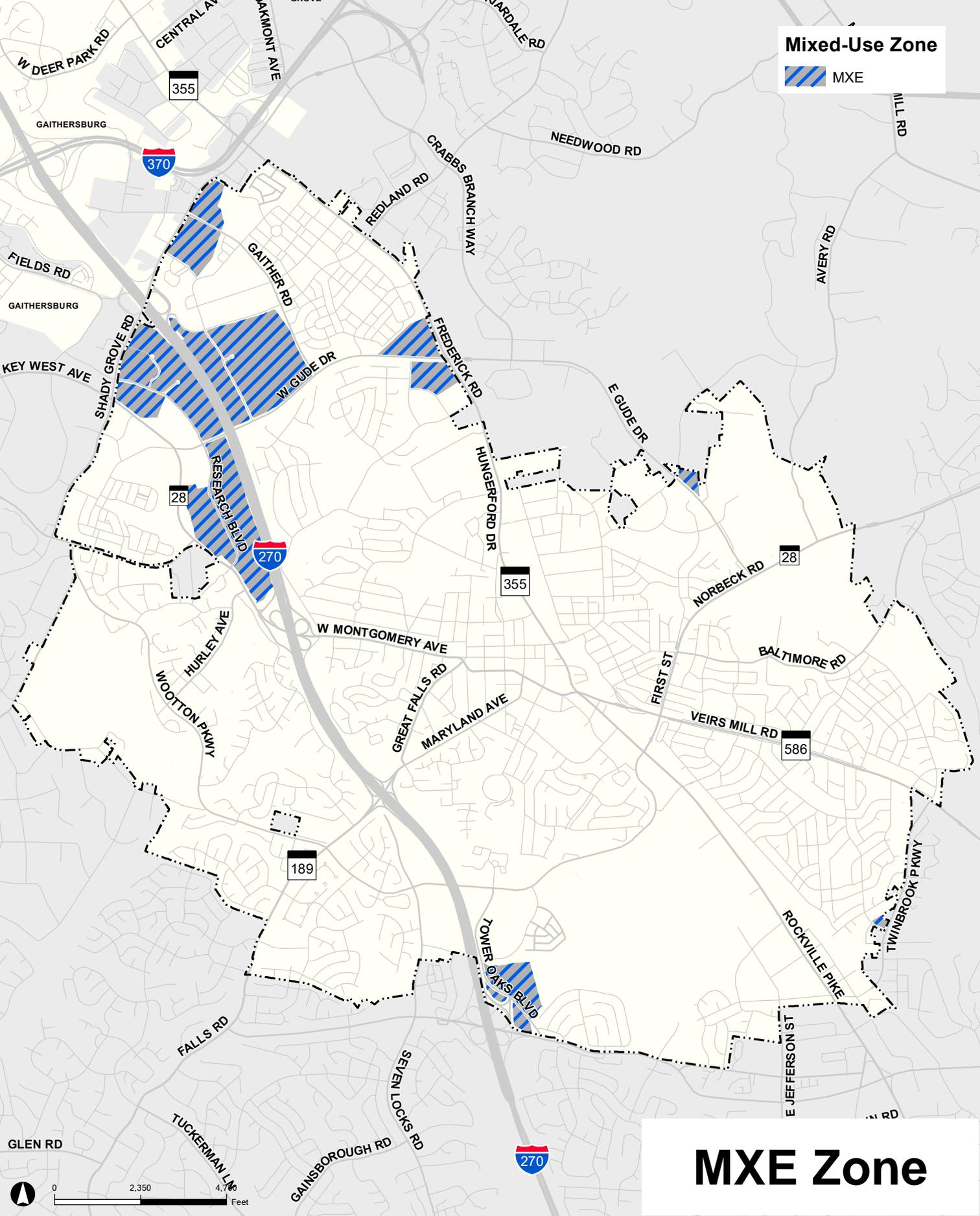
- MXB
- MXCT
- MXE
- MXCD
- MXTD



**Mixed-Use Zones beyond 300 feet from Residential Zones (excluding RMD-25)**



Mixed-Use Zone



# MXE Zone

