

#### **MAYOR AND COUNCIL**

#### Meeting No. 22-25 Monday, September 15, 2025 - 5:30 PM

#### **AGENDA**

Agenda item times are estimates only. Items may be considered at times other than those indicated.

#### **Ways to Participate**

If you require a reasonable accommodation, for community forum or a public hearing and need reasonable accommodations, please contact the City Clerk's Office by the Wednesday before the Monday meeting at 240-314-8280 or cityclerk@rockvillemd.gov or by filling this form: https://www.rockvillemd.gov/FormCenter/City-Manager-2/Request-a-Reasonable-Accommodation-50

#### **Translation Assistance**

If you wish to participate in person at a Mayor and Council meeting during community forum or a public hearing and may need translation assistance in a language other than English, please contact the City Clerk's Office by the Wednesday before the Monday meeting at 240-314-8280, or cityclerk@rockvillemd.gov, or by using this form:

https://www.rockvillemd.gov/FormCenter/City-Clerk-11/Sign-Up-for-Translation-Assistance-at-Co-368

#### **In-Person Attendance**

Community members attending in-person who wish to speak during Community Forum, or a Public Hearing, should sign up using the form at the entrance to the Mayor and Council Chamber. In-person speakers will be called upon in the order they are signed to speak and before virtual speakers.

Note: In-Person Speakers will be called upon to speak before those who have signed up to speak virtually for Community Forum and Public Hearings.

#### **Viewing Mayor and Council Meetings**

The Mayor and Council are conducting hybrid meetings. The virtual meetings can be viewed on Rockville 11, Comcast, Verizon cable channel 11, livestreamed at www.rockvillemd.gov/rockville11, and available a day after each meeting at www.rockvillemd.gov/videoondemand.

#### Participating in Community Forum & Public Hearings:

If you wish to submit comments in writing for Community Forum or Public Hearings:

• Please email the comments to mayorandcouncil@rockvillemd.gov no later than 10:00 am on the date of the meeting.

If you wish to participate in-person or virtually in Community Forum or Public Hearings during the live Mayor and Council meeting:

1. Send your Name, Phone number, For Community Forum and Expected Method of Joining the

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Meeting (computer or phone) to mayorandcouncil@rockvillemd.gov no later than 10:00 am on the day of the meeting. Each speaker will receive 3 minutes.

- 2. Send your Name, Phone number, the Public Hearing Topic and Expected Method of Joining the Meeting (computer or phone) to mayorandcouncil@rockvillemd.gov no later than 10:00 am on the day of the meeting.
- 3. On the day of the meeting, you will receive a confirmation email with further details, and two Webex invitations: 1) Optional Webex Orientation Question and Answer Session and 2) Mayor & Council Meeting Invitation.
- 4. Plan to join the meeting no later than approximately 20 minutes before the actual meeting start time.
- 5. Read for https://www.rockvillemd.gov/DocumentCenter/View/38725/Public-Meetings-on-Webex meeting tips and instructions on joining a Webex meeting (either by computer or phone).
- 6. If joining by computer, Conduct a WebEx test: https://www.webex.com/test-meeting.html prior to signing up to join the meeting to ensure your equipment will work as expected.

Participating in Mayor and Council Drop-In (Mayor Ashton and Councilmember Fulton)

The next scheduled Drop-In Session will be held by phone or in-person on Monday, September 29 from 5:15-6:255 pm with Mayor Ashton and Councilmember Fulton. Please sign up by 10 am on the meeting day using the form at:

https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227

- 1. Convene 5:30 PM
- 2. Pledge of Allegiance
- 3. Proclamation and Recognition 5:35 PM
  - **A.** Proclamation Declaring September 11, 2025, as a National Day of Service and Remembrance in Rockville, Maryland
  - **B.** Proclamation Declaring September 8-12, 2025, as Disability Voting Rights Week in Rockville, Maryland
  - **C.** Proclamation Declaring September 15, 2025 October 15, 2025, as National Hispanic Heritage Month.
  - **D.** Proclamation Declaring September 16, 2025, as National Voter Registration Day in Rockville, Maryland
  - E. Proclamation Declaring September 22, 2025, as Car Free Day in Rockville, Maryland
  - **F.** Proclamation Declaring September 2025, as National Preparedness Month in Rockville, Maryland
  - **G.** Proclamation Declaring September 2025, as National Recovery Month in Rockville, Maryland
  - **H.** Proclamation Declaring September 2025, as Service Dog Month in Rockville, Maryland

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- I. Certificates of Recognition for Student Achievers Julius West Middle School
- J. Certificates of Recognition for Student Achievers Thomas S. Wootton High School
- **K.** Certificates of Recognition for Student Achievers Richard Montgomery High School Student Achiever
- L. Certificates of Recognition for Student Achievers Rockville High School
- 4. Agenda Review 6:30 PM
- 5. City Manager's Report 6:35 PM
- 6. Boards and Commissions Appointments and Reappointments 6:40 PM
  - A. Board and Commission Appointment and Reappointment
- 7. Community Forum 6:50 PM
- 8. Special Presentations NONE
- 9. Consent Agenda 7:10 PM
  - **A.** Authorization for the City Manager to Execute the Terms and Conditions of Pepco's EmPowerMD Rebate Program to Include in the Program's Application for use on Phase 2 of the City's LED Streetlight Conversion CIP Project
  - **B.** Appointment of Manisha Tewari, Planning and Research Manager of Community Planning and Development Services (CPDS), as the City of Rockville Representative to the Town Square Condominium Board, Replacing the prior Deputy Director of CPDS, Jenny Snapp.

#### 10. Public Hearing - 7:15 PM

**A.** Public Hearing on Project Plan Application PJT2025-20, an Amendment to an Approved Project Plan to Permit Conversion of 13,011 Square Feet of Previously Approved Street-level Retail into 13 Residential Units at 198 East Montgomery Avenue.

#### 11. Action Items - 7:35 PM

- **A.** Adoption of a Resolution to Approve Project Plan Application PJT2025-20, an Amendment to an Approved Project Plan to Permit Conversion of 13,011 Square Feet of Previously Approved Street-level Retail into 13 Residential Units at 198 East Montgomery Avenue.
- B. Financial Advisory Board FY 2025 Annual Report and FY 2026 Action Plan

#### 12. Worksession -8:00 PM

A. Economic Development

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- B. 2026 State Legislative Priorities (including Legislative Bond Initiatives)
- 13. Mock Agenda 9:45 PM
  - A. Mock Agenda
- 14. Old / New Business 9:50 PM
- 15. Adjournment 10:00 PM



Agenda Item Type: PROCLAMATION

Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE

Responsible Staff: DANNY WINBORNE

#### **Subject**

Proclamation Declaring September 11, 2025, as a National Day of Service and Remembrance in Rockville, Maryland

#### **Department**

City Clerk/Director of Council Operations Office

#### Recommendation

Staff recommends the Mayor and Council read and approve the proclamation.

#### **Discussion**

September 11, 2025, will mark the 24th anniversary of the September 11, 2001, attacks that changed the United States forever. Often referred to as 9/11, the attacks resulted in extensive death and destruction, triggering major U.S. initiatives to combat terrorism. Over 3,000 people were killed during the attacks in New York City, Shanksville, PA, and Washington, D.C., including military personnel, police officers, firefighters, and paramedics. Almost 10,000 others were treated for injuries.

Following 9/11, President George W. Bush called on all Americans to serve their communities, their Nation, and their world and declared September 11 "Patriot Day" to honor both the victims and heroes of the September 11 attacks. During his 2002 State of the Union Address, President Bush announced the creation of the USA Freedom Corps to connect Americans with more opportunities to serve their country, foster a culture of citizenship, responsibility, and service, and strengthen National Service Programs.

In 2009, the United States Congress passed bipartisan legislation authorizing the establishment of September 11 as a federally recognized National Day of Service and Remembrance is an observance under which individuals, nonprofits, companies, schools, and other groups remember by doing, taking time to engage in charitable service in tribute to the 9/11 victims and survivors, and all those that rose in service in response to the attacks.

#### **Mayor and Council History**

Mayor and Council urge all residents of the city of Rockville, and beyond, to observe the federal legislation that annually established September 11, as a National Day of Service and

Remembrance and for everyone to work to make this September 11, 2025, a meaningful day of service in tribute to all 9/11 victims, their families, our country and allies.

#### **Attachments**

Proclamation Declaring September 11, 2025 as National Day of Service and Remembrance in Rockville, Maryland



WHEREAS, people of all ages and walks of life, across America and around the world, collectively witnessed an event of immense tragedy on September 11, 2001; and the events of that day instantly transformed nearly everyone's lives, some through personal loss and many others through an unfamiliar sense of individual and national vulnerability; and

WHEREAS, an unprecedented historic bonding of Americans arose from the collective shock, unifying the country in an outpouring of national spirit, pride, selflessness, generosity, courage, and service; and

WHEREAS, countless fire and police departments, first responders, and volunteers heroically, tirelessly, and courageously participated in an extraordinarily difficult and dangerous rescue and recovery effort, in some cases voluntarily putting their own lives at risk; and

WHEREAS, in 2009, the United States Congress passed bipartisan legislation authorizing the establishment of September 11 as a federally recognized National Day of Service and Remembrance, which President Barack Obama signed into law; and

WHEREAS, September 11 will never, and should never, be just another day in the hearts and minds of all Americans, and many may wish to memorialize September 11 by engaging in personal and individual acts of community service, or other giving activities, as part of a solemn day of remembrance and tribute; and

NOW, THEREFORE, the Mayor and Council of the City of Rockville, Maryland, do hereby proclaim September 11, 2025, as 9/11 Day of Service and Remembrance in tribute to the victims of the 9/11 terrorist attacks and to the many who rose in service in response to the attacks; and we urge the Rockville community to observe September 11, 2025, as a voluntary Day of Service and Remembrance.

Kate Fulton Councilmember

Brown Jackson

Barry Jackson, Councilmember

David Myles, Councilmember

Izola (Zola) Shaw, Councilmember

Manssa Valen Councilmember

Manssa Valeri, Councilmember

Adam Van Grack Councilmember



Agenda Item Type: PROCLAMATION

Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE

Responsible Staff: DANNY WINBORNE

#### **Subject**

Proclamation Declaring September 8-12, 2025, as Disability Voting Rights Week in Rockville, Maryland

#### **Department**

City Clerk/Director of Council Operations Office

#### Recommendation

Staff recommends the Mayor and Council read and approve proclamation.

#### **Discussion**

There are over 38 million people with disabilities who are eligible to vote, but access barriers keep many disabled voters from accessing their right to vote. Disability Voting Rights Week is all about protecting the rights of people with disabilities to participate fully in our democracy.

Disability Voting Rights Week (September 8-12, 2025) was previously known as "National Disability Voter Registration Week" and is hosted by the American Association of People with Disabilities' REV UP Voting Campaign.

"REV UP" - "Register! Educate! Vote! Use your Power!" is a national effort to build the power of the disability community.

Get Involved in Disability Voting Rights Week (DVRW)

- Host a Voter Registration or Education Event.
- Activate your social media.
- Organize a candidate town hall on disability.
- Write an op-ed for your local newspaper.
- Partner with other disability and voting rights organizations.
- Ask your local government leaders to issue a proclamation for Disability Voting Rights Week.

#### **Mayor and Council History**

This is the third time Mayor and Council have presented this proclamation.

#### **Attachments**

Proclamation Declaring September 8-12, 2025, as Disability Voting Rights Week in Rockville, Maryland



WHEREAS, there are over 61 million people of all ages living with disabilities in communities throughout the United States, making up almost a quarter of the country's population; and

WHEREAS, there are over 38 million Americans with disabilities who are eligible voters; and

WHEREAS, the disability community has a critical interest in policies and decisions made and enacted at local, state, and national levels that impact our lives directly; and

WHEREAS, making sure people with disabilities have access to voting is essential if these policies are to meet the real needs of people with disabilities in our communities; and

WHEREAS, voting is one way for the disability community to have a say in the people and policies that impact our communities; and

WHEREAS, REV UP, which stands for "Register! Educate! Vote! Use Your Power!" is a national effort to build the power within the disability community; and

WHEREAS, members of the national disability rights community are organizing the 7th annual Disability Voting Rights Week - September 8 - 12, 2025.

NOW, THEREFORE, the Mayor and Council of Rockville, Maryland, designate the week of September 8 - 12, 2025, as Disability Voting Rights Week, in Rockville, Maryland, and support the growing involvement of the disability community in the process, and urge all residents to support this effort.

Barry Jackson, Councilmember

David Myles, Councilmember

Izola (Zola) Shaw, Councilmember

Manssa Valer, Councilmember

Adam Van Grack Councilmember

September 8, 2025



Agenda Item Type: PROCLAMATION

Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE
Responsible Staff: DANNY WINBORNE

#### Subject

Proclamation Declaring September 15, 2025 – October 15, 2025, as National Hispanic Heritage Month.

#### **Department**

City Clerk/Director of Council Operations Office

#### Recommendation

Staff recommends the Mayor and Council read and approve the proclamation, and present it to Teresa Rosales, Department of Public Works Permit Technician.

#### **Discussion**

The 2025 Hispanic Heritage Month Theme this year is: "Collective Heritage: Honoring the Past, Inspiring the Future." Hispanic Heritage Month originally started with one week of commemoration and was first introduced by Congressman George E. Brown in June 1968. With the civil rights movement, the need to recognize the contributions of the Latin community gained traction in the 1960s. Awareness of the multicultural groups living in the United States was also gradually growing.

Two heavily Latinx and Hispanic populated areas, the San Gabriel Valley and East Los Angeles, were represented by Brown. He aimed to recognize the integral roles of these communities in American history. Observation of Hispanic Heritage Week started in 1968 under President Lyndon B. Johnson and was later extended to a 30-day celebration by President Ronald Reagan, starting on September 15 and ending on October 15. It was enacted into law via approval of Public Law 100-402 on August 17, 1988.

September 15 starts Hispanic Heritage Month. This date is important for many reasons. It is the independence anniversary for Latin American countries El Salvador, Guatemala, Costa Rica, Nicaragua, and Honduras. From here onwards, the independence days of Mexico and Chile fall on September 16 and September 18, respectively. The month marks the anniversary of the independence of five Latin American countries, including Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua; all of whom declared independence from the former colonial power, Spain, on September 15, 1821. Mexico, Chile, and Belize celebrate Independence Day on September 16, 18, and 21.

Hispanic, Latinx, and Latino-identified Americans have been integral to the prosperity of the U.S. Their contributions to the nation are immeasurable, and they embody the best of American values. The Hispanic American community has left an indelible mark on the U.S. culture and economy.

#### **Mayor and Council History**

The Mayor and Council present this proclamation annually.

#### **Public Notification and Engagement**

During National Hispanic Heritage Month (September 15 – October 15), communities come together to share their diverse and rich cultural heritage. The City of Rockville, Maryland, through its annual programs like Hometown Holidays, Dr. Martin Luther King, Jr. celebration, Senior Center Festival, and International Night, encourages participation to highlight this valuable community.

#### **Attachments**

Proclamation Declaring September 15, 2025 - October 15, 2025, as National Hispanic Heritage Month- Final



WHEREAS, the observation of Hispanic Heritage Week started in 1968 and was expanded into a month-long observation in 1988; and

WHEREAS, this year's theme is "Collective Heritage: Honoring the Past, Inspiring the Future;"and

WHEREAS, approximately 15 percent of Rockville's population is of Hispanic, Latinx, and Latino-identified origin; those who identify as Hispanics, Latinx, and Latino-identified can be of any race or religion and represent many cultures and countries; and

WHEREAS, we pay tribute to the generations of Hispanic, Latinx, and Latino-identified Americans who have positively influenced and enriched our nation, including those who have shared their talent as performers, made scientific breakthroughs, been successful entrepreneurs, educators, and brave participants in our armed forces; and

WHEREAS, the City honors and acknowledges the participation of the Hispanic, Latinx, and Latino-identified communities as a valued segment of our City by celebrating the histories, cultures, and contributions of our residents whose ancestors came from Spain, Mexico, the Caribbean, and Central and South America.

NOW, THEREFORE, The Mayor and Council of the City of Rockville, Maryland, do hereby proclaim September 15, 2025, to October 15, 2025, as National Hispanic Heritage Month in Rockville, and is proud to celebrate the resilience, contributions, and culture of Hispanic, Latinx, and Latino-identified individuals, groups, and communities.



Marisa Putty Councilmember

Rate Putty Counc



Agenda Item Type: PROCLAMATION

Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE

Responsible Staff: DANNY WINBORNE

#### **Subject**

Proclamation Declaring September 16, 2025, as National Voter Registration Day in Rockville, Maryland

#### **Department**

City Clerk/Director of Council Operations Office

#### Recommendation

Staff recommends the Mayor and Council read, approve and present proclamation to Robert Kurnick, Chair of the Rockville Board of Supervisors of Elections.

#### **Discussion**

This year, **National Voter Registration Day** will be observed on **Tuesday, September 16, 2025**. Hundreds of local, state, and national organizations will coordinate events nationwide to raise awareness about elections, ballot initiatives, and the importance of registering to vote and keeping voter registration information up to date.

In Maryland, residents can register to vote, update their registration, or request an absentee ballot through Maryland's **Online Voter Registration System (OLVR)**, or by submitting a voter registration application to their local Board of Elections or the State Board of Elections.

Eligible residents may also register to vote **during early voting**. While registering by the voter registration deadline is encouraged to make the process faster, those who miss the deadline can still register and vote at any **Early Voting Center** in their county.

Registered voters have long been able to cast their ballots during early voting. Now, individuals who are eligible but not yet registered may also register and vote during this period. To do so, you must bring a document that proves your residence, such as a Maryland driver's license or ID card, a change of address card, a paycheck, a bank statement, a utility bill, or another government-issued document showing your name and current address.

By taking advantage of these options, Maryland residents can ensure their voices are heard in upcoming elections.

#### **Mayor and Council History**

The Mayor and Council present this proclamation annually.

#### **Public Notification and Engagement**

The City of Rockville Board of Supervisors of Elections will be holding a Voter Outreach and Voter Election Registration Event on Tuesday, September 16, 2025, in The Square from 10:00 AM -2:00 PM.

#### **Attachments**

Proclamation Declaring September 16, 2025 as National Voter Registration Day in Rockville, Maryland



WHEREAS, the right to vote is a cornerstone of what it means to be a free society, representing the bedrock tenets of equality and civic participation upon which our Nation was founded, and for which many have fought to obtain and protect; and

WHEREAS, every year, millions of Americans do not claim their right to vote because they miss a deadline, do not know how to register, or are unaware that they need to update their voter registration information if they change their name or address, and some states have erected barriers that make it more difficult for people to vote; and

WHEREAS, the City of Rockville is committed to strengthening democracy by encouraging voter registration and increasing participation in all elections; and

WHEREAS, the strength of our democracy depends on the willingness of residents to participate in the election process by choosing our public servants and voicing their opinions on important matters that come before the voters on Election Day.

**NOW, THEREFORE,** the Mayor and Council of the City of Rockville, Maryland, do hereby proclaim September 16, 2025, as **National Voter Registration Day**, and encourage all residents to register to vote, review their voter registration status, update their information as needed, and be ready to exercise their most fundamental American right – the right to vote!

Kate Futtph Councilmember

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David Myles, Councilmember

Izola (Zola) Shaw, Councilmember

Marison Valui

70-12. Je

Adam Van Grack Councilmember



Agenda Item Type: PROCLAMATION

Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE

Responsible Staff: DANNY WINBORNE

#### **Subject**

Proclamation Declaring September 22, 2025, as Car Free Day in Rockville, Maryland

#### **Department**

City Clerk/Director of Council Operations Office

#### Recommendation

Staff recommends the Mayor and Council read, approve and present proclamation to Jake Jakubek, Chair, Rockville Bicycle Advisory Committee.

#### Discussion

Car Free Day is an international event celebrated every September 22 to encourage people to travel by train, bus, bicycle, carpool, van pool, subway, or walk for commuting or errands, instead of driving. Car Free Day is organized in various cities throughout the world in different ways, all with the common goal of reducing the number of cars on the streets. The benefit to the greater society is a day with less traffic congestion, better air quality, healthier travel habits, and reduced gasoline demand.

The Metropolitan Washington Council of Governments, through the Transportation Planning Board (TPB) of the National Capital Region, promotes Car Free Day. Locally, Car Free Day was first recognized by the District of Columbia in 2007. A regional rollout occurred in 2008 with TPB support. The Council of Governments' Commuter Connections Program promotes and organizes the annual Car Free Day event, along with its network members throughout the region. The program primarily encourages individuals who ordinarily travel alone by car for work, errands, and classes. Secondary groups are those already in car-free travel modes.

Individuals interested in participating in Car Free Day can sign an online pledge promising to walk, bicycle, carpool, use transit, or telecommute instead of driving on September 22. The pledge is available at <a href="https://www.carfreemetrodc.org">www.carfreemetrodc.org</a>

#### **Mayor and Council History**

The Mayor and Council present this proclamation annually.

#### **Attachments**

Proclamation Declaring September 22, 2025 as National Car Free Day in Rockville, Maryland



WHEREAS, the National Capital Region Transportation Planning Board is the Metropolitan Planning Organization for the Washington Region; and

WHEREAS, the Transportation Planning Board, through its Commuter Connections program, promotes and organizes the annual Car Free Day event along with its network members throughout the Washington area; and

WHEREAS, Car Free Day invites Washington region residents to try alternative forms of transportation such as transit, bicycling, and walking, and "car-lite" methods such as carpools and vanpools, and teleworking; and

WHEREAS, Car Free Day benefits Rockville and the National Capital Region through improved air quality, reduced traffic congestion and parking demands, the conservation of energy, and

WHEREAS, Car Free Day is a special day to rediscover Rockville without a car and reconnect with fellow residents, businesses, community organizations, and neighbors, and remind people about their transportation options, environmental impacts, and other quality of life issues that are within their control.

NOW, THEREFORE, the Mayor and Council of the City of Rockville, Maryland, hereby proclaim September 22, 2025, as Car Free Day throughout the City of Rockville; and encourage all residents to go car-free or car-lite (carpool, vanpool) and pledge to be Car Free or Car-Lite by visiting <a href="https://www.carfreemetrodc.org">www.carfreemetrodc.org</a>.

Kate Fulton Councilmember

Barry Jackson, Councilmember

David Mulas Council member

Izola (Zola) Shaw Councilmember

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Manssa Valeri, Councilmember

Adam Van Grack Councilmember



Agenda Item Type: PROCLAMATION

Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE

Responsible Staff: DANNY WINBORNE

#### **Subject**

Proclamation Declaring September 2025, as National Preparedness Month in Rockville, Maryland

#### **Department**

City Clerk/Director of Council Operations Office

#### Recommendation

Staff recommends the Mayor and Council read, approve and present proclamation to the City of Rockville Emergency Manager.

#### **Discussion**

September is National Preparedness Month: an observance "to raise awareness about the importance of preparing for disasters and emergencies that could happen at any time."

**Disability inclusion and accessibility** is the theme for the CDC's (Centers for Disease Control and Prevention) 2025 National Preparedness Month commemoration. CDC is raising awareness about preparing the whole community by integrating disability inclusion and accessibility in all phases of emergency preparedness and response.

The theme for National Preparedness Month 2025 is "Plan Today. Ready Tomorrow," which encourages individuals and communities to take initiative-taking steps to prepare for emergencies and disasters. This initiative emphasizes the importance of having an emergency plan and being informed about potential risks.

The 2025 National Preparedness Campaign reminds us of key personal and family preparedness activities, including:

#### 1. Make A Plan

Talk to your friends and family, as your family may not be together if a disaster strikes, so it is important to know which types of disasters could affect your area. Know how you will contact one another and reconnect if separated. Establish a family meeting place that is familiar and easy to find. Tailor your plans and supplies to your specific daily living needs, specific family needs, and responsibilities. Discuss your needs and responsibilities, and how people in your network can assist each

other with communication, care of children, business, pets, or specific needs like operating medical equipment.

#### 2. Build a Kit

Gather supplies that will last for several days after a disaster for everyone living in your home. Do not forget to consider the unique needs each person or pet may have in case you have to evacuate quickly. Update your kits and supplies based on recommendations by the Centers for Disease Control.

#### 3. Protect Your Family and Your Property from Disasters

Limit the impact that disasters have on you and your family. Know the risk of disasters in your area and check your insurance coverage. Learn how to make your home stronger in the face of storms and other common hazards and act fast if you receive a local warning or alert.

#### 4. Teach Youth About Preparedness

Talk to your kids about preparing for emergencies and what to do in case you are separated. Reassure them by providing information about how they can get involved.

Take time to learn or enhance your lifesaving skills, such as taking classes in CPR and first aid. Check your insurance policies and coverage for the hazards you may face, such as floods, earthquakes, and tornadoes. Make sure to consider the costs associated with disasters and save for an emergency. Also, know how to take practical safety steps like shutting off water and gas in your home and workplace.

The many disasters that our nation has endured over the last several years, including the most recent pandemic, devastating hurricanes, wildfires, other weather emergencies, and active shooting events, remind us of the importance of preparing. Often, the survivors will be the first ones in communities to take action after a disaster strikes and before first responders arrive, so it is important to prepare in advance to help yourself and your community. Remember that you are the help until the help arrives. Preparedness is "a lasting legacy for you and your family."

• Be Informed, Plan, and Take Action are the core activities of preparedness; Sign up for

Rockville's Alert Rockville System

- Use the ready.org website to build a family plan and practice it
- Build a disaster supply kit

Attend training to enhance your knowledge and skills

Preparing your family for an emergency can start as simply as a conversation over dinner; don't wait!

#### **Mayor and Council History**

The Mayor and Council read and present this proclamation annually.

#### **Attachments**

Proclamation Declaring September 2025, as National Preparedness Month in Rockville, Maryland



WHEREAS, the City of Rockville is dedicated to promoting preparedness for its residents; and

WHEREAS, emergencies come in many forms, including fire, heat wave, drought, flood, hurricane, winter storms, and more; and

WHEREAS, each September, National Preparedness Month is observed nationwide, and in Rockville to raise awareness of the importance of preparedness and encourage all individuals, families, businesses, and communities to take action to be prepared for emergencies, and the 2025 theme is "Plan Today. Ready Tomorrow;" and

WHEREAS, the City of Rockville is committed to safeguarding the well-being of its residents, businesses, and visitors and aims to enhance the overall resilience and readiness of the community by encouraging everyone to participate in preparedness activities throughout the month, and all year long; and

WHEREAS, planning before an emergency arises will speed the recovery process. Some ways to plan ahead include preparing an emergency kit, practicing for an evacuation or sheltering in place, developing a communication plan, and signing up for emergency messages through "Alert Rockville;" and

WHEREAS, we commend first responders who courageously put themselves in harm's way to ensure our safety and recognize that the community can assist by taking steps to prepare for a disaster before one occurs.

NOW, THEREFORE, the Mayor and Council of the City of Rockville, Maryland, do hereby proclaim September 2025 as National Preparedness Month, and urge the Rockville community to prepare for emergencies and spread the word regarding the importance of everyone having a plan.



Kate Fullon Councilmember

Barry Jackson Soundimember

David Myles Councilmember

Izola (Zola) Shaw. Councilmember

Manssa Valeri. Councilmember

Adam Van Grack Councilmember



Agenda Item Type: PROCLAMATION

Department: HOUSING AND COMMUNITY DEVELOPMENT

Responsible Staff: ELSSA KENFACK

#### **Subject**

Proclamation Declaring September 2025, as National Recovery Month in Rockville, Maryland

#### **Department**

**Housing and Community Development** 

#### Recommendation

Staff recommends that the Mayor and Council present this proclamation honoring September as National Recovery Month, and present it to Laura Mitchell, founder of Montgomery Goes Purple.

#### **Discussion**

Rockville Goes Purple has been an event in the City of Rockville for over five years to recognize September as National Recovery Month. Staff plans the following to recognize National Recovery Month this September 2025:

- Support the 2025 theme for National Recovery Month: "Recovery is for Everyone: Every Person, Every Family, Every Community."
- The attached Proclamation.
- Participation in the County's International Overdose Awareness Day and Candlelight
   Vigil.
- City buildings lit up with purple lights.
- Posters at each building sharing the purpose of the purple lights and National Recovery Month.
- A series of communications over a variety of media to recognize National Recovery Month.
- Narcan training and distribution by the county, sponsored by Rockville Police.
- A Rockville Goes Purple webpage on the city website that includes county resources and information about substance misuse and recovery.
- With the support of Opioid Litigation Settlement Funds, staff and community partners will hold awareness, outreach, and education prevention and early intervention activities to support substance misuse and recovery.

#### **Mayor and Council History**

The Mayor and Council recognize National Recovery Month annually.

#### **Next Steps**

Staff are prepared to conduct the activities mentioned above for September 2025 and throughout the year.

#### **Attachments**

Proclamation Declaring September 2025 as National Recovery Month in Rockville, Maryland



WHEREAS, the theme for National Recovery Month is "Recovery is for Everyone: Every Person, Every Family, Every Community," and

WHEREAS, recovery and prevention from substance misuse and mental health disorders, including jointly occurring disorders, is an essential part of supporting overall health and wellness, treatment, and people recover in the City of Rockville, Montgomery County, the State of Maryland, and around the nation; and

WHEREAS, preventing and overcoming substance misuse and mental health disorders is essential to achieving healthy lifestyles, both physically and emotionally, and we must all work to recognize the signs of a problem, guide and encourage those in need to seek appropriate treatment and recovery support services; and

WHEREAS, the Centers for Disease Control and Prevention and the National Center for Health Statistics report provisional data that, in 2024, an estimated 80,931 people died from drug overdoses in the United States, which is a decrease of 26.9% from the estimated 110,037 deaths in 2023, and

WHEREAS, the Maryland Office of Overdose Response reports that from July 2024 to June 2025, Maryland had 1,360 overdose deaths, of which 1,097 were opioid related. Montgomery County had 67 overdose deaths, 37 related to opioids. These statistics highlight a 29% decrease in the number of deaths from 2023, estimated at over 2,000 deaths; however, it is still important to focus on this matter as overdose remains the leading cause of death for Americans aged 18-44, and

WHEREAS, the City of Rockville, as part of Rockville Goes Purple for September, has lit the city buildings in purple to support those suffering with addiction and those who are in recovery, will have a Drug Take-back Day and Narcan training and distribution in October, and has participated in the International Overdose Awareness Day event on August 28th, put on by Montgomery County and Montgomery Goes Purple; and

WHEREAS, the City of Rockville and its community partners, as part of the Opioid Litigation Settlement Fund Abatement Plan, will provide community-based awareness, outreach, and education activities throughout the year to support substance misuse, prevention and recovery.

NOW, THEREFORE, the Mayor and Council of the City of Rockville do hereby proclaim September 2025 as National Recovery Month in Rockville and urge the residents of Rockville to join the fight for support for those struggling to stay in or be in recovery.

Kate Fulton Councilmember

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Izola (Zola) Shaw, Councilmember

Marissa Valeri, Councilmember

Adam Van Grack Councilmember



Agenda Item Type: PROCLAMATION

Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE
Responsible Staff: DANNY WINBORNE

#### **Subject**

Proclamation Declaring September 2025, as Service Dog Month in Rockville, Maryland

#### **Department**

City Clerk/Director of Council Operations Office

#### Recommendation

Staff recommends the Mayor and Council read, approve and present proclamation to Rebecca Murphy, Co-Chair of the Rockville Human Rights Commission.

#### Discussion

National Service Dog Month, celebrated every September, is a time to show appreciation to our four-legged friends who often play a significant role in the lives of humans. Yes, service dogs are more than just pets, as they have been trained to care for individuals with certain medical conditions, disabilities, or mental health issues. Therefore, the sole purpose of their life becomes to aid their human companion and make their lives easier. This is why it is essential to honor these hard-working pups by dedicating the entire month of September to them. Throughout the past decades, human beings have been suffering from different medical conditions that may interfere with their quality of life. Some of these ailments include blindness, autism, hearing issues, seizures, and mental disorders. Some conditions require humans to opt for physical assistance. However, as the world progressed, numerous researchers realized that an ailment does not have to affect one's quality of life. Nor does it make a human being dependent on others. All they need is a well-trained service dog that will not only be their best friend but also their biggest support. The purpose of service dogs is to provide companionship, protection, and service to their humans. To bring to light the importance of service dogs, National Service Dog Month was established in 2008.

The idea of this appreciation month was the brainchild of actor Dick Van Patten, who was awestruck by the tremendous help service dogs had given to humans with certain ailments. To further the cause, he also launched a fundraising initiative to benefit these dedicated pups who worked hard every day in service dog training schools. He also became an honorary board member of the Guide Dogs of The Desert. This led to a chain reaction, and gradually, fundraising efforts during National Service Dog Month were made across the U.S.

Why is National Service Dog Month Important?

- It's important because it acknowledges how important these dogs are to humans and raises awareness about the many things that we couldn't do without them.
- Holidays like National Service Dog Month can help remind people to take the time to thank their pets for all that they do.
- It helps raise awareness about all the different jobs that these dogs do.
- National Service Dog Month helps raise important donations that fund <u>service dog</u> training centers, so a dog can be available when someone needs one.

Service dogs are also protected under the Americans with Disabilities Act (ADA).

Source - NATIONAL SERVICE DOG MONTH (nationaltoday.com)

#### **Mayor and Council History**

This is the second time the Mayor and Council have proclaimed National Service Dog Month.

#### **Attachments**

Proclamation Declaring September 2025, as National Service Dog Month in Rockville, Maryland - Final



WHEREAS, service dogs play a vital role in enhancing the lives of individuals with disabilities in our community, both visible and invisible, including visual impairments, hearing impairments, mobility limitations, autism, post-traumatic stress disorder, and seizure disorders; and

WHEREAS, service dogs demonstrate extraordinary dedication, remaining constantly alert and prepared to perform tasks that mitigate their handlers' disabilities—providing unwavering support and assistance to their human partners; and

WHEREAS, these highly trained animals perform a wide variety of essential tasks for their handlers and are protected as working animals under the Americans with Disabilities Act (ADA); and

WHEREAS, recognizing the invaluable contributions of service dogs raises public awareness of the many ways in which these animals enhance human lives; and

WHEREAS, through their constant presence and support, service dogs enable greater independence, improved quality of life, and increased participation in society for the individuals they assist; and

WHEREAS, National Service Dog Month serves to educate our community about the benefits of service dogs and the laws protecting them.

NOW, THEREFORE, the Mayor and Council of the City of Rockville, Maryland, do hereby proclaim September 2025 as National Service Dog Month in Rockville, and urge all residents to celebrate service dogs, honor their invaluable role in the lives of those with disabilities, and respect the rights of the adults, children, and veterans who lead more independent lives because of their assistance.

Kate Fullon Councilmember

ksth. Councilmember

David Myles, Councilmember

Izola (Zola) Shaw, Councilmember

Manissa Valur

Marissa Valeri, Councilmember

Adam Van Grack Councilmember



MAYOR AND COUNCIL Meeting Date: September 15, 2025
Agenda Item Type: PROCLAMATION AND RECOGNITION
Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE
Responsible Staff: DANNY WINBORNE

#### **Subject**

Certificates of Recognition for Student Achievers – Julius West Middle School

#### **Department**

City Clerk/Director of Council Operations Office

#### Recommendation

Staff recommends the Mayor and Council recognize and celebrate the 2025 Student Achievers from Julius West Middle School.

#### **Discussion**

Julius West Middle School student, Chloe Robertson, received national recognition for her musical achievements. She was recently featured on 60 Minutes with an elite group of young musicians who were members of the youth Marine Corps Band.

The link below is of Chloe Robertson playing at the Kennedy Center in the prestigious **National Symphony Orchestra (NSO) Youth Fellows** event. She is in a duet that starts at 19:55: <a href="https://www.youtube.com/watch?v=6blhwsMn7Xl&t=1729s">https://www.youtube.com/watch?v=6blhwsMn7Xl&t=1729s</a>

Chloe Robertson was also featured on an episode of 60 Minutes:

#### Chloe Robertson (JWMS) - 60 Minutes

https://x.com/CraigStaton2/status/1901029919603269761?ref\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1901029919603269761%7Ctwgr%5E5c7e4b23342f6aa825effc8cb8f56f6f63c6e99d%7Ctwcon%5Es1\_c10&ref\_url=https%3A%2F%2Fwww.montgomeryschoolsmd.org%2Fschools%2Fwestms%2F

Please see a sample of the certificate to be presented.

#### **Mayor and Council History**

The Mayor and Council routinely recognize and celebrate student achievers from Rockville Schools.

#### **Public Notification and Engagement**

Julis West Administration, Chloe Robertson, and her family will attend the September 15, 2025, Mayor and Council Meeting to receive the Certificate of Recognition.

#### **Attachments**

Certificate of Recognition -Julius West Middle School



The Mayor and Council - City of Rockville, Maryland

## CERTIFICATE OF RECOGNITION

# **NAME**

# **STUDENT ACHIEVEMENT**Kennedy Center NSO Youth Fellow

The Mayor and Council of Rockville, Maryland, proudly congratulate a Julius West Middle School student on receiving national recognition for an outstanding musical achievement.

Named a National Symphony Orchestra Youth Fellow and performed in a special concert at the Kennedy Center. The youth also featured on 60 Minutes alongside an elite group of young musicians from the Youth Marine Corps Band.

What a remarkable and prestigious honor to be bestowed at such an early age. Congratulations and Best Wishes!

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MAYOR AND COUNCIL Meeting Date: September 15, 2025
Agenda Item Type: PROCLAMATION AND RECOGNITION
Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE
Responsible Staff: DANNY WINBORNE

#### **Subject**

Certificates of Recognition for Student Achievers – Thomas S. Wootton High School

#### **Department**

City Clerk/Director of Council Operations Office

#### Recommendation

Staff recommends the Mayor and Council recognize and celebrate the 2025 Student Achievers from Thomas S. Wootton High School.

#### **Discussion**

The following student achievers are from Thomas S. Wootton High School.

#### **National Merit Scholars:**

**Kent Zhang, Engineering** 

Student Selected for the National Association for Music Education 2025 All-Eastern Honors Ensembles

Mason Lee, double bass, Orchestra

#### **Mayor and Council History**

The Mayor and Council routinely recognize and celebrate student achievers from Rockville Schools.

#### **Public Notification and Engagement**

Thomas S. Wootton High School administration, student achievers, and their families are invited to attend the September 15, 2025, Mayor and Council meeting to receive a Certificate of Recognition.

#### **Attachments**

Certificate of Recogntion - Wootton High School



The Mayor and Council - City of Rockville, Maryland

### CERTIFICATE OF RECOGNITION

# **NAME**

## STUDENT ACHIEVEMENT 2025 All-Eastern Honors Ensembles

The Mayor and Council of Rockville, Maryland, congratulate students at Thomas S. Wootton High School, for this amazing achievement. Every two years, the National Association for Music Education (NAfME) Eastern Division Conference brings together the European Music Educators Association and top student musicians from the Mid-Atlantic and Northeastern region, including the District of Columbia. The All-Eastern Honors Ensembles include mixed choir, treble choir, orchestra, concert band, modern band, and jazz band, and are comprised of the highest scoring 600 students from 10 states. Congratulations and Best Wishes!

Kate Fulton Councilmember Izola (Zola) Shaw, Councilmember

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MAYOR AND COUNCIL Meeting Date: September 15, 2025
Agenda Item Type: PROCLAMATION AND RECOGNITION
Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE
Responsible Staff: DANNY WINBORNE

#### **Subject**

Certificates of Recognition for Student Achievers – Richard Montgomery High School Student Achiever

#### **Department**

City Clerk/Director of Council Operations Office

#### Recommendation

Staff recommends that the Mayor and Council present Certificates of Recognition to Rockville Student Achievers.

#### **Discussion**

Aaron Swibel, a sophomore at Richard Montgomery High School, won the **Bernard/Ebb Songwriting Awards**, which honor the best songwriters in Maryland, Virginia, and Washington, DC. He won in the Youth Category.

The contest includes a live performance at Strathmore and awards one songwriter a grand prize of \$10,000 plus \$1,500 towards studio recording time at a DMV studio chosen by the winner. One young songwriter under 17 will also be honored with an award of \$2,500. All finalists in both categories will receive smaller cash prizes and will be featured on Strathmore's social media platforms.

Aaron Swibel creates music that blends pop rock, pop ballads, country, and traditional rock and roll, exploring themes of love, personal angst, and nostalgia. Aaron Swibel began writing as a way to document his thoughts and continues creating to help others reflect on their own emotions. Aaron made his live debut at *Outta the Way Cafe* in Derwood, Maryland, and participated in the Maryland High School Choir Invitational, conducted by renowned Choral Director, Dr. Jason Max Ferdinand.

Congratulations Aaron!

Please see a sample of a certificate.

#### **Mayor and Council History**

The Mayor and Council routinely recognize and celebrate student achievers from Rockville Schools.

#### **Public Notification and Engagement**

Richard Montgomery High School administration, Aaron Swibel, and his family will attend the September 15, 2025, Mayor and Council Meeting to receive a Certificate of Recognition for his songwriting achievement.

#### **Attachments**

Certificate of Recognition - Richard Montgomery High School



The Mayor and Council - City of Rockville, Maryland

# CERTIFICATE OF RECOGNITION

# **NAME**

# STUDENT ACHIEVEMENT

The Mayor and Council of Rockville, Maryland, congratulate Richard Montgomery High School Students for their amazing achievements. The Mayor and Council offer Congratulations and Best Wishes!

Mg/nique Ashton, Mayor

Kate Fulton Councilmember

Barry Jackson, Gouncilmember

Barry Jackson, Gouncilmember

Adams Valeri, Councilmember

Oday J. D. Shaw, Councilmember

Oday J. D. Shaw, Councilmember

**September 15, 2025** 



MAYOR AND COUNCIL Meeting Date: September 15, 2025
Agenda Item Type: PROCLAMATION AND RECOGNITION
Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE
Responsible Staff: DANNY WINBORNE

# **Subject**

Certificates of Recognition for Student Achievers – Rockville High School

# **Department**

City Clerk/Director of Council Operations Office

#### Recommendation

Staff recommends the Mayor and Council recognize and celebrate the 2025 Student Achievers from Rockville High School.

