



PLANNING COMMISSION

Meeting No. 03-26
Wednesday, February 4, 2026 - 7:00 PM

AGENDA

Meng Sun, Chair

Susan Pitman
Eric Fulton

Shayan Salahuddin
Jaime Espinosa

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 and Work Session

Public Hearing and Work Session on Zoning Text Amendment Application TXT2026-00271, for the Zoning Ordinance Rewrite and Map Amendment Application MAP2026-00126, for the Comprehensive Map Amendment; Mayor and Council of Rockville, Applicants

3. Commission Items

A. Staff Liaison Report

B. Old Business

C. New Business

D. Minutes Approval

- October 8, 2025
- October 22, 2025
- January 14, 2026

E. FYI/Correspondence

4. 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 or by regular mail to:

Meng Sun, 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.

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
- 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.

C. NEW DEVELOPMENT APPLICATIONS

- For a complete list of all applications on file, visit: 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

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: February 4, 2026
Agenda Item Type: PUBLIC HEARING
Department: PC - CHIEF OF ZONING REVIEW
Responsible Staff: HOLLY SIMMONS

Subject

Public Hearing and Work Session on Zoning Text Amendment Application TXT2026-00271, for the Zoning Ordinance Rewrite and Map Amendment Application MAP2026-00126, for the Comprehensive Map Amendment; Mayor and Council of Rockville, Applicants

Department

CPDS - Zoning Review & Other

Discussion

BACKGROUND:

This is the third in a series of Planning Commission work sessions during the Zoning Ordinance Rewrite (ZOR) and Comprehensive Map Amendment (CMA) adoption process. The first work session was conducted on January 14, 2026. The second was conducted on January 28, 2026. Additional project background was provided in the staff report for the January 14 work session.

The following materials can be accessed via the project webpage, engagerockville.com/zoningrewrite:

- *Highlights: Staff Draft Zoning Ordinance*
- Staff Draft Zoning Ordinance Table of Contents
- Staff Draft Zoning Ordinance (full text)
- Staff Draft Comprehensive Map Amendment

Ultimately, the Planning Commission will make a recommendation to the Mayor and Council on both documents.

DISCUSSION:

Language

One of the goals of the Zoning Ordinance Rewrite is to ensure that the ordinance is clearly written, well-organized, accessible, and easy to use. During the project's drafting phase, staff drafted new provisions and revised many old provisions with this goal in mind. During the

Planning Commission review, two Commissioners have provided comments related to the language used in the ordinance. These comments can be summarized as follows:

- *Plain language.* One Commissioner expressed a desire to see greater use of plain language in the draft. Plain language drafting emphasizes the use of familiar, straightforward wording that can be readily understood by a general audience.
- *Subjectivity.* Two Commissioners have expressed concerns regarding the use of subjective language in the Staff Draft, including terms such as “high-quality” and “happiness.”

In response to these comments, staff is conducting an additional, comprehensive review of the Staff Draft Zoning Ordinance’s language. The main objectives of this review are to improve clarity, specificity, and accuracy. To respond to plain language concerns, Staff is applying a critical lens to ensure that provisions are both understandable and precise. To address concerns about subjectivity, staff is working to replace subjective language that may result in ambiguity, particularly where such terms appear in regulations or standards. This ongoing language review is intended to result in improved understanding of the provisions in the Staff Draft, without altering the policies it establishes.

Purpose Statements

General Purpose Statement

Both the current Zoning Ordinance and the Staff Draft Zoning Ordinance contain a general purpose statement Article 1 (specifically, draft Sec. 25.1.1.2). The purpose statement connects the zoning regulations to legitimate public interests while clarifying the broad policy goals of the ordinance. During the ZOR project’s drafting phase, the purpose statement was reviewed and updated by the Comprehensive Planning team to reflect the city’s current policy objectives.

Throughout the ZOR project, staff prioritized clarity and objectivity in the drafting of regulatory standards and is further addressing this priority through additional review as outlined in the Language section of this staff report (above). In contrast to the clear and objective regulatory requirements, the Zoning Ordinance’s purpose statement is intended to articulate overarching values and policy direction. It therefore includes broader, aspirational language, such as references to aesthetics, high-quality development, and residents’ happiness. This approach is typical of purpose statements and is intended to guide understanding and interpretation of the regulations rather than establish measurable standards.

In response to Planning Commissioner questions, CPDS staff reviewed the draft purpose statement with the City Attorney’s Office to ensure it passes legal scrutiny. Staff recommend retaining the draft general purpose statement as written.

Article 8 Purpose Statements

Four Divisions within Article 8 also contain purpose statements, as follows:

- Parking and Loading (Division 8.2)
- Bicycle and Pedestrian Facilities (Division 8.3)
- Amenity Space (Division 8.4)
- Landscaping and Screening (Division 8.7)

The aspirational framework for these divisions is established by the Article 1 general purpose statement. Separate purpose statements are not necessary unless they serve a specific regulatory function. In Divisions 8.4 (Amenity Space) and 8.7 (Landscaping and Screening), the Division purpose is referenced in connection with waiver provisions and provides meaningful guidance for decision-making. In Divisions 8.2 (Parking and Loading) and 8.3 (Bicycle and Pedestrian Facilities), the purpose statements do not perform a comparable function and are not referenced elsewhere in the regulations.

Accordingly, staff recommends removing the purpose statements from Divisions 8.2 and 8.3, while retaining them in Divisions 8.4 and 8.7.

Development Review Processes

Notice Requirements

The ZOR contains the following requirements for notification.

- General notification requirements for Project Plans, Level 1 and 2 Site Plans, plats, Special Exceptions, variances, and others.
 - **Written (mail) notice** is required for area meetings and Development Review Committee (DRC) meetings, and public hearings before approving authorities such as Planning Commission and Mayor and Council. These must be sent to owners, residents, and civic/homeowners' associations within a certain distance of the project.
 -

TABLE 1. NOTIFICATION DISTANCES BY APPLICATION TYPE

Application	Notification Distance
Project Plan	1,500 feet
Level 2 Site Plan	1,250 feet
Level 1 Site Plan	750 feet
Minor or major subdivision	750 feet
Special Exceptions	
0-6 points	750 feet
7-15 points	1,250 feet
16+ points	1,500 feet
Administrative adjustments	Adjoining and confronting
All other applications	500 feet

All mailings must include the name of the applicant and application number, a description of the property and project, how to submit comments, and dates and times of upcoming meetings. The Development Review Manual specifies additional information that must be included in the initial notice, including the "Citizen's Guide to Development Review in Rockville," project timeline, location map, and site plan.

- **Application signs** are prepared by the city and include must be posted on subject property and remain until final action by the approving authority. These contain similar information as the mailed notice.
- **Notice of decision** – notice of an approving authority's decision must be sent to the applicant as well as parties of record, which is any person who registers an appearance at a public hearing or proceeding, either through direct testimony or written submission, or who provides written notice of intent to participate in a public hearing or proceeding.
- Project Plans and Site Plans only
 - **Electronic notice (email)** must be sent to all homeowners' associations and civic associations within the city, the Planning Commission, and the Mayor and Council.