#### **Discussion**

The Mayor and Council, and the Rockville community, congratulate, celebrate, and honor the achievements of students at our Rockville City Schools. The achievements are as follows:

Montgomery County Alliance of Black School Educators (MCABSE) Distinguished African American Scholar Awards:

Herman Kitala

#### C-SPAN's 2025 StudentCam Competition Award Winners:

- Ariana Arturo
- Alessandra Lujan
- Chloe Danstanlee

For the documentary, "Bleeding Out In The Public Square," about access to abortion.

2024-2025 Annual Latin Dance Junior Division Competition:

Best in Show/Group: First Place: Rockville High School

#### **RITMO Student Team Members:**

- Amy Acosta
- Briana Acosta
- Nathalie Arias

- Ariana Arroyo
- Mia Arroyo
- Bryan Garcia
- Matthew Garcia
- Randy Juarez
- Monique Laender
- Emily Luna
- Issac Luna
- Abner Martinez
- Ingrid Romero Martinez
- Kenner Medina
- Hadasa Miranda
- Jayda Racedo
- Liliana Rivas Cruz
- Sheyla Zambrana Vera

# **RITMO Sponsor**

• Virginia Ribulotta

# **Sports Achievements:**

# State Championship at the Maryland State Swimming Championships

- Brig Barnett,
- Maeve Cutter
- Deren Akselioglu

# State Championship at the Maryland State Wrestling Championships

Anastasia Dakoulas

Please see a sample of a certificate.

# **Mayor and Council History**

The Mayor and Council routinely recognize and celebrate student achievers from Rockville Schools.

# **Public Notification and Engagement**

Rockville High School administration and students were invited to the September 15, 2025, Mayor and Council meeting to receive Certificates of Recognition for their achievements.

# **Attachments**

Certificate of Recogntion - Rockville High School



# CERTIFICATE OF RECOGNITION

The Mayor and Council are Honored to Recognize

# **NAME**

STUDENT ACHIEVEMENT 2024-2025 Annual Latin Dance Junior Division Competition Best in Show/Group FIRST PLACE WIN

The Mayor and Council of Rockville, Maryland, Congratulate the Rockville High School RITMO Latin Dance Team on this Remarkable Accomplishment!

Cate Fulton Councilmember Izola (Zola) Shaw, Councilmember

arry Jackson, Councilmember Marissa Valeri, Councilmember

David Myles Councilmember Adam Van Grack Councilmember

**September 15, 2025** 



MAYOR AND COUNCIL Meeting Date: September 15, 2025
Agenda Item Type: APPOINTMENTS & REAPPOINTMENTS
Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE
Responsible Staff: VERONICA MITCHELL

# **Subject**

Board and Commission Appointment and Reappointment

# Recommendation

Staff recommends the Mayor and Council appoint and approve the members of the Board of Directors for REDI (the 'REDI Board of Directors"), for such terms and in such manner as provided in the organization's bylaws.

The Mayor and Council hereby appoint **Vanessa Elharrar** and **Tameka Montgomery** as new members of the REDI Board of Directors to serve a three-year term until October 1, 2028.

Date of Appointment
Director Class
September 15, 2025

**Expiration of Appointment** 

October 1, 2028

The Mayor and Council hereby reappoint LaVonne Torrence Berner, Todd Pearson, Susan Prince, Morgan Sullivan, Justin Yang and Cliff Viers as members of the REDI Board of Directors to serve a three-year term until October 1, 2028.

<u>Class</u> September 15, 2025

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**Expiration of Appointment** 

**Director** 

October 1, 2028

The Mayor and Council hereby reappoint **Muhammad Kehnemouyi** as member of the REDI Board of Directors to serve a three-year term until October 1, 2028 Montgomery College ex officio representative.

Date of Reappointment
Director Class

**Expiration of Appointment** 

October 1, 2028

The Mayor put forth the following nomination for membership to the Boards and Commissions for confirmation by Councilmembers.

#### **Commission on Aging**

Stephen Smith- reappointment to serve a full three-year term until July 1, 2028.

## **Community Policing Advisory Board**

Dennis Dantro- new appointment to serve as an alternate member with an expiring term until December 1, 2027.

Kyle Ferraioli- new appointment to serve with an expiring term until February 1, 2027. Petra Pacher-reappointment to serve a full one-year term until October 1, 2026.

#### **Financial Advisory Board**

Moulaye Sy- new appointment to serve an expiring term until December 1, 2025, and to serve a consecutive reappointment to begin December 1, 2025 until December 1, 2028.

## **Human Services Advisory Commission**

William "Bill" McGugan- new appointment to serve as an at large representative until July 1, 2028.

#### **Rockville Housing Enterprise**

Edward Duffy- reappointment to serve a full three-year term until September 1, 2027

#### **Attachments**



MAYOR AND COUNCIL Meeting Date: September 15, 2025

Agenda Item Type: CONSENT

Department: PW - TRAFFIC & TRANSPORTATION Responsible Staff: ANDREW LUETKEMEIER

# **Subject**

Authorization for the City Manager to Execute the Terms and Conditions of Pepco's EmPowerMD Rebate Program to Include in the Program's Application for use on Phase 2 of the City's LED Streetlight Conversion CIP Project

# **Department**

PW - Traffic & Transportation

#### Recommendation

Staff recommends that the Mayor and Council authorize the city manager to execute the terms and conditions of Pepco's EmPowerMD rebate program to include in the city's application to the program for use on Phase 2 of the City's light emitting diode light emitting diode (LED) Streetlight Conversion CIP Project.

#### **Discussion**

The EmPower Maryland Energy Efficiency Act of 2008 created the EmPower Maryland program to incentivize energy efficiency and conservation efforts. As part of their EmPOWER Maryland portfolios, Pepco offers programs to help Maryland's customers save energy and money through a variety of incentives. The program is funded by charges on customer bills, and the city is eligible to use the rebate program for qualifying initiatives.

The city's LED Streetlight Conversion CIP (TA22) is a qualifying project (attachment 1). City staff has coordinated with ICF, Pepco's consultant who administers the program, and has determined that Phase 2 of the CIP is eligible for an estimated rebate amount of \$97,050. For completion of this rebate application and its approval, the terms and conditions document (attachment 2) must be signed by a city official. The document has been reviewed by the City Attorney's Office, and the city's project complies with the program requirements.

# **Mayor and Council History**

This is the first time this item has been brought before the Mayor and Council.

# Fiscal Impact

The FY 2026 Adopted Budget includes anticipated cost savings from the EmPowerMD rebate program. The city will seek a rebate in the amount of \$97,050 for work performed in Phase 2 of the city's LED Streetlight Conversion CIP (TA22).

# **Next Steps**

The city manager will sign the terms and conditions document, and staff will send it to Pepco's consultant, ICF, completing the city's application for use of the funding.

# **Attachments**

Attachment 1: LED Streetlight Conversion TA22 - FY2026 Adopted, Attachment 2: Pepco\_CI\_TCs\_Fillable\_Existing\_Buildings\_Cust



# **LED Streetlight Conversion (TA22)**



**Description:** This project provides for the replacement of all city-owned and maintained high pressure sodium (HPS) streetlights (approximately 3,200) with more energy efficient, light-emitting diode (LED) luminaires in three phases. Phase 1 includes approximately 2,000 standard light types, and Phases 2 and 3 each include approximately 600 decorative light types. Conversion of city streetlights to LED is action M-02 of the Climate Action Plan.

Changes from Previous Year: Grant funding was added through a budget amendment during FY 2025. The completion year changed to FY 2026 to allow for Maryland Energy Administration (MEA) grant agreement execution for Phase 3.

#### **Current Project Appropriations**

Prior Appropriations: 3,805,200
Less Expended as of 4/15/25: 1,116,935
Total Carryover: 2,688,265
New Funding: Total FY 2026 Appropriations: 2,688,265

Guiding Principle: Stewardship of the Env. and Infrastructure

Mandate/Plan: Climate Action Plan; Vision Zero Action Plan

Anticipated Project Outcome: Safer streets and smarter, more

energy efficient lighting.

**Project Timeline and Total Cost by Type:** The city received several MEA grants, which reduced Capital Projects Fund paygo appropriations. Funding increased due to construction market conditions reflecting Phase 1 bid pricing, as well as funding the previously unfunded Phase 3. Due to grant agreement execution, project completion shifted to FY 2026.

	Estimat	Estimated Start		Estimated Completion		Estimated Cost		
Туре	Original	Current	Original	Current	Original	Current	\$ Change	% Change
Planning / Design	-	-	-	-	-	-	-	-
Construction	FY 2023	FY 2023	FY 2025	FY 2026	1,000,000	3,805,200	2,805,200	281%
Other	-	-	-	-	-	-	-	-
			Pr	oject Total (\$):	1,000,000	3,805,200	2,805,200	281%

**Project Funding:** This project is fully funded, and includes MEA grant funding as well as funding anticipated through the Pepco EmpowerMD rebate program.

Source	Prior	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	Future	Total
Paygo (Cap)	2,725,375	-	-	-	-	-	-	2,725,375
Grants (Cap)	1,079,825	-	-	-	-	-	-	1,079,825
Total Funded (\$)	3,805,200	-	-	=	=	-	=	3,805,200
Unfunded (Cap)	-	-	-	-	-	-	-	<u> </u>
Total w/Unfunded (\$)	3,805,200	=	-	-	-	-	=	3,805,200

**Operating Cost Impact:** Operating cost reduction in streetlight electricity.

Fund	Prior	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	Future	Total
General	-	(75,000)	(30,000)	-	-	-	-	(105,000)

Project Manager: Andrew Luetkemeier, Principal Transportation Engineer, 240-314-8524.

**Notes:** This project first appeared in the FY 2022 CIP. FY 2026 work includes the completion of Phase 3. The city anticipates receiving rebates through the Pepco EmPowerMD incentive program, and has secured funding from MEA grant opportunities.



# TERMS AND CONDITIONS AND CUSTOMER ACKNOWLEDGEMENT

Prescriptive and Custom Programs
Effective Date: 4/16/2025

#### **TERMS AND CONDITIONS**

- 1. PROGRAM OFFER: This application covers all Pepco Prescriptive Program and Custom Program projects that qualify for incentives. Each project requires preapproval in accordance with Section 5 prior to the purchase of products or installation. The project must be installed and post-installation documentation specified in Part II Customer Acknowledgment of this application ("post-installation documentation") must be received by Pepco's Prescriptive Program within six (6) months after the Pre-Approval Date (as defined in Section 5) for retrofit projects and, for Pepco's Custom Program, within twelve (12) months after the Pre-Approval Date for custom and new construction projects. Pepco may cancel this application without liability if the customer has (1) not installed the approved project within the above time period and has (2) not applied to Pepco for a project extension 30 days prior to the expiration of the above time period. NOTE FOR ALL PROJECTS: Incentive payments may be denied or reduced for the following reasons: (1) failure to request a pre-approval extension, (2) failure to follow as-built guidelines, (3) disqualifying changes in scope, or (4) failure to provide required documentation.
- 2. ELIGIBILITY: Incentives are available to Pepco commercial, industrial, governmental, and institutional electric customers (each, the "Customer") for the purchase and installation of Qualifying Energy Efficiency Measures ("EEMs") in the Pepco Maryland service territory, subject to these Terms and Conditions. Vacant/empty/non-operating facilities are not eligible for incentives. Accounts with a demand of 100 kW or less over the previous 12 months qualify for the Small Business program with the exception of: temporary accounts; telecommunications accounts; vacant/empty/non-operations facilities; garages, parking lots, and signage that are not supported by a single eligible small business account. Re-upgrades, defined as the installation of new EEMs replacing EEMs previously installed and incentivized.
- 3. QUALIFYING EEMs: Qualifying EEMs are identified in official program materials approved by Pepco. Technologies that purport to save energy through reduction of voltage or power conditioning are not eligible. EEMs that displace/replace electrical energy use with another fuel (fuel switching) are only eligible if they achieve a net positive reduction in lifecycle carbon emissions as calculated by utility-approved methodologies. Electrification EEMs, which consist of replacing existing fossil fuel-fired equipment with electric equipment, are eligible. Other EEMs that achieve net positive carbon emissions reductions via actions that do *not* save energy may be considered eligible if they meet technical criteria in official program materials approved by Pepco. All equipment must be brand new. Used or rebuilt equipment is not eligible for incentives. Existing equipment must meet specification requirements and be purchased and operating prior to submitting the application form. Any equipment installed before pre-approval is ineligible for incentives.
- 4. OWNERSHIP OF CAPACITY AND/OR ENERGY/ENVIRONMENTAL SAVINGS CREDITS: EEMs purchased and installed in whole or in part through incentives provided by this program are the property of the Customer, subject to any limitations contained within these Terms and Conditions. Notwithstanding the above, Pepco holds sole rights to any electric system capacity credits and energy or environmental credits that may be associated with EEMs for which incentives were received, and Pepco has the right to dispose of these credits in any manner authorized by applicable law or regulation. In no event will activity associated with any energy or environmental credits noted in this Section 4 result in interference with the Customer's ability to operate EEMs as approved in the program incentive award.
- 5. RIGHTS TO NON-ELECTRIC EMISSIONS REDUCTION REPORTING: For EEMs purchased and installed in whole or in part through incentives provided by the program that consist of both electric and non-electric efficiency improvements, electrification, or other measures that result in a reduction in greenhouse gas emissions, Pepco holds sole rights to report these benefits to the Maryland Public Service Commission. Customers and Service Providers may not seek incentives through any other utility that may seek to claim the fuel or emissions benefits for the same EEM.
- 6. PROJECT APPROVAL: Pre-approval from Pepco is required for all projects. No project-related energy savings measures may be installed prior to the date of Pepco's pre-approval (the "Pre-Approval Date"). Pepco reserves the right to pre-inspect any project prior to pre-approval. Pepco reserves the right to approve or disapprove any incentive associated with any proposed EEMs in its sole discretion. No project-related equipment may be installed prior to the Pre-Approval Date.
- 7. EEM COSTS: The Customer must provide copies of all invoices itemizing the new equipment purchased. Each invoice must indicate the date of purchase, the size, type, make, model number, serial number, and part number. All information must be consistent with the submitted manufacturer specification sheets for that equipment.
- 8. INCENTIVE PAYMENT: All incentive payments will also be subject to the following limitations: a) Each Pepco electric account is limited to \$1,000,000 in incentives per program year. Upon request Pepco may authorize payment of incentives exceeding the limit on a case-by-case basis. b) Pepco reserves the right to deny any incentive application that may result in Pepco exceeding its program budget; incentives are offered on a first come, first-served basis and are subject to eligibility, availability of funds, and distribution of incentives across the Pepco customer base. c) Changes in project scope or cost that deviate from the pre-approved project scope may result in reduced incentives or disqualification of the project due to non-compliance with eligibility requirements. d) The Customer may assign the incentive payment to a qualified Service Provider or other third party; provided, however, that whether it be the Service Provider, Pepco customer, or other third party, as indicated in the application, program incentives will be granted to only one party. e) Incentives are available for custom projects. The incentive is calculated up to \$0.29 per kWh for the first year of projected kWh savings or 50% of total installed project cost for retrofit projects or 75% of incremental costs for new construction projects, whichever is less. Incentives for electric efficiency projects that include non-electric fuel savings will calculate an additional incentive of \$1.70 per therm for the first-year projected fuel savings or 60% of total installed project cost for retrofit projects or 85% of incremental costs for new construction/major renovation projects. A Maryland Public Service Commission specified "Societal Cost" test is then used to verify the value of paying an incentive on the project. These calculations are automatically figured in the application workbook.
- 9. CUSTOMER TAX OBLIGATION: The Customer or designated incentive recipient is responsible for declaring and paying any and all applicable federal, state, and local taxes that may be owed on any program incentive payment.
- 10. SCHEDULE FOR INCENTIVE PAYMENTS: Pepco expects to pay all incentives within 4-6 weeks after final review and approval upon project completion. Project completion requires: (1) correct installation of the approved EEMs in the quantity proposed in the application, (2) submission of post-installation documentation to Pepco, and (3) Pepco verification and acceptance of (1) and (2) above, all in accordance with the specifications outlined elsewhere in these Terms and Conditions. Pepco staff and/or its representatives reserve the right to conduct an inspection of the facility to survey the installed equipment, as part of its review process. Eligibility for incentives is contingent on the results of the inspection. Pepco reserves the right to withhold payment of incentives based on the results of the inspection. If Pepco determines that EEMs were not installed in a manner consistent with the approved application, or if unapproved EEMs were installed, or if the installation was not consistent with generally accepted engineering practices, changes may be required before payment is issued. Pepco reserves the right to apply incentives to any of the Customer's unpaid or overdue accounts, whether in the District of Columbia or Maryland.
- 11. VERIFICATION: The Customer and/or Service Provider receiving an incentive payment may be contacted by an evaluator to verify service/equipment installation or be asked to complete a written, oral, or electronic survey.
- 12. COMPLIANCE: All applications and the work associated with them must comply with all federal, state, and local codes, laws, and regulations. Pepco reserves the right to request and receive permits as a condition of payment of incentive.



#### TERMS AND CONDITIONS (CONTINUED)

- 13. REMOVAL OF EQUIPMENT: The Customer agrees, as a condition of participation in the program, to remove and dispose of the equipment being replaced by the EEMs in accordance with all legal requirements. Pepco encourages that equipment be disposed of and/or recycled in an environmentally friendly manner. The Customer agrees not to install any of the removed equipment in the Pepco service territory in the District of Columbia or Maryland. The equipment cannot be reinstalled anywhere in the State of Maryland or transferred to any other party for such installation. The Customer is responsible for ensuring all applicable permits and licenses are obtained to affect the removal and installation of equipment.
- 14. MONITORING AND EVALUATION FOLLOW UP VISITS: The Customer agrees, for a period of three (3) years after the final incentive payment, to allow Pepco and/or its assigned representatives to conduct on-site inspections to verify that the qualified measures or higher efficiency equipment is installed and to conduct other measurement and verification activities to assess the amount of energy savings achieved. Such activities may require the installation of energy monitoring equipment. The scope of review is limited to determining whether program conditions have been met. The Customer must allow access to the EEMs and related project documentation. Pepco has the right to a refund for incentives paid if, at any time, it learns that the EEMs were not actually properly installed or were subsequently disconnected within 36 months after installation.

  15. PUBLICITY OF CUSTOMER PARTICIPATION: Pepco reserves the right to publicize the Customer's participation in the program, including information such as: projected project energy savings, the incentive amount, and other information that does not compromise reasonable Customer expectations of confidentiality of proprietary or competitive information. In the event that confidentiality of proprietary or competitive information public.
- 16. PEPCO / PROGRAM LOGO: Neither the Customer nor Service Providers may use the Pepco logo or program name in any marketing, advertising, or promotional materials without prior written consent from Pepco.
- 17. CHANGES TO / CANCELLATION OF THE PROGRAM: Pepco may change the program requirements, incentives, or these Terms and Conditions at any time without notice, including suspending acceptance of applications or terminating the program. In the event of a program change, pre-approved applications will be processed to completion under the Terms and Conditions in effect at the time of pre-approval by Pepco. Notwithstanding the foregoing, Pepco reserves the right to delay or deny payments to pre-approved applications if such payments may result in exceeding the program budget. Submission of a completed application does not entitle the Customer to program participation or guarantee payment.
- 18. SERVICE PROVIDER SELECTION: Pepco acknowledges that the Customer may select any Pepco approved Service Provider to perform the work proposed in any particular application except for the Small Business Program. Any contractors, distributors, or other market providers performing work associated with any particular application, including completing and submitting the application, need to be Pepco approved Service Providers. If the Customer has a particular contractor, distributor, or other market provider that it plans to work with, the Customer is encouraged to have the contractor, distributor, or market provider register as a Service Provider. Notwithstanding the foregoing, the Customer acknowledges that Pepco has the right, in its sole discretion, to prohibit specific Service Providers from program participation. Pepco reserves the right to request and be provided with any and all current and applicable business licenses, construction permits, letters of good standing, and/or all other supporting documentation as required by the State of Maryland or its counties from any party directly or indirectly supporting the Customer's participation in the program. Expired licenses and/or permits will not be accepted. Failure to provide Pepco with this request may result in cancellation of the application and denial of incentives.
- 19. LIMITATION OF LIABILITY AND INDEMNIFICATION: Pepco, its officers, directors, employees, affiliates, contractors and agents (the "Pepco Parties") will not be liable to the Customer for any direct, special, indirect, consequential or incidental damages or for any damages in tort (including negligence) caused by any activities associated with the program and the Customer's participation therein. By participating in this Pepco program, the Customer agrees to waive any and all claims, whether arising in contract or tort and to fully release the Pepco Parties from any and all damages, of any kind. The Customer will protect, indemnify, and hold harmless the Pepco Parties from and against all liabilities, losses, claims, damages, judgments, penalties, causes of action, costs and expenses (including, without limitation, attorney's fees and expenses) incurred by or assessed against the Pepco Parties arising out of or relating to the application or the program, whether arising in contract or tort.
- 20. NO WARRANTIES: None of the Pepco Parties endorse, guarantee, or warrant any particular manufacturer, product, contractor, service provider or vendor, nor do the Pepco Parties provide any warranties, expressed or implied, including any implied warranty of merchantability or fitness for any product or service. The Pepco Parties are not liable or responsible for any act or omission of any contractor hired by the Customer (if any) whether or not said contractor is a participating Pepco service provider. The Customer's reliance on warranties is limited to any warranties that may be provided by its contractor, vendor, manufacturer, etc. None of the Pepco Parties are responsible for assuring that the design, engineering and construction of the facility or installation of the EEMs is proper or complies with any particular laws, regulations, codes, or industry standards. None of the Pepco Parties make, and none are authorized to make, any representations of any kind regarding the results to be achieved by the EEMs or the adequacy or safety of such measures.
- 21. MISCELLANEOUS: (a) The agreement between the Customer and Pepco is composed of all applicable program forms, including the application, supporting documentation, and these Terms and Conditions. (b) The Customer acknowledges that the only individuals authorized to bind Pepco under the Pepco program are Pepco staff and authorized agents of Pepco. (c) If any provision of these Terms and Conditions is deemed invalid by any court or administrative body having jurisdiction, such ruling will not invalidate any other provision, and the remaining Terms and Conditions shall remain in full force and effect in accordance with their terms. (d) Resolution of disputes concerning these Terms and Conditions, or any other requirement of this application or condition of incentive award, will be governed in all respects by the laws of the jurisdiction in which the Customer is located. (e) In the event of any dispute, claim or controversy arising out of or relating to the program or these Terms and Conditions (any such dispute, claim or controversy, a "Dispute") between the parties that cannot be informally resolved, the following procedure will apply. (1) NOTICE OF DISPUTE. A party will deliver a written notice (the "Dispute Notice") to the other describing the nature and substance of any Dispute and proposing a resolution of the Dispute. (2) MANAGEMENT NEGOTIATION. During the first thirty (30) days following the delivery of the Dispute Notice (and during any extension agreed to by the Parties) (the "Negotiation Period") an authorized manager of Customer (the "Customer's Manager") and an authorized manager of Pepco ("Pepco's Manager") will attempt in good faith to resolve the Dispute through negotiations. If such negotiations result in an agreement in principle among such negotiators to settle the Dispute, they will cause a written settlement agreement to be prepared, signed and dated (a "Management Settlement"), whereupon the Dispute will be deemed settled, and not subject to further dispute resolution. (3) ALTERNATIVE DISPUTE RESOLUTION. (i) The Customer and Pepco (a) acknowledge that it is in their best interests to resolve any Dispute in accordance with the dispute resolution procedures set forth herein and (b) agree to use their best efforts so to resolve any such Dispute. Without limitation, such efforts will include mandatory submission of a Dispute to nonbinding mediation. Should such Dispute not be resolved within 90 days after the issuance by one of the parties of a written Request for Mediation (or such longer period as the parties may agree), Pepco and the Customer may seek other legal recourse. (ii) Notwithstanding the above, either party may seek injunctive relief to enforce its rights with respect to the use or protection of (a) its confidential or proprietary information or material or (b) its names, trademarks, service marks or logos, in a court of competent jurisdiction in which the party seeking such relief is located. The parties consent to the personal jurisdiction thereof and to sole venue therein only for such purposes. (c) Pepco and the Customer hereby irrevocably and unconditionally waive any right either such party may have to a trial by jury or to initiate or become a party to any class action claims in respect of any action, suit or proceeding directly or indirectly arising out of or relating to this application, the program or the transactions contemplated by this application.



22. ENERGY EFFICIENT COMMUNITIES CUSTOMERS: Municipal, county, public school, non-profit, and faith-based customers applying to the Pepco Energy Savings for Business program may be eligible for the Energy Efficient Communities program. Under this program, participants will receive one Operations and Maintenance training at no cost, higher incentive levels, and enhanced technical assistance when developing projects and completing applications. As part of this program, we ask that participants identify an Energy Champion - or the main point of contact - who will help to identify eligible projects, monitor/update the status of these projects and meet quarterly with the Pepco team; and complete an Operations and Maintenance training. An assigned Account Executive will reach out to eligible customers to discuss program details.

23. ACCESS TO CUSTOMER FACILITIES: The Customer acknowledges their permission for the Service Provider(s) to enter the Customer's facilities to perform the agreed-upon work.

	CUSTOMER INFORMATION										
Fill out the form below electronically to save time, paper, and hassle.											
Project Name:	oject Name: Project ID (as shown in the welcome email):										
Street Address (of the facility):	: City: State: Zip:										
Customer Name (please print):	Title:										
Email:	Phone Number:		_								
	CUSTOMER ACKNOWLEDGEMENT										
By signing below, I hereby certify that I have read, that I understand, and that I agree to the Terms and Conditions on pages 1 and 2. As a reminder, pre-approval is required before purchasing or installing equipment.											
Customer Signature:	Date	·									
Note: Upon project completion, the Pepco Customer on record must sign and return the detailed project invoice indicating total project cost, incentive amount, balance of cost to be paid by the Customer, and acknowledgement of project completion.											
	PAYMENT INFORMATION										
If the Service Provider completing the work or another 3rd party will be receiving the incentive directly, the Customer must authorize payment by signing below.											
Payment to: ☐ Service Provider ☐ Other 3rd Party	у										
Customer Signature:	Date	<b>:</b> :									

**Pepco Energy Savings for Business Program** 

Contact: 1-866-353-5798 | pepcobusiness@icf.com

EmP WER



MAYOR AND COUNCIL Meeting Date: September 15, 2025
Agenda Item Type: CONSENT

Department: CPDS - MANAGEMENT & SUPPORT
Responsible Staff: MANISHA TEWARI

# Subject

Appointment of Manisha Tewari, Planning and Research Manager of Community Planning and Development Services (CPDS), as the City of Rockville Representative to the Town Square Condominium Board, Replacing the prior Deputy Director of CPDS, Jenny Snapp.

# **Department**

CPDS - Management & Support

## Recommendation

Staff recommends that the Mayor and Council appoint Planning and Research Manager of Community Planning and Development Services Manisha Tewari as the City of Rockville Representative to the Town Square Condominium Board, replacing Deputy Director Jenny Snapp.

#### **Discussion**

Rockville Town Square consists of five blocks, each of which has a condominium association represented by the respective owners of each block. These owners must delegate a representative to the Rockville Town Square Master Condominium Board. The City owns portions of Block 1/2, Block 3A, Block 4 and Block 5. The City's ownership of Block 1/2, Block 4 and Block 5 is limited to the Parking Garages. The City's Block 3A ownership includes the Arts and Innovation Center where VisArts is located. See Attachment A for a summary of each block's ownership. Each block's condominium association has an agreement delegating the management of common areas to Morguard. Several other agreements were established to delegate the management of the Plaza, the private sidewalks, and the Parking Garages to Morguard.

The City's Condominium Board representative votes on behalf of the City and serves as liaison to the Town Square block owners, residents, and business owners.

Past City representatives have been:

Arthur Chambers, Director of Community Planning and Development Services

- Burt Hall, Director of Recreation and Parks
- Gavin Cohen, Chief Financial Officer
- David Levy, Assistant Director of Community Planning and Development Services
- James Woods, Deputy Director, Public Works
- Jenny Snapp, Deputy Director, Community Planning and Development Services

Jenny Snapp departed the City on August 8, 2025.

The meetings are held quarterly. The last meeting was held on May 19, 2025. The next meeting as scheduled on August 26, 2025, was cancelled, therefore city staff did not need to participate. The next quarter meeting is scheduled in November (date to be determined).

Manisha Tewari has been briefed of the roles and responsibility of the City's Condominium Board representative by both James Wood and Jenny Snapp, who were the previously designated representatives. Ms. Tewari has worked at Rockville in CPDS for over 15 years and has been involved in key Town Center projects during that time.

The City Manager recommends that the Mayor and Council appoint Manisha Tewari, Planning and Research Manager of Community Planning and Development Services to the Rockville Town Square Condominium Board representing the City for Blocks 1/2, 3A, 4 and 5.

# **Mayor and Council History**

The Mayor and Council appointed Jenny Snapp as the City's representative to the Rockville Town Square Condominium Board through a unanimous motion adopted at the Mayor and Council meeting on February 12, 2024.

# **Next Steps**

Once appointed by the Mayor and Council, Manisha Tewari will begin attending the quarterly Rockville Town Square Condominium Board meetings representing the City and serve as the City's Town Square liaison.

#### **Attachments**

Rockville Town Square Block Ownership

# **Rockville Town Square Block Ownership - January 2024**

		Owner								
		City of Rockville	Morguard (Retail)	Morguard (Residential)	Palladian	Montgomery County				
	1/2	Yes (Parking)	Yes	Yes	No	No				
Block/Property	3A	Yes (VisArts)	Yes	No	No	Yes (Innovation Center)				
	3B No		Yes	Yes	No	No				
	4	Yes (Parking)	Yes	Yes	Yes (Parking)	No				
Bloc	5	Yes (Parking)	Yes	No	Yes	No				
	Plaza <sup>1</sup>	Yes	No	No	No	No				
	Library <sup>2</sup>	No	Yes	No	No	Yes				

<sup>&</sup>lt;sup>1</sup> The Plaza is owned by the City but managed by Morguard

 $<sup>^2</sup>$  The Rockville Library is owned by Montgomery County but is not part of the Rockville Town Square Condomimium



MAYOR AND COUNCIL Meeting Date: September 15, 2025

Agenda Item Type: PUBLIC HEARING

Department: CPDS - DEVELOPMENT REVIEW

Responsible Staff: CHRISTOPHER DAVIS

# **Subject**

Public Hearing on Project Plan Application PJT2025-20, an Amendment to an Approved Project Plan to Permit Conversion of 13,011 Square Feet of Previously Approved Street-level Retail into 13 Residential Units at 198 East Montgomery Avenue.

# **Department**

**CPDS - Development Review** 

# Recommendation

Staff recommends that the Mayor and Council hold the public hearing.

# **Discussion**



Case: Project Plan PJT2025-00020 – BLVD Lofts

**Location:** 198 East Montgomery Avenue

Staff: Chris Davis, Senior Planner

Community Planning and Development Services

240.314.8201

cdavis@rockvillemd.gov

**Applicant:** Comstock 33 Monroe, LC

Filing Date: January 28, 2025

Meeting

Date: September 15, 2025

#### **Executive Summary**

Comstock 33 Monroe, LC (the "Applicant") has filed a Project Plan application to convert 13,011 square feet of existing vacant street-level commercial space into 13 residential dwelling units. In order to allow this project as proposed, an amendment to the Rockville Center Inc. Planned Development ("PD") is required pursuant to Section 25.14.07 of the Zoning Ordinance. The PD was initially established by the Planning Commission on April 27, 1994, with approval of Preliminary Development Plan PDP94-00001 for Rockville Center Inc., and allowed redevelopment of the former Rockville Mall property into a phased, multiple-building, mixed-use development known as Rockville Center on 5 record lots (originally subdivided as Parcels 2-F, 2-G, 2-H, 2-J and 2-K within the Rockville Town Center subdivision), located at the southwest corner of Rockville Pike (MD 355) and East Middle Lane intersection.

The PD originally established a new five (5)-block mixed use development including office, retail and residential uses totaling approximately 1.4 million square feet. The subject property was specified as Lot 2, which was approved for approximately 500,000 square feet of office and retail uses. In 2005, the Mayor and Council adopted Resolution No. 10-05 (PDP1994-0001E) which amended the PDP to revise the mix of uses on Lots 2 and 3 to remove the office uses and allow a mix of retail, commercial and residential uses, including 255 residential units on the subject property. In 2014, the Mayor and Council further amended the PD with adoption of Resolution No. 21-14 which increased residential uses on Lot 2, including an increase from 255 to 400 residential units.

PD amendments require the filing of a Project Plan application, and the application may be approved only if the Mayor and Council find that approval of the application will not:

- a. Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed project;
- b. Be in conflict with the Plan;

- Overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as provided in the adopted Adequate Public Facilities Standards (APFS);
- d. Constitute a violation of any provision of the Zoning Ordinance or other applicable law; or
- e. Adversely affect the natural resources or environment of the City or surrounding areas.

In accordance with Section 25.07.07 of the Zoning Ordinance, the Mayor and Council and Planning Commission were previously briefed on this Project Plan application. The Planning Commission also reviewed the application and recommended approval at its July 23, 2025 meeting. The Mayor and Council will now hold a public hearing and consider a resolution to amend the PD and approve the Project Plan application. Should the Mayor and Council ultimately approve the amendment to the PD, and thereby approve the Project Plan, the Planning Commission will consider a site plan for the development project.

## **Site Description**

**Location:** 198 East Montgomery Avenue

**Planning Area:** Planning Area 1 – Town Center

**Land Use** 

**Designation:** CRM - Commercial Residential Mix

**Zoning District:** PD-RCI (Planned Development – Rockville Center, Inc.) with MXTD

(Mixed-Use Transit District) Equivalent Zone

**Existing Use:** Mixed-Use Building (including 22,200sf of commercial space and 400

dwelling

units)

**Proposed Use:** Mixed-Use Building (including 8,000sf of commercial space and 413

dwelling

units)

Site Area: 1.41 acres (61,469 square feet)

**Building Height:** 173 feet

Surrounding Land Use and Zoning

Zoning	Planned Land	Existing Use
	Use	

North	PD-MC (Planned	O (Office)	Commercial
	Development –		
	Metro Center)		
East	PD-RCI (Planned	OCRM (Office	Commercial
	Development –	Commercial	
	Rockville Center, Inc.)	Residential Mix)	
South	PD-RCI (Planned	OCRM (Office	Commercial
	Development –	Commercial	
	Rockville Center, Inc.)	Residential Mix)	
West	PD-RCI (Planned	CRM	Residential/Commercial
	Development –	(Commercial	
	Rockville Center, Inc.)	Residential Mix)	

The Project Plan site is identified as Parcel 2-L of the Rockville Town Center and is approximately 1.41 acres (61,469 square feet). The property is generally square in shape and is bounded by East Middle Lane to the north, Monroe Street to the east, East Montgomery Avenue to the south, and Helen Heneghan Way to the west. The site is relatively flat, with a slightly downward slope from East Montgomery Avenue towards East Middle Lane. The property is improved with an 18-story mixed-use building with commercial spaces concentrated on the ground floor and residential uses on the remaining floors above. At the street level, the building is surrounded by expanded sidewalks, street trees, and furniture to enhance the pedestrian realm around the building. The property is within the PD-RCI (Planned Development – Rockville Center, Inc.) Zone, and has an equivalent zone of MXTD (Mixed-Use Transit District), and is subject to the Rockville Center, Inc. PD governing documents.

## **Project Description**

The Applicant proposes to convert 13,011 square feet of existing vacant street-level commercial space into 13 residential dwelling units, known as the BLVD Lofts. The dwelling units will be designed as two-level lofts and will include (1) 1-bedroom unit, (11) 2-bedroom units, and (1) 3-bedroom units. Most of the proposed dwelling units will be located along East Middle Lane with several others located on Helen Heneghan Way and Monroe Street.



Figure 1: Site/interior floor plan depicting the proposed unit bedroom types. (Plan provided by applicant, markup by staff)

According to the Applicant, the 6,500 square feet of existing commercial space along East Montgomery Avenue will remain as approved for retail use. The 17 parking spaces required for the proposed residential units will be provided within the existing on-site non-reserved structured parking garage. The Applicant is not proposing any MPDUs for the proposed 13 converted units as the existing building currently provides MPDUs for 32% of the building's total units. The subject project has been reviewed and found to be in compliance with all necessary code requirements, as further detailed in the "Findings" section of this report.

The new residential uses will have access to several amenities. According to the Applicant, a mail and package room will be provided within the lobby of the building for the benefit of future residents near the Monroe Street entrance. Additionally, the Applicant has indicated that residents of the proposed BLVD Lofts will also have access to the existing residential amenities in other areas of the building including an upper-level clubroom, open courtyard with pool, outdoor dining and gathering spaces, fitness center, business center and co-working spaces and a secure bicycle room with maintenance and repair facilities. The façades of the residential units will utilize

materials and details that will communicate an urban frontage that will include two-story window walls. Most of the units will have direct access to the adjacent sidewalks of the building.

# **Project Analysis**

#### **Master Plan**

The project is located within Planning Area 1 (Town Center) of the City of Rockville's Comprehensive Plan, Rockville 2040 ("Plan"), and the Land Use designation applied to the site is CRM (Commercial Residential Mix). The CRM designation focuses on, "retaining and introducing commercial uses in specific locations mixed with multiple unit residential and/or residential attached types. The mix can be horizontal, with stand-alone commercial next to apartment buildings on a site; or the mix can be vertical, with commercial on the ground floor and apartments above." Additional details on compliance with the Plan and other requirements are provided in the "Findings" section of this report.

# **Public Notification and Engagement**

Notifications of the Project Plan application have been made consistent with City Code requirements. The Applicant held a virtual pre-application area meeting on December 9, 2021. The Applicant also held a virtual post-application area meeting on February 25, 2025.

As of the date of this report, staff has received 4 emails from members of the public providing comments of support and opposition on the proposed project (See "Public Testimony" attachment). Beyond this public hearing, additional public engagement opportunities will be provided during the Level 2 Site Plan process.

#### **Boards and Commission Review**

In accordance with Section 25.07.07.6 of the Zoning Ordinance, the Planning Commission was briefed on this project at their March 12, 2025 meeting, and the Mayor and Council were briefed on April 7, 2025. At the briefings, the Planning Commission and Mayor and Council asked questions and offered suggestions concerning the development proposal.

Both the Commission and the Mayor and Council's feedback was generally positive on the project, but both bodies expressed a desire to see some form of landscape buffer or physical transition from the private front entries of the residential units to the public sidewalks abutting the building to enhance privacy for the units. The Applicant has responded to these comments by updating their plans with additional elements to distinguish and buffer the front entries of the units from the sidewalk, including the addition of entry shade canopies and planter boxes for additional landscaping. The Mayor and Council also inquired about the history of MPDUs with this project, and the Applicant responded that while no new MPDUs were proposed with this amendment, the building would continue to provide 32% of its units as MPDUs, exceeding the 15% requirements, as was established in previous approvals.

On July 23, 2025 meeting, the Planning Commission held a public hearing on the application and recommended unanimous approval (by a vote of 5 to 0), subject to the conditions recommended by staff and contained in the "Conditions" section of this report.

# **Findings**

In accordance with Section 25.14.07.e.2, any proposal to amend the Planned Development Governing Documents must comply and be processed in accordance with the requirements for a Project Plan as set forth in Article 7. Pursuant to Section 25.07.01.b.2, a Project Plan may be approved only if the Mayor and Council find that the approval of the application will not:

# (i) Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed project:

The Applicant's proposed design seeks to produce additional housing units within the envelope of the existing building by utilizing existing ground-floor commercial space that has been vacant since 2021. The proposed conversion into 13 residential units would mostly involve interior alterations to the building and minor modifications to the building's exterior façade. These improvements will add new housing options to Town Center to assist in supporting the surrounding business district and will enhance the safety of the surrounding area by adding use and activity to the street-level of the building. The project will be required to abide by all applicable building and construction requirements to ensure public health and safety are maintained during and after the construction phase of the project. Therefore, the proposed conversion is not anticipated to adversely affect the health or safety of persons residing or working in the neighborhood of the project.

# (ii) The Project Plan will not be in conflict with the Plan.

The project is not in conflict with the Rockville 2040 Comprehensive Plan. This project falls within Planning Area 1 of the Plan. On January 27, 2025, the Rockville Mayor and Council adopted the 2025 Rockville Town Center Master Plan as an amendment to the Comprehensive Plan, originally adopted in August 2021. Adoption of this updated plan repeals and replaces the Planning Area 1 chapter of the Plan and the 2001 Town Center Master Plan. With the exception of several specific properties, the 2025 Town Center Master Plan (TCMP) retains the existing land use policy established in the Plan for most properties in the Town Center. The 2025 Plan does not provide specific recommendations for the subject property. However, staff finds the following compatibilities outlined in the Town Center Master Plan:

Goal 1, Land Use: "Target appropriate areas for higher density residential developments to reach 3,000 new residential units by 2040. Provide a variety of development types to adapt to marketplace demands and to address missing middle housing" (page 41). In response to changing market demands, the

Applicant is proposing additional residential units in Town Center where additional residential density is encouraged by the TCMP.