In addition to these required items, staff performs the following additional items to ensure public notification.

- **Development Watch webpage and map** – site plans and project plans are listed with information such as a project description, case number, and links to plans and documents. The project page also includes information on area meetings and hearings of approving authorities such as Planning Commission and Mayor and Council.
- The **Development Watch newsletter** is emailed monthly, listing new applications as well as area meetings and hearings scheduled for the upcoming month.
- **City website** – meeting agendas for approving authorities such as Planning Commission and Mayor and Council are posted, and area meetings are included on the city calendar. As part of the FAST 2 project, staff is developing a centralized location on the city website for all upcoming development meetings. Work on this began shortly after the launch of the new city website and will be concluded this spring.
- **Rockville Reports** – twice a year, major projects such as Project Plans and Site Plans are included in the print and digital versions of Rockville Reports. This edition includes a map of all projects and a brief overview of each.
- **Social media** – the city posts information about area meetings on Nextdoor for nearby neighborhoods.
- **Posting of decisions of Level 1 Site Plans (proposed)**. In addition to all of the above notice, staff proposes to begin posting decisions on Level 1 Site Plans (administrative) on the city website to ensure transparency in these decisions.

Approval Findings

To approve Project Plans, Site Plans, and Preliminary Plans of Subdivision, Approving Authorities must make several findings. In the current Zoning Ordinance, some of these findings are highly discretionary, and the intent of the finding is substantially addressed through regulations contained in City Code. As discussed during the October 6, 2025, Mayor and Council work session and the October 8, 2025, Planning Commission work session, the Staff Draft Zoning Ordinance reworks and simplifies these discretionary findings to be objective, accessible, consistent across application types, and strongly tied to the City's Comprehensive Plan and regulations governing life safety, natural features, public facilities, and the like. This ensures that the grounds for approving or denying project plans, site plans, and preliminary plans are uniformly applied to all development applications and are unambiguous for both applicants and Approving Authorities.

The most significant reframing is proposed for the findings identified as five through 12 in the table below. In part because the findings are not tied to clear standards, they have rarely been determinative in staff's recommendations to approve or deny applications. As a result, Staff anticipates that the proposed revisions will provide substantial improvements in terms of clarity, objectivity, and accessibility while having minimal impact on the final outcomes of future applications.

As outlined in the table below, under the Staff Draft ordinance, project plans, site plans, and preliminary plans of subdivision will still need to demonstrate consistency with the Comprehensive Plan, adequate public facilities, and conformance to all requirements of the Zoning Ordinance and other applicable law governing health, safety, natural resources, and the environment of the City.

TABLE 2. EXISTING AND PROPOSED APPROVAL FINDINGS FOR LEVEL 1 AND 2 SITE PLANS, PROJECT PLANS, AND PRELIMINARY PLANS OF SUBDIVISION

ID	Existing Finding	Applies to...	Proposed Replacement Finding	Rationale
1	The application will not be in conflict with the Plan.	<ul style="list-style-type: none">• Project Plan• Level 1 & 2 Site Plans	The application is consistent with the Plan.	The proposed revision (positive instead of double negative) strengthens the Comprehensive Plan consistency finding.
2	The application will not violate or adversely affect the plan.	<ul style="list-style-type: none">• Preliminary Plan		
3	The application will not overburden existing and programmed public facilities as set forth in article 20 of this chapter and as provided in the adopted adequate public facilities standards.	<ul style="list-style-type: none">• Project Plan• Level 1 & 2 Site Plans	The application is supported by adequate existing and programmed public facilities as set forth in [the APF section of the ZOR] and as provided in the	The proposed revision ensures that the APF finding is uniform for all approval types and clearly references both the APFS and the APF requirements in the Zoning Ordinance.
4	The application will not overburden existing public	<ul style="list-style-type: none">• Preliminary Plan		

	services, including but not limited to water, sanitary sewer, public roads, storm drainage, and other public improvements;		adopted Adequate Public Facilities Standards.	
5	The application will not be unsuitable for the type of development, the use contemplated, and available public utilities and services.	• Preliminary Plan	The application conforms to the requirements of this Chapter and other applicable law governing health, safety, natural resources, and the environment of the City.	The proposed revision is intended to retain the overall intent of the current findings, while making them clear, objective, and accessible. The general thrust of the current findings is covered by federal, State, County, and local regulations. For example, suitability and compatibility is tied to assignment of zones and uses within zone; health and safety are addressed through various portions of city code, including the Zoning Ordinance, Road Code, Building Code, and Fire Code; and natural resources and stormwater are addressed through the Floodplain Management ordinance, Forest and Tree Preservation Ordinance, and Sediment Control and Stormwater Management ordinance.
12	The application will not be incompatible with the surrounding uses or properties.	• Level 1 & 2 Site Plans		
6	The application will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed development.	• Project Plan • Level 1 & 2 Site Plans		
7	The application will not adversely affect the health or safety of persons residing or working in the subdivision or neighborhood;	• Preliminary Plan		
8	The application will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.	• Level 1 & 2 Site Plans		
9	The application will not adversely affect the natural resources or environment of the City or surrounding areas.	• Project Plan • Level 1 & 2 Site Plans		
10	The application will not unreasonably disturb existing topography, in order to minimize stormwater runoff and to conserve the vegetation cover and soil.	• Preliminary Plan		
11	The application will not constitute a violation of any provision of this chapter or other applicable law.	• Project Plan • Level 1 & 2 Site Plans • Preliminary Plan		

Appeals Timelines

Where the Chief of Zoning is empowered to make an administrative decision, such as the approval of a level one site plan or a record plat, the Staff Draft Zoning Ordinance includes a requirement that individuals wishing for a public hearing on the decision request the hearing within 15 days of the decision. Such a request would void the Chief of Zoning's decision and elevate the matter to the Planning Commission for a public hearing and a new decision. This process, which was inserted early in the drafting of the Staff Draft Zoning Ordinance, conflicted

with the general 30-day appeal period for Chief of Zoning decisions reflected in Section 25.3.4.1(b) of the Staff Draft Zoning Ordinance. Staff recommends deleting all references to a 15-day period for requesting a public hearing on Chief of Zoning decisions and replacing them with reference to the 30-day appeal period established in Section 25.3.4.1(b).

Development Review Manual

The Development Review Manual provides guidance for the submission and review of development applications under the Zoning Ordinance, giving residents, developers, staff, and other stakeholders a clear overview of application requirements and development review processes and supporting accurate, complete, and timely review. Examples of items addressed in the Manual include required application contents, logistical information on preparing notices and conducting area meetings, additional guidance and clarification on regulatory requirements, and the city's Development Review Committee procedures.

City staff maintain and update the Manual. Currently, as part of the ongoing FAST 2 project, staff is updating the Manual in two phases. The first phase, which is nearly complete, includes new city branding, updates to reflect the new online application process launched last year, updates to staff titles and other minor editorial edits, and updates to notice procedures to specify that initial notices must contain a packet of information while subsequent notices may be limited to basic project and upcoming meeting information.