- Action 1.1, Land Use: "There should be no requirement for ground floor retail, although street-facing, active ground floor uses, including residential or quasiretail uses should be encouraged" (page 42). The Applicant is proposing a conversion from vacant ground floor retail space to residences as anticipated and encouraged by the TCMP.
- Housing Chapter: "The city encourages the development of a wide variety of unit types this refers to different housing typologies (such as townhomes and multifamily apartment buildings) but also provides a mix of units within those typologies (studios, 1-bedroom units, 2-bedroom units, etc.). The city encourages unit mixes in development projects to contain the full range of unit types that the market can support of different sizes and layouts to accommodate the greatest variety of households" (page 60). The Applicant proposes 13 new residential units within the existing building that will include 1, 2 and 3-bedroom units to appeal to a variety of family sizes.
- Policy 12.1, Sustainability: "Encourage the adaptive reuse of buildings and coordinate with property owners to increase efficiency within existing buildings" (page 91). The Applicant proposes to adaptively reuse a ground-floor commercial space that has been vacant since 2021 by converting such space into 13 residential units, that will allow the property owner to more efficiently use such space within the existing building, consistent with this policy.

# (iii) Overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as provided in the adopted Adequate Public Facilities Standards;

The Project will not overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as provided in the adopted adequate public facilities standards (APFS).

#### **Schools**

The property is served by the Richard Montgomery Cluster Area (Beall Elementary School, Julius West Middle School, and Richard Montgomery High School), and is located within an Infill School Impact Area. Using the corresponding Montgomery County FY2025-20230 Student Generation Rates, the proposed development will generate the following number of students:

- 1 student at the elementary school grade level;
- 0 students at the middle school grade level; and,
- 0 students at the high school grade level.

The current school test standards of the APFS utilize a seat deficit and capacity percentage calculation to determine adequacy. The maximum permitted capacity level is 120% and no more than a 110-seat capacity deficit in elementary schools and 180-seat capacity deficit in middle schools. The proposed development meets these standards at all three grade levels as shown in the table below.

School Test: Seat Deficit ≥ 110 Seats (Elem.) or ≥ 180 (Middle) and Percent Utilization >120% (Elem., Middle, and HS) = Moratorium								
School Type (Richard Montgomer y Cluster)	Projecte d 2029- 30 Enrollme nt	Students Generated by Proposed Developme nt	100% MCPS Progra m Capacit y 2029- 30	Enrollment Including Proposed Developme nt	School Percent Utilizatio n in 2029- 2030	School Percent Utilization in 2029-30 with Proposed Developme nt		
Beall ES	440	1	663	441	66.4%	66.5%		
Julius West MS	1,404	0	1,432	1,404	98.0%	98.0%		
Richard Montgome ry HS	2,604	0	2,236	2,604	116.5%	116.5%		

## **Traffic and Transportation**

With no changes proposed to the existing and built transportation and access infrastructure, and considering the proposed changes are resulting in fewer AM and PM vehicle trips, the approval of the proposed plan will have no impact to the existing and planned transportation infrastructure serving the site.

### Access and Circulation:

#### 1. Passenger Vehicle:

The development vehicular access will be provided to East Middle Lane to the north and East Montgomery Avenue to the south via existing service and parking driveways on Monroe Street and Helen Heneghan Way. These roadways are classified as Business District roadways, and as such existing buffered sidewalks are provided along the site frontage on East Middle Lane, Monroe Street, Helen Heneghan Way and East Montgomery Avenue. Truck (loading and trash) access to the site will continue to be along the service driveway, with an entrance on Helen Heneghan Way and exiting onto Monroe Street. The loading area will accommodate head-in and head-out turning maneuvers without impacting the public right-of-way. The property is located within the designated Rockville Metrorail Transit Oriented Area, as defined by the CTR guidelines.

# 2. <u>Pedestrian Access:</u>

No changes to existing pedestrian access to existing sidewalks are proposed.

## 3. Transit Access:

The Rockville Metrorail/ MARC commuter train and Amtrack reginal train station, is located approximately 0.2 miles from the site. The WMATA Metrorail Red Line runs from the Shady Grove station in Rockville to Glenmont in Silver Spring by way of downtown Washington, DC. There are two (2) bus stops near the site, located on East Middle Lane at its intersection with Monroe Street. The bus stop serves one (1) WMATA bus route (T2) and three (3) Montgomery County Ride-On Bus routes (45, 55, 301).

#### **Trip Generation**

Using the approved trip generation rates outlined in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, the proposed changes in use will generate 28 fewer trips in the morning peak hour (18 fewer inbound & 10 fewer outbound) and 64 fewer trips in the afternoon peak hour (32 fewer inbound & 32 fewer outbound).

#### Water and Sewer

In a letter dated July 2, 2025 (see "Water and Sewer Authorization Letter" attachment) the proposed development received Water and Sewer Authorization approval from the Department of Public Works (DPW) for connection to the City's water and sanitary sewer systems. The Water and Sewer Authorization Approval Letter lists project specific conditions of approval.

## (iv) Constitute a violation of any provision of the Zoning Ordinance or the applicable law;

Staff has reviewed the proposed development for compliance with the Zoning Ordinance and finds that the development proposal is consistent with the Zoning Ordinance requirements. The project complies with the applicable development standards and design regulations of the governing PD-RCI documents and the equivalent MXTD zone. The scope of the project is primarily interior alterations to transform the existing vacant ground-floor retail space into 13 new residential units; exterior modifications will be limited to minor façade updates to create new residential frontages. In addition to authorizing the change in uses on the site, the project also meets the corresponding parking requirements for both automobiles and bicycle vehicles for the change in use. Beyond the proposed project scope, the overall building and site will continue to comply with the requirements as established by the PD-RCI governing documents and the equivalent MXTD zone as was approved with the previous Project Plan PJT2014-00003. As previously mentioned, the 2014 Project Plan approval designated the site to provide 32% of its units as MPDUs, exceeding the 15% minimum required. Under the current proposal, the site will continue to exceed the minimum requirements and no additional MPDUs are required with the current proposal.

No changes to bicycle access are proposed, and the project will meet the bicycle parking requirements required under City Code as noted later in this report. The existing access points along the Monroe Street frontage, allow for easy access to bicycle lanes along East Middle Lane and the signed shared roadway along Monroe Street which connect the site to an existing network of bike lanes and signed shared roadways near the site and provide access to Rockville Metrorail station (Red Line). A bi-directional Shared Use Path is also planned by the city along the Monroe Street frontage as part of the Fleet Street and Monroe Street Complete Streets project.

Pedestrian elements within the right-of-way shall be fully accessible and comply with the criteria for accessible routes in the 2010 ADA Standards for Accessible Design. Where the running slope of a sidewalk exceeds 1:20, such sidewalk or portion thereof shall comply with the requirements for ramps found in §405 of the 2010 ADA Standards for Accessible Design. Conformance with other requirements, including but not limited to other zoning requirements, city codes, and the building code, will be confirmed through the site plan, permit review, or other applicable process.

# (v) Adversely affect the natural resources or environment of the City or surrounding areas.

#### **Stormwater Management**

Stormwater management (SWM) for this project will be provided by a monetary contribution in lieu of providing water quality volume, channel protection volume and water quantity management for the minimal new and replaced impervious areas associated with retrofitting the existing building.

#### **Forestry**

# Forest Conservation

The subject property is subject to an existing forest conservation plan under FTP2006-00019. That plan met the required forest conservation requirements for the entirety of the subject property. There are no anticipated changes to the existing forest conservation plan, which will remain in effect.

#### Significant Trees

The NRI/FSD (see "Approved NRI Plan" attachment), 2025-22-NRI, that was approved by CPDS on March 3<sup>rd</sup>, 2025, identified nineteen (19) street trees on the subject property. These trees are not proposed for removal and will be preserved throughout the project.

# Street Trees and Lot Trees

The proposed application does not involve subdivision, and as a result the subdivision regulations are not applicable. However, street trees were previously provided in

association with the development of the property and are in existence on the subject property. This was confirmed through a recent NRI/FSD.

#### **Historic Resources**

The property is not within a historic district and has no potential historic resources on site.

# Impact Statements Equity

It is expected that PJT2025-00020 will have a positive impact on equity in the City of Rockville by providing additional residential units in a variety of configurations (one-, two-, and three-bedroom units) that can accommodate households of different sizes. Because this project proposes the conversion of existing vacant commercial space into 13 residential units, minimal external impacts are anticipated to achieve this increase in housing opportunities. The 2025 Rockville Town Center Master Plan identifies an increase in housing units in Town Center as a desired goal multiple times throughout the plan. Although the requested number of units is not large, it still contributes to delivering on the goal of providing 3,000 more dwelling units in Town Center, while not leading to the displacement of any other existing residents or businesses.

#### **Environment**

Given that PJT2025-00020 seeks to convert existing vacant commercial space into residential space and is not proposing any exterior changes, other than minimal façade renovations to reflect the change in use to residential, no environmental impacts are anticipated from this application. The tree canopy on the site is expected to remain the same, and no additional stormwater management is required. The Town Center Master Plan encourages sustainability through the adaptive re-use of existing buildings. This application contributes to that policy by converting vacant space into a use that is expected to more efficiently utilize it.

# **Economy**

Although this application proposes a reduction in available commercial space in Town Center, PJT2025-00020 is still expected to have a positive impact on the economy. The subject commercial space has been vacant since 2021, not contributing to the economic vitality of Town Center. With the addition of 13 new dwelling units, there will be more residents living in Town Center, who will be able to patronize and support the existing businesses in the community, in addition to activating the vacant space.

#### **Conditions**

Having found that the proposed Project Plan Amendment application meets the required findings for approval, staff recommends approval of Project Plan application PJT2025-00020, a proposed amendment to the Rockville Center Inc. PD, subject to the findings identified in this report and

the following conditions, to be incorporated into a Resolution of Mayor and Council consideration:

## **Planning and Zoning**

- The proposed development will be designed and constructed in a manner consistent with the concept design, graphic conceptual representation, and all associated development tables included in the project plan set.
- 2. Notwithstanding any requirements or approvals, a future proposal to convert the 13 ground-floor residential units back to a commercial use shall not require a further amendment of the Planned Development, but may proceed to a Level 2 Site Plan application, or equivalent approval as required by the Zoning Ordinance then in effect.
- 3. Submission of a site plan implementing Project Plan Application PJT2025-00020 shall be submitted within one (1) year of this approval, by September 15, 2026.

## **DPW** – Engineering

4. The applicant shall comply with the conditions of DPW's Water & Sewer Authorization Approval Letter dated July 2, 2025.

# **Next Steps**

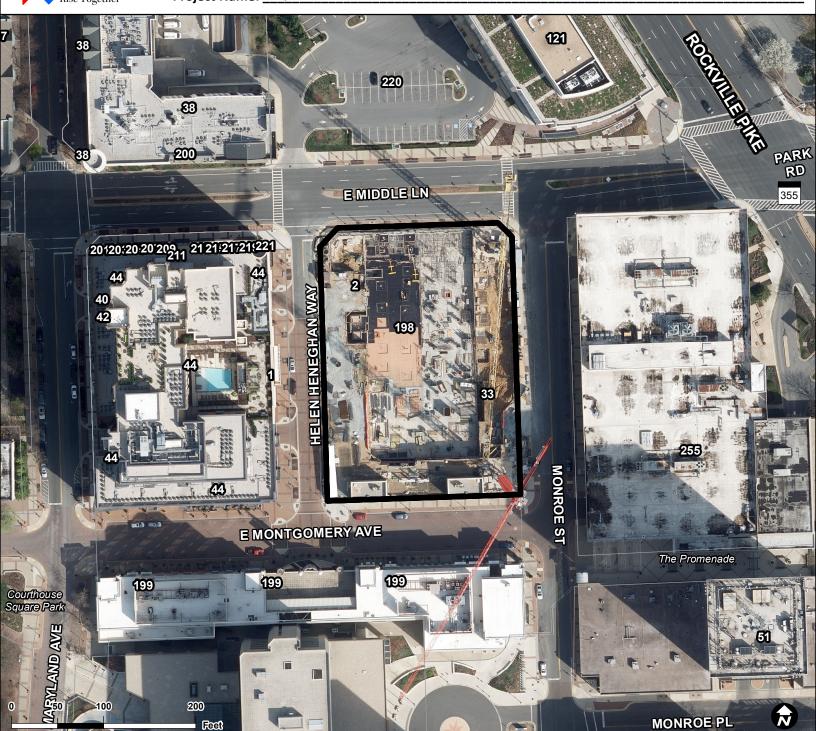
In a later agenda item, the Mayor and Council will render a final decision on the proposed Project Plan amendment as an amendment to the Planned Development via the adoption of a resolution, incorporating the findings as required by Section 25.05.08 of the Zoning Ordinance.

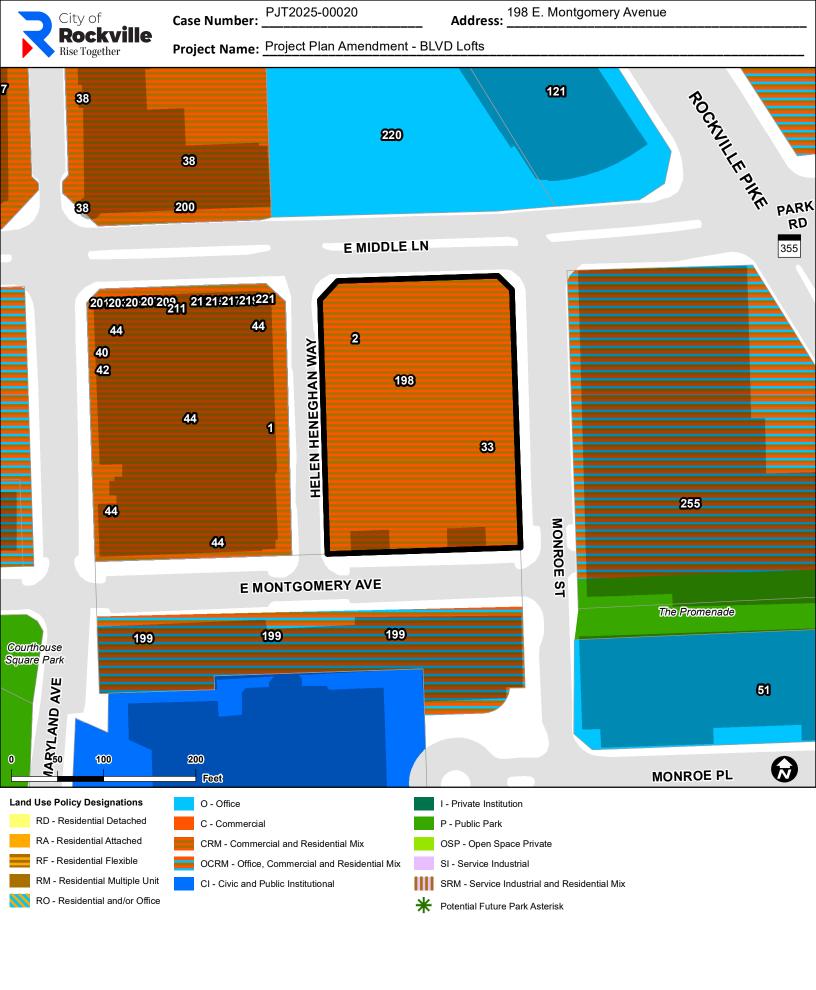
#### **Attachments**

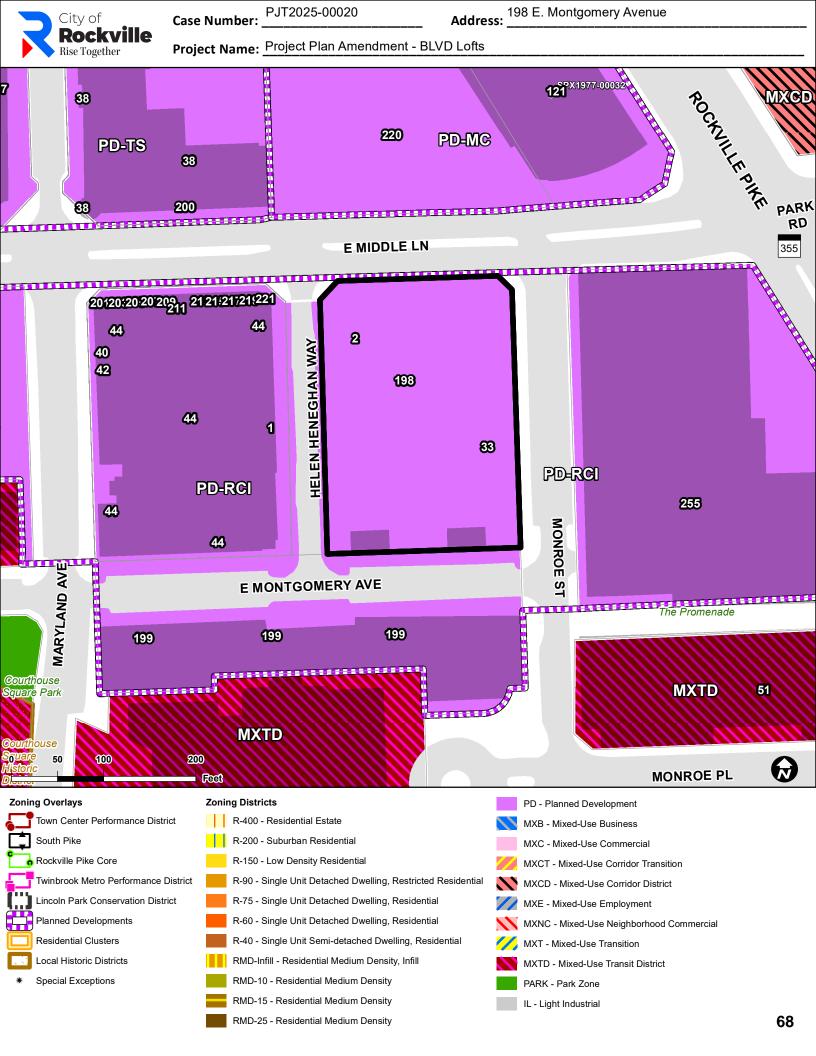
Attachment #1 - Aerial Map, Attachment #2 - Land Use Map, Attachment #3 - Zoning Map, Attachment #4 - Project Plan Documents, Attachment #5 - Project Plan Application, Attachment #6 - Statement of Justification, Attachment #7 - Parking Narrative, Attachment #8 - Public Testimony, Attachment #9 - Water and Sewer Authorization Letter, Attachment #10 - Approved NRI Plan, Attachment #11 - Staff Presentation, Attachment #12 - Applicant Presentation

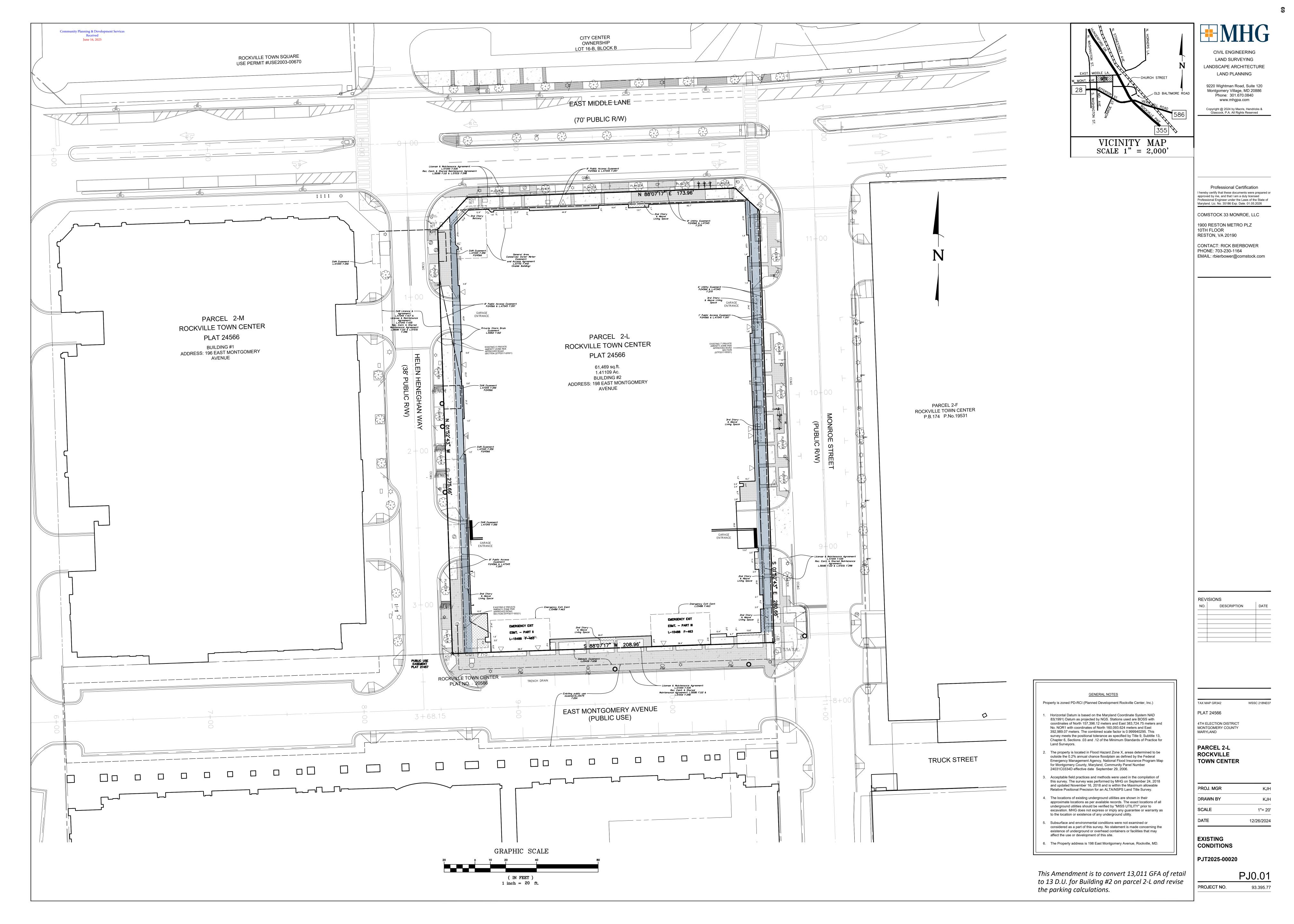
Case Number: PJT2025-00020 Address: 198 E. Montgomery Avenue

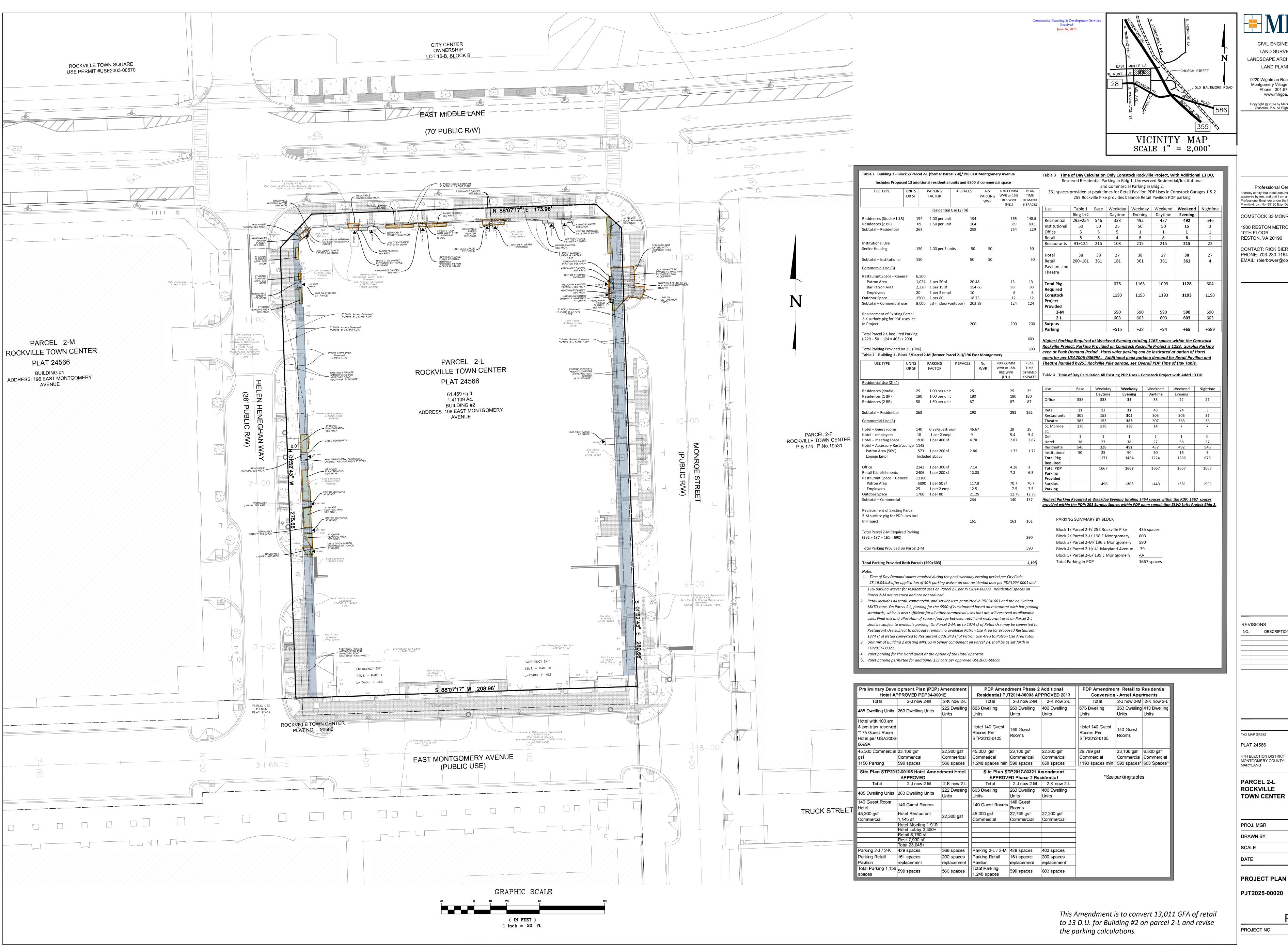
Project Name: Project Plan Amendment - BLVD Lofts











CIVIL ENGINEERING

LAND SURVEYING LANDSCAPE ARCHITECTURE LAND PLANNING

9220 Wightman Road, Suite 120 Montgomery Village, MD 20886 Phone: 301.670.0840 www.mhgpa.com

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**Professional Certification** approved by me, and that I am a duly licensed Professional Engineer under the Laws of the State of

1900 RESTON METRO PLZ 10TH FLOOR

RESTON, VA 20190 CONTACT: RICK BIERBOWER

Maryland. Lic. No. 35186 Exp. Date. 01.05.2026 COMSTOCK 33 MONROE, LLC

PHONE: 703-230-1164 EMAIL: rbierbower@comstock.com

PJT2025-00020

PJ2.01 PROJECT NO. 93.395.77

12/26/2024

DESCRIPTION

NOTE: 1. SCREENED PORTIONS OF PLAN ARE NOTE IN THE SCOPE OF THE PROPOSED CONVERSION OF RETAIL TO RESIDENTIAL

TORTI
GALLAS +
PARTNERS 1923 VERMONT AVE NW, 2<sup>nd</sup> Floor WASHINGTON, DC 20001 t: 301.588.4800 f: 301.650.2255

www.tortigallas.com **BLVD ANSEL APARTMENTS-**RETAIL

CONVERSION

33 Monroe Street, Rockville, Maryland 20850

OWNER: COMSTOCK 33 Monroe, L C

Key Plan

Issue NO.

DATE

Revisions

Floor Plans

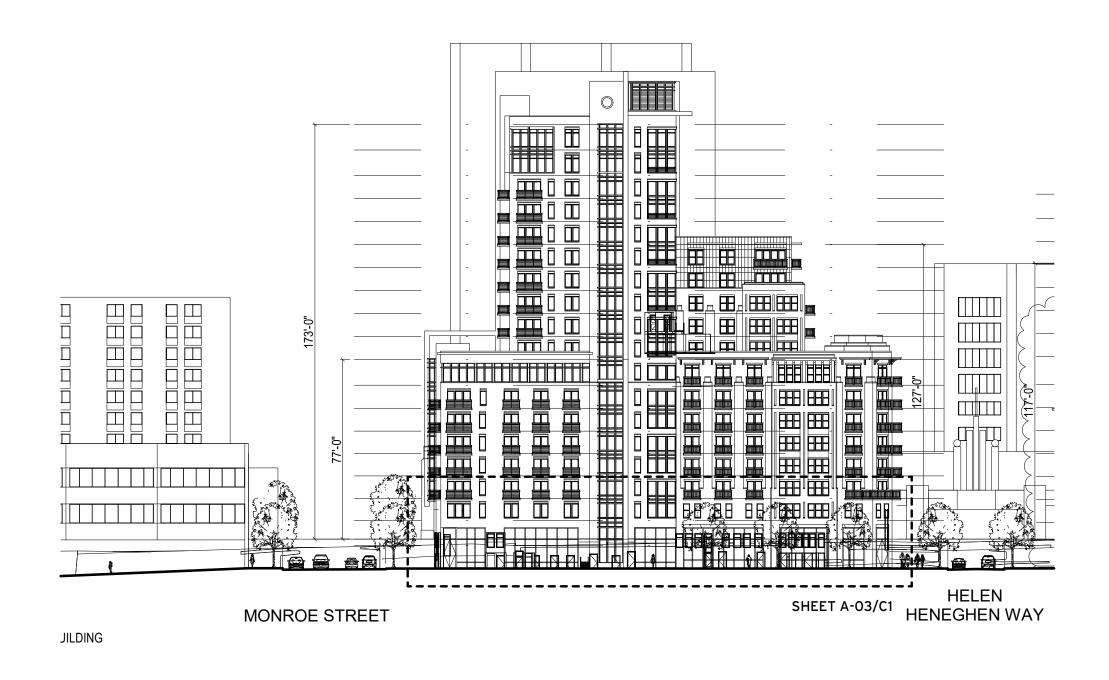
RESUBMISSION PRINCIPAL IN CHARGE DATE May 19, 2025 SCALE: JOB NO. 23338.BAC DRAWING NO.

C1 NORTH ELEVATION (EAST MIDDLE LANE)

1" = 40'-0"

E1 EAST ELEVATION (MONROE STREET)

1" = 40'-0"



1923 VERMONT AVE NW, 2<sup>nd</sup> Floor WASHINGTON, DC 20001 t: 301.588.4800 f: 301.650.2255 www.tortigallas.com

**BLVD ANSEL APARTMENTS-**RETAIL CONVERSION

33 Monroe Street, Rockville, Maryland 20850

COMSTOCK 33 Monroe, L C

Key Plan

Issue NO.

Revisions

**Elevations Key** 

RESUBMISSION

PRINCIPAL IN CHARGE PROJECT ARCHITECT DATE May 19, 2025 APPROVED SCALE: 1" = 40'-0" JOB NO. 23338.BAC

DRAWING NO.

Community Planning & Development Services Received June 16, 2025



1923 VERMONT AVE NW, 2<sup>nd</sup> Floor WASHINGTON, DC 20001 t: 301.588.4800 f: 301.650.2255 www.tortigallas.com

**BLVD ANSEL APARTMENTS-**RETAIL **CONVERSION** 

33 Monroe Street, Rockville, Maryland 20850

COMSTOCK 33 Monroe, L C

Key Plan

Issue NO.

Revisions

Building **Elevations** 

PRINCIPAL IN CHARGE

PROJECT ARCHITECT

APPROVED May 19, 2025

SCALE: 1/8" = 1'-0" JOB NO. 23338.BAC DRAWING NO.

NOTE:

SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. ARCHITECTURAL DETAILS ARE CONCEPTUAL AND SUBJECT TO CHANGE AT FINAL BUILDING DESIGN

TORTI
GALLAS +
PARTNERS 1923 VERMONT AVE NW, 2<sup>nd</sup> Floor WASHINGTON, DC 20001 t: 301.588.4800 f: 301.650.2255 www.tortigallas.com

> **BLVD ANSEL APARTMENTS-**RETAIL CONVERSION

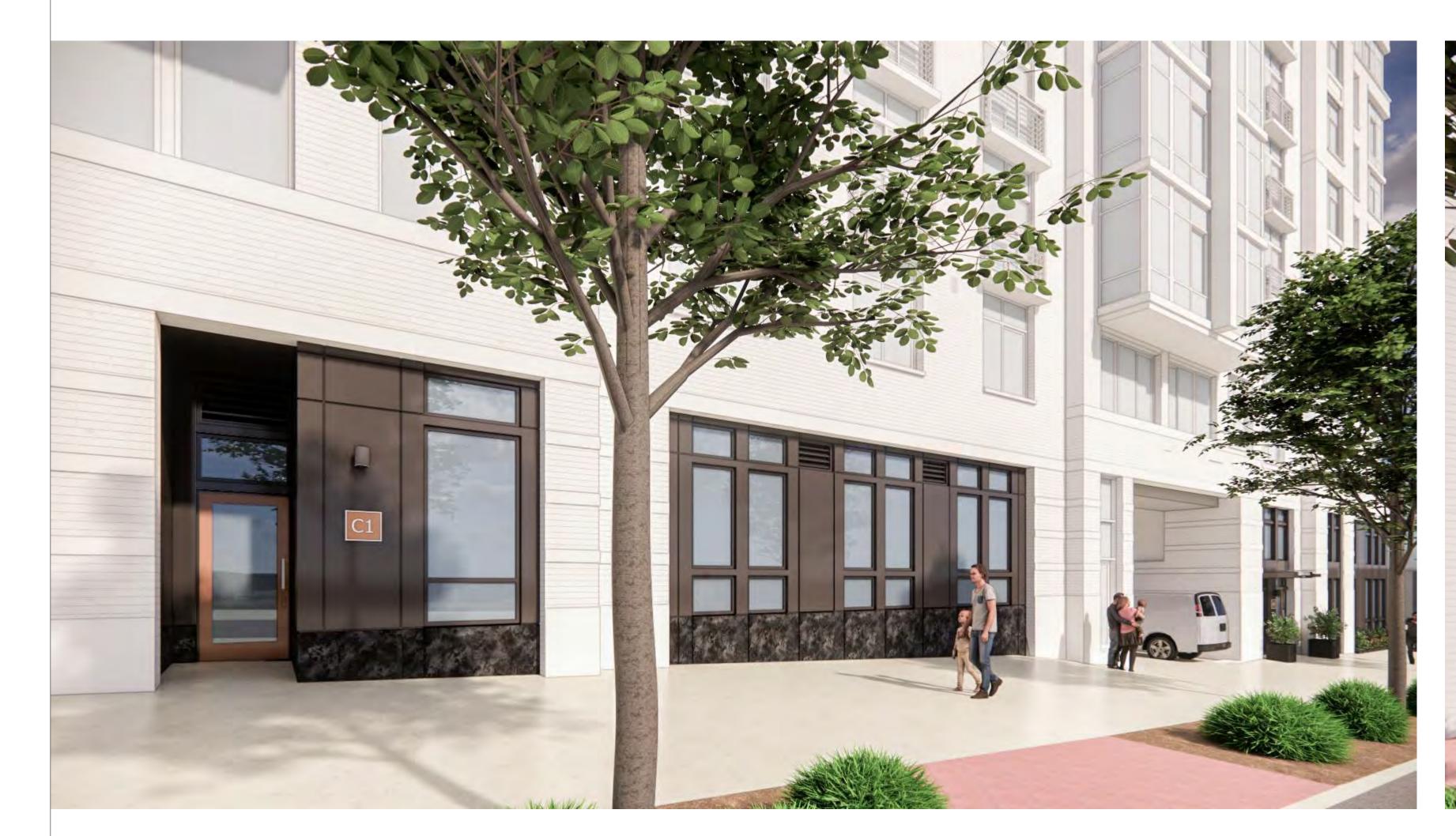
33 Monroe Street, Rockville, Maryland 20850

OWNER: COMSTOCK 33 Monroe, L C



RETAIL D-F PERSPECTIVE LOOKING SOUTHWEST

RETAIL D-F PERSPECTIVE LOOKING SOUTHEAST



RETAIL C PERSPECTIVE LOOKING NORTHWEST



RETAIL G PERSPECTIVE LOOKING SOUTHEAST

Key Plan

Issue NO.

Revisions

Perspective Views

PRINCIPAL IN CHARGE PROJECT ARCHITECT

DRAWN D.O., J.C

DATE May 19, 2025 APPROVED SCALE: JOB NO. 23338.BAC

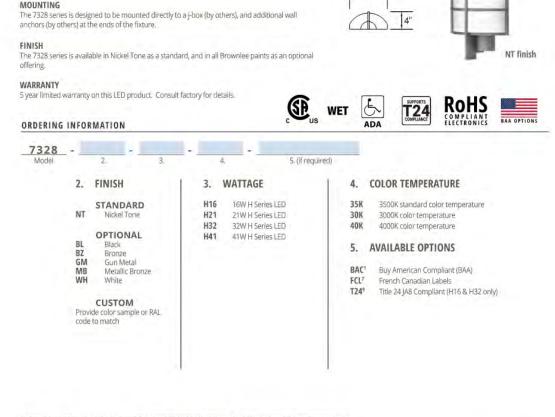
SITE DRAWING NO.

# NOTE:

# LIGHT FIXTURE SELECTION SUBJECT TO AVAILABILITY



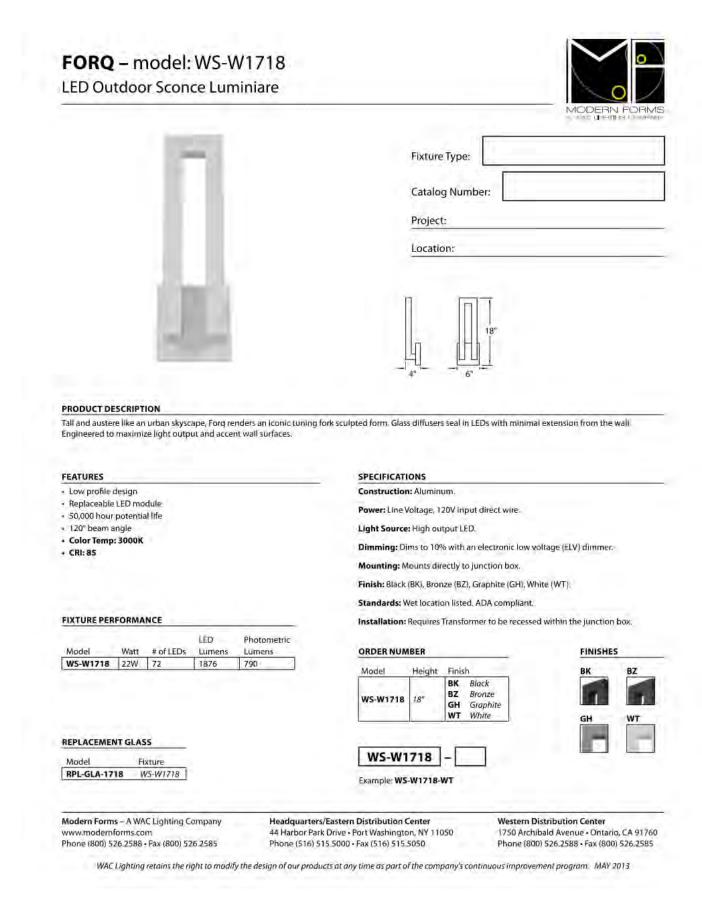
AT HINKLEY, WE EMBRACE THE DESIGN PHILOSOPHY THAT YOU CAN MERGE TOGETHER THE LIGHTING, FURNITURE, ART, COLORS AND ACCESSORIES YOU LOVE INTO A BEAUTIFUL ENVIRONMENT THAT DEFINES YOUR OWN PERSONAL STYLE WE HOPE YOU WILL BE INSPIRED BY OUR COMMITMENT TO KEEP YOUR 'LIFE AGLOW."



Specifications subject to change without notice.

BROWNLEE LIGHTING

L1 LIGHT FIXTURE L2 LIGHT FIXTURE



L3 LIGHT FIXTURE

TORTI
GALLAS +
PARTNERS 1923 VERMONT AVE NW, 2<sup>nd</sup> Floor WASHINGTON, DC 20001 t: 301.588.4800 f: 301.650.2255

www.tortigallas.com

**BLVD ANSEL APARTMENTS-**Retail Conversion

33 Monroe Street, Rockville, Maryland 20850

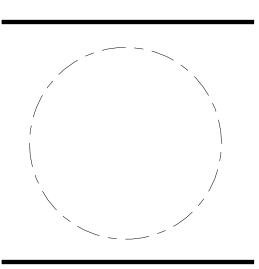
OWNER: COMSTOCK 33 Monroe, L C

Key Plan

SITE PLAN SUBMISSION

**DATE** 02/21/25

Revisions



**Light Fixtures** 

DRAWN D.O., J.C DATE Feb. 21, 2025 JOB NO. 23338.BAC

DRAWING NO.