The second phase of the Development Review Manual update is timed to coincide with the update to the city's Zoning Ordinance and will incorporate any changes necessary due to changes in the Zoning Ordinance. For example, while most submittal requirements are currently located in the Development Review Manual, the submittal requirements for nonconforming alterations and landscape plans are currently contained in the Zoning Ordinance and *Landscaping, Screening, and Lighting Manual*, respectively. As proposed, these requirements, which address items such as submitting plans to scale, will be in Development Review Manual, and the Zoning Ordinance will reference the Manual requirements. The current Zoning Ordinance also requires submittal of record plats on "electronic media, such as high-density 3.5-inch diskettes, CD-ROM disks, or such other electronic media as may be developed, from time to time, and commonly used" (Sec. 25.21.10.e). For ease of updating with advancements in technology, equivalent information is not contained in the Staff Draft Zoning Ordinance but instead it is proposed to be moved to the Development Review Manual.

One item that staff is recommending, but which is not included in the Staff Draft Zoning Ordinance, as it was identified following its publication, relates to the process for formalizing updates to the Development Review Manual. As noted above in this staff report, the Manual is maintained and updated administratively; however, the existing Zoning Ordinance is silent on how those updates are authorized and published. For increased transparency and clarity for applicants, staff, and decision-makers, Staff recommend adding a provision to the Staff Draft Zoning Ordinance specifying that the Development Review Manual is published by the City Manager. This provision would formalize the City's existing practice.

Follow-up: January 14 Planning Commission Work Session

During the January 14 Planning Commission work session, Planning Commission requested additional information on four topics. These topics are addressed below.

Planning Area 10 (Montrose & North Farm) Rezoning

As part of the Staff Draft Comprehensive Map Amendment, staff proposes rezoning a portion of Planning Area 10 (Montrose and North Farm), including the Rollins Park Apartments and Congressional Towers, consistent with the Rockville 2040 Comprehensive Plan. At the January 14 work session, staff presented both the original recommendation and an alternative proposal for zoning in this area. The alternative proposal was developed in response to testimony from the property owners expressing concerns that the originally recommended RHD (Residential High Density) zone would not support redevelopment consistent with the Plan's objectives and reflects subsequent coordination with the property owner and consideration of community input.

At the January 14 work session, the Planning Commission received testimony from a representative of the Montrose Civic Association and the property owners expressing support for staff's alternative proposal. The property owner requested a modification to the alternative proposal that would shift the southern boundary of the RHD Zone from 400 feet north of Rollins Avenue to 200 feet, with an additional height limitation of 75 feet for development located between 200 and 400 feet north of Rollins Avenue. This request would provide additional development flexibility and modestly increase overall residential capacity on the overall site. Staff's original recommendation, the staff alternative (recommended) proposal, and the property owner's requested modification are detailed in Attachment 1 – Planning Area 10 Rezoning. Written testimony submitted on behalf of the applicant is included in Attachment 2 – Rollins Park Testimony from Pat Harris.

Staff and the property owners have not come to agreement on the owners' requested additional modification, and staff intends to gain additional input from community members prior to the February 4 meeting. While the modification could be accommodated through zoning provisions, it would result in a zone with less transparent development standards and introduce a transition approach that is inconsistent with the framework established in the Staff Draft Zoning Ordinance. The Staff Draft applies transitions consistently and only between zones that are considered incompatible; under the proposed framework, the RMD-25 and RHD zones are considered compatible. Staff's alternative proposal represents a substantial increase in development capacity compared to the original recommendation and balances Comprehensive Plan goals, community context, and redevelopment feasibility.

Planning Area 12 (Tower Oaks) Rezoning

The Rockville 2040 Plan recommended rezoning of the 9.75-acre parcel adjacent to Don Mills Court from R-90 (Single Unit Detached Restricted Residential) to RMD-25 (Residential Medium Density), which allows for a variety of dwelling types at a density up to 25 units per acre and 75 feet in height. Testimony from a large portion of the adjacent New Mark Commons and Markwood communities have identified a number of concerns, including height, density and

traffic that would have negative impacts on the community, with many recommending that the rezoning not occur.

At the January 14 work session, the Commission discussed the proposed rezoning and generally supported the concept of retaining the RMD-25 recommendation for rezoning but also adding a limitation to address some of the neighborhood concerns. Commissioner Zyontz suggested that RMD-25 be implemented but that density be limited to ten dwelling units per acre if access to a proposed development is proposed from an existing residential street. If a property is not accessed via an existing residential street, residential density of up to 25 dwellings per acre would be permitted in a proposed development. The Commission agreed that this approach had merit, and asked staff to bring back proposed text for consideration.

Staff offers the following as a potential insertion into the Draft Zoning Ordinance as a footnote to the RMD-25 Zone:

If the sole vehicular access to a property is provided from a secondary residential street that only abuts single-unit detached dwellings existing on [effective date], then the maximum development density is limited to ten (10) units per acre.

Staff reviewed existing properties already zoned RMD-25 to see if there might be unintended consequences to implementing the suggested text and finds that there should not be a negative impact on other RMD-25 properties such that those properties would become nonconforming.

Amenity Space: Affordable Housing Exception

As discussed during the January 14 Planning Commission work session, the Staff Draft Zoning Ordinance does not require on-site amenity space for residential developments consisting of 100 percent affordable units when they are located within $\frac{1}{4}$ mile of a public park or publicly accessible amenity space. Staff tailored this exemption to balance the city's ambitious housing goals with its commitment to ensuring access to recreational opportunities. The policy also addresses equity concerns associated with the equivalent policy in the current Zoning Ordinance, which exempts all affordable housing projects from public use space requirements regardless of location.

The proposed policy recognizes and responds to the financial realities of delivering projects with high levels of affordability. As noted during the January 14 work session, these developments face significant feasibility challenges, and on-site amenity requirements add cost and reduce developable area. Limiting the exemption to projects within an easy walking distance of existing public parks or amenity spaces helps direct limited resources toward housing units themselves, improving feasibility without materially reducing resident access to amenities. The policy also encourages the placement of affordable housing in walkable, amenity-rich locations, aligning housing policy with broader goals related to walkability and public health.

Historic Preservation Draft Language

The Planning Commission discussed the staff draft of Article 11, Historic Preservation, during their meeting on January 14, 2026. The paragraphs below summarize the discussion and direction provided by the Planning Commission during their meeting.

The Planning Commission had no comments on the draft language proposing changes to the Certificate of Approval process or changes to the Evaluation of Significance process. There was some discussion by the Commission about the language in the demolition by neglect section of the article, primarily that there may be some misalignment between staff's draft and a clause in the Maryland Land Use Article regarding financial inability of the owner to address neglect of an historic structure. Per the guidance of the city's legal counsel, minor modifications will be made to this section in the next draft of the Zoning Ordinance to address this and bring the staff draft better into alignment with the language used in Land Use Article.

There was some discussion about the provision in the staff draft regarding owner consent during the historic designation process. In the staff draft authorized by the Mayor and Council on December 1, the threshold required of Historic District Commissioners and Mayor and Council to recommend designation of a structure differed depending on owner consent. In the staff draft, if the owner consents or is silent on the matter, a simple majority of the body voting in the affirmative would be required. In cases where the owner opposed designation, a unanimous vote would be required. The Planning Commission was split on this proposal. Half of the commission liked the language as drafted; the other half proposed that if an owner was silent on the designation of their property, a unanimous vote should be required.

Most of the Planning Commission's discussion was focused on the proposed addition of a delisting protocol for designated historic properties that have lost the physical characteristics that justified their designation. All commissioners agreed that a delisting protocol of some sort should exist within the Zoning Ordinance. The Planning Commission did, however, ask for continued discussion on two components of the draft language: better defined language for the term "other good cause" and additional language about properties that have been through self-inflicted harm from being able to be delisted.

The proposed Zoning Ordinance allows a property to be removed from the Historic District Overlay Zone for the following reasons: (1) the site or structure on the site has lost the physical characteristics that justified placement of the site in the Historic District Overlay Zone; or (2) other good cause. Staff included "other good cause" as grounds for delisting a property to ensure that the Mayor and Council would have flexibility to remove a property from the zone for reasons that may be currently unanticipated.

After evaluating the Planning Commission's concerns about the clause "other good cause" being too vague, as well as suggestions by some Commissioners that delisting a property should require a unanimous vote of the Mayor and Council, staff offers the following proposal to revise Sec. 25.11.1.3(a):

The Mayor and Council may remove a property from the Historic District Overlay Zone if a majority finds that the site or structure has lost the characteristics for which it was originally placed in the zone, but only by unanimous vote for “other good cause.” This retains the flexibility of the body to remove a property from the zone for unanticipated reasons but raises the bar for such a removal.

The other discussion on the topic of delisting questioned what happens if a property owner does harm to their own building in order to make a case for delisting. After looking into this further, staff believe that the existing language within the staff draft Zoning Ordinance, as well as other provisions of the City Code, are sufficient to penalize and discourage intentional harm done to a building in order to evade historic preservation regulations. If a structure has been demolished, even by the owner itself, but site still has historic value, staff would not recommend delisting. As a result, staff recommend retaining the language in Section 25.11.2.2 as currently drafted.

During the February 4 meeting, staff will be seeking concurrence from the Planning Commission on these two delisting related items.

Tax Credits for Conversion of Historic Homes into Multifamily Housing

In addition to the discussion on the staff draft of Article 11, one Commissioner expressed their desire to incentivize historic property owners to convert their structures into small multifamily housing projects. One example of this could be the conversion of a large, single-family home into a duplex or triplex. The Commissioner expressed the desire to see a tax credit or other incentive provided to historic property owners for making these alterations to provide additional housing units in Rockville. This would be above and beyond the existing tax credit for maintenance expenses available to all historic property owners in Montgomery County.

Before an incentive could be developed, the broader policy decision on if the city would like to see the adaptive reuse of historic structures turned into multifamily housing would need to be addressed. Since this recommendation does not exist within the Rockville 2040 Comprehensive Plan, the most appropriate avenue to explore this potential would be through the next update of the Comprehensive Plan and/or relevant neighborhood master plan(s).

Tax credits and other incentives are not codified in the Zoning Ordinance, and as such, staff do not recommend the inclusion of any language around this proposed program in the Staff Draft Zoning Ordinance. The creation of any tax credit or other incentive program would be handled through the development of the city’s annual operating budget.

Attachments

Planning Area 10 Rezoning, Rollins Park Testimony from Pat Harris

Attachment 1: Planning Area 10 Rezoning

This attachment includes figures showing:

- Staff's original recommendation for the property, as included in the Staff Draft zoning map and Zoning Ordinance (Figure 1)
- Staff's current recommendation for the property, also called Staff's "Alternative Proposal," amended per January 14, 2026, Planning Commission recommendations (Figure 2)
- Property owner's requested modification, as outlined in their written testimony from January 12, 2026 (Figure 3)

FIGURE 1. STAFF'S ORIGINAL RECOMMENDATION (CURRENTLY INCLUDED IN THE STAFF DRAFT ZONING MAP AND ZONING ORDINANCE)

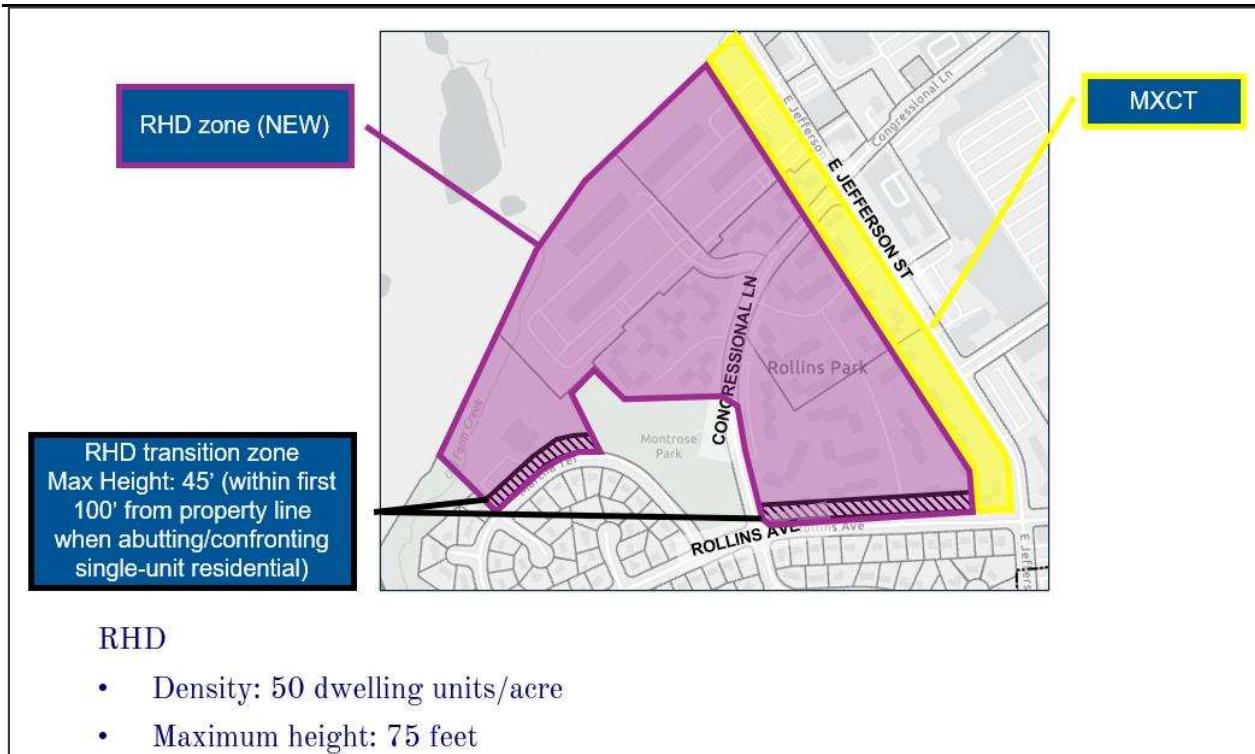


FIGURE 2. STAFF'S RECOMMENDATION (ALSO CALLED STAFF'S "ALTERNATIVE PROPOSAL")