**SUBMISSION - FEBRUARY** 

# DUBALL ROCKVILLE, LLC SITE

# PARCELS 2-L & 2-M, ROCKVILLE TOWN CENTER SITE DEVELOPMENT PLAN AMENDMENT #STP2017-00321

2025-00503

### SHEET INDEX

\* A02: Garage Level 3 Floor Plan

\* A04: Garage Level 1 Floor Plan

\* A05: 1st Floor Plan

\* A06: 2nd Floor Plan

\* A07: 3rd Floor Plan

\* A08: 4th Floor Plan

\* A10: 7th Floor Plan

\* A11: 8th Floor Plan

\* A12: 9th Floor Plan

\* A09: 5th - 6th Floor Plan

\* A13: 10th - 12th Floor Plan

\* A19: Roof/18th Floor Plan

\* A20: Penthouse Floor Plan

Building Sections

Building Elevations

\* A21: Building Sections

\* A31: Building Elevations

\* A32: Building Elevations

Garage Level 2 Floor Plan

nmunity Planning & Development Service

June 16, 2025

* SP-1:	Cover Sheet	* L-1:	Street Level Landscape Plan
* SP-2:	Approval Sheet	* L-1A:	Street Level Landscape Plan
* SP-3:	Use Permit Site Development Plan	* L-2:	9th Floor Terrace Landscape Pl
* SP-4:	Fire Protection Site Plan	* L-2A:	9th Floor Terrace Landscape F
* SP-5:	On-Site Signing and Pavement Marking Plan	* L-3: 1	Detail Paving Plans
* EX-1:	Street Cross Section Exhibit	* L-4:	Hardscape Details
* EX-2:	Street Cross Section Exhibit	* L-5:	Site Furnishing
EX-3:	Phase I — Development Exhibit	* L-6 P	lanting Details and Schedule
* A01:	Garage Level 4 Floor Plan		

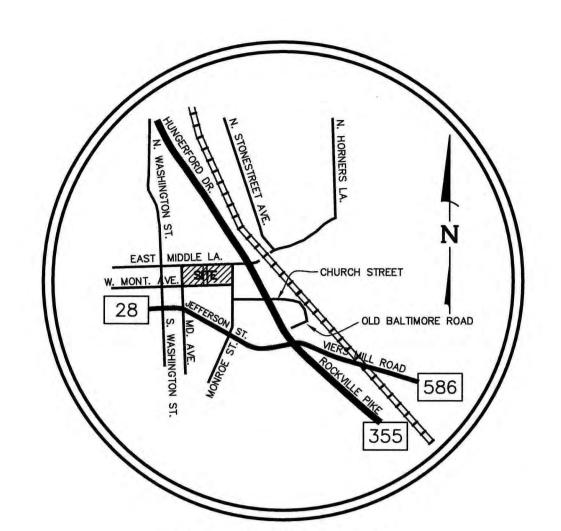
## DESIGN TEAM:

OWNER: Duball Rockville, LLC C/O Duball, LLC 11710 Plaza America Drive Reston, VA 20190 Phone: 703-234-5633 DEVELOPER: Duball Rockville, LLC C/O Duball, LLC 11710 Plaza America Drive Reston, VA 20190 Phone: 703-234-5633 ARCHITECT:

Torti Gallas & Partners, Inc. 1300 Spring Street, 4th Floor Silver Spring, MD 20910 Phone: 301-588-4800 CIVIL ENGINEER: Macris, Hendricks & Glascock, P.A. 9220 Wightman Road, Suite 120 Montgomery Village, MD 20886 Phone: 301-670-0840 LANDSCAPE ARCHITECT:

Parker Rodriguez, Inc. 101 N. Union Street, Suite 320 Alexandria, VA 22315 Phone: 703-548-5010

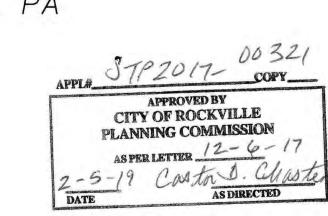
ATTORNEY: Shulman, Rogers, Gandal, Pordy & Ecker, PA 12505 Park Potomac Ave., 6th floor Potomac, MD 20854 Phone: 301-230-5224



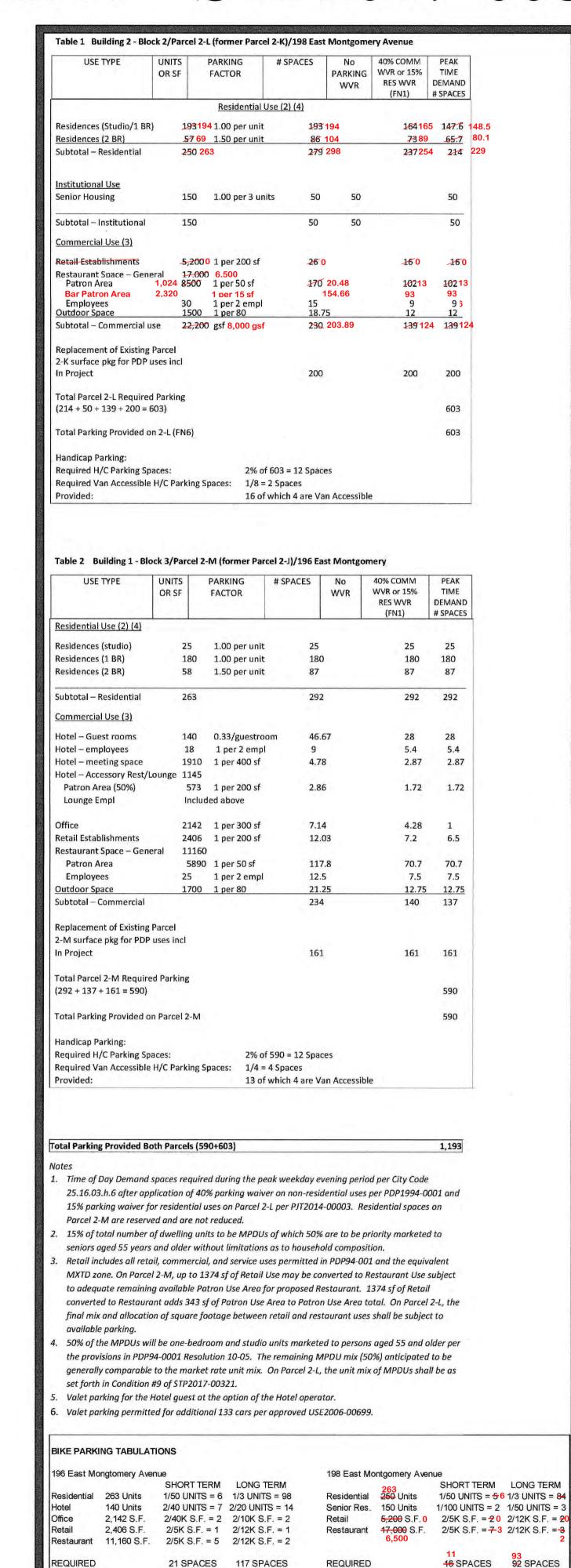
VICINITY MAP SCALE 1" = 2,000

	SITE PLAN NOTES
1.	The topography is from an aerial topographic survey supplemented with field survey and available utility records.
2.	The boundary is from deeds and plans of record.
3.	Development of this project must be in conformance with the previously approved Preliminary Development Plan PDP1994-0001E as amended by PJT 2014-00003.
4.	This plan is an amendment to Site Plan STP2012-00105 as amended by STP2016-00279.
5.	A Natural Resources Inventory/Forest Stand Delineation Plan (NRIFSD) was approved on 2-8-07 Re: FTPO2006-00019
6.	Forest conservation was previously approved for this site under a Forest Conservation Plan (FCP approved on 1-23-95 which was part of the original PDP1994-0001 application submitted for the entire 11.23 acre Rockville Center Project. A supplemental FCP for this development was approved under FCP2006-00019.
7.	Stormwater Management has been provided for this site as follows: Quantity – Regional Participation fee paid WVR95-2001 and WVR95-2002. Quality – Two stormceptors were provided with previous development. SWM Concept Plan was approved under SMP2007-00008 The project was approved by letter dated March 4, 2011 to proceed under the SWM Ordinance in effect prior to June 7, 2010 in accordance with Section 19-36 of the Rockville City Code.
8.	Do not use the Site Plan/Use Permit Plans for site construction. Refer to approved construction documents for construction details.
9.	All construction must meet the requirements of the City's construction codes, fire code, life safety code, state accessibility code, and the federal requirements of the Americans with Disabilities Act (ADA).
10.	All traffic control devices, including signs and pavement markings, shall be in conformance with the latest edition of the "Manual On Uniform Traffic Control Devices" (MUTCD) and the Maryland Standard Sign Book.
11.	The proposed site development will be implemented in accordance with these Site Development Plans prepared by Macris, Hendricks & Glascock, P.A. and Building Plans prepared by Torti Gallas & Partners.

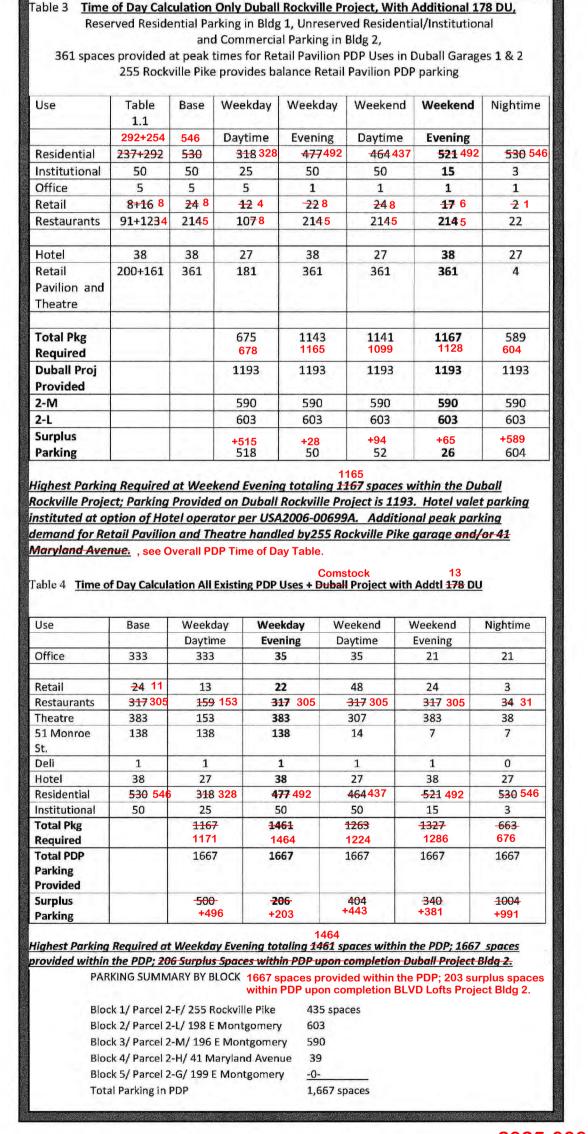
Commercial Uses Blocks 1 & 5	SF	Parking Requirement	# of Rgd Spaces	# w/ 40% red
Block 1/ Parcel 2-F				
Office	137,954 sf	1 per 300 sf	460	276
Deli Restaurant - Transit:	1720 sf	1 per 5 emp	1	1
51 Monroe St.:	138	138	138	138
Block 5/ Parcel 2-G				
Theatre	2495 seats	1 per 4 seats	624	374
Theatre employees	30 emp	1 per 2 emp	15	9
Office	25,844 sf	1 per 300 sf	87	52
Retail	700 sf	1 per 200 sf	4	3
Restaurant	6435 patron area	1 per 50 sf patron	129	78
Restaurant employees	20	1 per 2 emp	10	6
Restaurant Outdoor seating	2400 sf	1 per 80 sf	30	18
Total			1498	955







Total  1. "Retail" i		663 DU 45,300 GSF Retail 140 Room Limited Service Hotel Imercial, and service uses p	485 D 45,300 GSF 140 Room I Service F	Retail, imited lotel	663 D 45,300 GSF 140 Room Service F	Retail, Limited	29,600 G 140 Roor Service	SF Retail n Limited	
	Hotel	140 Rooms + Limited Service	140 Rooms + Service	180000000000000000000000000000000000000	140 Rooms - Service		Limited		
	Total Retail (1)	45,300 sf	45,300		45,300	\ \rightarrow\rightarr		ooms +	
Tormerly 2-J	Retail (1)		23,100 SF (2)		23,100 SF (2)	}	23,100 SF (2)	00 sf	
Block 3 Par 2-M, formerly 2-J	Residential		263 DU		263 DU	}	263 DU	-	
	Retail (1)		22,200 SF (2)		22,200 SF (2)	}	6,500 SF (2)		
Block 2 Par 2-L, formerly 2-K	Residential	663 du	222 DU	485 du	400 DU	663 dy	413 DU	676 dı	
Block	Use	Approved PJT2014-00003	Approv STP2012-0 STP2016-0	00105	Propos Amendn STP2017-	nent	Amen Pjt2025 STP2025	dment 5-00020 5-00503	
Use:		el, Commercial (retail,					Prop	osed	
Zone:		Development Rockville	e Center, Inc.						
Lot Area.	Parcel 2-3: 78,93								
Lot Area:		subdivision of Parcels 2-J and 2-K, Rockville Town Center sel 2-J: 78,933 SF or 1.8 Ac							
Property:		s 2-L and 2-M, Rockville							



13 2025-00020 This Amendment is to add <del>178</del> D.U. to Building #2 per PJT2<del>014-00003</del> and the revise the parking calculations.

SITE PLAN AMENDMENT #STP2017-00321

SITE DEVELOPMENT PLAN - COVER SHEET Comstock 33 Monroe, LLC DUBALL ROCKVILLE

SP-1

KDJ

1-31-19

Project No. Sheet

1996.395.25 1 of 1

# ROCKVILLE TOWN CENTER

PARCELS 2-L & 2-M

4TH E.D. CITY OF ROCKVILLE - MONTGOMERY COUNTY - MARYLAND Macris, Hendricks & Glascock, P.A.

Engineers Planners

Landscape Architects Surveyors Phone 301.670.0840 Fax 301.948.0693 www.mhgpa.com

REVISIONS NO. DATE DESCRIPTION 11-6-07 ORIGINAL APPROVAL USE2006-00699 4-30-09 ORIGINAL APPROVAL USE2006-00699A Professional Certification 10-6-11 AMENDMENT SDP2012-00105 nereby certify that these documents were 2 | 12-9-15 | AMENDMENT STP2016-00279 repared or approved by me, and that I am a duly licensed Professional Engineer under the Montgomery Village, Maryland 3 10-24-17 AMENDMENT STP2017-00321 Laws of the State of Maryland License No. 14979, Expiration Date: 07/02/2020 Wilding Street 20886-1279 SIGNATURE SET

16 SPACES 92 SPACES

21 SPACES 117 SPACES

22 SPACES 117 SPACES

PROVIDED

\* INDICATES SHEETS INCLUDED IN THIS SITE PLAN AMENDMENT

\* A14: 13th Floor Plan \* A15: 14th Floor Plan \* A16: 15th Floor Plan \* A17: 16th Floor Plan \* A18: Penthouse/17th Floor Plan



Application for

# **Project Plan Application/Amendment**



City of Rockville

Department of Community Planning and Development Services						
111 Maryland Avenue, Rockville, Maryland 20850 Phone: 240-314-8200 • Fax: 240-314-8210 • E-ma	ail: cpds@rockvillemd.gov • Web site: www.rockvillemd.gov					
Type of Application:						
Project Plan  Amendment of PDP94-00 Project Plan Amendment	01E/PJT2014-00003 t (major) Project Plan Amendment (minor)					
	Please Fully Complete					
Property Address information 198 E. Montgome	ery Avenue/Middle Lane, Monroe St, Helen Henneghan Way frontages					
Subdivision Rockville Town Center Lo						
	s) 03828968					
Applicant Information: Please supply Name, Address, Phone Number and E						
	Reston Metro Plaza, 10th Floor, Reston, VA 20190					
Rick Bierbower, 703-230-1164, rbie	erbower@comstock.com					
Property Owner_Same						
Touti Calles I Dantages 1022 Van	The state of the s					
	rmont Avenue, NW, 2nd floor, Washington, DC 20001 4800 x1151, dotieno@tortigallas.com					
Kyle Hughes, 240-732-3046, khugh	htman Road #120, Montgomery Village, MD 20886					
	rk Potomac Ave #600, Potomac, MD 20854					
Nancy Regelin, 301-230-5224, nregelin@						
Trainey regerni, eer 200 0221, megennæ	genaman egere.com					
Project Name BLVD Lofts						
	el commercial space fronting Middle Lane, Monroe Street					
and Helen Heneghan Way to 13 loft resid	lential dwelling units					
STAFF USE ONLY	Application Intake:					
Application Acceptance: Application # PJT2025-00020	Date Received January 28, 2025					
1)12020 00020	Reviewed by					

#### **Application Information:**

Level of review and project impact:

This information will be used to determine your projects impact, per section 25.07.02 of the Zoning Ordinance for Project Plan and Site Plan applications only.

# Dwelling Units Total 13 Square Footage of Non-Residential Tract Size 1.41 acres, Residential Area Impact <35 reduction in commercial net new added

Traffic/ Impact/trips net loss -62PM

#### **Proposed Development:**

Retail no new	_Sq. Footage	Detached Unit	Parking Spaces 17 III existing garage
Office	_Sq. Footage	Duplex	Handicapped
Restaurant no new	Sq. Footage	Townhouse	# of Long Term +1
Other	Sq. Footage	Attached	# of Short Termexisting
		Multi-Family 13	
		Live	

Existing Site Use(s) (to include office, industrial, residential, commercial, medical etc.) Mixed Use - Multi-family high-rise residential (BLVD Ansel), Institutional - Senior Affordable Independent dwelling units (HOC Residences on the Lane), Street level Commercial

MPDU zero

#### **Estimated Points Total:**

To complete the table below, use the information that you provided above to calculate your total points from the chart below.

Points/Elements	1	2	3	4	Points
Tract size - Acres	1 or fewer	1.1 to 2.5	2.6 to 5	5.1 or greater	2
Dwelling Units	5 or fewer	6 to 50	51 to 150	151 or greater	2
Square Footage of Non-Residental Space	5,000 or fewer square feet	5,001 to 10,000 square feet	10,001 to 50,000 square feet	50,001 or greater square feet	no net new
Residential Area Impact	No residential development in a residental zone within 1/4 mile of the project	35% of area within 1/4 mile of the project area is comprised of single-unit detached residental units	65% of area within 1/4 mile of the project area is comprised of single-unit detached residential units	Development is within single-unit detached unit area.	2
Traffic Impact - Net new peak hour trips	Fewer than 30 trips	30-74 trips	75-149 trips	150 or more trips	0 Net Reduction
Points Total*					6

The total of the points determine the level of notification and the approving authority .

Based on The Impact Total Your Project will be:								
Project Plan Amendment of PDP94-001E	:/PJT2014-0003 PD-RCI							
☐ Project Plan Amendment (major)								
Project Plan Amendment (Minor)								
Waiver of Equivalent Zone Developme The Approving Authority for a Project Plan be more of the development standards of the de	eing reviewed with a floating zone map a	mendment application may waive one (1) or						
Are you applying for a waiver of equivalent z	one development standards?							
Yes (If yes, continue below)	No (If no, continue to next section	"Previous Approvals")						
Such waiver request must provide a stateme development standards based on the following		se for waiving the equivalent zone						
Whether the waiver of the developm Plan								
<ol><li>Whether the waiver of the developm properties;</li></ol>	nent standard results in development that	is compatible with development on adjacent						
3. Whether applying the development	standard of the equivalent zone is consis	tent with good planning and design principles;						
4. Such other factors as the Approving	Authority reasonably deems appropriate							
	Previous Approvals: (if any)							
Application Number	<b>Date</b> 1994	Action Taken Approval Original Planned Development						
PJT2014-0003 2014 Approval 15% Resi Parking Waiver								
	,							
A letter of authorization from the owner is hereby certify that I have the authority to read and understand all procedures for filing	make this application, that the application	is filed by anyone other than the owner. on is complete and correct and that I have						
Comstock 33 Monro	e, LC By:	OPA						
Please sign and date  By: CHIL Asset managenest, LC, its Authorized Date:  Date:  Date:  Date:								

PJT

	Application Checklist:								
	The following items are to be furnished as part of this application:								
	Completed Application								
	Filing Fee (to include Sign Fee)								
	Pre-Application Meeting Number PAM2022-00133 and Documentation (Development Review Committee Mtg. notes)								
	Proposed Area Meeting Date including location_WEBEX								
	Concept Site development plan, prepared and certified by a professional engineer. (Twelve (12) copies - Fifteen (15) if on a state highway: (size 24 x 36)(folded to 81/2 X 11)								
	Approved NRI/FSD (Natural Resources Inventory/Forest Stand Delineation Plan)								
	Conceptual Building Elevations & Floor Plan (3 copies)								
	CTR (Comprehensive Transportation Review) Report –with fee acceptable to Public Works (copy to CPDS).								
n/a	Concept Landscape Plan (6 copies) (size 24" X 36") (folded to 8/1/2" X 11"). Existing building, interior space conversion								
n/a	Preliminary Forest Conservation Plan (FCP) Existing building, Approved FTP2006-00019								
n/a	Pre-Application Storm Water Management Concept Package with Fee via Separate Check (Unless Previously Submitted with the Pre-application Materials)  If required, will be submitted with Site Plan application								
	Water and Sewer Authorization Application								
	Project narrative to include statement of justification that addresses compliance with all relevant Sections of the Zoning Ordinance, including but not limited to:								
	-Comprehensive Master Plan and other plan regulations								
	-Master Plan other Plans and Regulations								
	-Mixed Use Development Standards, including Layback slope and shadow study (Section 25.13)								
	-Landscape, Screening and Lighting Manual								
	-Adequate Public Facilities (Section 25.20)								
	-Parking (Section 25.16)								
	-Signs (Section 25.18)								
	-Public use space (Section 25.17)								
	Additional information as requested by staff								
	Electronic Version of all materials (pdf format acceptable)								
n/a	Fire protection site plan Per Fire Marshal office at pre-DRC Meeting								
	Statement addressing criteria for waiver of equivalent zone development standards (if applicable)								
	Comments on Submittal: (For Staff Use Only)								

### UPDATED STATEMENT OF JUSTIFICATION

Combined Project Plan Amendment PJT2025-00020/ Site Plan STP2025-00503 BLVD Lofts - Retail Conversion to Residential Updated June 2025

#### I. INTRODUCTION

Comstock 33 Monroe, LC ("**Applicant**"), owner of the first floor commercial condominium unit fronting on Monroe Street, East Middle Lane, and Helen Heneghan Way, located within the building that also includes the BLVD Ansel apartments and the HOC senior affordable units known as the Residences on the Lane, submits these Project Plan Amendment and Site Plan Applications **with a request to be reviewed concurrently** pursuant to Section 25.07.07.22 and 25.07.01, 25.07.07, 25.07.05 of the Rockville Zoning Ordinance for its proposed "**BLVD Lofts**" residential project converting approximately 13,011 square feet of vacant street level commercial space to thirteen (13) dwelling units.

#### II. PROPERTY

A. <u>Property Identification</u>. The subject property is part of a commercial condominium unit known as the Commercial Unit, Rockville Town Center Phase II Master Condominium per Declaration recorded in Book 57231 at page 421 ("Property"), established on Parcel 2-L, Rockville Town Center subdivision per Plat 24566 ("Land" or "Parcel 2-L"), along with two multi-family condominium units and a parking unit (collectively, the "Building"). The Commercial Unit contains approximately 19,600 square feet of space with address of 198 East Montgomery Avenue. The Property that is the subject of this application is only the commercial spaces that front on Monroe Street, East Middle Lane, and Helen Heneghan Way totaling approximately 13,011 square feet. The portion of the Commercial Unit that fronts on East Montgomery Avenue containing approximately 6,500 square feet is not included in this application and will remain as currently approved for commercial uses.

The Property is zoned PD-RCI and lies within the Town Center Planning Area, specifically the Central Town Center and Core Character areas, and the Town Center Performance District overlay zone (existing until adoption of the 2025 Town Center Master Plan).

B. <u>Property Location and Characteristics.</u> The Property is located in Rockville Town Center approximately 270 feet west of Maryland Route 355-Hungerford Drive and bounded by East Middle Lane, Monroe Street and Helen Heneghan. On the Land in the Building with the Property is the BLVD Ansel apartments and HOC's affordable senior Residences on the Lane community, as well as structured parking. The Land is part of a five block planned development that includes 255 Rockville Pike on Parcel 2-F, Regal

Row on Parcel 2-G, BLVD 44 and the Cambria Suites Hotel on Parcel 2-M, and a surface parking lot at 41 Maryland Avenue on Parcel 2-H.

To the east across Monroe Street, the Property confronts the 255 Rockville Pike office building, mostly vacant, subject to pending Project Plan Amendment for redevelopment as residential in lieu of office. To the south across East Montgomery Avenue, the Property confronts the two-story Regal Row retail/office center and movie theater. To the southeast across the East Montgomery/Monroe Street intersection is the entrance to the pedestrian steps, elevator, and Promenade Park plaza connection to the elevated pedestrian bridge over Rockville Pike to the Rockville Redline Metro Station. To the west across Helen Heneghan Way, the Property confronts the Cambria Suites Hotel entrance and the BLVD Forty-four apartment building with street level retail and restaurants. All of the foregoing confronting properties are zoned PD-RCI and are part of the same comprehensive planned development PDP1994-001 originally approved in 1994.

To the north across East Middle Lane, the Property confronts the office building at 121 Rockville Pike and its adjoining surface parking lot zoned PD-MS. Further to the northwest across Middle Lane is the mixed-use development of Rockville Town Square zoned PD-TS.

The Property is within walking distance of transit along existing sidewalks approximately 820 feet across Rockville Pike to the station entrance of the Rockville Metro Station on the WMATA Redline, and approximately 825 feet across the elevated pedestrian bridge to the station entrance. Bike lanes exist on the south side of East Middle Lane adjacent to the Property through to North Washington Street. A bike lane adjacent to the Property is under City consideration for Monroe Street.

The Building is surrounded by sidewalks, street trees and street lights connected to the established grid of sidewalks and streets throughout Town Center via pedestrian crosswalks at each corner of the Land.

Access to the internal structured parking garage is from both Monroe Street and Helen Heneghan Way for both vehicles and pedestrians. The Building loading dock is headin-headout from Helen Heneghan Way onto Monroe Street.

Per the updated NRIFSD, the Property is within the Rock Creek watershed and drains to the Croydon Park Tributary. The site is not associated with any areas of forest, wetlands, 100-year flood plain, streams, stream buffer, or steep slopes. No rare, threatened, or endangered species were observed on the site. There are no known or recommended historic properties on or adjacent to the site per the Rockville Historic master plan or the Maryland Inventory of Historic Properties. The closest historic assets

to the west and south are the West Montgomery Avenue and Courthouse Square Historic Districts.

C. Neighborhood. The Property lies within Rockville Town Center. It is in the block south of the Rockville Town Square mixed-use residential, retail and institutional/cultural development in the heart of Town Center. Within Rockville Town Square is Rockville Town Center Park with the Music Pavilion, Ice Skating Rink, Public Library as well as the VisArts Gallery, Buchanan Room and Rooftop entertainment venues. A block west of the Property is Courthouse Square Park at the Red Brick Historic Courthouse. The Property is within walking distance of the historic West End residential district to the west of North Washington Street known as the West Montgomery Avenue Historic District and the Courthouse Square Historic District. It is within walking distance of the Lincoln Park/East Rockville residential district to the east at Park Avenue east of the Rockville Metro Station. The Building lies on the main pedestrian spine through Town Center along East Montgomery Avenue connecting the Rockville Metro Station, the District Court, Circuit Court, County offices, Cambria Hotel, and Regal Theatre to Maryland Avenue north through the main retail district of town center.

The Property is within walking distance of Rockville Town Center Park, Courthouse Square Park and James Monroe Park.

The Rockville Volunteer Fire Station No. 3 that includes fire and rescue as well as ambulance, medic equipment, and staff is located two blocks north of the Property at the intersection of Hungerford Drive at Beall Avenue.

The extensive transportation and public transit network proximate to the Property (MD 355, MD 28, I-270, MD 526, MD 200 and more) provides convenient regional access to the rich employment, services, government, cultural, historic, entertainment, and retail opportunities in all directions.

#### D. Prior Approvals.

Site Plan STP2017-00321

Project Plan PJT2014-00003 – add 178 du, 15% reduction required residential parking Site Plan STP2016-00279, STP2012-00105

Planned Development PDP94-001 through PDP94-001E – density, massing, uses, 40% reduction required commercial parking, traffic mitigation requirements Use Permit USE2006-00699A

Record Plat 24566 for Parcels 2-M and 2-L, Rockville Town Center

The Project lies within PD-RCI which previously delivered street dedication and construction of the surrounding street grid, traffic mitigation improvements and contributions to City traffic improvements in the surrounding area, construction of stairs and elevator to the elevated Promenade Plaza connection to the Metro station, dedication of and construction of Courthouse Square Park, contributions to improvements at James

Monroe Park, among other improvements and contributions under PDP94-001, as amended.

#### III. PROPOSED DEVELOPMENT

#### A. Project – BLVD Lofts

The Project proposes:

- i. <u>Conversion of street-level commercial to residential</u>: Conversion of 13,011 sf vacant commercial space fronting on Monroe Street, East Middle Lane, and Helen Heneghan Way;
- ii. <u>Conversion to 13 two-level dwelling units</u> including (1) 1-bedroom, (11) 2-bedroom with direct sidewalk access and private rear corridor ADA access, and (1) 3-bedroom with direct sidewalk access;
- iii. <u>Parking</u> within existing on-site non-reserved structured parking garage, 17 parking spaces for residential after 15% parking reduction per PJT2014-00003 (see Parking Section for calculations and more detail);
- iv. <u>Mail and Package Room</u> in the BLVD Loft lobby accessed from Monroe Street and Helen Heneghan Way. Trash room accessed from the BLVD Loft Lobby.
- v. <u>Access for residents to BLVD Ansel amenity spaces</u> including upper level clubroom, open courtyard with pool, outdoor dining and gathering spaces; fitness center, business center and co-working space; secured bicycle room with bicycle maintenance and repair facilities; structured parking; outdoor sidewalk seating; among others.
- vi. <u>Architectural urban frontages</u> to new units with two-story window walls with entry doors;
- vii. <u>Direct sidewalk entrances with steps, ramps and railings,</u> and for most units, secondary rear corridor access.
- viii. <u>Amenity zone</u> improvements within existing five-foot amenity zones on Monroe Street and Helen Heneghan Way.
- ix. Retention of 6,500 square feet of existing commercial space fronting East Montgomery Avenue, with parking based on restaurant with bar use together with up to 1500 square feet of outdoor seating.

The Project delivers character and architectural interest along the affected building frontages with activated spaces, in lieu of vacant boarded retail spaces that have not leased despite active marketing by two successive owners, since before and after the Building opened in 2021/22.

The Project will complete the finished look of this Building and the blocks fronting Middle Lane, as well as provide another housing type choice attracting residents to Town Center.

For clarity, the prior Site Plan STP2017-00321 reflected 22,200 gsf of ground level commercial space. This Project Plan and Site Plan reflects conversion of 13,011 gsf of

commercial space to dwelling units with 6,500 gsf of commercial space remaining, a combined total of approximately 19,600 gsf of ground floor space for those uses. Please note that the residential conversion area are the retail bays that are proposed to be converted into dwelling units. Since residential is defined by dwelling units and not gsf of the units or accessory spaces, the internal corridors and exits in and through the garage at grade, including some corridors originally created for commercial tenant movements through the garage to the loading area are not included in the 13,011 gsf to be converted. This is the difference in the data table between the 2017 Site Plan gsf of 22,200 gsf commercial and the 2025 PJT/Site Plan gsf of 19,600 gsf (6500 gsf commercial remaining with 13,011 gsf converted to residential dwelling units).

#### **B.** Moderately-Priced Dwelling Units

The Project is the addition of thirteen dwelling units by conversion of part of the Commercial Unit in the Master Condominium. The Building currently provides 33.75% affordable units (135 of the 400 existing dwelling units) per MPDU Covenant recorded at Liber 57929 folio 499. The addition of thirteen dwelling units to the Building results in the Building continuing to provide 32.68% affordable units (135/413= 32.68%). The Building therefore continues to provide affordable units in excess of the minimum 15% of the total units per MPDU Chapter 13.5 Ordinance and Regulations. No additional MPDUs are proposed.

#### C. Architecture and Urban Design

The project proposes ground-floor loft-style residential units featuring large expanses of windows, similar to the originally proposed commercial storefront windows. The design includes sleek, metal-framed window walls facing the pedestrian zones of the sidewalk and street. The loft residential units have doors that allow for direct access to the sidewalk, contributing to an urban neighborhood character integrated with the overall architecture and is proportionate to the scale of the remaining high-rise structure.

The generous window walls, characterized by fine detailing, offer expansive transparency, enhancing the sense of activity and safety while promoting increased interaction between the public spaces of the sidewalk/street and the private residences. The unique arrangement of door locations, stoops, stairs, and additional features within the building's amenity zone enriches the sensory experience along Monroe Street, East Middle Lane, and Helen Heneghan Way.

The most vibrant and livable streets in great cities blend residential and retail spaces, reflecting the urban evolution over time. The BLVD Lofts will seamlessly integrate an urban residential segment of the street with the fabric of Rockville's dynamic mixed-use business, institutional, entertainment, and residential district. This project will significantly contribute to creating a rich texture of urban nuance as Rockville Town Center continues to evolve.

Along Helen Heneghan Way, the new loft units complement the quiet, secondary thoroughfare and the street's urban feel. The lobby of the residences is situated opposite the active lobby of the Cambria Suites Hotel. Along East Middle Lane, the new loft units face a sidewalk that is buffered from the travel lanes by an established bike lane. Along Monroe Street,

the new loft units will beautifully complement the planned redevelopment of an office building conversion into mid-rise residential building at 255 Rockville Pike now pending project plan amendment approvals. These essential components will come together to create something greater than the sum of its parts, solidifying this block of Monroe as part of a walkable, livable district.

#### D. <u>Direct Sidewalk Entrances</u>.

Similar to commercial storefronts, the BLVD Lofts residential fronts include direct sidewalk access front entrance doors with swings into the building. On the East Middle Lane frontage the units and the corridor exit door are at grade with the sidewalk or typical one step up to the building face to the unit. Because the Monroe Street façade is articulated with vertical column elements, the original commercial units were set back variable distances from the Building face. Therefore, the entry steps do not encroach on the 8-foot unobstructed pedestrian path on the public sidewalk. This includes the entrance on the chamfered corner unit at the intersection of Helen Heneghan Way at East Middle Lane.

On the Helen Heneghan Way frontage where the floor elevations vary greater from the sidewalk grade, one unit with a 3-foot wide stoop with steps is proposed within the existing 2-foot storefront zone and extend within the existing 5-foot amenity zone. These do not encroach on the 8-foot unobstructed pedestrian path on the sidewalk. On Helen Heneghan Way, this stoop and steps is proposed as a fabricated metal landing, steps and railing. Stoop and stairs installed over the storm drain easement running along the building face will be designed to permit removal for future maintenance.

On the Monroe Street frontage, re-grading near the intersection with Middle Lane will allow the BLVD Loft lobby corridor door to be at grade and ADA accessible. Dwelling units on Monroe Street have at grade entrances.

Units fronting Helen Heneghan Way and Middle Lane have primary ADA access from rear corridors. The direct sidewalk entrance doors for those units are secondary entrances.

#### E. Offstreet Parking and Loading

The residential BLVD Loft units will have parking within the existing 603 space on-site structured parking garage in the Building. The Code minimum required parking for the thirteen units is 19 spaces (1 space/1-bedroom x 1 + 1.5 spaces/2+ bedrooms x 12 = 19 spaces). After application of the 15% parking waiver under PJT2012-0003, the required parking is 17 spaces (19 spaces less 15% (2.85 spaces) = 17 spaces).

The reduced commercial space of 6,500 square feet in the Building plus up to 1500 square feet of outdoor seating on its East Montgomery Avenue frontage assumes for parking calculation purposes only (while reserving the right to all permitted commercial uses) restaurant with a bar area use that has Code minimum required parking of 204 spaces (1,083 sf space patron area restaurant x 1 space/50 sf patron area + 2,350 sf space bar patron area at 1 space/15 sf patron area + 1500 sf square feet outdoor seating area x 1 space/80 sf patron area + 16 employees at 1 space/2 employees = 204 spaces). After application of the 40% parking waiver

for commercial uses, the required parking for the remaining commercial space is 124 spaces. The final mix and allocation of square footage of the remaining commercial space shall be subject to available parking.

Because the Project is located within a mixed-use development connected to the Metro station, public transit and a district providing walkable goods and services, the total required parking for the Building under the Governing Documents is based on a Peak Time of Day demand calculation per Section 25.16.03.h.6. See Attachment 1 Parking Narrative and Tables. The total Peak Time of Day Parking Demand for the Building (Weekend Evening) is 403 parking spaces. With the addition of the 200 parking spaces provided within the Building for the Regal Row building uses, the existing 603 parking spaces (403+200 = 603) are sufficient for the final code required parking for all uses in the Building, including the converted BLVD Loft units and the remaining commercial space as restaurant use.

Access to the parking garage is via existing entrances on Helen Heneghan Way and Monroe Street to the parking garage elevators.

The addition of the BLVD Loft residential units requires one additional long-term bicycle parking space, taking the Building total to 93 long-term spaces. The additional long-term space is to be provided in the existing Building bike room. The short-term bicycle spaces are existing in racks around the Building. The existing vacant commercial space short term bicycle spaces of 6 spaces exceeds the requirements for short-term bicycle space of 1 space for the BLVD Loft units. No additional short-term Bicycle spaces are required or proposed.

A residential trash room is provided in the BLVD Lofts lobby corridor behind the units fronting Middle Lane with convenient access to all units from both Helen Heneghan Way and Monroe Street. Trash removal from the trash room is accessed from the loading area.

#### F. Stormwater Management

The construction of the direct sidewalk access door and landing for the BLVD Lofts lobby along Monroe Street requires regrading of the sidewalk slope resulting in land disturbance of existing hardscape just exceeding 250 square feet of land. The Stormwater Management Concept Plan filed January 29, 2025 in advance of the site plan proposes payment of fee in lieu for the de-minimus disturbance of land for the sidewalk re-grading.

#### **G.** Forest Conservation

The existing Building has an approved Forest Conservation Plan FTP2006-0019. The updated NRIFSD reflects the 18 street trees in the streetscape adjacent to Parcel 2-L installed at the time of the original construction of the planned development and Building remain in place. The additional 21 trees in confronting streetscapes also remain in place. No further forest conservation is required or proposed.

#### H. Landscape and Lighting

The Project's landscape and lighting plan will be as shown in the Site Plan submission as part of the Architectural plans. Lighting is proposed at each unit and corridor entrance. No additional landscaping is proposed for the existing Building.

#### I. Publicly Accessible Art in Private Development

The Building complied with Chapter 4 of the City Code (Publicly Accessible Art in Private Development) ordinance at the time of original construction including a contribution for the commercial space to be converted. Physical art is installed at the corner of E. Montgomery Avenue and Helen Heneghan Way. The AIPD expenditure for Art for the 13 multi-family dwelling units at the current rate totals \$13,277.29. After credit for the previous AIPD expenditure for 13,011 sf of commercial space in 2021 of \$8,463.84, the AIPD requirement for the 13 du is \$4,813.45. The Applicant submitted an AIPD application of its election for its AIPD requirement with Site Plan STP2025-00503.

### IV. ADEQUATE PUBLIC FACILITIES A. Schools

The Montgomery County Public Schools assigned to the Property are:

Beall Elementary Julius West Middle School Richard Montgomery High School

Based on the adopted Montgomery County student generation rates for Housing Types FY2024-2025 for Multi-Family High-rise project in an Infill Area, the Project's 13 dwelling units are projected to generate a total of one K-12 student (0.949 student) made up of 0.23 high school students, 0.21 middle school students, and 0.5 elementary school students.

Per the City APFO Standards FY2024-2029 Supplemental School Data published July 2024, projected capacity at all school levels of the assigned schools are deemed Adequate, at or below 120% Program Capacity\*.

Beall Elementary School is projected for the test year 2028-2029 to have a 254 seat surplus and operate at 61.7% Program Capacity and therefore the school is adequate to absorb the projected 0.5 elementary students generated by the Project.

Julius West Middle School is projected for the test year 2028-2029 to have a 81 seat surplus and operate at 94.3% Program Capacity and therefore the school is adequate to absorb the projected 0.21 middle school students generated by the Project.

\*While Richard Montgomery County High School current projection is 122.4% Program Capacity, the School is deemed conditionally adequate for test year 2028-2029 due to an approved CIP project now fully funded and under construction that will reassign students among Gaithersburg HS, Richard Montgomery HS, Quince Orchard HS, Thomas S. Wootton HS, and

and the new Crown HS in Fall 2027. High School is adequate to absorb the projected 0.23 high school student generated by the Project.

Based on the foregoing, the Montgomery County School Impact Tax will be due at the standard rate in effect at the time of building permit issuance without any Utilization Premium Payment.

#### **B.** Transportation Statement

The Transportation Scoping Form prepared by Gorove Slade dated December 2024 finds that:

i. The Project generates less than 30 net new peak hour trips with an overall reduction in site trips of 27 fewer AM peak hour trips and 62 fewer PM peak hour trips compared to the existing commercial and retail uses approved that are to be converted to residential. Therefore, under the CTR only an on-site review would be required for the Project. The Building was entitled and constructed per prior Project Plan and Site Plan approvals evaluating the on-site transportation/circulation review. No changes are proposed to the existing parking entrances and garage circulation, loading docks, or adjacent streets. Only a limited Transportation Memorandum should be required.

The Building developed on Parcel 2-L was subject to and satisfied all conditions of traffic mitigation under PDP94-001, as amended, as set forth in detail for Parcel 2-L in PJT2014-0003.

#### C. County Impact Tax Credit/ City Transportation Improvement Fee

The Project may be subject to applicable requirements of the Montgomery County Development Impact Tax for Schools. The City Transportation Improvement Fee was paid for the Commercial Unit at the time of original building permit and no further payments should be required.

#### D. Water/Sewer

The City APFO Standards require water and sewer service adequacy to be determined by the service provider. The City is the Project's Water and Sewer service provider.

The Project has applied for a water and sewer authorization for the Project. Based on a review by Macris Hendricks Engineers, water and sewer capacity infrastructure in the Project area is anticipated to be adequate to serve the Project.

Water service for the BLVD Lofts is to be connected to a sub-meter after the main residential water meter in lieu of its connection to the main commercial water meter as originally designed as commercial space.

#### V. ZONING ORDINANCE DEVELOPMENT COMPLIANCE

The Project complies with the applicable standard and specific development standards and design regulations of the Governing PD-RCI Documents and the equivalent MXTD zone. There

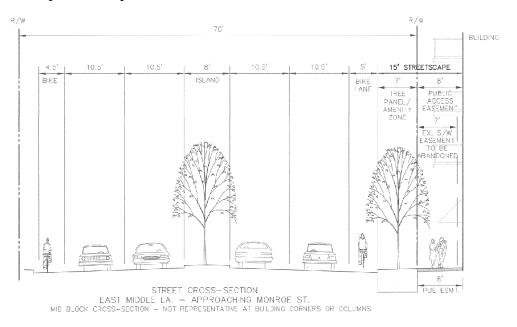
are no modifications to the Building other than residential frontages and corridor entrances, so compliance review is limited to parking and bicycle parking (as discussed above and shown in the Parking Table on the Project Plan), and any additional Design Guidelines related to street level unit fronts.