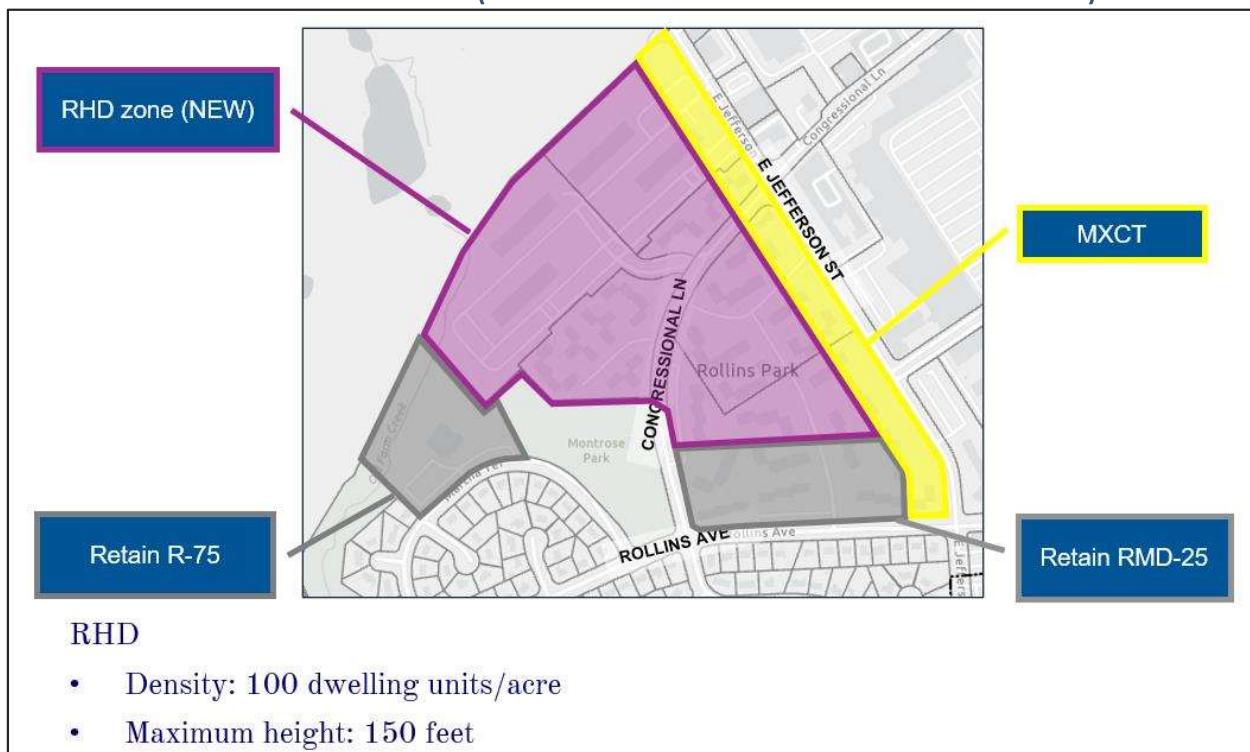
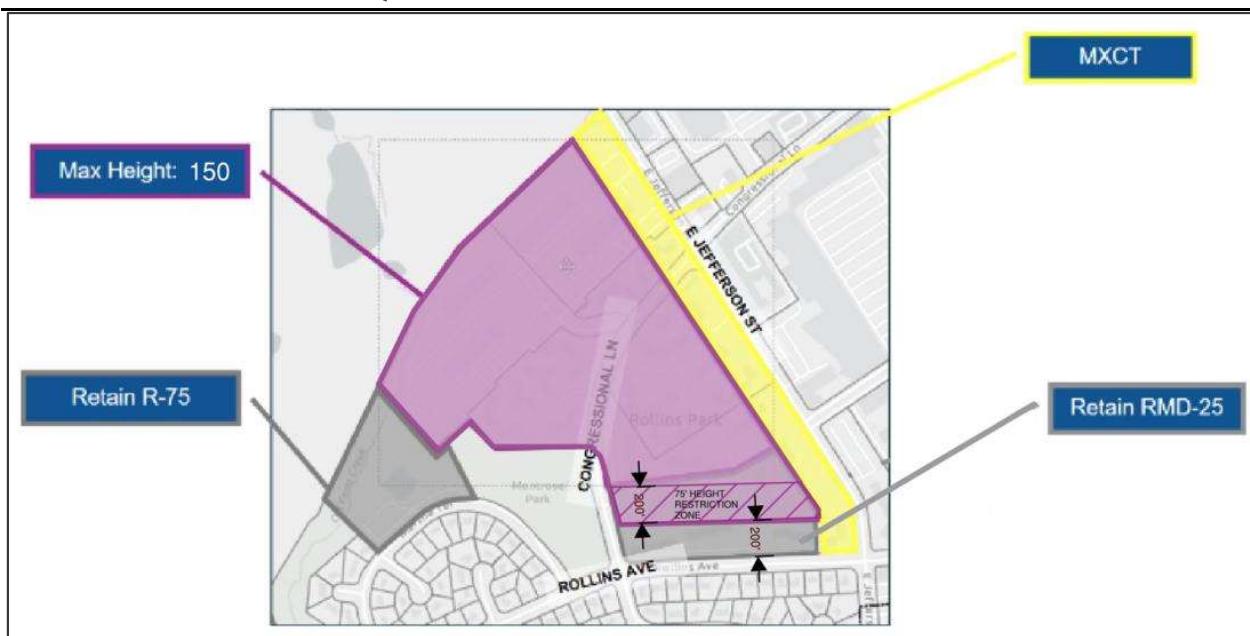


FIGURE 3. PROPERTY OWNER'S REQUESTED MODIFICATION



Patricia A. Harris, Esq.
(301) 841-3832
paharris@lerchearly.com

January 12, 2026

Via Electronic Mail

City of Rockville Planning Commission
111 Maryland Avenue
Rockville City Hall
Rockville, MD 20850

Re: Rollins Park – Comments on Draft Zoning Ordinance

Dear Chair Espinosa and Members of the Planning Commission:

On behalf of Congressional Towers and Rollins Park partnerships, the owner (“Owner”) of the 51.92-acre Rollins Park community in the northwest quadrant of the Rollins Avenue and East Jefferson Street intersection (the “Property”), we want to express to you our strong support for Planning Staff’s alternative proposal for the zoning of the Property and the accompanying development standards as set forth in the January 7, 2026 Staff Report (the “Alternative Proposal”).

The Alternative Proposal strategically furthers a number of the City’s most important objectives by:

- Protecting the existing single-family neighborhoods
- Incentivizing the redevelopment of the Property to provide more needed housing
- Concentrating the height and density on the Property to the most northern areas
- Ensuring the preservation of the community center

I. Introduction and Background

Staff’s Alternative Proposal proposes the MXCT Zone for the eastern portion of the Property fronting East Jefferson Street for a width of 200 feet; retention of the RMD-25 Zone for the southern portion of the Property from Rollins Avenue north to Halpine Road extended (a depth of approximately 400 feet); retention of the R-75 Zone for the 5.3 acre portion of the Property devoted to the community center (containing a pool and clubhouse); and the residential high density (RHD) Zone for the remaining portions of the Property (the “Proposed Zoning”) (Attachment “A”). Staff’s Alternative Proposal for the RHD Zone Development Standards allows for a density of 100 units per acre and a maximum height of 150 feet.

As explained below, the Property is uniquely positioned to help address the City’s housing shortage – an issue that is well recognized by the Mayor and Council and the Planning Commission. As the only site within the City designated for the RHD Zone, there is the opportunity to establish development standards that are consistent with the Comprehensive

Plan's recommendation for high residential density, while at the same time respecting the surrounding existing neighborhood development and preserving the treasured open space.

By way of brief background, the majority of the Property is currently zoned RMD-25 and was developed in the early 1960's with a variety of garden apartments, townhouses, and four seven-story multi-family buildings that are located along the northern boundary of the Property. The Property includes the 5.3-acre portion of the Property zoned R-75 that was originally a pool complex only but which the Owner redeveloped in 2008 to include rebuilt pools, a fitness center and multi-purpose community space. The existing density community wide is 25 units per acre. While the Owner continues to invest in the development, the reality is that all buildings have a useful life, and at some point in the next five to twenty years, a phased redevelopment of the Property will be necessary to offset functional obsolescence and maintain market demand.

II. The Alternative Proposal Provides the Needed Financial Incentive to Support the Redevelopment of the Property

We embrace the Alternative Proposal because it provides the necessary financial incentive to support the redevelopment of the Property and bring more needed housing to the City. To further expand on this, the existing residential development is an income producing asset for the Owner. As such, in order to take existing development off-line (in a phased manner) for two to three years to redevelop to densities that help the City meet its housing goals, the return on investment needs to be financially viable. The Draft Zoning Ordinance's initial recommendation for the RHD Zone of a maximum of 50 units per acre simply does not provide the necessary financial incentive and given various factors, including the cost of construction, the only redevelopment that likely would have occurred under the initially proposed 50 units per acre development standard is townhouse development. While there is a place for a portion of the Property to be redeveloped with townhouses, the wholesale redevelopment of the Property with townhouses would fail desperately in furthering the City's goal of more housing and would result in a *net decrease* of the number of residential units on the Property.¹ Thus, we are pleased to see the Alternative Proposal which, contrary to the initial proposal, is economically viable.

III. Community Center

We understand that the preservation of the existing green space and community center on the Property is very important to the surrounding community and therefore we support the Alternative Proposal to preserve this community amenity. The retention of the community center for the benefit of the neighborhood is consistent with the Owner's past practices, which included as part of the original development of the Property, the dedication to the City of a 5.7 acre parcel which became Montrose Park.

Montrose Park and the community center account for approximately 20 percent of the overall Property and represent a significant amenity to the surrounding community. The Owner recognizes the importance of the open space to both the Rollins Park residents and the broader

¹ Even under a dense urbanized townhouse layout, the typical yield is only 20 units per acre.

community and in this regard is supportive of preserving the community center and associated open space, despite the significant cost to the Owner to maintain the community center. The current community center is classified as an “accessory swimming pool” which allows memberships to the broader community. It is important that the new Zoning Ordinance continue to allow this in order that the broader residential community may continue to benefit from this amenity.

IV. Concept Plan

The Property is located in a transitional area with the proposed high intensity MXTD Zone allowing heights up to 200 feet and no prescribed density located immediately to the east across East Jefferson Street; the 457-acre Woodmont County Club located to the north; and Montrose Park and the community center to the west. To the south and west of Montrose Park and to the south of Rollins Avenue are the single-family neighborhoods that were developed by the Owner.

The Alternative Proposal would accommodate a redevelopment plan that concentrates the highest densities and heights along the northern boundary of the Property adjacent to the country club in high rise multifamily buildings, with heights and densities decreasing as the development moves to the east and to the south from moderate (six to seven-story housing) to four stories, in order to ensure compatibility with the existing single family residential development. Moreover, the proposed front setback standard for the RMD-25 Zone ensures that the heights within a minimum of 100 feet² of the single family residences will not exceed 45 feet in height.

V. The Alternative Proposal is Consistent with the Comprehensive Plan

The Alternative Proposal is wholly consistent with the recommendations of the City’s 2021 Comprehensive Plan which recommends CRM (Commercial and Residential Mix) for the East Jefferson frontage of the Property and RM (Residential Multiple Unit) for the balance of the Property. The Plan further provides:

In designating the majority of the Property RM, the Comprehensive Plan notes: “A new higher-density residential zone, limited to residential uses, is appropriate for the remainder of the site to permit new investment and upgrades, though it should not result in residential displacement.”

The Alternative Proposal will allow for the redevelopment of the Property in a manner wholly consistent with the Urban Design recommendations of the Comprehensive Plan which provide:

Any redevelopment should include a mix of housing types: high-rise apartments overlooking the golf course and a mix of low- to medium-height buildings that feature appropriate transitions between the new community and the adjacent single-unit detached homes on Rollins Avenue and Martha Terrace.

² 25 foot setback provided by the RMD-25 Zone development standards plus the 75 foot right-of-way width of Rollins Avenue.

VI. Justification

The Property is located in a transit rich location. The Twinbrook Metro Station is less than 2,000 feet to the east, a straight walk down Halpine Avenue.³ In addition, the Bus Rapid Transit is located just a block away on Rockville Pike and the Property is served directly by Ride-On buses 5 and 26 that provide very convenient access from the Twinbrook Metro Station and through the Rollins Park community (Attachment “B”).

The location of the Property west of Rockville Pike addresses concern expressed by the Mayor and Council that new development needs to be spread more evenly throughout the City and not concentrated to the east of Rockville Pike. At the same time, the Alternative Proposal secures the Property as a transitional development between the much more intensive development located immediately to the east (the majority of Congressional Plaza is proposed for MXTD zoning with a maximum height of 200 feet) to the lesser intensive development to the west.

While the Property does not have frontage on Rockville Pike, it most certainly is part of the Rockville Pike corridor. Residents of the Property need only cross East Jefferson Street to begin to avail themselves of the generous amount of retail, commercial uses and services located along Rockville Pike, starting with Congressional Plaza and extending to the north, south and east. The Property is only 1,000 feet (less than ¼ of a mile) from Rockville Pike and provides the opportunity for meaningful housing just west of the Pike.