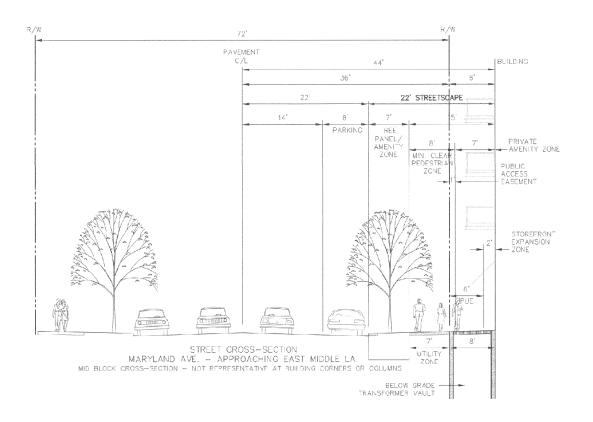
#### 1. Development Standards PD-RCI

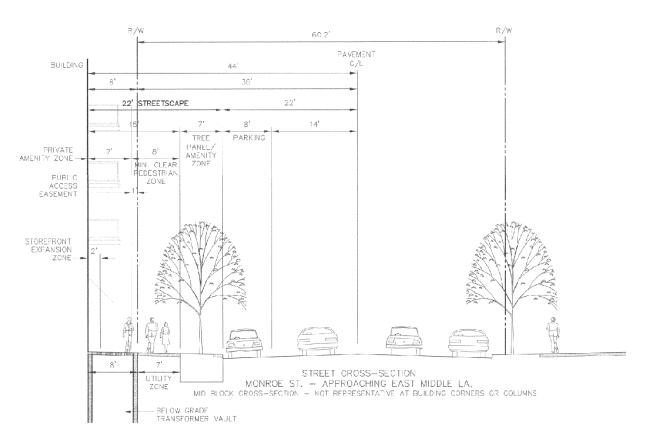
The Building met all of the Development Standards in the Governance Documents of PD-RCI at the time of construction.

Street sections under the original Governance Documents for East Middle Lane, Monroe Street and Helen Heneghan Way (originally platted as Renaissance Street) generally require a 7-foot tree lawn and an 8-foot unobstructed pedestrian sidewalk. On Monroe Street and Helen Heneghan Way, a two-foot storefront zone permits build-out of street-level extensions beyond the existing building face and a five-foot amenity zone permits the installation of furniture, fixtures and other removeable items within five feet of the building face.

The Project proposes use of these storefront and amenity zones in the same way that would have been required for the design of the access for a commercial space, including removable steps and stoops and minor encroachments. The original street sections from the PDP are depicted below. The Project Plan site plan depicts existing and proposed conditions relative to the property lines, storefront zones, amenity zone, 8-foot pedestrian passage zones and easements, and public and private easements.







Page **11** of **21** 

The final recorded easements are shown on Plat 24566 that created Parcel 2-L. See the Project Plan site plan for proposed entrances and entry features.

#### Additional Design Guidelines for Mixed Use Zones

The Building met applicable Design Guidelines for the equivalent zone at the time of original construction. The Project is in substantial conformance with the intent and purpose of the <u>applicable</u> Additional Guidelines for Mixed Use Zones in Section 25.13.06 noted as follows:

i. <u>Aesthetic and visual characteristics for all zones.</u> Facades and exterior walls including sides and backs. Buildings should be designed in a way that avoids massive scale and uniform and impersonal appearance and that will provide visual interest consistent with the community's identity, character, and scale. It is recommended that building walls greater than one hundred (100) feet long include projections, recessions, or other treatments sufficient to reduce the unbroken massing of the facade along all sides of the building facing public streets.

The Project maintains an articulated Building façade. Generous window walls, characterized by fine detailing, offer expansive transparency, enhancing the sense of activity and safety while promoting increased interaction between the public spaces of the sidewalk/street and the private residences. The unique arrangement of door locations, stoops, stairs, and additional features within the building's amenity zone enriches the sensory experience along Monroe Street, East Middle Lane, and Helen Heneghan Way.

ii. Along any public street frontage building, design should include windows, arcades, awnings or other acceptable features along at least sixty (60) percent of the building length. Arcades and other weather protection features must be of sufficient depth and height to provide a light-filled and open space along the building frontage. Architectural treatment, similar to that provided to the front facade must be provided to the sides and rear of the building to mitigate any negative view from any location off-site and any public area (e.g. parking lots, walkways, etc.) on site.

The Project's residential frontages continue to include generous window walls for the entirety of the commercial spaces that are converted.

iii. Buildings should include architectural features that contribute to visual interest at the pedestrian scale and reduce the massive aesthetic effect by breaking up the building wall along those sides fronting on public streets with color, texture change, wall offsets, reveals, or projecting ribs.

The addition of door locations, stoops, stairs, and additional features for the residential units along the faces of the Building enrich the visual interest and pedestrian experiences at the sidewalks.

#### iv. Roofs.

#### Not Applicable.

v. Materials and color. General provisions. Buildings should have exterior building materials and colors that are compatible with materials and colors that are used in adjoining neighborhoods. Certain types of colors should be avoided such as fluorescent or metallic, although brighter colors may be considered at the discretion of the Planning Commission. Materials not desired. Construction materials such as tilt-up concrete, smooth-faced concrete block, prefabricated steel panels, and other similar materials should be avoided unless the exterior surface is covered.

The Project proposed residential frontages utilize extensive glazing and metal trim in standard urban commercial colors and trims compatible with the existing Building architecture.

#### Additional Design Guidelines for Mixed Use Zones

The Building met all the Design Guidelines at the time of construction. The Project is consistent with the intent and purpose of the <u>applicable</u> Additional Guideline for the equivalent Mixed Use Transit Zone in Section 25.13.07 as follows:

2. Uses by floor. The ground floor must contain retail or public-related service uses along those streets designated in the master plan as major pedestrian spines. Ground floor retail is the preferred use along other streets, but is not required. The ground floor should normally have a ceiling height of at least fifteen (15) feet. At the time of site plan review or project plan review, the Approving Authority may consider a lower ceiling height if appropriate in the particular circumstance. The upper floors may be additional retail, office, residential, or a combination of uses. If the building contains only residential units, the ground floor may consist of residential units, but should be designed to facilitate conversion to retail or other commercial uses.

The Building retains the commercial use along the existing commercial space fronting on East Montgomery Avenue, identified as a major pedestrian spine from the Metro along E. Montgomery Avenue to Maryland Avenue and through Town Center. The Building otherwise contains only residential uses. The Project's proposed street level conversion of commercial spaces to residential uses is consistent with Design Guideline #2 that encourages first floor residential in spaces that are designed to be flexible for residential and retail uses due to ceiling heights and other design elements. The Project does not alter the original commercial space's high ceilings and large openings for storefronts, maintaining flexibility over the Building life.

#### VI. MASTER PLAN COMPLIANCE

**A.** The 2040 Plan. The City-wide Comprehensive Plan was adopted August 2, 2021. The Project is in substantial conformance with and implements many of the applicable principles, visions and goals of the 2040 Plan as set forth below.

#### i. Visions

**a.** LAND USE AND URBAN DESIGN Vision Rockville is a city that encompasses comfortable neighborhoods where residents can walk, bike, and roll to amenities; mixed-use urban areas where residents, businesses and institutions thrive together; commercial and residential corridors where daily needs and wants are met; and areas for offices, laboratories, and industry where employment can be found.

The Project is part of the implementation of the vision for an integrated mixed-use urban area that provides housing, services, culture, recreation and employment opportunities in Rockville Town Center. The Project adds new residents to support the existing retail and employment district. The Project completes the street level of an active existing block.

b. TRANSPORTATION. Rockville's transportation system will provide residents, businesses, employees, and visitors with multiple options for moving about the city through a variety of modes and paths while ensuring access for persons of all abilities and mobilities. The city's commercial vitality, and position as a regional hub and employment center, will be supported by infrastructure investments that enhance connections to the broader region, while managing traffic and congestion. Rockville will continue to transition to a more-walkable community and contribute to regional efforts to create safe, efficient, and environmentally sustainable mobility.

The Project provides additional housing with a high walkability score via a developed sidewalk and street grid to Metro, bus and future BRT public transit, goods and services, entertainment and institutional uses, public parks, and historic assets. The extensive transportation and public transit network proximate to the Property (MD 355, MD 28, I-270, MD 526, MD 200 and more) provides convenient regional access to the rich employment, services, government, cultural, historic, entertainment, and retail opportunities in all directions.

c. RECREATION AND PARKS. Rockville will continue to have a vibrant, beautiful, and easily-accessible park system with a wide variety of recreation facilities and programs, as this system is critical to supporting the health and well-being of the people of Rockville and its natural environment. Parks and recreation facilities will meet the needs and desires of Rockville's diverse users.

The Project is part of the Planned Development that delivered Courthouse Square Park and the Promenade Park, as well as incorporated street design to facilitate closures for City community events, such as a farmers market or outdoor seating for entertainment uses, to support the health and well-being of the residents of Rockville, including new residents of the Project.

**d.** ENVIRONMENT. Rockville strives to assure clean land, air and water, and efficient use of resources, to foster healthy, sustainable, and resilient environments for living, working, and recreation.

The Project will have no negative impact on the environment and is an example of the sustainable re-use of existing buildings through the flexible conversion from commercial to residential.

e. ECONOMIC DEVELOPMENT. Rockville will proactively adapt to the changing business environment and strategically leverage its assets and position as the County seat within a dynamic region to enable an innovative and thriving local economy. It will do so to advance equitable economic development, creative and diverse jobs creation, the quality of life for its residents and workforce, and to enhance the long term fiscal standing of the city.

The Project will convert vacant street level commercial space, eliminating competitive over-supply of retail space to support the existing retail in Town Center, while adding residents to patronize those existing retail businesses.

**f.** HOUSING. Ensure that current and future Rockville residents have a diverse array of quality housing choices that are affordable and livable, at all socio-economic levels.

The Project delivers new urban loft style housing adding diversity to the housing choices to the other high-rise multi-family housing options in Rockville Town Center.

#### Planning Area 1 Rockville Town Center

...Street-level commercial activity has experienced challenges due to increased competition in the region, the advent of e-commerce, which has greatly reduced the amount of commodities sold in physical stores...an overall shift in consumer preferences. Policies in this Plan section represent adjustments to the 2001 Town Center Master Plan...and the changing circumstances since that time.

The Project addresses the over-supply of commercial space with the conversion to residential units that both activate the sidewalk with direct sidewalk access units and the activities of the residents' daily lives, as well as support deliver additional residents to support the vitality of the existing retail in adjacent buildings and the Town Square business district.

#### B. Town Center Master Plan - 2040 Amendment to Update Town Center Plan

An Amendment to the 2021 Comprehensive Plan (20240 Plan) to update the Town Center Master Plan was adopted by the Mayor and Council on January 27, 2025. The Project is in substantial conformance with and supports of the vision and goals of the Town Center Plan as noted below.

#### **Town Center Master Plan Goal**

#1 Target appropriate areas for higher density residential developments to reach 3000 new residential units by 2040. Provide for a variety of development types to adapt to market demands and to address missing-middle housing.

The Project proposes thirteen new dwelling units, ranging from one to three bedrooms, and provides a new housing choice for households that desire convenient urban living with larger living space and amenities – such as families and residents looking for alternatives to detached single-family homes.

#### **Town Center Vision**

Rockville Town Center will continue to grow as a vibrant, multicultural, diverse and inclusive community that celebrates a high quality of life and sense of place. A neighborhood at its core, Town Center will be a hub within the region for sustainable, walkable, transit-oriented living.

The Project replaces vacant boarded retail space with new homes for Town Center residents enhancing both the vibrancy of this block and adding to the neighborhood character of transit-oriented living in Town Center.

#### Area Vision - Central Town Center

...The design of this area should take into consideration a sense of arrival and draw the visitor in. Town Square is likely to continue as the "heart" of Town Center in many ways.

The Project enhances the sense of arrival to a vibrant Town Center for visitors from the Metro and Rockville Pike, whether arriving via the Promenade Park pedestrian bridge and plaza to East Montgomery Avenue or via Middle Lane, by converting vacant retail to living units active with the daily life of residents. The Project enhances the transition through to the retail district and amenities in Town Square in the next blocks north and west.

#### **Town Center Plan Focus Areas**

The Land on which the Project is located is not an identified "Focus Area" of the Town Center Master Plan, however it is proximate to three focus areas: the 255 Rockville Pike and 41 Maryland Avenue sites that are part of the original PDP, and 51 Monroe Street.

#### **Town Center Housing**

The City encourages the development of a wide variety of unit types – this refers to different housing typologies-(such as townhomes and multi-family apartment buildings), but also provides a mix of units within those typologies. The City encourages unit mixes in development projects to contain a full range of unit types that the market can support of different sizes and layouts to accommodate the greatest variety of households.

The Project introduces a loft unit typology to this area of Town Center and the Building that will expand the housing choice for a greater variety of households.

#### **Town Center Economic Development & Business**

... Town Center is a hub of retailers that provide goods and services... Rockville Town Center cannot truly thrive without residential growth surrounding and supporting its existing retail.

The Project will convert street level commercial space that has been vacant despite the marketing efforts of two successive Building owners and add additional residents to support the existing retail in adjacent buildings and the Town Square business district.

#### VII. FINDING REQUIRED FOR PROJECT PLAN APPROVAL

The Zoning Ordinance Section 25.07.01.b.2. contain the findings that the Mayor and Council must make prior to approving the Project Plan Amendment Applications. The following demonstrates how the Application complies with these required findings:

i. The Project Plan Amendment will not adversely affect the health or safety of the persons residing and working in the neighborhood of the proposed project:

The Project will replace vacant street level commercial space that has been boarded (albeit artistically decorated) since the Building was completed in late 2021/early 2022 through two successive owners who have actively marketed the commercial spaces without success, despite even financial incentives proposed for certain prospective tenants by local government agencies. The Project will add 13 new loft dwelling units to Town Center, adding a new housing choice as well as new residents to support the surrounding business district. The conversion to occupied residential units will enhance the safety of persons residing and working in the neighborhood by adding street level activity and eyes on the sidewalk. The Project is integrated into an existing Building and complements other existing residential uses with a small addition of residential units. The addition of residential use will not affect the health or safety of persons in the neighborhood. Overall, the Project will add to the visual vitality of Town Center by completing the street level spaces of an existing building.

ii. The Project Plan will not be in conflict with the Plan.

As noted in more detail in Section VI above the Project Plan supports the goals and visions of both the 2040 Plan and the 2025 Town Center Master Plan. The 2040 Plan provides the following Overarching Principles:

**a.** Foster a vibrant, multi-cultural and successful downtown.

The Project will activate the street level by conversion to residential of the first floor retail space that has been vacant and boarded for the last 4 years. Conversion will foster the appearance of a vibrant and successful downtown by the elimination of the vacant retail spaces.

b. Steer the most-dense development to mixed-use, transit served locations.

The Project is located within the Core Area within the commercial retail, restaurant and cultural district of Town Center and within walking distance of one-block to transit of both the WMATA Rockville Redline Station and Montgomery County bus service along Hungerford Drive. It lies one block from the future southern section of the proposed 355 Bus Rapid Transit system within the right-of-way of Hungerford Drive/Rockville Pike.

c. Encourage a variety of housing types that are accessible to a wide range of household needs and incomes.

The Project provides a new housing choice of two-story loft units, including larger 2-bedroom units and a 3-bedroom unit, perfect for families and empty-nesters who want to live in a Town Center location walkable to goods, services and entertainment, as well as transit options. Direct sidewalk access units enhances the feel of

**g.** *Maintain and promote safe, attractive, welcoming, and amenity-rich neighborhoods.* 

The Project will add to the rich urban fabric of Town Center as it continues to evolve as a vibrant mixed-use livable neighborhood.

#### VIII. FINDINGS REQUIRED FOR SITE PLAN APPROVAL

The Zoning Ordinance Section 25.07.01.03(b) provides that a site plan application that implements all or a portion of an approved project plan is deemed to meet the findings for approval so long as the site plan complies with the conditions and requirements of the approved project plan and where the application will not:

i. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood;

The Project will be built in accordance with current building codes and land development regulations with a residential use both compatible and similar to other uses and developments in the neighborhood, will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood. The additional units are proposed as a conversion of existing space within an existing established building with 400 dwelling units and a mix of market dwelling units and affordable senior dwelling units. Other than minor regrading of certain portions of sidewalks to provide at-grade access, there are no impacts to property or improvements outside of the Land and Building.

ii. Constitute a violation of any provision of this chapter or other applicable law; or

As discussed throughout this Statement and as shown on the plans, the Project complies with applicable provisions of the Zoning Ordinance and other applicable laws.

Or,

iii. Be incompatible with the surrounding uses or properties.

The Project is a complement to the surrounding uses and properties by expanding the number and type of housing choice and increasing residents in Town Center integrated into an established mixed-use business and residential district. The Project provides additional customer base without diluting the core retail district around Town Square with additional disconnected retail space.

#### IX. COMMUNITY OUTREACH

The City hosted a virtual Pre-Application Meeting community meeting at which the Applicant presented its proposed Project via WEBEX on December 9, 2021 and January 4, 2022. Notice was properly given by Applicant by mail and electronic notice in accordance with the Zoning Ordinance and Development Manual. Signs were posted on the Building on all frontages. The meeting was attended by a range of interested parties from Town Center multi-family buildings, nearby neighborhoods, and commercial property owners. A sign-in sheet and the meeting transcript were filed by the Applicant. The video of the Pre-Application Meeting is available on the City's website development page.

A Post-Application Community Meeting will be conducted in accordance with the Zoning Ordinance, currently scheduled virtually on February 25, 2025. Notice of public hearings and meetings and the signs have been and will be posted in accordance with the Zoning Ordinance throughout the review process.

#### X. CONCLUSION

As demonstrated by the Statement of Justification, the Project Plan submissions and Application, and the Site Plan submissions and Application, the Project complies with all applicable requirement of the Zoning Ordinance and other applicable City Code and regulations and is in substantial conformance with the recommendations of the Rockville 2040 Comprehensive Plan, the Town Center Master Plan, and other administrative and functional master plans.

The Project will advance the goals of the 2040 Plan and the Town Center Master Plan to strengthen the Town Center neighborhood with increased residential density and

new housing typologies to provide greater choice to a wider range of households and enhance the overall vibrancy and quality of life in the Town Center and the City generally.

For all these reasons, the Project Plan and Site Plan Applications should be approved.

Shulman Rogers, P.A.
Nancy P. Regelin, Esquire
Counsel for Applicant

Parking Narrative for BLVD Lofts Project

January 2025

Project Plan Amendment Commercial Conversion to Residential 13 Additional Residential Units

The BLVD Lofts Project proposes the conversion of street level commercial space into 13 residential units with 6,500 sf of commercial space remaining in the Building located on Parcel 2-L, generally addressed under prior entitlements as 198 East Montgomery Avenue. It is part of the former Duball Rockville Project (now owned by Comstock so will be referred to going forward in this narrative as the "Comstock Rockville Project") that encompassed a two block/two building project of mixed use buildings with street level commercial, a hotel, and multi-family dwelling units, within a larger 5-block comprehensively approved PDP-RCI, as amended. This Parking Narrative demonstrates there is sufficient parking provided for the uses, including the proposed conversion from commercial to residential, within the Comstock Rockville Project Building 2 (BLVD Ansel Building), and across both Comstock Rockville Project's two buildings. It demonstrates that the total parking within the 5-block PDP/Project Plan is sufficient for all uses within the PDP/Project Plan at peak parking demand. In fact, parking will remain at a surplus for the 5-block PDP/Project Plan area after completion of Building 2 BLVD Lofts Project.

It is noted that in accordance with the Governing Documents of PD-RCI, the Comstock Rockville Project satisfied the obligation of replacing a total of 361 former surface parking spaces from the land redeveloped as the Comstock Rockville Project by incorporating 200 additional spaces in Building 2 and 161 additional spaces in Building 1. These additional parking spaces are available to the general public, including the patrons of the Block G Regal Row Retail Pavilion, on the same first come, first serve basis as the former surface parking lot.

The Mayor and Council approved in 1994 a 40% parking waiver for commercial uses from standard code parking within the PDP/Project Plan area. In the 2014 Project Plan PJT2014-0003, the Mayor and Council approved a 15% parking waiver for residential uses in Building 2.

In calculating parking requirements for Building 2 and the BLVD Lofts Project, the 15% parking waiver is applied to the Residential Multi-family dwelling units. No parking waiver is applied to the proposed Institutional Use Housing for Seniors dwelling units. The 40% parking waiver for commercial uses is applied to the street level commercial. The peak parking demand period is identified utilizing the Zoning Code Chapter 25.16.03.h.6 *Reductions for Shared Uses* Shared Parking Time of Day formula. This calculation demonstrates that the 603 total number of spaces required at the peak parking demand period is provided in Building 2 after the BLVD Lofts conversion.

Building 2's parking for residential uses will not be gated nor reserved exclusively for those residents. Residential and commercial parking in Building 2 will continue to be non-exclusive, open, and available to all users. Residents will have gate access cards providing 24-

hour access to the parking facility. The general public and patrons of the commercial spaces will have access to the Building 2 parking facility to the extent parking spaces are available just like any other standard parking garage in the City. Building 1's parking facility entrance is immediately across Helen Heneghan Way from Building 2's parking facility entrance and is likewise available for public parking.

The total combined parking within the 5 block PDP/Project Plan area as currently constructed is 1667 spaces:

```
Block 1/ Parcel 2-F/ 255 Rockville Pike 435 spaces
Block 2/ Parcel 2-L/ 198 E Montgomery 603
Block 3/ Parcel 2-M/ 196 E Montgomery 590
Block 4/ Parcel 2-H/ 41 Maryland Avenue 39
Block 5/ Parcel 2-G/ 199 E Montgomery -0-
Total Parking in PDP 1667 spaces
```

The total combined parking within the Comstock Rockville Project is 1193 space (590 + 603).

The following parking table calculates in detail the parking required for the uses within the Comstock Rockville Project, the application of parking waivers, and the flexible standards for shared uses under Chapter 25.16.03.h.6. The first chart is for Building 2 with the proposed residential conversion from commercial. The chart show the total number of units or gross square footage, the parking ratio from the zoning ordinance, the calculated code spaces, the number of spaces after application of the approved parking waiver. Following, is a Time of Day calculation with the total number of spaces during the peak parking period for the Comstock Rockville Project and the overall PDP.

Table 1 Building 2 - Block 2/Parcel 2-L (former Parcel 2-K)/198 East Montgomery Avenue Includes Proposed 13 additional residential units and 6500 sf commercial space

USE TYPE	UNITS OR SF		PARKING FACTOR	# SPAC	ES	No PARKING WVR	40% COMM WVR or 15% RES WVR (FN1)	PEAK TIME DEMAND # SPACES
		•	Residential	Use (2) (4)				
Residences (Studio/1 BR)	) 1	94	1.00 per unit	ī	194		165	148.5
Residences (2 BR)		59	1.50 per unit		104		89	80.1
Subtotal – Residential		63		_	298		254	229
Institutional Use								
Senior Housing	1	50	1.00 per 3 ui	nite	50	50		50
Sellior Housing	1	30	1.00 per 5 ur	1115	30	30		30
Subtotal – Institutional	1	50			50	50		50
Commercial Use (3)								
Restaurant Space – Gene	eral 6	,500						
Patron Area	1	,083	1 per 50 sf		170		13	13
Bar Patron Area	2	,320	1 per 15 sf		154.6	56	93	93
Employees	1	6	1 per 2 empl		8		5	5
Outdoor Space	1	500	1 per 80		18.75	5	12	12_
Subtotal – Commercial u	se 8	,000	gsf (indoor+	outdoor)	203.8	39	124	124
Replacement of Existing	Parcel							
2-K surface pkg for PDP u	ises incl							
In Project					200		200	200
Total Parcel 2-L Required	Total Parcel 2-L Required Parking							
((229 + 50 + 124 = 403) +	•							603
Total Parking Provided o	n 2-L (FN	6)						603

Table 2 Building 1 - Block 3/Parcel 2-M (former Parcel 2-J)/196 East Montgomery

USE TYPE	UNITS OR SF		PARKING FACTOR	# SPACES	No WVR	40% COMM WVR or 15% RES WVR (FN1)	PEAK TIME DEMAND # SPACES
Residential Use (2) (4)							
Residences (studio)	2	5	1.00 per unit	25		25	25
Residences (1 BR)	1	80	1.00 per unit	18	0	180	180
Residences (2 BR)	5	8	1.50 per unit	87		87	87
Subtotal – Residential	2	63		29	2	292	292
Commercial Use (3)							
Hotel – Guest rooms	1	40	0.33/guestro	om 46	.67	28	28
Hotel – employees	1	.8	1 per 2 empl	9		5.4	5.4
Hotel – meeting space	1	910	1 per 400 sf	4.7	78	2.87	2.87
Hotel – Accessory Rest/Lo	unge 1	145					
Patron Area (50%)		573	1 per 200 sf	2.8	36	1.72	1.72
Lounge Empl	I	nclud	ed above				
Office	2	142	1 per 300 sf	7.3	14	4.28	1
Retail Establishments	2	406	1 per 200 sf	12	.03	7.2	6.5
Restaurant Space – Gener	al 1	1160					
Patron Area		5890	1 per 50 sf	11	7.8	70.7	70.7
Employees	2	5	1 per 2 empl	12	.5	7.5	7.5
Outdoor Space	1	700	1 per 80	21	.25	12.75	<u> 12.75</u>
Subtotal – Commercial				23	4	140	137
Replacement of Existing P	arcel						
2-M surface pkg for PDP u	ises incl						
In Project				16	1	161	161
Total Parcel 2-M Required	l Parking	3					
(292 + 137 + 161 = 590)							590
Total Parking Provided on	Parcel 2	2-M					590

<b>Total Parking Provided</b>	d Both Parcels (590+603)	1,193

#### Notes

1. Time of Day Demand spaces required during the peak weekday evening period per City Code 25.16.03.h.6 after application of 40% parking waiver on non-residential uses per PDP1994-0001 and

- 15% parking waiver for residential uses on Parcel 2-L per PJT2014-00003. Residential spaces on Parcel 2-M are reserved and are not reduced.
- 2. Retail includes all retail, commercial, and service uses permitted in PDP94-001 and the equivalent MXTD zone. On Parcel 2-L, parking for the 6500 sf is estimated based on restaurant with bar parking standards, which is also sufficient for all other commercial uses that are still reserved as allowable uses. Final mix and allocation of square footage between retail and restaurant uses on Parcel 2-L shall be subject to available parking. On Parcel 2-M, up to 1374 sf of Retail Use may be converted to Restaurant Use subject to adequate remaining available Patron Use Area for proposed Restaurant. 1374 sf of Retail converted to Restaurant adds 343 sf of Patron Use Area to Patron Use Area total.
- 3. Unit mix of Building 2 existing MPDUs in Senior component on Parcel 2-L shall be as set forth in STP2017-00321.
- 4. Valet parking for the Hotel guest at the option of the Hotel operator.
- 5. Valet parking permitted for additional 133 cars per approved USE2006-00699.

#### Time of Day Parking Calculations to determine Peak Parking Demand

The Time of Day parking calculation in the first Table below focuses on just the two Comstock Rockville Project blocks and the 361 spaces for the Block 5 Retail Pavilion/ Regal Theatre. It applies the time of day formulas for each use category for weekdays, weekends and nights from Chapter 25.16.03.h.6 *Reductions for Shared Uses*. The calculation confirms: 1) that the on-site parking supply is sufficient for the parking required for all uses for Building 1 and Building 2 within the Comstock Rockville Project, as well as 2) parking for the Block 5 Retail Pavilion up to the replacement of the 361 space surface parking lot.

The Time of Day parking calculation in the second Table below focuses on all uses on all 5 blocks of the PDP/Project Plan area approved as of the date of this Parking Narrative. It applies the time of day formulas for each use category for weekdays, weekends and nights from Chapter 25.16.03.h.6 *Reductions for Shared Uses*. The calculation in Table 1.5 focuses on overall parking within the PDP project area, and 1) confirms that the Project Plan meets the required test that the total parking supply remains sufficient for the parking requirement for all uses within the PDP project area when the Comstock Rockville Project is amended, and further, 2) demonstrates that at the peak time of day there is actually a surplus of several hundred parking spaces over code required parking for the uses within the PDP area.

Note: Should the use on 255 Rockville Pike on Parcel 2-F be amended, that applicant can update the overall parking calculations for the PDP based on its entitlements and parking waivers and/or Chapter 16 Code revisions.

Table 3 <u>Time of Day Calculation Only Comstock Rockville Project, With Additional 13 DU,</u>
Reserved Residential Parking in Bldg 1, Unreserved Residential/Institutional
and Commercial Parking in Bldg 2,

361 spaces provided at peak times for Retail Pavilion PDP Uses in Duball Garages 1 & 2 255 Rockville Pike provides balance Retail Pavilion PDP parking

Use	Table 1	Base	Weekday	Weekday	Weekend	Weekend	Nightime
	Bldg 1+2		Daytime	Evening	Daytime	Evening	
Residential	292+254	546	328	492	437	492	546
Institutional	50	50	25	50	50	15	3
Office	5	5	5	1	1	1	1
Retail	8	8	4	8	8	6	1
Restaurants	91+124	215	108	215	215	215	22
Hotel	38	38	27	38	27	38	27
Retail	200+161	361	181	361	361	361	4
Pavilion and							
Theatre							
Total Pkg			678	1165	1099	1128	604
Required							
Comstock			1193	1193	1193	1193	1193
Project							
Provided							
2-M			590	590	590	590	590
2-L			603	603	603	603	603
Surplus							
Parking			+515	+28	+94	+65	+589

Highest Parking Required at Weekend Evening totaling 1165 spaces within the Comstock Rockville Project; Parking Provided on Comstock Rockville Project is 1193. Surplus Parking even at Peak Demand Period. Hotel valet parking can be instituted at option of Hotel operator per USA2006-00699A. Additional peak parking demand for Retail Pavilion and Theatre handled by 255 Rockville Pike garage, see Overall PDP Time of Day Table.

Table 4 Time of Day Calculation All Existing PDP Uses + Duball Project with Addtl 13 DU

Use	Base	Weekday	Weekday	Weekend	Weekend	Nightime
		Daytime	Evening	Daytime	Evening	
Office	333	333	35	35	21	21
Retail	11	13	22	48	24	3
Restaurants	305	153	305	305	305	31
Theatre	383	153	383	307	383	38
51 Monroe	138	138	138	14	7	7
St.						
Deli	1	1	1	1	1	0
Hotel	38	27	38	27	38	27
Residential	546	328	492	437	492	546
Institutional	50	25	50	50	15	3
Total Pkg		1171	1464	1224	1286	676
Required						
Total PDP		1667	1667	1667	1667	1667
Parking						
Provided						
Surplus		+496	+203	+443	+381	+991
Parking						

<u>Highest Parking Required at Weekday Evening totaling 1464 spaces within the PDP; 1667 spaces</u> provided within the PDP; 203 Surplus Spaces within PDP upon completion BLVD Lofts Project Bldg 2.

The foregoing parking calculations do not include on-street parking spaces on East Montgomery Avenue, Maryland Avenue, Monroe Street or Helen Heneghan Way around the Comstock Rockville Project that provide an additional 70 convenient short term parking spaces to the general public doing business within the PDP and town center. Within two blocks of the Comstock Rockville Project, there are over 3000 additional parking spaces in garages and lots open to the general public.

From: Christopher Clarke < <a href="mailto:thechrisclarke@gmail.com">thechrisclarke@gmail.com</a>>
Sent: Wednesday, November 24, 2021 12:54 PM

To: cpds < <a href="mailto:cpds">CPDS@rockvillemd.gov</a>>

**Subject:** Comment on project plan amendment to PJT2014-0003

Hello,

As a member of the community and close neighbor to 198 East Montgomery Avenue Building 2, I fully support the proposed amendment to the building plan to convert the ground floor to loft apartments. Best,

\_\_

**Christopher Clarke** 

From: Jake J < jjakubek@gmail.com >

Sent: Tuesday, November 30, 2021 9:15 AM

To: cpds < <a href="mailto:cpds">CPDS@rockvillemd.gov</a>>

**Subject:** Proposed Building 2 Amendment

Hello,

I am writing in response to the proposed Amendment to Building 2 owned by RTC Phase II in downtown Rockville. The proposal being submitted is to amend the commercial space at street level to create loft apartments.

I am in support of this amendment to the plan.

Thank you for listening.

Jake Jakubek

From: Michael Dutka < <a href="mailto:ditko86@gmail.com">ditko86@gmail.com</a>>
Sent: Monday, December 6, 2021 11:08 AM

**To:** Planning Commission < <u>Planning.Commission@rockvillemd.gov</u>> **Subject:** Support Conversion of retail space to residential space

Dear members of the planning commission,

I support the conversion of some or all the Ansel's retail space to residential space. Rockville Town center already has a lot of vacant retail space and the last thing it needs is more retail. What it really needs is more population density to activate the space!

-Mike Dutka

713 Shetland St, Rockville, MD 20851

From: Daniel Carelli < d carelli@yahoo.com > Sent: Thursday, December 2, 2021 10:29 PM

To: cpds < <a href="mailto:cpds">CPDS@rockvillemd.gov</a>>

Subject: RE: Project Plan Amendment to PJT2014-0003

Rockville Dept of Community Planning and Development,

The plan to convert commercial space at 198 E Montgomery Avenue into apartments should not be permitted. The original plan was approved that this should be commercial space. If the community approved that use, the developer should not be able to change it this late in the process. Furthermore, our roads and schools are already largely overpopulated. The quality of life for Rockville has been decreasing lately to the crushing traffic on the roads due to population growth. These 15 apartments, if approved, will certainly have residents who own cars. Adding more residential space will only make these matters worse. Please do not approved the amendment to the building project plan.

Daniel Carelli

209 N Grandin



July 2, 2025

Mr. Rick Bierbower Comstock 33 Monroe, L.L.C. 1900 Reston Metro Plaza, 10th Floor Reston, Virginia 20190

SUBJECT:

198 E Montgomery Avenue – BLVD Lofts (Ansel Building) – Water and Sewer Authorization, Capacity, and Service; PJT2025-00020, WSA2025-00003

Dear Mr. Bierbower:

A conditional water and sewer authorization is being granted based on the Site Plan Application and the Water and Sewer Authorization (WSA) Application to utilize City of Rockville (City) water and sewer for the above referenced project.

#### **EXISTING CONDITIONS**

The development project is located at 198 E. Montgomery Avenue, Parcel 2-L of the Rockville Town Center subdivision within the Rock Creek sewershed. The existing building is currently served by a 16-inch City water main and a 12-inch sewer main located in the E. Middle Lane Right-of-Way (ROW) and by a 16-inch sewer main located in the Monroe Street ROW as shown on the attached exhibit dated July 1, 2025. The existing building connections are an existing metered eight-inch water connection and a six-inch sewer connection located in the E. Middle Lane ROW and two 10-inch sewer connections located in the Monroe Street ROW.

#### DEVELOPMENT APPLICATION

According to your application, the development consists of the following uses on Parcel 2-L:

- Existing Use:
  - High-Rise Apartment 400 dwelling units 60,000 gallons per day (gpd).
  - Retail 22,200 square feet (sq. ft.) 1,532 gpd.
     Total = 61,532 gpd.
- Proposed Use:
  - High-Rise Apartment 413 dwelling units 61,950 gpd.
  - Restaurant 8,000 sq. ft. or approximately 210 seats 7,308 gpd.
     Total = 69,258 gpd.

Mr. Rick Bierbower July 2, 2025 Page 2

According to your site plan and WSA application, water and sewer service connections to the existing infrastructure in the E. Middle Lane and Monroe Street ROW, are proposed as follows:

- Water The project proposes to continue to use the existing connection to the existing 16-inch water main in the E. Middle Lane ROW.
- Sewer The project proposes to continue to use the existing connections to the existing 12-inch and 16-inch sewer mains in the E. Middle Lane and Monroe Street ROW, respectively.

#### **FINDINGS**

#### Adequate Public Facilities

The City's Adequate Public Facilities Ordinance (APFO) and the Rockville City Code (Code), Chapter 24, requires water and sewer infrastructure to be assessed for adequacy whenever a proposed development is being considered for approval. A finding is required that public water and sewer facilities are adequate, which may include mitigating the impacts needed to comply with the level of service established in the Water and Sewer Adequacy Standards per the Code, Section 24-12. The water and sewer systems' hydraulic capacity are deemed adequate because the development only proposes a change of use to an existing building or portion thereof and does not increase the net wastewater flow greater than 10,000 gpd. This Water and Sewer Authorization is affiliated with the Rockville Town Center Planned Development, last amended by PJT2014-00003 and its corresponding WSA case, WSA2015-00002, which established an overall capacity for the five block planned development that also includes 255 Rockville Pike on Parcel 2-F, Regal Row on Parcel 2-G, BLVD 44 and the Cambria Suites Hotel on Parcel 2-M and 41 Maryland Avenue on Parcel 2-H.

#### **CONDITIONS OF APPROVAL**

The following list of conditions must be addressed for the Department of Public Works (DPW) to authorize building connections to the City's water and sewer systems and/or issue city permits. The City Site Plan, Detailed Engineering Plan, and Building Plan approval and permitting processes must incorporate the construction of any required mitigation.

- Water Service Conditions There are no conditions for the adequacy of the water system for water mains, fire hydrants or water service connections.
- Sewer Service Conditions There are no conditions for the adequacy of the sewer system for sewer mains or sewer service connections.
- General Conditions The Applicant must confirm that the size of existing water and sewer connections are acceptable to the Inspection Services Division (ISD). Reuse of existing water and/or sewer house connections shall comply with the requirements of DPW's reuse policy. If the existing service connections are not acceptable, the material, condition, and location of the new connections must be in compliance with applicable section of the Code and must be approved and permitted by ISD and DPW. A separate water service connection and water meter shall be provided for all residential portions of mixed-use structures. There are no conditions for off-site easements or Capital Contribution charges.

Mr. Rick Bierbower July 2, 2025 Page 3

Any substantial changes or revisions to the proposed development information may require a modification, revision, or deletion of these conditions.

If you have any questions, please contact Principal Civil Engineer Sean Murphy via email at smurphy@rockvillemd.gov or via telephone at 240-314-8535.