The single-family residences to the south of the Property are buffered from any potential redevelopment on the Property by virtue of the 75-foot Rollins Avenue right-of-way, Martha Terrace, the community center and Montrose Park. The retention of the RMD-25 along the southern portion of the Property provides a very generous buffer, such that the single-family homes on Rollins Avenue are approximately 475 feet – a distance considerably greater than the length of a football field, from any height more than 75 feet. Moreover, the Property is located to the north of the single-family homes, ensuring that the development will not shade or shadow the existing residential development.

In addition, when considering the Alternative Proposal, it is important to emphasize that approximately 25 percent of the Property is *not* being rezoned to the RHD Zone but rather retained in either the RMD-25 Zone (8 acres) or the R-75 Zone (5.3 acres).

Finally, the Property is located on a prominent corner; it is not imbedded within an existing community where access is limited. Instead, the location of the Property in the northwest quadrant of East Jefferson Street and Rollins Avenue and the existing presence of Congressional Lane to the west of the majority of the Property allows for the establishment of a desired urbanized street grid, with multiple access points to the development. The result is the creation of a finer grained community which is a preferred urban design approach over the maintenance of mega-blocks.

³ By way of comparison, the pending Comprehensive Map Amendment proposes the MXTD Zone with heights of 200 feet for properties located up to 4,500 feet away from the Rockville Metro Station.

VII. Requested Consideration of Modification

As stated, we embrace the Alternative Proposal but believe that the redevelopment of the Property would be further enhanced by relocating the zoning line between the RMD-25 and the RHD Zones approximately 200 feet further to the south and limiting the height in the RHD Zone to 75 feet for areas located within 200 feet of the RMD-25 Zone, as indicated on Attachment C. Critically, this modification will maintain the same height restrictions as the Alternative Proposal, thus ensuring a compatible relationship with the single-family areas to the south. In addition, the modification will provide the opportunity for additional units in the most northern portions of the Property, thus allowing a portion of the density that is foregone by virtue of the retention of the community center as a public amenity, to be recouped. More specifically, the Comprehensive Map Amendment as originally drafted proposed rezoning the 5.3 acre community center to the RHD Zone. Even at 50 units per acre as originally proposed, the community center would have supported 265 residential units, whereas the proposed shifting of the zoning line would accommodate a fraction of these units – approximately 150 units. This request is made in part given the costs associated with the retention, maintenance and operation of the community center.⁴ We appreciate the Commission's consideration of this modification.

VIII. Conclusion

The Alternative Proposal for the Property provides the opportunity to help the City address its housing needs. Accordingly, we want to express our appreciation to the Planning Staff for their recommendation and encourage the Planning Commission to support the Alternative Proposal and further consider our requested modification.

We look forward to testifying at the Planning Commission's hearing on January 14, 2026 and thank you in advance for your consideration.

Sincerely,



Patricia A. Harris

cc: Mr. Craig Simoneau
Ms. Holly Simmons
Mr. Jim Wasilak Mr.
Kenneth Becker Mr.
Arnold Polinger Mr.
Anthony Rakusin

Encls.

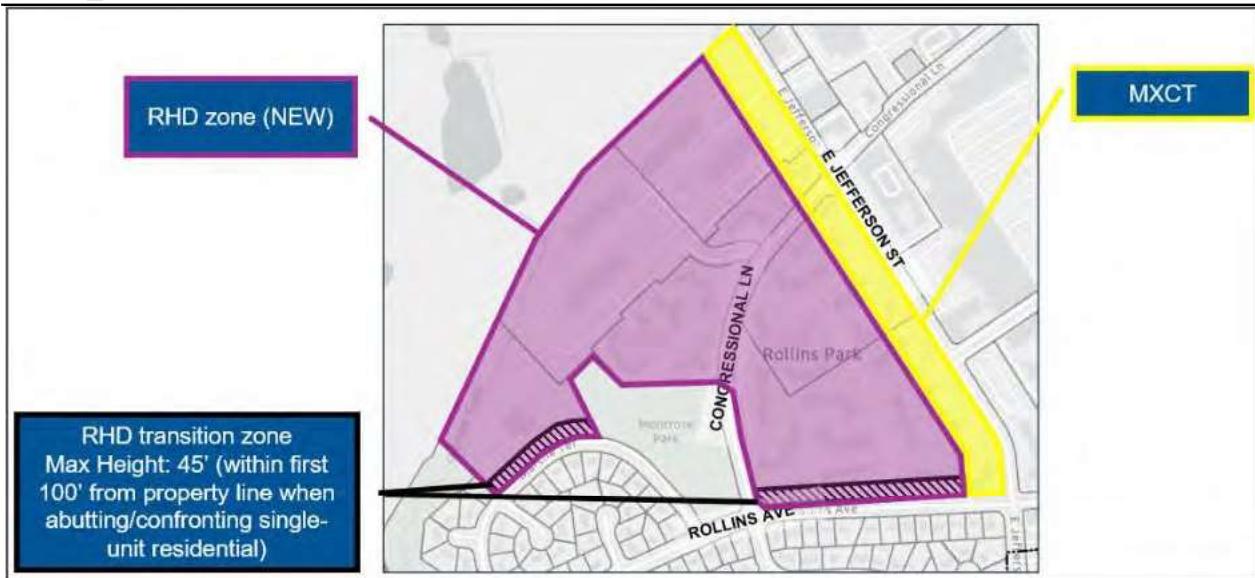
⁴ By way of example, in 2008 the Owner spent more than \$7.5 million to refurbish the community center.