Sincerely,

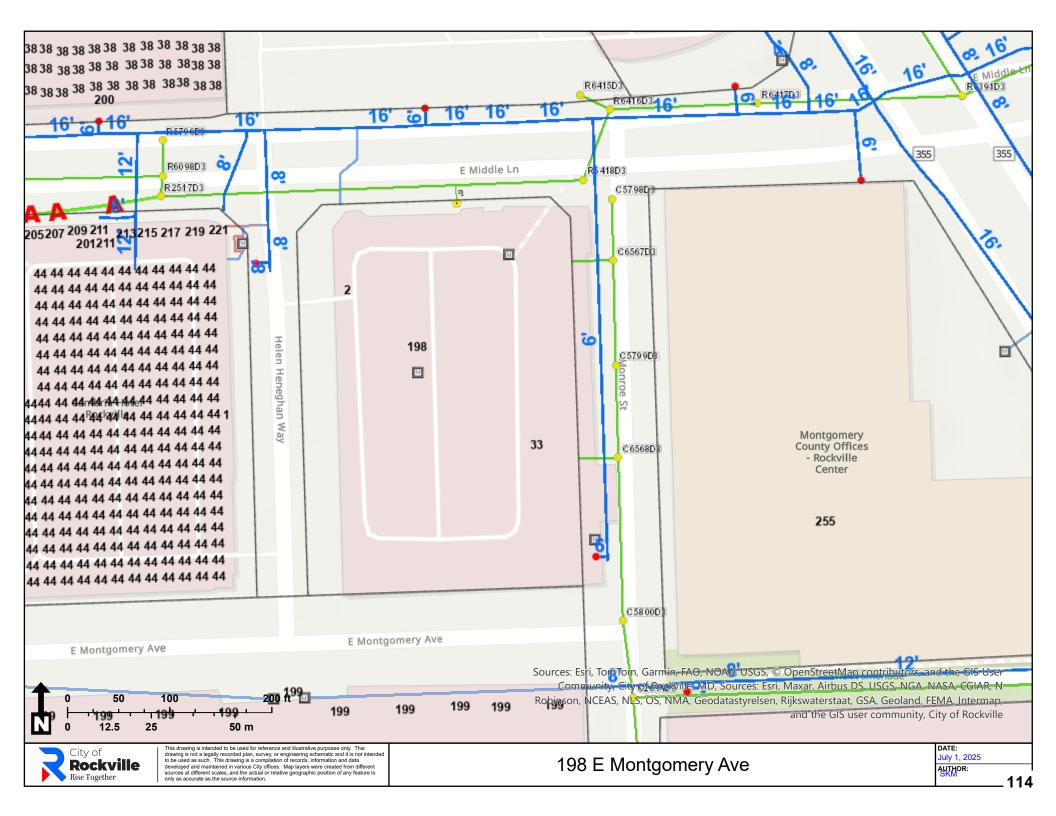
John Scabis, P.E. Chief of Engineering

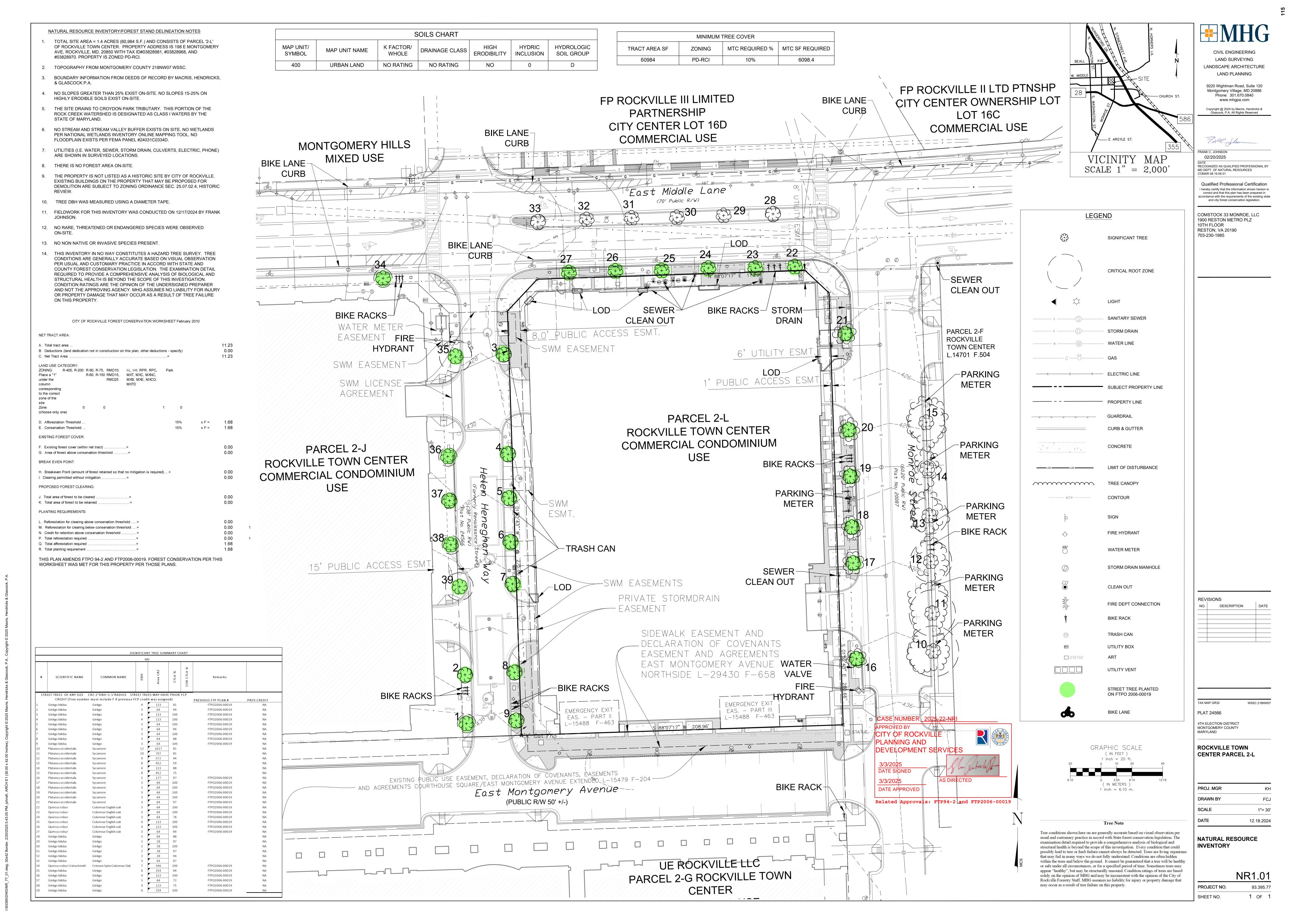
JKS/SKM/kmc

John Sel

Attachments: 198 E. Montgomery Avenue – BLVD Lofts – WSA Exhibit, dated July 1, 2025.

cc: James Lapping, P.E., Engineering Supervisor Shaun Ryan, Planning Supervisor Chris Davis, Senior Planner Kina Campbell, Chief of Inspection Services Nancy Regelin, Shulman Rogers Kyle Hughes, Macris, Hendricks & Glascock, P.A. Permit plan, PJT2025-00020, WSA2025-00003 Day file





# Project Plan Amendment PJT2025-20

**BLVD Lofts** 

198 E. Montgomery Avenue

Mayor & Council

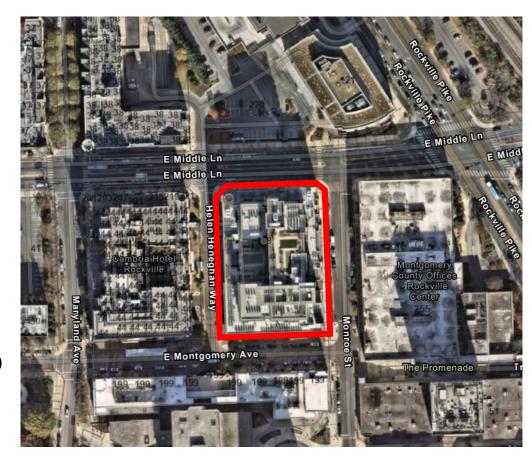
Public Hearing & Consideration of Approval

September 15, 2025



# **Project Site**

- ► Address: 198 E. Montgomery Avenue
- ► Planning Area: 1 Town Center
- ► Site Area: 1.41 Acres
- ▶ Land Use: CRM
- ► **Zoning:** PD-RCI, MXTD (equivalent zone)



Source: City of Rcala "le

# **Project Proposal**

- ▶ 13,011sf street-level commercial space vacant.
- ► Conversion into 13 residential loft units.
- ► Fronts Helen Heneghan Way, E Middle Ln., & Monroe St.
- ► Amend PD for changes in use.



# **Rockville Center Inc. PD**



## **Existing PD Approval**

► 400du's & 22,200sf commercial.

## **Proposed Amendment**

▶ 413du's & 6,500sf commercial.



# **Findings**



# Project meets required findings for approval of a project plan amendment including:

#### **Master Plan**

Consistent with Comp Plan in providing additional housing in Town Center.

## Zoning

Meets zoning ordinance requirements including parking for the new residences.

# **Findings**



### **Schools**

Adequate capacity in Richard Montgomery Cluster will exist to serve project.

## **Transportation**

Will not adversely impact transportation facilities in area of the site.

## **DPW - Engineering**

Water & Sewer and Stormwater Management will meet city requirements.

# **Community Outreach & Briefings**



Required Notifications have been made consistent with City Code requirements.

## Public meetings held include:

- ▶ Pre-app area meeting on December 9, 2021.
- ▶ Post-app area meeting on February 25, 2025.
- ▶ Planning Commission Briefing: March 12, 2025.
- ► Mayor & Council Briefing: April 7, 2025
- ► Planning Commission Recommendation: July 23, 2025

# Recommendation



Staff recommends that the Mayor and Council approve Project Plan Application, PJT2025-00020, an amendment to the Rockville Center PD to permit conversion of 13,011sf of street-level retail into 13 residential units at 198 E. Montgomery Avenue, subject to the findings and conditions contained in staff's report.

# **Next Steps**



Mayor and Council will:

- Hold a Public Hearing
- Consider a Resolution to Approve Project Plan Application

# PJT2025-00020 198 E Montgomery Ave Project Plan Amendment

Applicant: Comstock 33 Monroe, LC

**Project Team** 

Comstock - Owner

Shulman Rogers - Legal

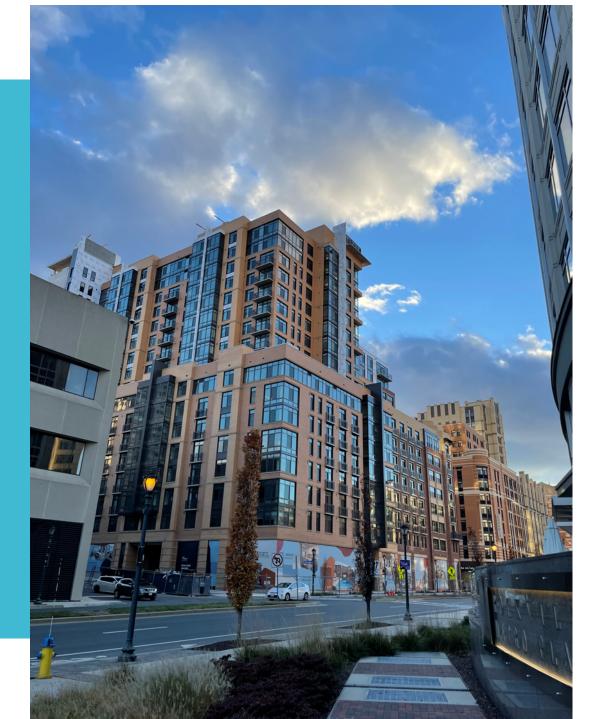
Torti Gallas + -Architects

Macris Hendricks –Civil

Gorove Slade - Traffic

Existing View Middle Lane Ground Floor Retail

Conversion to Residential Loft Apartments





















# PJT2025-00020 198 E Montgomery Ave Project Plan Amendment

Applicant: Comstock 33 Monroe, LC

**Project Team** 

Comstock - Owner

Shulman Rogers - Legal

Torti Gallas + -Architects

Macris Hendricks –Civil

Gorove Slade - Traffic

# Existing Approvals vs. Proposed

Existing Approvals	Proposed
Project Plan PJT2014-003/ Site Plan STP2017-00321	Project Plan PJT2025-00020/ Site Plan STP2025-
Building Construction complete 2022	First Floor Conversion complete 2027
400 apartments of which 150 are age- restricted for seniors inclusive of 135 affordable units (33.75% affordable)	413 apartments of which 150 are agerestricted for seniors inclusive of 135 affordable units (32.68% affordable)
19,000+/- sf commercial – vacant since construction	6,500 +/- sf commercial - leased
6o3 parking spaces	603 parking spaces
139 spaces for commercial spaces	124 spaces for commercial space
200 public parking spaces	200 public parking spaces
264 residential parking spaces	279 residential parking spaces

# Residential Floor Plan

# Conversion Units in white





MAYOR AND COUNCIL Meeting Date: September 15, 2025

Agenda Item Type: ADOPTION

Department: CPDS - DEVELOPMENT REVIEW

Responsible Staff: CHRISTOPHER DAVIS

#### Subject

Adoption of a Resolution to Approve Project Plan Application PJT2025-20, an Amendment to an Approved Project Plan to Permit Conversion of 13,011 Square Feet of Previously Approved Street-level Retail into 13 Residential Units at 198 East Montgomery Avenue.

#### **Department**

**CPDS - Development Review** 

#### Recommendation

Staff recommends that the Mayor and Council adopt the proposed Resolution, which constitutes approval of Project Plan Application PJT2025-20.

#### **Discussion**

Refer to the September 15<sup>th</sup>, 2025 Public Hearing Staff Report for Project Plan PJT2025-20 for background, project analysis and findings.

#### **Impact Statements**

Refer to the September 15<sup>th</sup>, 2025 Public Hearing Staff Report for Project Plan PJT2025-20 for the Impact Statements.

#### **Public Notification and Engagement**

Notifications of the Project Plan application have been made consistent with City Code requirements. The Affidavit of Public Notice is included as the "Affidavit of Public Notice" attachment.

#### **Boards and Commissions Review**

Refer to the September 15<sup>th</sup>, 2025 Public Hearing Staff Report for Project Plan PJT2025-20 for a summary of the Boards and Commission review.

#### **Next Steps**

If the application is approved, the applicant must seek approval of a Level 2 Site Plan.

#### **Attachments**

Attachment #1 - PJT2025-00020 Draft Approval Resolution, Attachment #2 - Affidavit of Public Notice

Resolution No. \_\_\_\_

RESOLUTION:

To approve, with conditions, Project Plan Application PJT2025-00020

WHEREAS, under Chapter 25 of the Rockville City Code, the Mayor and Council of Rockville ("Mayor and Council") is authorized to review project plan applications; and

WHEREAS, on January 25, 2025, Comstock 33 Monroe, LC (the "Applicant") filed Project Plan Amendment Application PJT2025-00020 (the "Project Plan Application" or "Application"), pursuant to Section 25.14.07.e.2 and Section 25.07.07 of the Zoning Ordinance, proposing an Amendment to the Rockville Center Inc. Planned Development (the "PD") to permit the conversion of 13,011 square feet of previously approved street-level retail into 13 residential units (the "Project") at the property located at 198 East Montgomery Avenue (the "Property"); and

WHEREAS, pursuant to Sections 25.07.03 and 25.07.07 of the Zoning Ordinance, the Applicant met all notice requirements and conducted two public area meetings; a pre-application area meeting held virtually on December 9, 2021, a post-application area meeting held virtually on February 25, 2025; and

WHEREAS, pursuant to Section 25.07.07 of the Zoning Ordinance, the Planning Commission and the Mayor and Council received briefings on the Application on April 7, 2025, and March 12, 2025, respectively; and

WHEREAS, pursuant to Section 25.07.07 of the Zoning Ordinance, the Planning Commission at its meeting on July 23, 2025, reviewed the Application, and after considering the information presented and testimony provided, voted to recommend that the Mayor and Council approve the Application, subject to certain conditions; and

WHEREAS, pursuant to Sections 25.05.03, 25.07.03 and 25.07.07 of the Zoning Ordinance, a duly noticed public hearing on the Application was held by the Mayor and Council on September 15, 2025, at which the Mayor and Council heard testimony and received evidence on the Application; and

WHEREAS, at its September 15, 2025 meeting, the Mayor and Council found and determined that approval of the Application, would promote the health, safety and welfare of the

citizens of Rockville, and the Mayor and Council made further findings set forth herein, based upon information presented and testimony provided as contained in the public record.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council approves Project Plan Application PJT2025-00020 to allow for the conversion of 13,011 square feet of previously approved street-level retail into 13 residential units on the Property, subject to the following conditions:

- The proposed development must be designed and constructed in a manner consistent
  with the concept design, graphic conceptual representation, and all associated
  development tables included in the project plan set.
- 2. Notwithstanding any requirements or approvals, a future proposal to convert the 13 ground-floor residential units back to a commercial use shall not require a further amendment of the Planned Development, but may proceed to a Level 2 Site Plan application, or equivalent approval as required by the Zoning Ordinance then in effect.
- 3. Submission of a site plan implementing Project Plan Application PJT2025-00020 shall be submitted within one (1) year of this approval, by September 15, 2026.
- 4. The applicant shall comply with the conditions of DPW's Water & Sewer Authorization Approval Letter dated July 2, 2025.

BE IT FURTHER RESOLVED THAT, for the purposes of this Resolution, the approved Project Plan means this Resolution and the exhibits to this Resolution listed below and attached hereto, including notations, references, descriptions, and writings on the Exhibits, except as modified by the above conditions of approval:

- 1. Exhibit A: Project Plan dated December 26, 2024, and stamp received June 16, 2025;
- 2. Exhibit B: Project Plan Supplemental Documents;
- 3. Exhibit C: Natural Resource Inventory/Forest Stand Delineation;
- 4. Exhibit D: Water and Sewer Authorization Letter; and

BE IT FURTHER RESOLVED THAT, having considered the recommendations and findings of its Staff as presented at the public hearing on this Application and set forth in the Staff Reports on the Application presented to the Mayor and Council at its September 15, 2025 meeting,

which the Mayor and Council hereby adopt and incorporate by reference, except as modified herein, and upon consideration of the entire administrative record, the Mayor and Council, pursuant to Section 25.07.01.b.2 of the Zoning Ordinance, finds and determines, with the above conditions of approval, that:

# 1. The Application will not adversely affect the health and safety of persons residing or working in the neighborhood of the proposed project.

The Applicant's proposed design seeks to produce additional housing units within the envelope of the existing building by utilizing existing ground-floor commercial space that has been vacant since 2021. The proposed conversion into 13 residential units would mostly involve interior alterations to the building and minor modifications to the building's exterior façade. These improvements will add new housing options to Town Center to assist in supporting the surrounding business district and will enhance the safety of the surrounding area by adding use and activity to the street-level of the building. The project will be required to abide by all applicable building and construction requirements to ensure public health and safety are maintained during and after the construction phase of the project. Therefore, the proposed conversion is not anticipated to adversely affect the health or safety of persons residing or working in the neighborhood of the project.

#### 2. The Application is not in conflict with the Plan.

The project is not in conflict with the Rockville 2040 Comprehensive Plan. This project falls within Planning Area 1 of the Plan. On January 27, 2025, the Rockville Mayor and Council adopted the 2025 Rockville Town Center Master Plan as an amendment to the Comprehensive Plan, originally adopted in August 2021. Adoption of this updated plan repeals and replaces the Planning Area 1 chapter of the Plan and the 2001 Town Center Master Plan. With the exception of several specific properties, the 2025 Town Center Master Plan (TCMP) retains the existing land use policy established in the Plan for most properties in the Town Center. The 2025 Plan does not provide specific recommendations for the subject property. However, Mayor and Council finds the following compatibilities outlined in the Town Center Master Plan:

• Goal 1, Land Use: "Target appropriate areas for higher density residential developments to reach 3,000 new residential units by 2040. Provide a variety of

development types to adapt to marketplace demands and to address missing middle housing" (page 41). In response to changing market demands, the Applicant is proposing additional residential units in Town Center where additional residential density is encouraged by the TCMP.

- Action 1.1, Land Use: "There should be no requirement for ground floor retail,
  although street-facing, active ground floor uses, including residential or quasi-retail
  uses should be encouraged" (page 42). The Applicant is proposing a conversion
  from vacant ground floor retail space to residences as anticipated and encouraged
  by the TCMP.
- Housing Chapter: "The city encourages the development of a wide variety of unit types this refers to different housing typologies (such as townhomes and multifamily apartment buildings) but also provides a mix of units within those typologies (studios, 1-bedroom units, 2-bedroom units, etc.). The city encourages unit mixes in development projects to contain the full range of unit types that the market can support of different sizes and layouts to accommodate the greatest variety of households" (page 60). The Applicant proposes 13 new residential units within the existing building that will include 1, 2 and 3-bedroom units to appeal to a variety of family sizes.
- Policy 12.1, Sustainability: "Encourage the adaptive reuse of buildings and coordinate with property owners to increase efficiency within existing buildings" (page 91). The Applicant proposes to adaptively reuse a ground-floor commercial space that has been vacant since 2021 by converting such space into 13 residential units, that will allow the property owner to more efficiently use such space within the existing building, consistent with this policy.

# 3. The Application will not overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as provided in the adopted adequate public facilities standards.

The Project will not overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as provided in the adopted adequate public facilities standards.

# **Schools**

The property is served by the Richard Montgomery Cluster Area (Beall Elementary School, Julius West Middle School, and Richard Montgomery High School), and is located within a Infill School Impact Area. Using the corresponding Montgomery County FY2025-20230 Student Generation Rates, the proposed development will generate the following number of students:

- 1 student at the elementary school grade level;
- 0 students at the middle school grade level; and,
- 0 students at the high school grade level

The current school test standards of the APFS utilize a seat deficit and capacity percentage calculation to determine adequacy. The maximum permitted capacity level is 120% and no more than a 110-seat capacity deficit in elementary schools and 180-seat capacity deficit in middle schools. The proposed development meets these standards at all three grade levels as shown in the table below.

School Test: Seat Deficit $\geq$ 110 Seats (Elem.) or $\geq$ 180 (Middle) and Percent												
Utilization >120% (Elem., Middle, and HS) = Moratorium												
School	Projected	Students	100%	Enrollment	School	School						
Type	2029-30	Generated	MCPS	Including	Percent	Percent						
(Richard	Enrollme	by	Progra	Proposed	Utilizatio	Utilization						
Montgome	nt	Proposed	m	Developme	n in	in 2029-30						
ry Cluster)		Developme	Capacit	nt	2029-	with						
		nt	y 2029-		2030	Proposed						
			30			Developme						
						nt						
Beall ES	440	1	663	441	66.4%	66.5%						
Julius West	1,404	0	1,432	1,404	98.0%	98.0%						
MS												
Richard	2,604	0	2,236	2,604	116.5%	116.5%						
Montgome												
ry HS												

### Traffic and Transportation

With no changes proposed to the existing and built transportation and access infrastructure, and considering the proposed changes are resulting in fewer AM and PM vehicle trips, the approval of the proposed plan will have no impact to the existing and planned transportation infrastructure serving the site.

# Access and Circulation:

# 1. Passenger Vehicle:

The development vehicular access will be provided to East Middle Lane to the north and East Montgomery Avenue to the south via existing service and parking driveways

on Monroe Street and Helen Heneghan Way. These roadways are classified as Business District roadways, and as such existing buffered sidewalks are provided along the site frontage on East Middle Lane, Monroe Street, Helen Heneghan Way and East Montgomery Avenue. Truck (loading and trash) access to the site will continue to be along the service driveway, with an entrance on Helen Heneghan Way and exiting onto Monroe Street. The loading area will accommodate head-in and head-out turning maneuvers without impacting the public right-of-way. The property is located within the designated Rockville Metrorail Transit Oriented Area, as defined by the CTR guidelines.

# 2. Pedestrian Access:

No changes to existing pedestrian access to existing sidewalks are proposed.

# 3. Transit Access:

The Rockville Metrorail/ MARC commuter train and Amtrack reginal train station, is located approximately 0.2 miles from the site. The WMATA Metrorail Red Line runs from the Shady Grove station in Rockville to Glenmont in Silver Spring by way of downtown Washington, DC. There are two (2) bus stops near the site, located on East Middle Lane at its intersection with Monroe Street. The bus stop serves one (1) WMATA bus route (T2) and three (3) Montgomery County Ride-On Bus routes (45, 55, 301).

# Trip Generation

Using the approved trip generation rates outlined in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, the proposed changes in use will generate 28 fewer trips in the morning peak hour (18 fewer inbound & 10 fewer outbound) and 64 fewer trips in the afternoon peak hour (32 fewer inbound & 32 fewer outbound)..

### Water and Sewer

In a letter dated July 2, 2025 (see "Water and Sewer Authorization Letter" attachment) the proposed development received Water and Sewer Authorization approval from the Department of Public Works (DPW) for connection to the City's water and sanitary sewer systems. The Water and Sewer Authorization Approval Letter lists project specific conditions of approval.

# 4. The Application will not constitute a violation of any provision of this Code or other applicable law.

Mayor and Council has reviewed the proposed development for compliance with the Zoning Ordinance and finds that the development proposal is consistent with the Zoning Ordinance requirements. The project complies with the applicable development standards and design regulations of the governing PD-RCI documents and the equivalent MXTD

zone. The scope of the project is focused toward interior alterations to transform the existing vacant ground-floor retail space into 13 new residential units; exterior modifications will be limited to minor façade updates to create new residential frontages. In addition to authorizing the change in uses on the site, the project also meets the corresponding parking requirements for both automobiles and bicycle vehicles for the change in use. Beyond the proposed project scope, the overall building and site will continue to comply with the requirements as established by the PD-RCI governing documents and the equivalent MXTD zone as was approved with the previous Project Plan PJT2014-00003. As previously mentioned, the 2014 Project Plan approval designated the site to provide 32% of its units as MPDUs, exceeding the 15% minimum required. Under the current proposal, the site will continue to exceed the minimum requirements and no additional MPDUs are required with the current proposal.

No changes to bicycle access are proposed, and the project will meet the bicycle parking requirements required under City Code as noted later in this report. The existing access points along the Monroe Street frontage, allow for easy access to bicycle lanes along East Middle Lane and the signed shared roadway along Monroe Street which connect the site to an existing network of bike lanes and signed shared roadways near the site and provide access to Rockville Metrorail station (Red Line). A bi-directional Shared Use Path is also planned by the city along the Monroe Street frontage as part of the Fleet Street and Monroe Street Complete Streets project.

Pedestrian elements within the right-of-way shall be fully accessible and comply with the criteria for accessible routes in the 2010 ADA Standards for Accessible Design. Where the running slope of a sidewalk exceeds 1:20, such sidewalk or portion thereof shall comply with the requirements for ramps found in §405 of the 2010 ADA Standards for Accessible Design. Conformance with other requirements, including but not limited to other zoning requirements, city codes, and the building code, will be confirmed through the site plan, permit review, or other applicable process.

# 5. The Application will not adversely affect the natural resources or environment of the City or surrounding areas.

Stormwater Management

Stormwater Management (SWM) for this project will be provided by a monetary contribution in lieu of providing water quality volume, channel protection volume and water quantity management for the minimal new and replaced impervious areas associated with retrofitting the existing building.

# **Forestry**

## Forest Conservation

The subject property is subject to an existing forest conservation plan under FTP2006-00019. That plan met the required forest conservation requirements for the entirety of the subject property. There are no anticipated changes to the existing forest conservation plan, which will remain in effect.

# Significant Trees

The NRI/FSD (see "Approved NRI Plan" attachment), 2025-22-NRI, that was approved by CPDS on March 3<sup>rd</sup>, 2025, identified nineteen (19) street trees on the subject property. These trees are not proposed for removal and will be preserved throughout the project.

# Street Trees and Lot Trees

The proposed application does not involve subdivision, and as a result the subdivision regulations are not applicable. However, street trees were previously provided in association with the development of the property and are in existence on the subject property. This was confirmed through a recent NRI/FSD.

# Historic Resources

The property is not within a historic district and has no potential historic resources on site.

\*\*\*\*\*\*\*\*\*\*

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 September 15, 2025.

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

# AFFIDAVIT OF MAILED AND ELECTRONIC NOTICE BLVD Lofts PROJECT PLAN PJT2025-00020 PLANNING COMMISSION PUBLIC HEARING/MEETING JULY 23, 2025 MAYOR & COUNCIL PUBLIC HEARING/MEETING SEPTEMBER 15, 2025

To: City of Rockville Department of Community Planning and Development Services

I hereby certify and affirm that, pursuant to the City of Rockville Zoning Ordinance No. 19-08, I did give notice by mail on July 7<sup>th</sup> and 8th, 2025 of the subject Project Plan application Planning Commission Public Hearing, and Mayor & Council Public Hearing to the owners and residents of property within 1500 feet that may be affected by the application as reflected on the attached mailing list. The names and mailing addresses of the property owners were obtained from the most current tax assessment records and where the property owner differed from the property address, notice was sent to the property address addressed to Neighbor. Notices were also mailed to the residential units at the Fenestra, Venetian, Lunette and Metropolitan apartments. Applicant hand-delivered notices to its residents at BLVD 44 and BLVD Ansel, and to the respective Property Managers for distribution to their residents at Residences on the Lane, Victory Court and Beall's Grant apartments.

I hereby certify and affirm that, pursuant to the City of Rockville Zoning Ordinance No. 19-08, I did give electronic notice by e-mail on July 7, 2025 of the subject Project Plan Planning Commission Public Hearing and Mayor & Council Public Hearing to: the Mayor and Council, Planning Commission, CPDS, and the civic, citizen, and homeowner organizations registered with the City and property managers for their tenants in multi-family properties within the City as reflected on the attached electronic e-mail list provided by the City.

I further affirm that the said notice contains the address and/or other readily identifiable description of the property location of the proposed development and the date, time, place, and link for the meetings to be held on the proposed development.

Application #PJT2025-00020 Comstock 33 Monroe LC, "Applicant"

Notary Public My Commission Expires:\_\_

Nancy Regelin, Esquire, Counsel to Applicant	
Subscribed and sworn to before me, a Notary Public in and for to the subscribed and sworn to before me, a Notary Public in and for the subscribed and sworn to before me, a Notary Public in and for the subscribed and sworn to before me, a Notary Public in and for the subscribed and sworn to before me, a Notary Public in and for the subscribed and sworn to before me, a Notary Public in and for the subscribed and sworn to before me, a Notary Public in and for the subscribed and sworn to before me, a Notary Public in and for the subscribed and sworn to before me, a Notary Public in and for the subscribed and sworn to before me, a Notary Public in and for the subscribed and sub	July, 2025

7-20-2027 seal

150

MICHELE L MOORE

Notary Public - State of Maryland Carroll County My Commission Expires Jul 20, 2027

# Notice Planning Commission Hearing BLVD Lofts Project Notice Mayor & Council Hearing and Public Meeting Project Plan PJT2025-0020

Dear Neighbor:

July 8, 2025

Comstock 33 Monroe, LC ("Applicant") has filed to convert the street level commercial space fronting Middle Lane, Monroe Street, and Helen Heneghan Way in Rockville Town Center to 13 residential loft apartments (the "BLVD Lofts Project") in the building where BLVD Ansel is located. The commercial space in the building fronting on East Montgomery Avenue will remain commercial.

As part of the process for Project Plan and Site Plan review on the BLVD Lofts Project, a public hearing before the Planning Commission and a public hearing before the Mayor and Council are scheduled. This serves as notice of upcoming dates. A location map, project description with timeline, and plan are enclosed. The notice of an opportunity to provide comments to the approving bodies. These are the last steps in a multi-step public process to approve the Project Plan.

### NOTICE OF PLANNING COMMISSION PUBLIC HEARING/PUBLIC MEETING

DATE:

Wednesday July 23, 2025

TIME:

7:00 PM Meeting Start

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

ATTEND IN-PERSON: City Hall, Council Chamber, 111 Maryland Avenue

VIRTUAL ATTENDANCE: Please visit the City website agenda center for details.

https://www.rockvillemd.gov/112/Planning-Commission and

https://www.rockvillemd.gov/DocumentCenter/View/39008/Public-Hearing-Procedures PC FINAL-002

# NOTICE OF MAYOR AND COUNCIL PUBLIC HEARING/PUBLIC MEETING

DATE:

Monday September 15, 2025

TIME:

6:30 PM Meeting Start

WATCH LIVE: Rockville 11, Comcast, Verizon cable channel 11, livestreamed at <a href="https://www.rockvillemd.gov/rockville11">www.rockvillemd.gov/rockville11</a>

ATTEND IN-PERSON: City Hall, Council Chamber, 111 Maryland Avenue

VIRTUAL ATTENDANCE: Please visit the City website agenda center for details and to confirm scheduling.

https://www.rockvillemd.gov/424/Mayor-Council

Agendas for Planning Commission and Mayor and Council are posted approximately a week before the meeting on the agenda center (<a href="https://www.rockvillemd.gov/agendacenter">https://www.rockvillemd.gov/agendacenter</a>). Please refer to the specific meeting agenda for details on how to participate and provide testimony during the meetings.

"A Citizen's Guide to Development Review in Rockville" is enclosed. You may track the status on the City's website on its Development Watch page. Should you have questions or would like to submit comments please contact: Community Planning and Development, Senior Planner Christopher Davis, 240-314-8201. <a href="mailto:cdavis@rockvillemd.gov">cdavis@rockvillemd.gov</a>. You are welcome to reach out to Applicant's counsel, Nancy Regelin at 301-230-5224, <a href="mailto:nregelin@shulmanrogers.com">nregelin@shulmanrogers.com</a>

These applications are subject to a prohibition on ex parte communications. Outside of the public hearings on this application, please do not communicate with a member of the deciding body about this application, either directly or indirectly, such as copying members of the body on e-mails about the application. You are welcome to communicate directly with the City staff, who can answer questions on the application or ensure that your written comments on the application are considered by the deciding body as part of the public hearing on the application. The Mayor & Council is deciding body on the Project Plan; the Planning Commission on Site Plan.

# Project Description BLVD Lofts Project - PJT2025-00020/Site Plan STP2025 Updated July 2025

Comstock 33 Monroe, LC ("Applicant) is pursuing through a Project Plan Amendment and Site Plan to convert approximately 13,000 square feet of vacant first floor commercial space fronting on Middle Lane, Monroe Street and Helen Heneghan Way into thirteen (13) dwelling units located within the building that also includes the BLVD Ansel and HOC's Residences on the Lane. The first-floor commercial space fronting East Montgomery Avenue across from Regal Row will remain commercial space. The commercial space proposed for conversion is currently vacant and has been since the building opened despite the marketing efforts of two successive building owners.

The process includes the approval of the Project Plan by the Mayor & Council after consideration of both testimony at a public hearing in September and the recommendation of the Planning Commission at their public hearing in July. After approval of the Project Plan, the detailed Site Plan will be scheduled for consideration by the Planning Commission shortly thereafter. With those approvals, the Applicant can proceed to permits.

New urban frontages will provide two-story window walls and direct sidewalk access entrances. The design utilizes the high ceiling ground level space for two-level loft dwelling units in a range of one-bedroom, two-bedroom, and three-bedroom apartments. Landscaping for aesthetics and privacy has been added as the more detailed site plan has evolved. Rear corridors provide private ADA entrances. The BLVD Lofts lobby is accessible from both Monroe Street and Middle Lane and provides a mail and package room as well as trash and storage.

Parking is available for both cars and bicycles within the existing structured parking garage in the building. BLVD Lofts residents will have access to BLVD Ansel amenity spaces including an upper-level clubroom, open courtyard with pool, outdoor dining and gathering spaces, fitness center, business center and co-working space, secured bicycle room with bicycle maintenance and repair facilities, among others.

The building is one block of a comprehensive planned development approved in 1994 (PD-RCI per PDP1994-0001, as amended) of 5 blocks encompassing 255 Rockville Pike, the Regal Row retail center, the BLVD 44, BLVD Ansel, and 41 Maryland. As an amendment to the Planned Development, the approval process includes a Project Plan Amendment considered by the Mayor and Council to amend the current built entitlements to convert commercial space into thirteen dwelling units. No changes to the building massing or other uses in the building is proposed. A detailed Site Plan to implement the Project Plan amendment for the 13 BLVD Loft units will be considered by the Planning Commission.

The intended development is consistent with the adopted 2040 City-wide Master Plan as well as the goals and vision of the Town Center Master Plan which recommends increases in density and residents in Town Center to support the existing retail district.

# Projected Timeline:

Post-Application Community Meeting:

February 25, 2025

Development Review Committee:

February 27, 2025

Planning Commission Briefing:

March 12, 2025

Mayor & Council Briefing:

April 7, 2025

City Staff review: Spring 2025

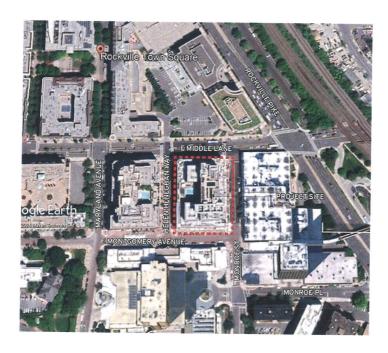
Planning Commission Public Hearing and Recommendation: July 23, 2025

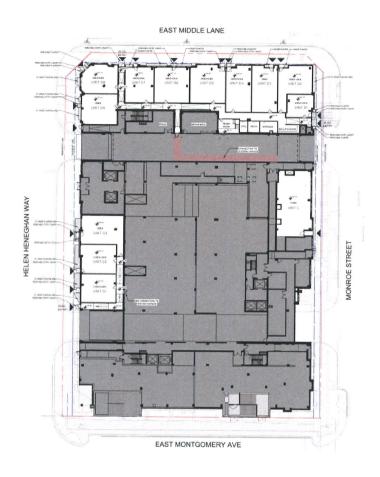
Mayor & Council Public Hearing and Consideration: September 15, 2025

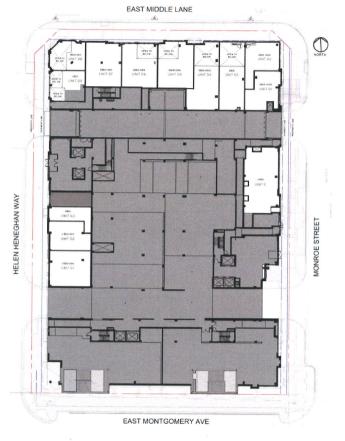
Planning Commission Consideration Site Plan: September 2025 tentative

Construction: 2025/ 2026

Location Map:







A1 Retail Conversion - Overall View Ground Floor

A6 Retail Conversion - Overall View Mezzanine L2

Floor Plans — Ground and Mezzanine Levels White — converted retail to residential space

Gray – no change to existing building

### How can I get involved?

- Check the city's website at <u>rockvillemd.gov/621/Development-Watch-Map</u> for status updates on development projects in your neighborhood and the city.
- Attend public meetings held by developers to learn more, ask questions and express your opinions about potential projects.
- Attend public meetings held by the city. Meeting schedules, agendas and informational packets for the Mayor and Council, Planning Commission, Historic District Commission and Board of Appeals are available on the city's website. In addition, for most cases the developer is required to provide notice by first class mail to the property owners and residents of the area surrounding the proposed development. The plan review level above determines the notice area.
- Members of the public are welcome to attend meeting of the Development Review Committee, however these meetings are not public hearings and no testimony will be allowed. Agendas for these meetings are available on the city's website.

### How can I learn more?

### Community Planning and Development Services Department

City Hall, second floor 111 Maryland Ave. Rockville, MD 20850

Phone: 240-314-8200 Email: cpds@rockvillemd.gov Website: rockvillemd.gov

### Refer to:

Rockville City Code <u>library.municode.com/</u> md/rockville/codes/code of ordinances

Chapter 25 - Zoning Ordinance

Chapter 5 - Building Code

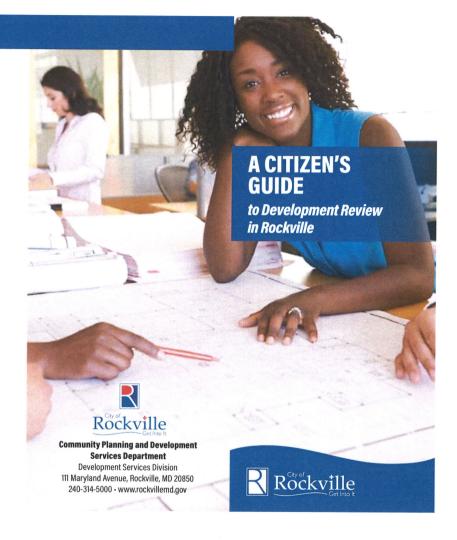
Chapter 10.5 - Forest and Tree Preservation

Chapter 19 - Sediment Control and Stormwater Management

Chapter 21 - Streets and Roads

Rockville Development Review Procedures Manual

**Note:** This brochure provides an overview of development review in Rockville. It does not supersede the Rockville City Code and it should not be relied on as a substitute for such regulations.



# **Development Review in Rockville**

### What is development review?

Development review is a general term for the city's various procedures to review proposed developments and ensure they comply with the city's regulations. These include land uses, engineering, utilities, transportation, stormwater and sediment control, and tree preservation to achieve consistent design of the site and related public infrastructure. As outlined in the Rockville Zoning Ordinance, the city works with the surrounding property owners, businesses and the applicant during development review. During this process, the city staff reviews applications for compliance and surrounding neighborhoods and property owners review and comment on proposed plans.

Rockville's development review procedures are intended to help assure the health and welfare of citizens and achieve high-quality development that complies with the design regulations of the City Code and addresses the needs of the surrounding community. These procedures govern all development projects, except single-unit, detached residences.

# How is development reviewed?

Rockville's development review process includes four phases.

### Pre-application

During the pre-application phase, city staff meet with the developer to discuss the proposal; outline the project's size and potential impact on neighbors, green space, transportation, stormwater management, and other public infrastructure; learn about the zoning process; and ask questions. In most cases the developer

will be required to notify the community of their plans and hold a public meeting for residents to comment on the project.

### **Application**

During the application phase, the developer files the appropriate application materials and meets with city staff to discuss the proposal and any changes made as a result of the pre-application phase. In most cases the developer will be required to notify the community of their plans, hold a public meeting for residents to comment on the project and, in the case of very large projects, brief the Planning Commission and/or Mayor and Council. Also during this phase, city staff reviews the application package and coordinates with other government agencies and utilities that review the application.

### **Public Meeting**

During the public meeting phase, the designated approving authority reviews the proposal and any changes made as a result of community feedback, and decides whether to approve or disapprove the project. The designated approving authority depends on the project's potential impact and could be the chief of zoning, Planning Commission or the Mayor and Council.

### Decision

During the decision phase, city staff issues a decision letter based on the final action of the approving authority. Such action may approve the project as is, approve the project with specific conditions, or deny the project. The developer signs the letter acknowledging the decision and returns it with a final set of plans for inclusion in the public record.

### Who reviews and approves development?

Rockville's Zoning Ordinance outlines three levels of development review based on the project's size and potential impact. Each project is assigned points based on acreage, number of dwelling units, square footage of non-residential space, residential area impact and traffic impact.

Depending on the number of points earned a project will require one of the following levels of review: Site Plan Level 1: Review by the chief of zoning.

**Site Plan Level 2**: Review by the Planning Commission at one meeting.

**Project Plan**: Review by the Planning Commission and Mayor and Council at three meetings: one for an initial briefing of both; one for review and recommendation by the Planning Commission; and one for review and action by the Mayor and Council.

# **Development Review at a Glance**

### **Pre-Application Phase**

- The developer notifies the community about the plans, and holds a public meeting for comments.
- The developer submits pre-application materials and fees.
- City staff and the developer assess the project's potential impact.
- City staff holds a pre-application meeting with the developer.

# **Application Phase**

- 1. Application and fees submitted.
- The developer notifies the community about the plans, if necessary.
- The developer holds a public meeting for comments, if necessary.
- City staff evaluates the application and issues a report.

City staff and the developer brief the Planning Commission and Mayor and Council if necessary.

## **Public Meeting Phase**

- The designated approving authority reviews the application and issues a decision.
  - a. Mayor and Council.
  - b. Planning Commission.
  - c. Board of Appeals.
  - d. Historic District Commission.
  - e. City staff, i.e., the chief of zoning.

### **Decision Phase**

- City staff issues a decision letter based on the final action of the approving authority.
- The developer acknowledges the decision and files a final set of project plans if approved.



MAYOR AND COUNCIL Meeting Date: September 15, 2025 Agenda Item Type: DISCUSSION AND POSSIBLE APPROVAL

Department: FINANCE

Responsible Staff: XIAOJING ZHANG

# Subject

Financial Advisory Board FY 2025 Annual Report and FY 2026 Action Plan

# **Department**

Finance

# Recommendation

The Financial Advisory Board ("Board") recommends that the Mayor and Council receive the FY 2025 Annual Report and review and approve the FY 2026 Action Plan.

# **Discussion**

The Financial Advisory Board held a meeting on July 9, 2025, where they approved an Action Plan for FY 2026. The Board would like the Mayor and Council to review and approve the Action Plan. The Board believes that the Action Plan (attached) is consistent with the Board's "Duties and Responsibilities" as outlined in the City Code.

In addition to the FY 2026 Action Plan, attached is the FY 2025 Annual Report. The Annual Report outlines the Board's accomplishments for the prior fiscal year.

Mr. Bob Wright, Board Chair, will present these reports to the Mayor and Council.

# **Mayor and Council History**

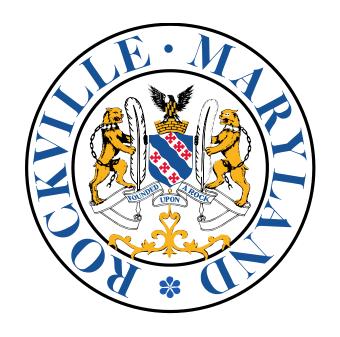
The Mayor and Council approved the FY 2025 Action Plan on October 7, 2024.

# **Boards and Commissions Review**

The Financial Advisory Board approved the FY 2026 Action Plan on July 9, 2025.

### **Attachments**

FAB Presentation to MC FY2025 AR FY2026 AP 15 Sep 2025 Rev A, Memorandum with Enclosures to M&C from FAB FY 2025 Annual Report and Proposed FY 2026 Action Plan FAB Approved 7-9-2025



# FINANCIAL ADVISORY BOARD FY 2025 ANNUAL REPORT and PROPOSED FY 2026 ACTION PLAN

Robert 'Bob' Wright, Chair

Presentation to the Mayor and Council

15 September 2025



# PRESENTATION OUTLINE

- 1. Compliance
- 2. Board Activities
- 3. Selected FY 2025 High Points
- 4. Additional FY 2026 Proposed Actions





# FY 2025 Board Membership

- 1) Resignations: Mr. David Mack, Mr. Gary Correll and Ms. Diane Hack Gould
- 2) Two appointments: Mr. William Mako and Mr. Michael Wheet
- 3) Beginning of FY 2026 six members: Mr. Jack Kelly, Mr. William Mako, Ms. Lori Merrill, Mr. Michael Patrick (VC), Mr. Michael Wheet and Dr. Robert Wright (C)
- 4) Staff Liaison: Ms. Xiaojing Zhang
- 5) Council Liaison: Mr. Barry Jackson



# **Board Meetings**

# Met nine (9) times in City's Fiscal Year 2025

# First Fiscal Quarter

- 7 August 2024
- 4 September 2024

# **Second Fiscal Quarter**

13 November 2024

# **Third Fiscal Quarter**

- 15 January 2025
- 12 February 2025
- 12 March 2025

# Fourth Fiscal Quarter

- 9 April 2025
- 23 April 2025
- 21 May 2025



# FY 2025 High Points

- 1) No material findings in the six actions (1-6) required by the City Code to be reviewed (Action 1 extensively reviewed in FY 2025)
- 2) FAB review of budget now collated by staff
- 3) FY 2025 Actions 8 and 10 concluded
- 4) Procurement rises in importance (now a Department with a Strategic Plan)
- 5) Three (3) memorandums were forwarded to the Mayor and Council



# Proposed FY 2026 Action Plan



Six (6) actions are required by the City Code: Actions 1 through 6.



FY 2025 Actions 8 and 10 completed, leaving 9 actions carried forward. One new action, Action 10, in FY 2026.



If circumstances dictate the Board will return to the Mayor and Council to request additional Actions.

# Action 7: Emphasis on Procurement

- 1. Procurement is now a department
- 2. Total procurement expenditures are ~50% of City expenditures
- 3. Strategic sourcing ought to be implemented ASAP
- 4. Strategic Plan (vision, priorities, goals, objectives, key initiatives)





# Action 8: Grant Award Processes

- Previously Community Agency Grants
  - a. Community Empowerment Matching Grant Program
- 2. Processes used, not awards made
- 3. Already completed satisfactorily
  - a. REDI
  - b. Caregiver Grants



# Action 9

Action 9: Monitor changes in key financial performance indicators (KPIs) that could materially affect the City's AAA/Aaa credit rating.



# Action 10

Action 10: Review best practices for similarly sized municipalities and assess whether there are any recommendations for high-impact financial or operational review procedures that could be performed using existing budgeted resources



# After comments and questions the Board requests you

- 1. Accept the FY 2025 Annual Report
- 2. Approve the Proposed FY 2026 Action Plan

# **MEMORANDUM**

**DATE**: July 9, 2025

**FROM**: Financial Advisory Board

City of Rockville

**TO**: The Honorable Mayor and Councilmembers

City of Rockville

**SUBJECT**: FY 2025 Annual Report and the Proposed FY 2026 Action Plan

On July 9, 2025, the Financial Advisory Board (the Board) approved its Annual Report for FY 2025. Also, on July 9, 2025, the Board adopted a proposed FY 2026 Action Plan. The two documents are Enclosure A and Enclosure B, respectively, to this memorandum. When the Board presents to the Mayor and Council, the Board requests the Council accept the FY 2025 Annual Report and approve the proposed FY 2026 Action Plan.

At the Board meeting on May 21, 2025, Dr. Robert Wright was elected Chair of the Financial Advisory Board for FY 2026. For the first time the Board also elected a Vice Chair, Mr. Michael Patrick.

The Board thanks the Mayor, Councilmembers, the City Manager, the City Clerk/Director of Council Operations and the city staff for their support during the fiscal year. We are grateful to have Mr. Barry Jackson as the Council liaison to the Board and look forward to his continued service as the liaison. Ms. Xiaojing Zhang, Director of Accounting is the city staff liaison to the Board. Ms. Zhang's efforts in logistics and support of the Board are outstanding.

Mr. William Mako was appointed to the Board in October 2024. Mr. Gary Correll resigned in November 2024. In March 2025 the Mayor and Council appointed Mr. Michael Wheet to the Board. Ms. Diane Hack Gould resigned in April 2025. That vacancy has not yet been filled. Thus, at the close of FY 2025 we had six members out of seven authorized members serving on the Board.

There were nine Board meetings in FY 2025. As required by the Rockville City Code we met at least once in each fiscal year quarter in City Hall. Board meetings took place on August 7, 2024; September 4, 2024; November 13, 2024; January 15, 2025; February 12, 2025; March 12, 2025; April 9, 2025; April 23, 2025; and May 21, 2025.

# **FY 2025 ANNUAL REPORT**

Enclosure A to this memorandum is the complete FY 2025 Annual Report. The Board is required to review six actions (Actions 1-6) as mandated by the City Code, Chapter 2, Division 2, Section 2-241. There were no material findings in those reviews. Action 6 is quite extensive as it requires the Board review the contents of the entire budget. The questions and comments and staff responses for that review are documented and available upon request to our staff liaison Ms. Xiaojing Zhang or the Deputy Chief Financial Officer, Ms. Kim Francisco.

In FY 2025 the Board forwarded the following three memorandums:

1. Memorandum to the Honorable Mayor and Councilmembers, RE: FY 2024 Annual Report and the Proposed FY 2025 Action Plan, August 7, 2024.

- 2. Memorandum to the Honorable Mayor and Councilmembers RE: Review of the FY 2024 Procurement Annual Report and FY 2025/FY 2027 Strategic Plan, April 9, 2025.
- 3. Memorandum to the Honorable Mayor and Councilmembers RE: Review of the Proposed FY 2026 Operating Budget and Capital Improvements Program, April 23, 2025.

The Financial Advisory Board completed a New Member Orientation Manual in January 2025 specifically tailored to the Board. The manual includes a welcome message from the Mayor and Council.

# PROPOSED FY 2026 ACTION PLAN

Two actions from FY 2025, Action 8, "Review the Rockville Community Survey to assure that it reflects residents' evaluation of the included questions regarding the City's finances and how well they are perceived." and Action 10, "Review annual revenue sources" were not carried forward into FY 2026. The closures for those two actions are described in the FY 2025 Annual Report (Enclosure A).

Enclosure B is the Financial Advisory Board's proposed FY 2026 Action Plan. One new action was added, Action 10. That action asks if other municipalities like Rockville have financial best practices that are not currently used by the City. If so, what are they and should Rockville adopt them.

# **CLOSURE**

We look forward to working with the Mayor and Council, the City Manager, and the city staff in FY 2026. If during FY 2026 an issue arises that the Board believes merits your attention, we will petition to amend the FY 2026 Action Plan. Our annual presentation to you is scheduled for September 15, 2025. At that time, we request you accept the FY 2025 Annual Report and approve our proposed FY 2026 Action Plan.

Respectfully,

Members of the Financial Advisory Board

Mr. Jack Kelly

Mr. William Mako

Ms. Lori Merrill

Mr. Michael Patrick, Vice Chair

Mr. Michael Wheet

Dr. Robert Wright, Chair

CC Mr. Jeffrey J. Mihelich, City Manager

Mr. Barack Matite, Deputy City Manager

Mr. Robert Dawson, City Attorney

# Memorandum to the Mayor and Council

Ms. Sara Taylor-Ferrell, City Clerk/Director of Council Operations

Ms. Stacey Webster, Chief Financial Officer

Ms. Kimberly Francisco, Deputy Chief Financial Officer

Ms. Xiaojing Zhang, Director, Office of Accounting, Department of Finance, and Staff Liaison to the Board

Councilmember Barry Jackson, Council Liaison to the Board

Enclosures: A. Financial Advisory Board FY 2025 Annual Report

B. Financial Advisory Board Proposed FY 2026 Action Plan

Annex 1: FAB Review of the FY 2024 Annual Comprehensive Financial Report

Annex 2: FAB Review of the FY 2024 Popular Annual Financial Report

## **JULY 9, 2025**

### **FY 2025 ACTION PLAN ACCOMPLISHMENTS**

- 1. Annually review the City's Comprehensive Annual Financial Report, the Single Audit Report, and all other reports issued by the auditors and published in final form. The review should encompass and include any management letters and audit findings, as appropriate. [Mako]
  - a. Additionally review the Popular Annual Financial Report (PAFR)

# **Annual Comprehensive Financial Report**

An email dated May 1,2025 from Financial Advisory Board (the Board) member Mr. William Mako to Ms. Xiaojing Zhang noted that according to the independent audit report, the City's financial statements and related notes "present fairly, in all material respects, the respective financial position of the [City] as of June 30, 2024." The auditor also concluded that supplementary information "presented for the purposes of additional analysis . . . is fairly stated, in all material respects, in relation to the basic financial statements as a whole." In addition, having reviewed other information in the introductory and statistical sections for material consistency with the basic financial statements, the independent auditor raised no questions. Hence, on this material, no further comment is warranted.

# After noting that--

- (i) the Government Financial Officers Association (GFOA) values highly the Annual Comprehensive Financial Reports (ACFR) ["The ACFR should be the normal means for a government to meet its financial reporting responsibilities...for the benefit of existing or potential holders of municipal securities."] and
- (ii) consistently the City receives GFOA's "Certificate of Achievement of Excellence in Financial Reporting" award for its ACFRs.

Mr. Mako suggested minor changes to the ACFR's Transmittal Letter (TL) and Management's Discussion and Analysis (MD&A) that might nevertheless enhance the communication of useful information to current or potential investors.

In her initial response dated May 2, 2025, Ms. Zhang expressed thanks for this review: "We greatly appreciate your comments and feedback. I would like to let you know that many of the tables and content in the ACFR are prescribed by the *Government Accounting Standards Board* (GASB) and not readily changeable; but I will consider some of the suggestions that enhance clarity and provide greater economic insights." The Board recognizes the GASB's authority.

In a follow-up email dated May 21, 2025, Ms. Zhang indicated that--

- (i) the Finance Department will consider including in future MD&As a short description of the City's policy on maintaining the General Fund unassigned reserve within a specified range and how the City implements this policy, and
- (ii) consider adding some highlights from REDI's periodic economic overview if available to the MD&A of "Economic Factors and Next Year's Budget and Rates."

# **JULY 9, 2025**

Although the Finance Department has not agreed, the Board continues to recommend that--

- (i) the Transmittal Letter include some details to support the claim that "management has established a comprehensive internal control framework;" and
- (ii) the MD&A of "Financial Highlights" consider including some different or additional items.

For a complete record of the exchanges between the Board and staff regarding the FY2024 ACFR, see Annex 1 (enclosed).

## **Popular Annual Financial Report**

In his email dated May 16, 2025 to the Finance Department, Mr. Mako expressed admiration for the FY 2024 Popular Annual Financial Report (PAFR). The GFOA has regularly provided the City with an "Award for Outstanding Achievement in Popular Annual Financial Reporting."

Nonetheless, from his perspective as a resident who appreciates excellent municipal services but doesn't want to pay too much for them, Mr. Mako suggested a few changes that might make future PAFRs even better. These include:

- (i) a summary of how government accounting differs from corporate accounting;
- (ii) less discussion on city-wide statements of financial position and activities;
- (iii) more discussion of General Fund (GF) revenues and expenditures, including the importance of the General Fund's unassigned reserve and how the City manages it;
- (iv) some discussion of interest expense savings from the City's AAA rating;
- (v) some reordering of the discussion on property taxes and utility bills; and
- (vi) suggested improvements to the PAFR's page 12 exhibits on enterprise fund policy targets for the City's utilities.

An email dated May 16, 2025 from Ms. Kim Francisco indicated that she "will take these into consideration as the FY 2025 PAFR is being prepared." She also responded to a few questions in Mr. Mako's email. His question about the presentation on finances for the City's four utilities, however, remains an open matter.

For a complete record of the exchanges between the Board and staff regarding the FY 2024 PFAR, see Annex 2 (enclosed).

2. Annually review the City's Financial Management Policies published in the City's budget document to evaluate whether those policies are appropriate. [Mako]

At the Board meeting on April 9, 2025 Mr. Mako asked Ms. Francisco if there were planned changes in FY 2026 to the Financial Management Policies. Ms. Francisco noted one change, which is to include the word "designee", i.e., the City manager *or his/her designee* may approve the use of contingency funds and budget transfers. No Board member raised questions or objected to this change.

# **JULY 9, 2025**

3. Annually review the City's investment policy to evaluate whether that policy is appropriate. [Wheet]

In FY 2024 the Board, received a presentation by the City's Chief Financial Officer and the City's investment advisor, PFM Asset Management, regarding an update to the City's investment policy to be consistent with the State of Maryland laws regarding such policies. In FY 2025 there were no changes to the City's investment policy. PFM Asset Management continues as the City's investment advisor.

In a memorandum, dated April 24, 2024, to the Chief Financial Officer was a reminder that Section XIX of the Investment Policy requires a certification of compliance with the Investment Policy and a certification that the City has sufficient liquidity to meet its expenditure obligations for the next six months. These certifications now appear in the web page subheading for the "Investment Policy and Reports" of the City's web page for Budget:

For the investment reports posted below, city staff acknowledges compliance with the city's <u>Statement of Investment Policy</u> and certifies that the city has sufficient liquidity to meet its expenditure obligations for the next six months

The Board believes that a better practice would be to incorporate the certification into each Investment Report. The Board intends to discern the appropriate form of a certification statement in FY 2026.

No modification to the City's Investment Policy was noted in the proposed FY 2026 Operating Budget and CIP.

4. Review the City's cash and investment report when published. [Patrick]

As of June 30, 2025, Investment Reports for the fourth quarter of FY 2024 and the first, second, and third quarters of FY 2025 have been published on the City's website. These reports, prepared by the City's investment advisor, PFM Asset Management, LLC, provide an overview of the portion of the City's investments managed by PFM.

The reports indicate that the PFM-managed portfolio remains compliant with the State of Maryland's statutory requirements and continues to prioritize safety, liquidity, and yield. As of March 31, 2025, the portfolio held approximately \$44.1 million, with an effective duration of 2.47 years and an average credit quality of AA. The report also reflects reasonable economic expectations for interest rates and market conditions, while acknowledging ongoing market volatility and uncertainty.

However, it is important to note that these reports do not provide a comprehensive view of all the City's investments. Additional invested balances held outside of the PFM-managed portfolio are not included in these reports, specifically in the Maryland Local Government Investment Pool (MLGIP, \$45.3 million as of June 30, 2024) and certificates of deposit (CDs, \$8.3 million as of June 30, 2024).

# **JULY 9, 2025**

5. Review the City's quarterly financial reports (QFR) to assess whether spending and revenue collection are tracking with adopted and amended budgets, analyzing variances, and to highlight problem areas, if any. [Merrill]

As of June 30, 2025, Ms. Merrill has reviewed the FY 2024 4<sup>th</sup> Quarter and FY 2025 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Quarter Financial Reports posted on the City's website. The reports are reasonable, and no further analysis is needed. The City appears to be on target with most of its expenditures and revenues. The general contingency fund was supported by subscription-based information technology arrangements (SBITAs) savings and was at zero at the end of Q3. Assuming there are no unanticipated expenses during the 4th quarter, the City is likely to have a surplus in the General Fund at the end of FY 2024.

6. Annually provide comments and recommendations, as appropriate, regarding the next fiscal year's Operating and Capital budgets. [Board as a whole]

The review by the Financial Advisory Board (the Board) of the Proposed FY 2026 Operating Budget and Capital Investments Program had no material findings. In a memorandum dated April 23, 2025, the Board recommended to the Mayor and Council the following:

- a) Staff should continue to contemporaneously record the interaction between the Board and staff during the budget review.
- b) Staff should continue to apply for external grants as grants in some areas provide substantial amounts of funds.
- c) In support of Vision Zero the Mayor and Council should pursue a legislative initiative to increase the value of fines associated with red light and speed cameras.
- d) The proposed FY 2026 budget introduces considerations worth noting given the current economic environment and in advance of the City's next planned debt issuance in FY 2027. These actions will help the City retain its AAA/Aaa credit rating from the credit rating agencies.
- 7. Review City actions to implement the Calyptus 2015 Purchasing Study as well as other actions the City has taken to address the Board's recommendations regarding the City's procurement activities. [**Kelly**]

This was the first year since the Board began tracking the implementation of the 2015 Calyptus recommendations that the Procurement Department did not present its Procurement Annual Report to the Mayor and Council. The Procurement Director graciously did present a special briefing on February 12, 2025, to the Board on both the FY 2024 Procurement Annual Report and the FY 2025/FY 2027 Strategic Plan for Procurement. The Board was pleased to note that the Procurement Department had incorporated many of the suggestions made by it via comments on the FY 2023 Procurement Annual Report. One Board suggestion not addressed in the FY 2024 report was the inclusion of footnotes that identified grant spending included in the Purchase Order totals. The Procurement Director stated that staff will consider including those footnotes in future reports. There were two other suggestions regarding changes to future reports. Those suggestions

**JULY 9, 2025** 

were documented in the meeting minutes for February 12, 2025, and will be tracked when future reports are received.

The Board commented on the FY 2025/FY 2027 Strategic Plan and noted it included a detailed objective to "explore and adopt a methodology for strategic sourcing." The Procurement Director asked whether including this objective would satisfy the Board regarding the Calyptus recommendation to implement a strategic sourcing program. The Board said it needed time to consider this question and, in a subsequent memorandum, clarified that it requires that the Procurement Department first demonstrate at least one successful procurement using a strategic sourcing methodology. That methodology ought to be documented, along with the results achieved, and be presented to the Board. The Board asked that the Procurement Annual Report continue to include steps taken to implement the strategic sourcing methodology.

Finally, the Board intends to forward a memorandum to the Procurement Director outlining critical content that ought to be included in future Procurement Annual Reports. Some of this content will address apparent discrepancies in how grant spending is presented in the printed Adopted Budgets and the Excel Budget Workbook. The Board intends to complete this memorandum early in FY 2026.

8. Review the Rockville Community Survey to assure that it reflects residents' evaluation of the included questions regarding the City's finances and how well they are perceived. [Merrill]

The Financial Advisory Board (the Board) discussed the FY 2024 Resident Survey at its meeting on January 15, 2025. We are pleased most residents believe the quality of life in Rockville is outstanding. Although we did not have the opportunity to provide input (Action 8 in the Board's FY 2025 Action Plan and Action 10 in the Board's FY 2024 Action Plan) we note the following from our review:

- a. As noted in the resident survey "the results of the survey comprise a major component of Rockville's work to measure performance and also are intended for use in planning and resource allocation." The Board is not aware of any reference in an operating budget that the results of the survey were used to either plan or allocate resources either to a particular activity or project.
- b. Although actions might be constructed afterwards, the survey would be more valuable if questions had been drafted in an actionable format. For example, ask what actions would make you feel safer during the day: (1) wider sidewalks, (2) emergency phones available, (3) cleaner streets, sidewalks and garages, (4) better signage, (5) greater police presence.

The Board notes that FY 2026 has funding for procuring a vendor for the biennial community survey and that the City Staff do not need or want Board input into the survey. We plan to include a review of the 2026 Rockville Community Survey in the FY 2027 Action Plan.

## **JULY 9, 2025**

9. Conduct a comprehensive review of all City awarded grants including associated activities and processes. Report material findings regarding those activities and associated processes and recommend improvements. [Merrill/Kelly]

The focus for FY 2025 was a comprehensive review of the grant process and grants update for the Community Services and Enrichment Grant Program that was proposed for the FY 2026 Budget. Prior to FY 2026, the city had two separate community grant processes: the caregiver agency grants, for organizations that help meet basic needs; and the community organization grants, for organizations that provide other benefits to Rockville individuals and families. A third, much smaller, grant program called the Community Empowerment Matching Grant program was created in FY 2025 within the JEDI Cost Center in the City Manager's Office. The processes for the two larger grant programs were consolidated for FY 2026, into a single Community Services and Enrichment Grants process. Beginning in FY 2026, all grants are now budgeted within the Department of Housing and Community Development, Community Services Division.

The Board received information and reviewed the Community Services and Enrichment Grants process and found it well documented and had no further questions on review. The Board requested information on the Community Empowerment Matching Grant process and has not yet received that information. The Board proposes to review the process in FY 2026.

10. Review annual revenue sources [Wright]

No single source was identified for municipalities to access different types of revenue sources, that includes the Maryland Municipal League. Ms. Francisco has said City fees are frequently evaluated and benchmarked Internally, and proposed changes are reflected in the next fiscal year's proposed budget. Fees that are frequently reviewed by an external consultant are those for utilities, particularly those for water, sewer, and storm water management. Finding new fees for revenue is best accomplished though conferences and workshops attended by city staff. This Action will not be proposed in FY 2026.

11. Review Rockville's use of financial Key Performance Indicators (KPIs), note trends, and benchmark its KPIs against comparable municipalities. [Patrick]

Through analysis of credit rating agency reports, we identified several key financial metrics commonly used to evaluate municipal creditworthiness. These included indicators related to assessed property values, available fund balances, liquidity, long-term liabilities (including pension and OPEB obligations), and fixed costs.

While we sought to benchmark these KPIs against other Maryland municipalities, we were unable to identify consistent, comparable data across jurisdictions due to significant variations in reporting methods and calculations.

The insight we gained informed our feedback on the City's FY 2026 proposed budget, as reflected in the Board's budget review memo. Specifically, we highlighted how certain budget elements could influence these KPIs, such as the Compensation and Classification Study recommendations and the

**JULY 9, 2025** 

practice of cash-funding capital projects in advance of bi-annual debt issuances. While the City's AAA/Aaa credit rating remains well-supported, we noted that these factors may contribute to downward movement in some metrics over the coming year. Ongoing monitoring of these KPIs will remain important as the City approaches its next planned debt issuance in FY 2027.

# **OTHER**

In January 2025 the Board completed a NEW MEMBER ORIENTATION MANUAL tailored to the Board. It includes a welcome message from the Mayor and Council on the back side of the front cover. It is a living document. Feedback from new Board members is solicited. A recent new Board member reports that it is well done and helpful.

# ENCLOSURE B CITY OF ROCKVILLE FINANCIAL ADVISORY BOARD PROPOSED FY 2026 ACTION PLAN

# **JULY 9, 2025**

# Actions in the Rockville Municipal Code

NO.	ACTION	FAB LEAD	NARRATIVE	ORIGIN	RKV STAFF
1	Annually review the City's Annual Comprehensive Financial Report, the Single Audit Report, and all other reports issued by the auditors and published in final form. The review should encompass and include any management letters and audit findings, as appropriate.  Additionally review the Popular Annual Financial Report (PAFR).	MAKO	In FY 2026 the Board will review the FY 2025 Annual Comprehensive Financial Report and the Popular Annual Financial Report.	§ 2-241 (c)	Xiaojing Zhang 8413 Kim Francisco 8402
2	Annually review changes to the City's Financial Management Policies published in the City's budget document to evaluate whether those policies are appropriate.	MAKO	In FY 2026 the Board will review only <u>newly</u> adopted and amended Financial Management Policies.	§ 2-241 (d)	Kim Francisco 8402 Stacey Webster 8407
3	Annually review the City's investment policy to evaluate whether that policy is appropriate.	WHEET	The City's Investment Policy was updated in May 2024. The Board does not anticipate updates to the Investment Policy in FY 2026.	§ 2-241 (e)	Kim Francisco 8402 Stacey Webster 8407

**JULY 9, 2025** 

# Actions in the Rockville Municipal Code

NO.	ACTION	FAB LEAD	NARRATIVE	ORIGIN	RKV STAFF
4	Review the City's cash and investment report when published.	WHEET	Reports will be reviewed when published in FY 2026.	§ 2-241 (f)	Kim Francisco 8402 Stacey Webster 8407
5	Review the City's quarterly financial reports (QFR) to assess whether spending and revenue collection are tracking with adopted and amended budgets, analyzing variances, and to highlight problem areas, if any.	MERRILL	In FY 2026 the quarterly financial reports (QFR) will be reviewed after posting to the City's website.	§ 2-241 (g)	Kim Francisco 8402
6	Annually provide comments and recommendations, as appropriate, regarding the next fiscal year's Operating and Capital budgets.	BOARD	All members of the Board will participate in the review of the Proposed FY 2027 Operating Budget and Capital Improvements Program.  Selected performance measures in the budget will be reviewed for effectiveness, efficiency and support of the Mayor and Council's Critical Success Factors.	§ 2-241 (h)	Kim Francisco 8402

**JULY 9, 2025** 

# **Actions Proposed to the Mayor and Council**

NO.	ACTION	FAB LEAD	NARRATIVE	ORIGIN	RKV STAFF
7	Assess actions by the Procurement Department to a) Implement a strategic sourcing methodology (a Calyptus Report recommendation), b) Implement its Strategic Plan, c) Increase competitive bidding for goods and services, d) Classify spending by various pathways, e.g., disparate sources for piggy-back contracting.	KELLY MAKO	The Board will continue to review the City's Procurement Annual Report and the implementation of its Procurement Strategic Plan, including progress on the implementation of the City's strategic sourcing methodology, increasing the number of awards competitively bid, and identifying spending via different procurement pathways.  The Board will continue to review the Year-End MFD-V Outreach Report, will work with City staff to annotate the Procurement Annual Report to reflect the inclusion of grant awards among the normal procurement activities	FAB Proposed	Jessica Lewis 8432
8	Conduct a comprehensive review of the complete process, beginning to end, used by the Community Empowerment Matching Grant Program to make awards. Report material findings regarding those processes and if appropriate recommend improvements.	MERRILL KELLY	In FY 2026 the Board will evaluate the processes used by the City to award grants for thoroughness, consistency, transparency and accountability. A review of the processes used by the Community Empowerment Matching Grant Program to make awards will be conducted.	FAB Proposed	Sarah Maizel 8304

**JULY 9, 2025** 

# **Actions Proposed to the Mayor and Council**

NO.	ACTION	FAB LEAD	NARRATIVE	ORIGIN	RKV STAFF
9	Monitor changes in key financial performance indicators (KPIs) that could materially affect the City's AAA/Aaa credit rating.	PATRICK	Credit rating agencies assess a variety of factors when determining ratings for municipal governments. Some of these factors are derived directly from financial records, such as fund balance levels, debt ratios, and pension or OPEB liabilities. Others reflect broader economic conditions, including national and regional GDP growth.  We will regularly review the City's quarterly and annual financial reports, as well as the FY 2027 budget, to track trends and developments in the financial KPIs used by the credit rating agencies. Should we identify any changes that may pose a risk to the City's current AAA/Aaa credit rating, when significant we will promptly bring these matters to the attention of the Mayor and Council.	FAB Proposed	Kim Francisco 8402

**JULY 9, 2025** 

# **Actions Proposed to the Mayor and Council**

10	Review best practices for similarly sized municipalities and assess whether there are any recommendations for high-impact financial or operational review procedures that could be performed using existing budgeted resources	PATRICK	Like many cities of similar size, Rockville does not maintain a formal internal audit function but has a small budget available to engage an external firm for limited-scope procedures if desired. To date, these funds have typically been used only in response to known issues.  Best practices among similarly sized U.S. municipalities suggest that targeted audit procedures on key financial and operational processes can provide valuable insight and support strong stewardship of public resources (e.g. reviews of procurement practices, payroll and overtime controls, cash handling processes, revenue assurance, etc.). We will explore potential focus areas and recommend any procedures that may warrant consideration by the Mayor and Council.	FAB Proposed	Kim Francisco 8402
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### **JULY 9, 2025**

#### Annex 1: FAB Review of the FY2024 Annual Comprehensive Financial Report (ACFR)

Original FAB comments in plain text. Finance Department responses <u>underlined</u>. Any further comments from FAB in *italics*.

#### Possible additions:

1.) The Transmittal Letter (TL) states (p.5) that "... management has established a comprehensive internal control framework that is designed both to protect the government's assets from loss, theft, or misuse, and to compile sufficient reliable information for the preparation of the City's financial statements in conformity with GAAP." Such protection and reliability goals are of great interest. Hence, we suggest providing a few more sentences of explanation on how the City's internal control framework operates and why an internal control audit office is not warranted.

The City's internal control framework includes, but is not limited to, segregation of duties for finance functions, monthly audits of purchase card transactions, set schedules of high-risk assets, and audits of petty cash at City facilities. Because the cost of internal controls should not outweigh their benefits, management believes that the current internal controls operate well and an internal audit office is not warranted.

It would be good to add such explanation to the TL to support the claim of a "comprehensive internal control framework."

- 2.) Some of the items in MD&A of "Financial Highlights" seem more meaningful (e.g., unassigned General Fund balance/adopted budgeted revenues, decrease in principal debt outstanding, average investment balance and average rate of return) than others (e.g., funds' absolute net positions). Readers might also welcome inclusion in the "Financial Highlights" of the following items:
- Bond rating disclosed in the Transmittal Letter, page 7, and MFD&A page 24
- The trend in debt to assessed property valuation <u>– disclosed on page 95</u>
- The trend in debt per capital disclosed on page 95
- The trend in debt per capita as a percent of per capita income
- The trend in debt per capita as a percent of the operating budget
- The trend in debt service as a percent of the operating budget
- Budget variances disclosed on page 75 and in the RSI page 77 and 86 and OSI pages 81-82
- Enterprise fund compliance with financial management policies
- The trend in real and personal property values (from Part III Statistical Section, unaudited) disclosed on page 90
- The trend in property tax collection during the fiscal year levied (") disclosed on page 93

We will consider including the trend in debt per capita as a percent of per capita income, the trend in debt service as a percent of the operating budget, and enterprise fund compliance with financial management policies in the Statistical Section; however, we believe they are not necessary because these are disclosed in our budget document. All other "Financial Highlights" you mentioned are

#### **JULY 9, 2025**

included in the RSI, OSI and Statistical Section of the document. MD&A presents the two fiscal year comparisons, and it is not intended to present long-term trends or other highlights found elsewhere in the document.

We observed that the above-listed items are presented elsewhere in the ACFR. Our question is whether readers might consider some of these as more of a "financial highlight" than some of the items (e.g., funds' absolute net positions) now presented in "Financial Highlights."

- 3.) Include in MD&A a short description of the City's policy on maintaining the General Fund unassigned reserve within a specified range and how the City implements this policy. We will consider this.
- 4.) The text on changes in net position (pp. 19-22) is sometimes challenging to read through. Two tables included on pages 19 & 20 showing FY23-to-FY24 changes in government-wide assets/liabilities/net position and revenues/expenses/net position are helpful. The addition of similar 2-FY comparisons for the General Fund and total Enterprise Funds could similarly help readers. The total enterprise funds comparisons are presented "Business-Type." We will not present General Fund separately. Readers can easily refer to the Basic Fund Statements if they need to see details about the General Fund.
- 5.) In MD&A of "General Budgetary Fund Highlights," two additional tables showing (i) changes in the amended vs. adopted budget for the current fiscal year, and (ii) a comparison of amended budgets for the current and previous fiscal years would provide meaningful information on changes in priorities or unexpected events. This comparison for the audited fiscal year is disclosed on page 75 of the RSI budgetary comparison schedule for General Fund. We do not provide budgetary comparisons for prior years.
- 6.) MD&A of "Economic Factors and Next Year's Budget and Rates" (p. 34) doesn't actually discuss economic factors. If MD&A is going to claim consideration of economic factors, it could at least include some highlights from REDI's periodic economic overview. We will consider adding some highlights from REDI's economic overviews, if available.

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#### Possible deletions:

- 1.) The photos on pp. 17 and 23 of the MD&A take up space. It might be better to exclude photos and either make the MD&A text more compact or include (as suggested above) some additional comparative tables.
- 2.) The graphic exhibits on pp.21-22 of the MD&A certainly look appropriate for a Popular Annual Financial Report. But for this MD&A, efficient text and interesting tables could suffice.

#### Possible edits:

- 1.) The LT (pp.6-7) states that "The City's economic environment mirrors what is being experienced regionally and nationally." A table then shows Montgomery County labor statistics plus County and State unemployment rates for 2019-2024. To efficiently support the "mirrors" assertion, perhaps change the table on p.7 to include only multi-year unemployment rates for Rockville, Montgomery County, Maryland, and the U.S. (i.e., exclude County employment numbers). Rockville unemployment rates are in a table on p.97 of the FY2024 ACFR. It might be worth noting in the text that the City's unemployment rates have been lower than those for the County and State since FY2020. Also, this table and discussion might be better placed in the MD&A section on "Economic Factors and Next Year's Budget and Rates."
- 2.) The 1st paragraph in MD&A basically just advises the reader to read elsewhere. It might be better here to outline what MD&A will cover.: I. Financial Highlights; II. Overview (and Explanation) of the Financial Statements; III. Government-wide Financial Analysis; IV. Financial Analysis of the Government's Funds; V. General Fund Budgetary Highlights; VI. Capital Asset and Debt Administration; and VII. Economic Factors and Next Year's Budgets and Rates.
- 3.) The "Overview of Financial Statements" in MD&A does a good job of summarizing the focus and composition of the City's various funds. This section also includes many sentences summarizing fund increases or decreases from FY23 to FY24. Further editing of this text (e.g., pp.19-22) might enhance its clarity and meaningfulness. Or perhaps better the CAFR could include (as suggested above) a few additional comparative tables. This would make the text easier to appreciate.
- 4.) P.98 in the "Statistical Section" of MD&A lists 15 major employers and promises the number of employees and percentage of City employment by each for FY2024 and FY2015. For 10 of the 15 for FY2024, however, the entries for employment are designated as "not applicable for the fiscal year presented." What does this mean? Are these firms still in Rockville? In addition, the inclusion of FY2015 employment for 3 firms for which FY2024 data are "not applicable" muddies the attempted comparison of FY2024 vs. FY2015 employment by major employers. This table does show that employment has increased for the County/City governments and schools. But it really doesn't show anything meaningful for large corporate employers. Corporate employment, however, seems an important topic and worth discussing in MD&A of "Economic Factors." For future ACFRs, it would be

**JULY 9, 2025** 

useful if REDI could provide some meaningful and comparable multi-year data on major private-sector employment.

#### **JULY 9, 2025**

#### Annex 2: FAB Review of the FY2024 Popular Annual Financial Report (PAFR)

Original FAB comments in plain text. Finance Department responses <u>underlined</u>. Any further comments from FAB in *italics*.

- P.3: To orient non-financial expert resident readers, the discussion of "Financial Structure" could begin with a few introductory sentences on why municipal accounting is more complicated (e.g., 12 funds/sets of financial statements for the City of Rockville) than corporate accounting (usually 1 set of financial statements). E.g.: "In contrast to the corporate focus on profitability, municipalities must provide services, fairly allocating service costs, and maintain financial stability. This requires a mix of government, enterprise, and fiduciary funds." Or something like that.
- P.5: How much interest would the average non-financial expert resident reader have in this full 1-page discussion of City-wide statements of activities and net position? It might be appropriate to edit this down to  $\frac{1}{2}$  or  $\frac{1}{2}$  of a page directing any reader seeking more info to the ACFR and use the saved  $\frac{1}{2}$  or  $\frac{1}{2}$  page to talk more about the General Fund and Enterprise Funds, which might be of more practical interest to resident readers.

Pages 6-7 on General Fund revenues and expenditures: It might be worthwhile to note (on p.6) that income tax revenues are forwarded from the State and to specify (p.7) housing for whom in the summary of community development. Also, especially if ¾ or ½ page is freed up as suggested above, this would provide space to address the following: (i) the reasons for >10% FY23-to-FY24 changes in GF expenditures; (ii) what "transfers and other uses/sources" consist of; (iii) the importance of GF reserve for the City's AAA rating; and (iv) the City's plan (e.g., from p.69 of the FY25 budget) to reduce the GF unassigned reserve closer to 20% of adopted budget revenue, and how the City does manages a reserve excess (i.e., one-off expenditures per budget amendments).

P.8, on capital investments: I didn't see an indication of "CIP expense types" in the FY24 ACFR. So, I assume these amounts and percentages come from some FY24 budget document, perhaps an actual-to-amended budget. I assume the actual amounts are materially close to the amended budget amounts, in which case it would have been good to refer any interested reader to the FY24 budget on the City's website for more details.

P.8, on city debt: It might be interesting to compare recent interest rates for AAA-rated vs. lower-rated bonds, and how much the City saved on interest expense during the fiscal year from its AAA rating.

P.10: For subsequent clarity, after citing the City's property tax rate of \$0.292/100, it might be worth noting that the County and State also impose their own property tax rates. In addition, the PAFR might note how long the City's \$0.292 rate has been in effect and management's intent to retain this rate.

Pages 10-13: In the FY24 PAFR, these pages (i) explain property taxes, (ii) provide a sample tax bill that includes some utilities, (iii) discuss Rockville's utilities, and (iv) provide a sample utility bill that includes some utilities. The samples of bills are clear. But it might be easier for a reader to follow the following

#### **JULY 9, 2025**

sequence: (i) property tax explanation, (ii) utilities discussion, (iii) sample tax bill, and (iv) sample utilities bill.

P.12 on utilities: My main comment is that the two exhibits on targets wouldn't reassure a reader who might worry that their utility rates are too high. For example, although the fact that sewer revenues exceeded expenses for FY22-24 supports financial sustainability, might the revenues be more than needed? Similarly, might the reserve levels for sewer, refuse, and water be more than needed? To address these questions, the PAFR could usefully include (i) a summary statement of activities for each of these four utilities to show pre-contribution income or loss, and (ii) a table comparing the actual end-FY reserve with the reserve target for each utility. Two more questions: (1) why not parking (maybe at least mention it)? Also, (2) has water really shown operating losses? From p.81 of the FY24 ACFR, it appears to me that water showed an FY24 operating income of \$0.961 M. What am I missing?

The Parking Fund is an enterprise fund but is not considered a utility. The Water Fund had a FY24 loss of \$408,573 which is shown in the FY24 ACFR as a decrease in net position.

On parking: OK. It's not a utility. But it's nice that the City maintains parking lots at Downtown/Pike & Rose and allows 2 hours free parking (I guess to support retail development). The PAFR might want to claim credit for this in 1 sentence somewhere.

On water: Per the ACFR, water did indeed show a \$408,573 decrease in net position in FY24. But this was due to a net \$1,074,550 transfer to other funds. Income before contributions was \$665,977 and operating income was \$961,346. The latter seems most consistent with PAFR's assertion that "Target #1 analyzes revenues versus expenses. For each utility fund, total operating revenues must meet or exceed total operating expenses."

P. 3: Lastly, it's not a financial matter, but the demographics exhibit on p.3 ends a bit oddly. Why highlight 16% Hispanic or Latino? Showing instead our 54% non-white population would help highlight Rockville's diversity. Also, instead of the circle graph (which must add up to 100%), it might be clearer instead to show a table like the one on p.39 of the FY25 budget.

The Hispanic or Latino data point aligns with census data and allows us to more clearly distinguish ethnicity from race.

On the demographics exhibit: I don't get Kim's point. But this isn't a financial matter. No further comment



MAYOR AND COUNCIL Meeting Date: September 15, 2025
Agenda Item Type: WORKSESSION
Department: CITY MANAGER'S OFFICE (CMO)

Responsible Staff: JEFF MIHELICH

### Subject

**Economic Development** 

### **Department**

City Manager's Office (CMO)

#### Recommendation

Staff recommends that the Mayor and Council discuss the city's current economic development model and direct staff accordingly following the discussion.

## **Change in Law or Policy**

If directed to modify the city's economic development delivery model, this may require amendments to the existing funding agreement and operation.

### **Discussion**

At the March 24<sup>th</sup>, 2025, Mayor and Council meeting, a majority of the body requested a work session to discuss economic development.

Work session topics requested for discussion include:

- 1. An overview of the different types of frameworks/models used by municipalities/jurisdictions to tackle economic development
- 2. Identification of the different roles and responsibilities in economic development, what entity currently covers each, and whether we have any gaps
- 3. Discussion and clarification of the lines of communication, direction, and accountability of all involved
- 4. Discussion of outcomes-based measurements of success
- 5. Discussion of various mechanisms (to include funding agreement) to implement enhancements/changes identified in prior items

The majority of the body emphasized that this consideration should be more of a conversation among the members of the Mayor and Council, and not follow the typical work session format, where staff conducts in-depth research and seeks specific feedback on policy options.