ATTACHMENT A

Staff Alternative

Proposal

FIGURE 2. STAFF DRAFT CMA PROPOSAL



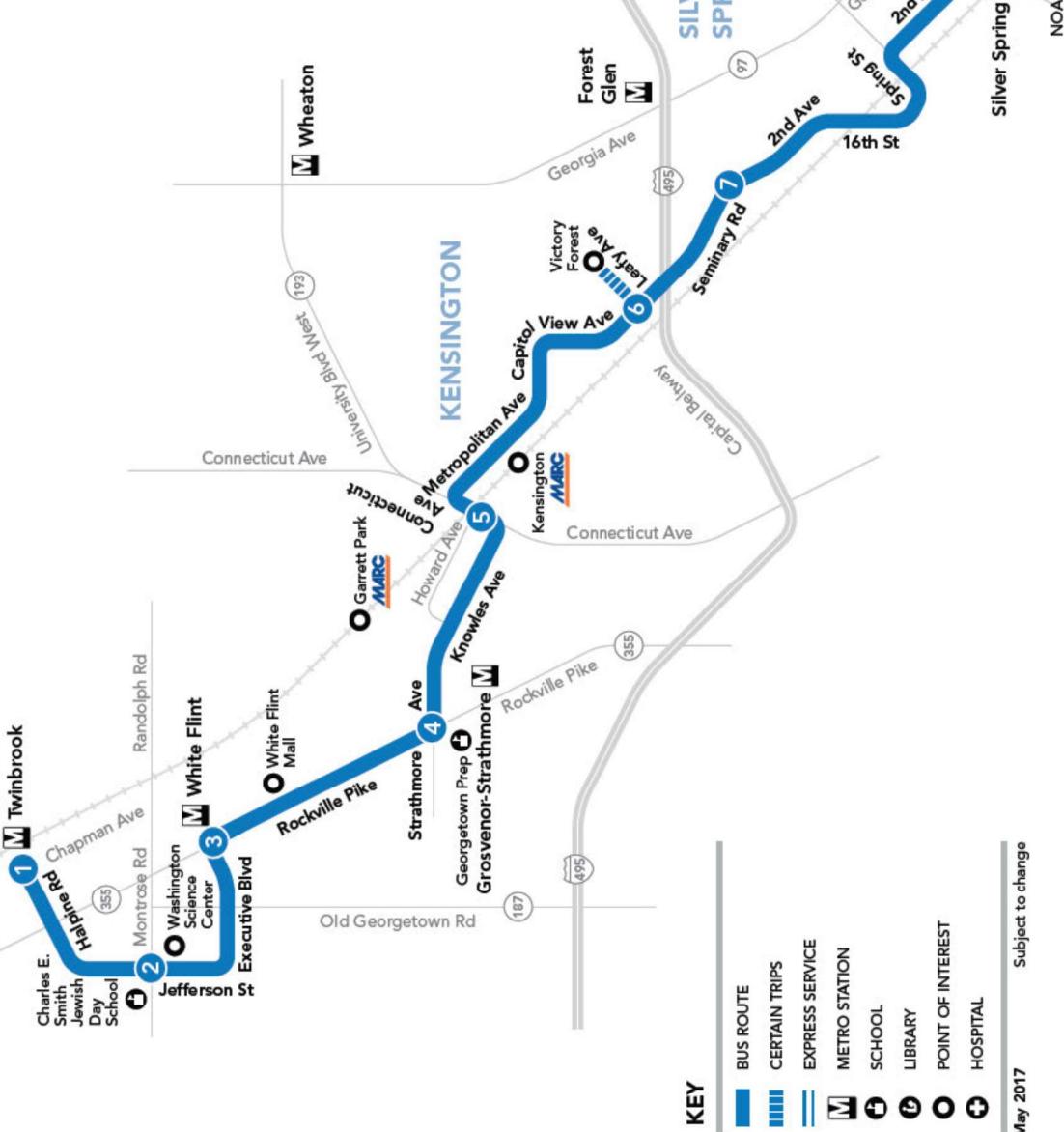
ATTACHMENT B

Ride On Routes

Ride On

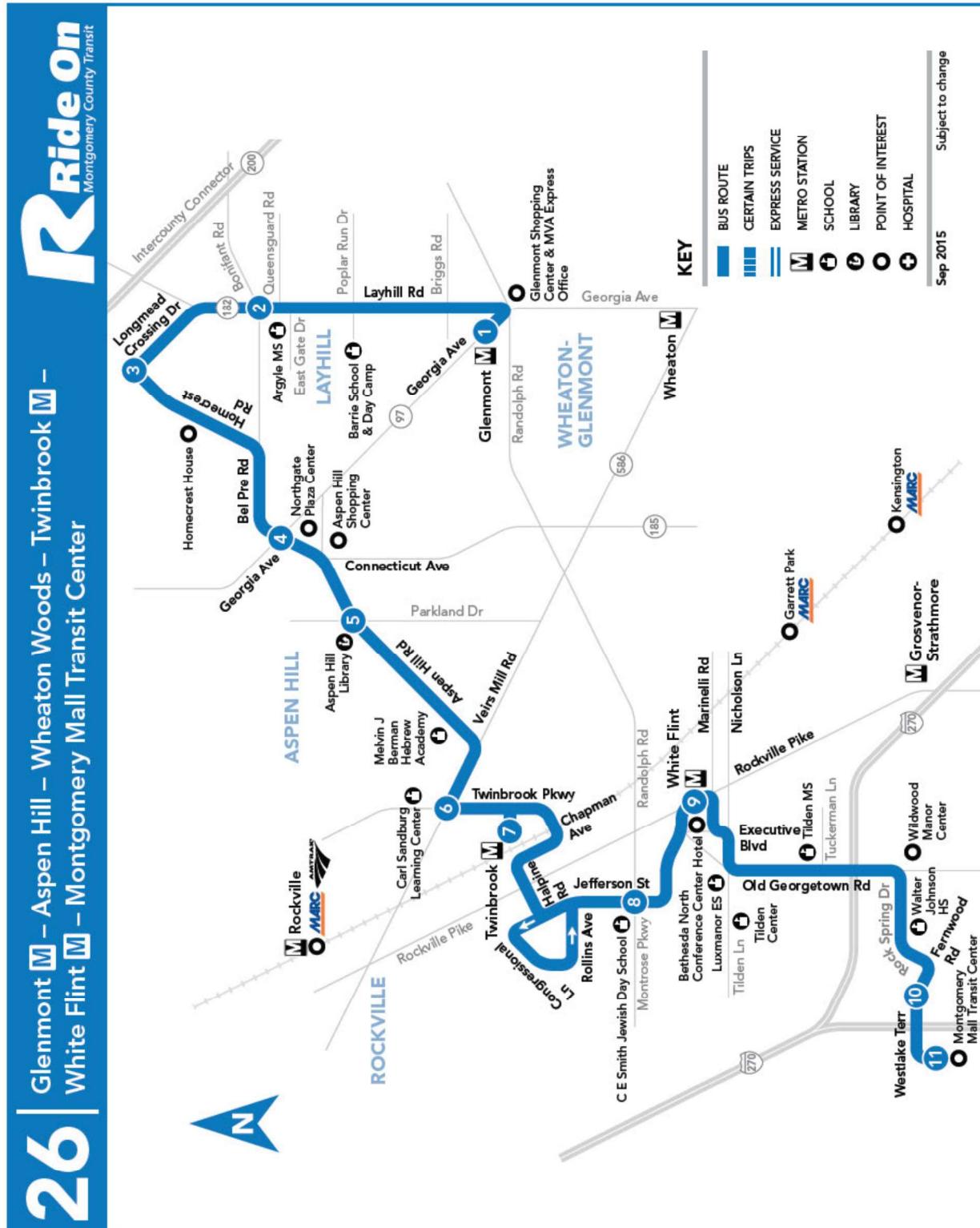
Montgomery County Transit

5 | Twinbrook M – White Flint M – Grosvenor-Strathmore M – Garrett Park – Kensington – Paul S. Sarbanes TC (Silver Spring M)



26

Glenmont **M** – Aspen Hill – Wheaton Woods – Twinbrook **M** –
White Flint **M** – Montgomery Mall Transit Center



ATTACHMENT C
Rollins Park Proposed Modification

Alternate Proposal

RHD Density: 100 DU/acre

MXCT

Max Height: 150

Retain R-75

Retain RMD-25