#### **Economic Development Models**

The delivery of economic development services in local government can be achieved using different models. The two most common are:

- 1. The service is provided by a separate third-party entity, Economic Development Organizations (EDOs), such as Rockville Economic Development Inc. (REDI)
- 2. Government-run or "in-house", such as an Economic Development Department or a division within a department or office.

Most third-party Economic Development Organizations operate as a 501(c)(3) non-profit with strategic collaboration from the cities they serve. This mode typically includes an autonomous board, relies on municipal funding, and lacks direct access to internal city systems. In most cases, they have their own administrative services, including information technology, human resources, legal, and record keeping.

Examples of third-party Economic Development Organization models in Maryland include Rockville Economic Development Inc., Cumberland Economic Development Corporation, and the Easton Economic Development Corporation.

In a government-run ("in-house") economic development delivery model, the economic development functions in some jurisdictions are solely with the economic development department, while in others, the functions can be a division within the City Manager's Office. In other jurisdictions, these functions can be combined within other departments, such as a Community and Economic Development Department, which combines land use and economic development functions within one department.

Examples of "in-house" economic development delivery models in Maryland include the <u>City of Gaithersburg</u>, the <u>City of Frederick</u>, and the <u>City of Bowie</u>.

#### **Current Practice**

Currently, the City of Rockville uses the third-party economic development delivery model and has an existing Funding Agreement with REDI for their provision of certain services.

REDI was aware of the Mayor and Council's impending work session on economic development and prepared a summary of key areas of economic development activity that they provide, including the current role and areas of coordination with the city. (See Attachment 1).

In addition, they prepared a document (Attachment 2) where they compared the pros and cons of how REDI would compare with an internal city economic development department.

### **Mayor and Council History**

On June 16, 1997, the Mayor and Council established the Greater Rockville Partnership, Inc. (GRPI) and approved its Articles of Incorporation, which organized GRPI as a nonstock

charitable "supporting organization". GRPI was created, among other things, to support and assist the Mayor and Council by conducting and performing the functions previously conducted by the Economic Development Division of the Department of Community Development.

On November 19, 2003, Greater Rockville Partnership, Inc., with the consent and authorization of the Mayor and Council, amended its Articles of Incorporation and changed its name to "Rockville Economic Development, Inc." (REDI). Since then, the Mayor and Council and REDI have entered into subsequent funding agreements.

On July 1, 2024, the Mayor and Council and REDI entered into and executed the REDI Funding Agreement – Fiscal Years 2025-2027.

On July 1, 2025, the Mayor and Council and REDI entered into and executed the First Amendment to the REDI Funding Agreement – Fiscal Years 2025-2027

# **Fiscal Impact**

A detailed fiscal impact analysis would be prepared, pursuant to the direction provided by the body following the economic development work session.

### **Next Steps**

Following the work session discussion, staff will follow up with any direction received from the body.

#### **Attachments**

Attachment 1: REDI\_Areas of Economic Development Activity, Attachment 2: REDI Comparisons, Attachment 3 Economic Development Work Session PPT



# KEY AREAS FOR ECONOMIC DEVELOPMENT ACTIVITY

# **REDI PROVIDES:**

- Business Development (Attraction, Retention, Expansion)
- Market Research
- Marketing and Communications
- Resources and Connections
- Technical Assistance
- Entrepreneurship Development
- Incentive Programs
- Placemaking and Community Identity
- Tourism/Destination Marketing
- District Identification and Support
- Partnering with Key Stakeholders

# **REDI PARTNERS:**

- Workforce Development
- Lending Programs
- Development and Redevelopment Projects
- Public Private Partnerships
- Infrastructure, Transportation and Utility Projects
- Art and Cultural Development
- Business Associations/Districts
- Housing Development
- Education Opportunities



# COLLABORATIVE ECONOMIC DEVELOPMENT ROLES FOR BEST-IN-CLASS COMMUNITIES

# CITY

- Community Development/Placemaking
- Infrastructure
- Growth Mindset/Legislation
- Fiscal Management
- Public Safety
- Planning, Zoning, Permitting
- Civic Engagement
- Regional Collaborations

# **REDI**

- Attraction, Retention, Expansion
- Research & Analysis
- Communications & Marketing
- Business Outreach & Engagement
- Industry Initiatives
- Foster Business Ecosystem
- Leverage Partnerships

# **REGIONAL PARTNERS**

- Growth Policies/Legislation
- Business Friendly Tax and Programs
- Education
- Workforce Development
- Inclusive Outreach & Collaboration
- Utilities/Transportation
- Regional Initiatives



# TOOLS AND FOCUS FOR ACHIEVING GOALS

# **CITY**

- · Liaison/Permitting Concierge
- Zoning Rewrite
- Permitting/Inspection
   Streamlining (Clarity/Timeline)
- Tax Incentives
- Economic Development Element
- Fund Incentives/Grants

- Develop Key Projects/Assets
- Affordable and Adequate Infrastructure
- Accessible Transportation
- Help Provide/Facilitate Energy/ Utility Needs
- Support a Safe Community

# REDI

- · Focus on key industry areas
- Create opportunities for business to learn/interact
- Promote resources/information
- Develop brands for industry sectors/district/business community/local tourism
- Provide local tourism information

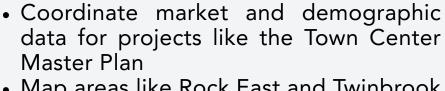
- Manage website/social media/ public relations
- Business engagement
- Assist with filling vacancies
- Administer incentives
- Produce marketing materials/ campaigns
- Track metrics jobs/space/ capital

# **REGIONAL PARTNERS**

- Educational Institutions
- Workforce Development Boards
- EDOs/COG/Board of Trade
- Think Tanks (Connected DMV), Accelerators & Incubators
- Chamber

- Trade Associations
- Developers/Real Estate Brokers/ Site Selectors
- Members of the Business Community
- Funders
- State, County, Local Government officials and staff





- Map areas like Rock East and Twinbrook
- Provide input on key development projects like Metro stations, King Farm Farmstead, Redgate Park
- Provide feedback from community for code changes and plans (including the Comprehensive Plan -Economic Development element and the Zoning Ordinance Rewrite
- Connect businesses to appropriate staff for approvals, permitting, inspections
- Highlight projects and businesses that have significant economic impact on the city
- Market the city as business friendly
- Meet several times a month



# **COMPARISON OF STRUCTURES**

Note: Green are pros and Brown are cons

Business Development Support/External Partnerships:  Business Development Support/External Support/External Partnerships:	Economic Development Organization (FDO) as a separate entity:	Internal Economic Development Department:			
Partnerships:  Businesses are able to discuss their concerns with staff prior to any submittals or meetings, providing a trusted partner to the business community. Businesses appreciate this independent informed viewpoint.  REDI provides technical assistance through MWBC programming that creates a pipeline for attracting existing and start-up businesses and helps with business retention.  MWBC has established partnerships with other jurisdictions that feed referrals for businesses interested in locating in Rockville.  Because REDI is an autonomous entity, it can participate in and facilitate regional problem solving without representing an official city position.  REDI's current structure has been a successful model since 1997, and Rockville has a robust and attractive business community and economy.  Many jurisdictions look to REDI as best practices, and have sought to replicate programs such as retail and childcare incubators, and support for small-scale manufacturing  If roles are not clearly delineated between the EDO and city staff, there may be overlap or confusion in service delivery, especially in technical assistance or outreach.  May face barriers in accessing internal city systems (e.g., permitting, planning), slowing down coordinated responses for	(12 0) do d coparato offici.				
<ul> <li>May face barriers in accessing internal city systems (e.g., permitting, planning), slowing down coordinated responses for</li> </ul>	Business Development Support/External Partnerships:  Businesses are able to discuss their concerns with staff prior to any submittals or meetings, providing a trusted partner to the business community. Businesses appreciate this independent informed viewpoint.  REDI provides technical assistance through MWBC programming that creates a pipeline for attracting existing and start-up businesses and helps with business retention.  MWBC has established partnerships with other jurisdictions that feed referrals for businesses interested in locating in Rockville.  Because REDI is an autonomous entity, it can participate in and facilitate regional problem solving without representing an official city position.  REDI's current structure has been a successful model since 1997, and Rockville has a robust and attractive business community and economy.  Many jurisdictions look to REDI as best practices, and have sought to replicate programs such as retail and childcare incubators, and support for small-scale manufacturing  If roles are not clearly delineated between the EDO and city staff, there may be overlap or confusion in service delivery, especially in technical assistance or	Business Development Support/External Partnerships:  Businesses would have a single point of contact for navigating permitting and incentives, reducing confusion between REDI and city departments and enabling faster and more coordinated support for businesses.  ED staff would have direct use of city properties, GIS systems, permitting databases, and demographic data enhances the ability to support site selection, outreach, and retention efforts.  While the MWBC program is not permitted to be hosted by a governmental entity, the city could establish an entrepreneurship center to provide technical assistance to the small business community.  MWBC program would have to be eliminated ending direct support for Rockville businesses.  Staff would be bound by government rules and requirements, limiting the ability to quickly create or adjust pilot programs, small grants, or partnerships in response to new business needs.  Staff may become absorbed in city processes and lose the business-first mindset.  Might lose the perception of neutrality as businesses may be less candid about challenges or concerns when engaging directly with government			
	<ul> <li>May face barriers in accessing internal city systems (e.g., permitting, planning), slowing down coordinated responses for</li> </ul>				

# **Marketing Support**

- Ability to promote businesses and private industry through tools like Explore Rockville, which has a business directory and calendar for city and non-city events.
- Ability to tailor messaging to different audiences like tourists, employees, employers, and investors.
- More flexibility in branding and messaging to craft campaigns and public messages that align with market trends and business language, rather than needing to conform to government communication protocols.
- Ability to create placemaking and identity through marketing and other placemaking efforts like Rock East, Biotech Corridor, etc.
- REDI's marketing may not be automatically aligned with broader city initiatives missing opportunities for cross-promotional impact.
- REDI must independently fund or outsource marketing functions and remain independent on external tools, which can slow execution and increase costs.

# **Funding & Programming**

- Private entities are often more comfortable donating to or partnering with a nonprofit than a government entity, increasing potential sponsorships or philanthropic funding.
- Incentive programs are run by a committee, which provides separation in decision-making from the political process.
- Ability to host MBWC as an SBA program, which gives a competitive edge, as most EDOs do not also

# **Marketing Support**

- Communication efforts are more easily aligned with the city's overall communication strategy and priorities, creating a cohesive message for residents, businesses, and investors.
- Marketing content may move more smoothly through internal city review channels when produced by in-house staff.
- Economic development marketing can be more easily tied into broader city campaigns (e.g., sustainability, equity, housing), enhancing visibility and crossdepartmental collaboration.
- Restricted in ability to promote private businesses or city assets not for public benefit/service.
- Would not be able to host the tools for businesses such as Explore Rockville's events calendar or the business directory.
- Economic Development initiatives and programs may not have as much visibility to the public or business community.

# **Funding & Programming**

- Could still provide incentive programs, and if funded, staff can provide technical support services and entrepreneurship support possibly without federal or other local government funding or there could be a hybrid model where a separate non-profit is retained to deliver technical services through MWBC with outside funding.
- Grant compliance, audits, reporting, and financial

- provide technical business support services.
- MWBC elevates the ecosystem as a place that encourages entrepreneurship and innovation, which is an underpinning of the key industry areas of bio/life science, small-scale manufacturing, and other technology companies.
- Managing multiple grants with varied reporting requirements diverts staff time from direct business support and strategic planning.
- management would be supported by existing city departments (Finance, Legal, Procurement), reducing overhead for program administration.
- Economic development functions are typically built into the city's base budget, providing greater year-to-year stability and predictability and providing stable core funding.
- If delivery of all REDI services is brought in house, the city would need to absorb costs currently covered by other jurisdictions for entrepreneurship/technical assistance if retaining entrepreneurial technical assistance is desired.
- The city is not eligible for some external funding sources like grants for non-profits, foundations, etc.

#### **Infrastructure & Operations support**

- A separate entity EDO is nimbler in procurement, contract management, and decision-making, as they are not "in line" for services from procurement or other departments.
- Lack of internal infrastructure and operations support and must outsource some IT, HR, Finance, and Legal support.
- Required to follow the Open Meetings Act, the Maryland FOIA, and the Maryland Archive requirements, without City Clerk or Legal Department support.

### **Infrastructure & Operations support**

- In-house support for IT, HR, Finance, Legal, Records, and Open Meetings.
- The City Manager would direct work rather than an autonomous board.
- Easier access to city staff for planning & collaboration.
- Cost savings on rent are unlikely, as the Economic Development team would not be in City Hall, and most departments require separate offices to ensure confidentiality for businesses.
- Economic development work often demands agility and operating as a

city department could create procurement delays and bureaucratic constraints.

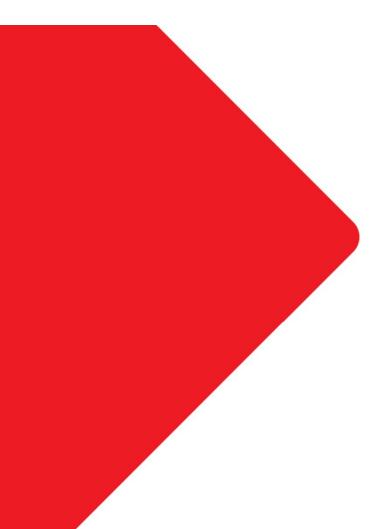
# **Hiring Employees/Board Function**

- Participation by high-level business owners and executives who are more engaged by being a part of an autonomous Board.
- Ability of business leaders to provide business perspective and vision for the future to guide the Mayor and Council.
- Ability to access key business leaders to get input on pressing current issues and proposed ordinance/regulatory changes.
- Able to attract staff with government and non-government experience, which businesses appreciate.
   Employees are mission driven.
- REDI staff are recognized as thought leaders in economic development across the State.
- Jobs may not seem as stable because each year requires a funding discussion
- Limited ability to influence other Rockville city departments; REDI staff can be treated as outsiders instead of partners.
- Funding for MWBC positions is competitive with respect to some other small non-profits, but not with government and private sector positions, which leads to turnover.
- Limited funding from Rockville, impacts staffing levels for business development activities, is currently at capacity without additional staff.

# **Hiring Employees/Board Function**

- Economic Development staff would be "on the team," & able to interject the business point of view in decision internally.
- Economic development will become part of the city's overall management structure, allowing for more holistic integration into land use, housing, transportation, and infrastructure planning.
- Eliminates the complexity of managing an autonomous board, streamlining decision-making and administrative oversight.
- Without an autonomous board composed of business leaders or developers, there is less risk of perceived or actual conflicts in decision-making related to programming or initiatives.
- Employees would have municipal benefits and might have a perception of more job security.
- Business leaders and industry experts have less formal influence over program direction, innovation, and responsiveness to market trends.
- Without an active board structure, the city may struggle to foster deep partnerships with the business community, which can impact referrals, credibility, and collaborative funding opportunities.
- A Business Advisory Board is unlikely to get the same participation as the current REDI board.
- Employment may not be attractive to entrepreneurial professionals who value performance-based

incentives, flexibility, or innovation-
driven environments.



# Economic Development

# **Mayor and Council Work Session**

July 21, 2025



# **City Council Request**

- March 24<sup>th</sup> work session requested
- Work session topics:
  - Overview models
  - ED roles and responsibilities
  - Lines of communication, direction, and accountability
  - Outcomes-based measurements of success
- Conversation format



# **Economic Development Models**

# Two common models:

- Separate third-party entity
- 2. Economic Development Department



# **Third Party Model**

- ❖ 501(c)(3) non-profit
- Autonomous board
- Relies on municipal funding
- No direct access to internal city systems
- Own administrative services (IT, HR, Legal etc.)
- Examples REDI, Cumberland Economic Development
   Corporation, Easton Economic Development Corporation



# **In-House Model**

- Economic Development Department
- Division of City Manager's Office
- Combined Department i.e. Community and Economic Development Department
- Examples of "in-house" Cities of Gaithersburg, Frederick, and Bowie



# **Current Functions/Roles - REDI**

- Business Development (Attraction, Retention, Expansion)
- Market Research
- Marketing and Communications
- Resources and Connections
- Technical Assistance
- Entrepreneurship Development
- Incentive Programs
- Tourism/Destination Marketing
- District Identification and Support



# **Current Functions/Roles – City Departments**

- Community Development/Placemaking
- Infrastructure
- Growth Mindset/Legislation
- Fiscal Management
- Public Safety
- Planning, Zoning, Permitting
- Civic Engagement



# **Current Functions/Roles – Regional Partners**

- Growth Policies/Legislation
- Business-Friendly Tax and Programs
- Education
- Workforce Development
- Inclusive Outreach & Collaboration
- Utilities/Transportation
- Collaboration amongst all partners



# **Existing Funding Agreement**

\* Agreement between REDI and City of Rockville



# **Mayor and Council Conversation**

Questions, comments and direction regarding:

- 1. City economic development models
- 2. Roles and responsibilities
- 3. Lines of communication, direction, and accountability
- 4. Outcomes-based measurements of success
- 5. Any needed next steps

4



MAYOR AND COUNCIL Meeting Date: September 15, 2025
Agenda Item Type: WORKSESSION
Department: CITY MANAGER'S OFFICE (CMO)
Responsible Staff: LINDA MORAN

Subject

2026 State Legislative Priorities (including Legislative Bond Initiatives)

### **Department**

City Manager's Office (CMO)

#### Recommendation

Staff recommends that the Mayor and Council (i) receive the presentation, (ii) discuss the proposed 2026 State legislative priorities, and (iii) direct staff to bring forth a resolution that includes the approved 2026 State legislative priorities.

#### **Discussion**

### **Purpose:**

The purpose of this work session is to provide the Mayor and Council with an overview of the proposed 2026 State legislative priorities, and for staff to receive direction on priority legislative/policy issues that the City will advocate for in the upcoming General Assembly Session.

Feedback on the questions below is needed from the Mayor and Council to guide the next step:

- 1) Does the Mayor and Council support the proposed priorities?
- 2) Does the Mayor and Council have other priorities?

### **Background:**

Staff seeks broad direction from the Mayor and Council regarding topics they would like to include in Rockville's 2026 State Legislative Priorities program. With Mayor and Council direction, staff will return on October 6 with a resolution for adoption that includes the approved 2026 State Legislative priorities. This staff report includes proposed 2026 State legislative priorities for the Mayor and Council's consideration, including Legislative Bond Initiatives.

The work session continues the Mayor and Council's consideration of Rockville's 2026 State legislative priorities. The discussion began on June 9, 2025, when the Mayor and Council

approved three MML Legislative Action Requests that were forwarded to the League for consideration as 2026 priorities. This agenda item is a comprehensive package of all issues that will be included in Rockville's 2026 State legislative priorities program. The 448<sup>th</sup> General Assembly Session will begin on January 14 and conclude on April 13, 2026.

As Maryland prepares for its 2026 legislative session, State leaders face a convergence of fiscal uncertainty and political transition, with this being the final session before the June 2026 primaries and the November Election. In the last year of a four-year election cycle, there are typically fewer bills introduced. When the 448th General Assembly convenes in Annapolis, lawmakers will do so against the backdrop of a deepening budget shortfall, driven largely by anticipated federal job losses and grant reductions that threaten to erode State revenues.

Compounding the challenge, the enacted Federal budget reconciliation bill modifying Medicaid eligibility is projected to strip coverage from 175,000 Marylanders and cost the state approximately \$2.7 billion annually through 2028. In response, the Moore administration has already instituted cost-containment measures, including a hiring freeze and voluntary buyouts to close a general fund gap. Further analysis is underway: Comptroller Brooke Lierman's Office will soon release a report and online tool modeling the impact of federal cutbacks, while the Board of Revenue Estimates is reviewing how federal policies could reshape State revenues, with findings due in late September. Staff will share the information with the Mayor and Council after it is released. Although precise fiscal and election outcomes remain uncertain, legislators are bracing for significant challenges.

Affordable housing is expected to be a major focus in the upcoming legislative session. The issue, a long-standing priority for Rockville, was underscored by Governor Wes Moore at the Maryland Association of Counties summer conference in August as a challenge that will require close coordination between the State and local governments. To address it, the Moore administration is working on proposals that may include streamlining permitting processes, making public land available for housing development, setting and tracking statewide housing goals, and offering incentives to jurisdictions that adopt pro-housing policies.

Moore cited data showing that half of Maryland renters spend more than 30 percent of their income on housing and that the state ranks 43rd nationally in affordability. Lastly, the Governor's staff lead on housing legislation has left the Administration to serve as Assistant Secretary of the new Division of Business Development within the Maryland Department of Housing and Community Development. This session also carries added significance, as it represents the Governor's last opportunity to advance priorities before the 2026 primary election. In the 2026 Session, staff and the City's State lobbyist will monitor this issue and will keep the Mayor and Council informed.

#### **Proposed 2026 State Legislative Priorities**

Rockville's 2026 proposed State legislative priorities consist of the following:

Approved 2026 MML Legislative Action Request Priorities

- 2026 MML Legislative Committee Recommended Priority
- Returning Priorities from the 2025 Session
- Ongoing State Legislative Priorities

Similar to previous years, a "Watch List" has been developed for issues of interest that staff and the City's State lobbyist will monitor. Should legislation be introduced that aligns with watch list items, staff will bring it to the Mayor and Council for consideration and potential action. Please see the section entitled "Watch List" on page six of this staff report for additional information.

The following proposed priorities are specific issues to advocate for and advance in the 2026 General Assembly Session.

### **2026 Priorities Adopted To Date**

At the June 9 meeting, the Mayor and Council approved three 2026 priorities for submittal to the Maryland Municipal League (MML) as Legislative Action Requests. The approved requests are as follows:

### Legislation That Would Preserve Municipal Highway User Revenue and State Aid for Police Protection

This legislation would preserve municipal Highway User Revenue (HUR) allocations as prescribed in State law for FY27 and beyond, as well as State aid for Police Protection funding (formula-driven) used to supplement resources for police protection in counties and municipalities. Rockville's FY26 HUR allocation is projected at \$4.7 million, and FY26 Police aid allocation from the State is \$1.1 million.

The MML Legislative Committee (LC) did not select this as a stand-alone priority to recommend to the Board for approval at their September 12 meeting. Rockville will advocate for this approved priority in the 2026 Session. However, the Modernize Municipal Revenue Structure priority recommended by the MML LC includes all municipal revenues, including HUR and Police aid. See section entitled "2026 MML Legislative Committee Recommended Priority" for additional information.

#### Statewide Stop Sign Monitoring Systems Legislation

This legislation would authorize the use of Stop sign monitoring systems in school zones and provide authority for all counties and municipalities to implement this technology. Currently, jurisdictions in Prince George's County, Baltimore City, and Takoma Park are authorized to operate these systems under an existing pilot program. MML's LC did not select this priority to recommend to the Board for approval at their September 12 meeting. The City supported HB 1032 in the 2025 Session, sponsored by Delegate Palakovich Carr, which would have extended this authority, including to Montgomery County (failed).

Although MML's LC did not select this issue as a 2026 priority in their recommendation to the Board, if approved, the City will advocate for this priority in the 2026 Session.

### • Regional Transportation Authorities Legislation

This legislation would establish regional transportation authorities in three regions: Baltimore, Capital, and Southern Maryland. A transportation surcharge is imposed on these regions on retail sales, use of a taxable service, hotel lodging, and transfer of real property. Thirty percent of the revenue generated in a municipality would be distributed to the municipality (same in counties), and 70 percent is distributed to the State. MML's LC did not select this priority to recommend to the Board for approval at their September 12 meeting. The City supported HB 1370 in the 2025 Session, sponsored by Delegate Spiegel. While House Bill 1370 did not pass, some of the concepts were reflected in an amendment to House Bill 517 – Workgroup on the Reorganization of the Maryland Transit Administration (passed), which established a work group to study ways to reorganize the Maryland Transit Administration to better manage regional versus statewide transportation systems, and Delegate Spiegel joined as a cosponsor of that bill.

Although the MML Legislative Committee did not select this issue as a 2026 priority in their recommendation to the Board, the City will advocate for this approved priority in the 2026 Session

### 2026 MML Legislative Committee Recommended Priority

MML LC selected and is recommending to the Board to approve the following priority:

• Legislation Modernizing Municipal Revenue Structures

The overarching theme of the recommended 2026 MML priority is that municipalities need to diversify and expand their revenue sources. Eleven out of the nineteen 2026 LARs received by MML's LC were related to municipal revenues. The LC recommendation provides MML staff with flexibility to potentially work several revenue bills strategically through the 2026 Session, if approved, which may include the Admissions and Amusement Tax Expansion bill and/or a local government (counties and municipalities) revenue workgroup bill. The Admissions and Amusement tax enabling legislation was an MML and a Rockville priority in 2024 and 2025. The proposal would authorize up to a 3% local food and beverage fee for on-site consumption. The legislation would allow municipal governments to hold public hearings to assess the viability for each jurisdiction. A local government revenue workgroup bill would establish a workgroup to review municipal and county revenue structures. When MML releases additional details, staff will share the information with the Mayor and Council.

#### **Returning Priorities from the 2025 Session**

• Legislation to Support Funding for Youth Service Bureaus and Initiatives for Teens During Out-of-School Hours.

This priority focuses on advocacy for youth and at-risk youth programming, including:

- Youth Service Bureau funding restoration;
- Out of school activities; and
- Juvenile services for youth involved in repeat crimes who do not have access to restoration services support.

In the 2025 Session, the City supported, House Bill 814 – Department of Juvenile Services – Report on Youth Service Bureaus (passed), which requires the Department of Juvenile Services (DJS) to report to the Senate Judicial Proceedings Committee and the House Judiciary Committee by October 1, 2025, and each October 1 thereafter, on (1) efforts by DJS to promote predelinquent programs, including YSBs; (2) efforts by DJS to collaborate with and provide technical assistance to local governments regarding the establishment, use, and funding of YSBs; (3) an assessment of the programs and activities conducted by YSBs; and (4) any other efforts to prevent youth offenses. The bill did not include provisions for funding. If this priority is approved, the City will continue to advocate for dedicated funding for Youth Service Bureaus and related initiatives in the 2026 Session.

## Legislation Strengthening Tenant Protections

## Advocate for Just Cause Eviction Legislation

Delegate Jheanelle Wilkins (Montgomery County Delegation) has been the lead sponsor on this bill, which has been introduced for several years. The legislation would authorize a County to enact local laws or ordinances that prohibit a landlord from failing to renew a lease during the lease period or seeking to terminate a holdover tenancy without good cause, as specified. Essentially, landlords could not evict a tenant or refuse to renew a lease without a reason. The City supported the bill in the 2025 Session (failed). If this priority is approved, the City would continue to advocate for Just Cause Eviction legislation in the 2026 Session.

## Advocate for Landlord-Tenant Residential Leases Fee Disclosure Legislation

In the 2025 Session, the City supported Delegate Vogel's House Bill 1257 – Landlord and Tenant – Residential Leases – Fee Disclosures (failed). The legislation would have required landlords to provide prospective tenants with a written, itemized list of all potential fees, including: (1) the reason for each fee, (2) the amount, (3) whether the fee is mandatory or optional, and (4) when it is due. The bill also stated that landlords could not charge undisclosed mandatory fees, and any lease provision that failed to meet these requirements would have been unenforceable. If approved, the City will continue to advocate for this legislation in the 2026 Session.

### **Ongoing Rockville 2026 State Legislative Priorities**

 Legislation that Would Expand Access to the State Property Tax Credit to Low and Medium-Income Homeowners, Including Senior Residents, and Individuals with Disabilities to Provide Relief from Inflationary Pressures and Cost-of-Living Increases

This priority would expand the eligibility for the State Homeowner's Property Tax Credit. Low and moderate-income, including senior residents, and individuals with disabilities would benefit by receiving some relief from inflationary pressures driving cost-of-living increases. This was a 2024 and a 2025 Rockville State legislative priority. Legislation on this topic was not addressed in the 2025 Session.

- Advocate in Support of the City's Vision Zero and Pedestrian Master Plan Efforts, including:
  - Advocating for a comparative negligence law that allows pedestrians to claim damages at the percentage to which they are determined to be at fault in a vehicle crash.
  - Revising the State transportation code to make it clear that the State is responsible for maintaining all transportation facilities, including sidewalks, and streetlights at State intersections along State roadways, and providing dedicated State funding for such maintenance.
  - Advocating for the State to mitigate the increase in streetlight outages in support of pedestrian safety and to address increased overtime for City Police to maintain safety and direct traffic during outages.
  - Advocating for Don't Block the Box legislation that would prohibit a vehicle facing a
    green or yellow signal from entering an intersection if the vehicle is unable to
    proceed completely through the intersection.
  - Advocate for additional complete streets implementation along MD 355, Veirs Mill Road, and all State roads with high numbers of crashes or fatalities.
- Advocate for Legislation Supporting Rockville's Climate Action Goals of Reducing Greenhouse Gases, Prioritizing Equity, and Building Resiliency.
- Advocate for Increased Senior Transportation Services, Recreation and Wellness Programs, Senior programs in Neighborhoods, Aging-in-Place and Village Initiatives, and Senior Outreach.

**Proposed Legislative Bond Initiative Options** 

Staff recommends two options for the Mayor and Council's consideration, as the District 17 Delegation prefers to have more than one legislative bond initiative project to consider. Additionally, staff requests that the Mayor and Council provide approval for staff sharing the two potential priority projects with the District 17 Delegation, and for

direction on the ranking of priorities by order of importance. Staff will update the Mayor and Council on the option that gains majority support from the District 17 Delegation. Staff will keep the Mayor and Council informed and engaged.

## Project Option #1 - Twinbrook Park and Dogwood Park Pedestrian Bridge Replacement

This option entails requesting funding for both pedestrian bridge projects.

## Twinbrook Park Pedestrian Bridge Replacement

This project supports the Mayor and Council's Vision Zero program and City and State goals to prioritize equity and inclusion. By upgrading the pedestrian bridge infrastructure, pedestrians, cyclists, and those who roll can safely access Twinbrook Park, Twinbrook Community Recreation Center, and Twinbrook Elementary School. This pedestrian bridge also provides a route to the Twinbrook Metro Station.

This project provides funding to design and construct the replacement of a steel truss pedestrian bridge within Twinbrook Park, crossing a Rock Creek tributary, and provide a path to and from school for neighborhood children.

**Legislative Bond Initiative Funding Amount:** \$570,000, with \$150,000 for design funded in FY27 and \$420,000 in FY28 for construction.

The Department of Recreation and Parks is likely to submit this project for CIP funding within FY27-31

## **Dogwood Park Pedestrian Bridge Replacement**

This project supports the Mayor and Council's Vision Zero program and City and State goals to prioritize equity and inclusion. By replacing this pedestrian bridge infrastructure, pedestrians, cyclists, and those who roll can safely access the heavily used Dogwood Park, Bayard Rustin Elementary School, and Julius West Middle School.

This project provides funding to design and construct the replacement of a steel truss pedestrian bridge within Dogwood Park, crossing Cabin John Creek, and provides a path to and from school for neighborhood children.

**Legislative Bond Initiative Funding Amount:** \$570,000, with \$150,000 for design funded in FY27 and \$420,000 in FY28 for construction.

The Department of Recreation and Parks is likely to submit this project for CIP funding within FY27-31.

## Project Option #2 - Mattie J.T. Stepanek Park Gender Neutral Restroom

The project includes the design and construction of converting a storage space within the concession building into a single-user, accessible restroom. Mattie J.T. Stepanek Park is a 28-acre park with one of the city's largest playgrounds and a dog park, and is heavily visited by the community daily. The park hosts hundreds of programs annually, including sports leagues and classes (flag football, soccer, football, pickleball, tennis, etc.). This project supports the City and State goals to prioritize equity and inclusion.

Funding Amount: \$150,000

Bond Bill Request Amount - \$150,000

This project supports improved customer service for Rockville residents, accessibility and inclusion for the community and staff, and modernization of outdated facilities.

The Recreation and Parks Department is likely to submit this project for CIP funding within FY27-31.

### Watch List Items

The following is a listing of issues of interest to the Mayor and Council that staff and the City's State lobbyist will monitor and bring forward legislation for consideration by the Body:

- Legislation supporting native plant and animal species and restricting invasive species, including measures for spotted lanternfly mitigation and eradication, in alignment with Rockville's efforts.
- Legislation related to tenant issues and protections.
- Legislation that would impact Rockville's development review process and/or local planning and zoning authority.
- Legislation that enhances pedestrian, bike safety, and transportation safety.
- Legislation related to financial empowerment.

## **Mayor and Council History**

In the fall of each year, the Mayor and Council discuss, select, and approve a comprehensive State legislative priorities program for the upcoming General Assembly Session.

## **Next Steps**

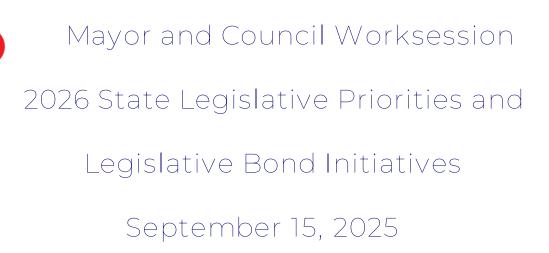
Should the Mayor and Council choose to provide broad direction on 2026 Rockville State Legislative Priorities, staff will return on October 6, 2025, with a resolution that includes the selected priorities for adoption.

Rockville's approved 2026 State legislative priorities will be highlighted at the Legislative Priorities hearing before the Montgomery County Delegation on November 19, 2025. Rockville

and its State lobbyist will collaborate with District 17 and other stakeholders to advocate for the adopted priorities in the 2026 General Assembly Session.

## **Attachments**

2026 State Legislative Priorities Presentation







## Outline

- Introduction
- Background
- Proposed Priorities
- Discussion
- Next Steps
- Requested Feedback
- Questions



## Introduction

- Annual discussion of State Legislative Priorities
- General Assembly Session January 14 to April 13, 2026



# Why Adopt State Legislative Priorities

- Disseminate the elected body's position on important bills.
- Provides a roadmap for the City's legislative advocacy.
- Allows staff to effectively position the City when bills drop.
- Focuses the City's legislative advocacy on the highest priorities.



# Factors Impacting the 2026 General Assembly Session

- June 2026 primary elections for the Governor and General Assembly
- Deepening State Budget Shortfall/Fiscal Uncertainty Around Anticipated Federal Job Losses and Grant Reductions
- Turnover in key positions within the State Administration



# Approved 2026 MML Legislative Action Request Priorities

- Preservation of Municipal Highway User Revenue and State Aid for Police Protection
- Statewide Stop Sign Monitoring Systems Legislation
- Regional Transportation Authorities Legislation





- MML LC Recommended Legislation Modernizing Municipal Revenue Structures (may include Admissions and Amusement Tax Expansion and/or Local Government Revenues Workgroup)
- Legislation to Support Funding for Youth Service Bureaus and Initiatives, and juvenile services for Teens During Out-of-School Hours
- Legislation Strengthening Tenant Protections
- Legislation Expanding Access to the State Property Tax Credit (Income challenged, Seniors, Individuals with Disabilities)

- Advocate in Support of the City's Vision Zero and Pedestrian Master Plan Efforts
- Advocate in Support of Educational Needs Across the Spectrum (capital and operating funding)
- Advocate for Senior programming
- Advocate for Legislation Supporting Climate Action Goals.

## **Legislative Bond Initiative:**

- Twinbrook and Dogwood Park Pedestrian Bridge Replacement
- Mattie J.T. Stepanek Park Gender Neutral Restroom



## Next Steps

- Staff will prepare a resolution based on Mayor and Council direction provided.
- October 6, 2025 Mayor and Council Adoption of 2026 State Legislative Priorities
- November 19, 2025 Testimony at the Montgomery County House and Senate Legislative Priorities hearing.
- Collaborate with District 17 Delegation and other stakeholders to advance Rockville's 2026 priorities in the 448<sup>th</sup> General Assembly Session.

## Requested Feedback



Does the Mayor and Council support the proposed 2026 State Legislative Priorities?

## Does the Mayor and Council have any priorities to add?

- MML LC Recommendation- Legislation Modernizing Municipal Revenue Structures (may include Admissions and Amusement Tax Expansion and/or Local Government Revenues Workgroup)
- Legislation to Support Funding for Youth Service Bureaus and Initiatives for Teens During Out-of-School Hours.
- Legislation Strengthening Tenant Protections
- Legislation Expanding Access to the State Property Tax Credit (Income challenged, Seniors, Individuals with Disabilities)

- Advocate in Support of the City's Vision Zero and Master Plan Efforts
- Advocate in Support of Educational Needs Across the Spectrum (capital and operating funding)
- Advocate for Legislation Supporting Climate Action Goals.
- Advocate for Senior Programming

## **Legislative Bond Initiative:**

- Twinbrook and Dogwood Park
   Pedestrian Bridge Replacement
- Mattie J.T. Stepanek Park Gender Neutral Restroom

## **Questions?**



MAYOR AND COUNCIL Meeting Date: September 15, 2025

Agenda Item Type: MOCK AGENDAS

Department: CITY CLERK/DIRECTOR OF COUNCIL OPERATIONS OFFICE Responsible Staff: SARA TAYLOR-FERRELL

## **Subject**

Mock Agenda

## **Department**

City Clerk/Director of Council Operations Office

## Recommendation

Staff recommends the Mayor and Council review and provide comment.

## **Attachments**

Mock Agenda September 29, 2025 (Rev. 1)



## **MAYOR AND COUNCIL**

# Meeting No. Monday, September 29, 2025 - 6:30 PM

## **MOCK AGENDA**

Agenda item times are estimates only. Items may be considered at times other than those indicated.

## **Ways to Participate**

If you require a reasonable accommodation, for community forum or a public hearing and need reasonable accommodations, please contact the City Clerk's Office by the Wednesday before the Monday meeting at 240-314-8280 or cityclerk@rockvillemd.gov or by filling this form: https://www.rockvillemd.gov/FormCenter/City-Manager-2/Request-a-Reasonable-Accommodation-50

#### **Translation Assistance**

If you wish to participate in person at a Mayor and Council meeting during community forum or a public hearing and may need translation assistance in a language other than English, please contact the City Clerk's Office by the Wednesday before the Monday meeting at 240-314-8280, or cityclerk@rockvillemd.gov, or by using this form:

https://www.rockvillemd.gov/FormCenter/City-Clerk-11/Sign-Up-for-Translation-Assistance-at-Co-368

#### **In-Person Attendance**

Community members attending in-person who wish to speak during Community Forum, or a Public Hearing, should sign up using the form at the entrance to the Mayor and Council Chamber. In-person speakers will be called upon in the order they are signed to speak and before virtual speakers.

Note: In-Person Speakers will be called upon to speak before those who have signed up to speak virtually for Community Forum and Public Hearings.

## **Viewing Mayor and Council Meetings**

The Mayor and Council are conducting hybrid meetings. The virtual meetings can be viewed on Rockville 11, Comcast, Verizon cable channel 11, livestreamed at www.rockvillemd.gov/rockville11, and available a day after each meeting at www.rockvillemd.gov/videoondemand.

## **Participating in Community Forum & Public Hearings:**

Mayor and Council September 29, 2025

If you wish to submit comments in writing for Community Forum or Public Hearings:

• Please email the comments to mayorandcouncil@rockvillemd.gov no later than 10:00 am on the date of the meeting.

If you wish to participate in-person or virtually in Community Forum or Public Hearings during the live Mayor and Council meeting:

- 1. Send your Name, Phone number, For Community Forum and Expected Method of Joining the Meeting (computer or phone) to mayorandcouncil@rockvillemd.gov no later than 10:00 am on the day of the meeting. Each speaker will receive 3 minutes.
- 2. Send your Name, Phone number, the Public Hearing Topic and Expected Method of Joining the Meeting (computer or phone) to mayorandcouncil@rockvillemd.gov no later than 10:00 am on the day of the meeting.
- 3. On the day of the meeting, you will receive a confirmation email with further details, and two Webex invitations: 1) Optional Webex Orientation Question and Answer Session and 2) Mayor & Council Meeting Invitation.
- 4. Plan to join the meeting no later than approximately 20 minutes before the actual meeting start time.
- 5. Read for https://www.rockvillemd.gov/DocumentCenter/View/38725/Public-Meetings-on-Webex meeting tips and instructions on joining a Webex meeting (either by computer or phone).
- 6. If joining by computer, Conduct a WebEx test: https://www.webex.com/test-meeting.html prior to signing up to join the meeting to ensure your equipment will work as expected.

Participating in Mayor and Council Drop-In (Mayor Ashton and Councilmember Fulton)

The next scheduled Drop-In Session will be held by phone or in-person on Monday, September 29 from 5:15-6:15 pm with Mayor Ashton and Councilmember Fulton. Please sign up by 10 am on the meeting day using the form at:https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227

- 1. Convene 6:30 PM
- 2. Pledge of Allegiance
- 3. Proclamation and Recognition NONE
- 4. Agenda Review 6:35 PM
- 5. City Manager's Report 6:40 PM
- 6. Boards and Commissions Appointments and Reappointments 6:45 PM
  - A. Board and Commission Appointment and Reappointment
- 7. Community Forum 6:50 PM
- 8. Special Presentations NONE
- 9. Consent Agenda 7:10 PM

Mayor and Council September 29, 2025

- 10. Public Hearing NONE
- 11. Action Items NONE
- 12. Worksession 7:15 PM
  - A. Transportation and Mobility Commission Annual Report
  - B. King Farm Farmstead Master Plan
  - **C.** Zoning Ordinance Rewrite Worksession (Overview of Draft Ordinance Articles Summary of Changes and Review of Remaining Topics; Public Use Space; Historic Preservation; Signs and Other; Update from Planning Commission Worksession)
- 13. Mock Agenda 9:35 PM
- 14. Old / New Business 9:50 PM
- 15. Adjournment 10:00 PM