

Submitted May 27, 2026

Approved May 27, 2026

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. 7-2025
Wednesday, May 28, 2025**

The City of Rockville Planning Commission convened in regular session at City Hall and virtually via WebEx at 7:00 p.m.
Wednesday, May 28, 2025

PRESENT

Jaime Espinosa - Chair

Eric Fulton Suzan Pitman
Shayan Salhuddin Meng Sun

Present: Nicholas Dumais, Senior Assistant City Attorney
Jim Wasilak, Chief of Zoning
Holly Simmons, Deputy Zoning Manager
John Foreman, Development Services Manager
Shaun Ryan, Development Review Supervisor
Nelson Ortiz, Principal Planner

Chair Espinosa opened the meeting at 7:00 p.m. and introduced the members of the Planning Commission. He outlined the agenda for the meeting.

I. REVIEW AND ACTION

- A. Final Record Plat Application PLT2025-00640**, to Resubdivide a Part of Parcel C, Block D, Tower Oaks, Located in the PD-TO (Planned Development - Tower Oaks) Zone at 2000 Tower Oaks Boulevard; Lerner Enterprises, Applicant

Mr. Wasilak swore in Mr. Ortiz, who presented the staff report and recommendation, which is for approval. He explained that the proposed plat containing the building at 2000 Tower Oaks Boulevard is necessary due to the recent dedication of public right-of-way associated with the Reserve at Tower Oaks project. Mr. Ortiz outlined several aspects regarding the recommended conditions of approval, including deletion of condition No. 3 as being unnecessary, noting that conditions Nos. 4 – 6 serve informational purposes and should not hold up the project and condition No. 7, which has been fulfilled.

Commissioner Pitman asked why the property is not subject to a Forest Conservation Easement (FCE) and Mr. Ortiz responded that the property itself is not part of a conservation easement. Mr. Wasilak added that the entire Tower Oaks development is subject to a Forest Conservation Plan (FCP) and there are areas within the development such as the stream valleys that are covered by FCEs but developed sites are not necessarily covered by FCEs.

Mr. Wasilak swore in Bill Kominers of the law firm Lerch Early and Brewer, who spoke on behalf of the applicant and stated that he agreed with the clarifications regarding the conditions of approval provided by Mr. Ortiz.

Mr. Wasilak noted that there was no one present to provide public testimony.

Commissioner Sun moved, seconded by Commissioner Fulton, to approve Final Record Plat PLT2025-00640, to resubdivide a part of Parcel C, Block D of Tower Oaks, subject to conditions numbered 1, 2 and 4 through 7 as shown in the staff report. The motion was approved unanimously.

II. RECOMMENDATION TO THE MAYOR AND COUNCIL

A. Zoning Text Amendment TXT2025-00270, to Regulate Establishments that Include the Retail Sale of Cannabis for Personal Use: Mayor and Council of Rockville, Applicants

Mr. Wasilak presented the staff report and recommendation. He explained that the Zoning Text Amendment as filed is intended to mirror the separation requirements between dispensaries and between dispensaries and certain sensitive uses imposed by the state of Maryland's cannabis legislation. The legislation adopted in 2023 required a separation distance between standard dispensaries and uses such as schools, childcare centers, playground, recreation centers, libraries places of worship and public parks of 500 feet. In addition, a separation distance of 1,000 feet was required between standard dispensaries. In 2024, clarifying legislation was enacted that provided for some flexibility in separation distance to local governments in that localities could not enact more stringent separation distance requirements than exist for the sale of alcoholic beverages.

Mr. Wasilak presented a map which displayed how the proposed separation distance buffers would affect properties that allow for retail use in the city, which showed that some areas such as Rockville Pike are relatively open for cannabis dispensaries, while others such as Town Center are restricted.

Commissioner Fulton asked for clarification about the term "standard dispensary" and Mr. Wasilak responded that the term is used to distinguish between dispensaries that sell cannabis for personal use and those that sell it for medical use only.

Commissioner Pitman moved, seconded by Commissioner Fulton, to recommend approval of Zoning Text Amendment TXT2025-00270, to regulate establishments that include the retail sale of cannabis for personal use. The motion passed unanimously.

III. DISCUSSION

A. Work Session No. 2 on the Zoning Ordinance Rewrite (ZOR) and Comprehensive Map Amendment (CMA)

Mr. Wasilak stated that the work session would cover two work sessions that have been held with the Mayor and Council to date.

Ms. Simmons began the presentation with an overview of the project timeline, leading up to a draft Zoning Ordinance and Zoning Map in December. For this work session, staff will present certain topic areas and summarize the Mayor and Council's discussion on those topics. For some topics, the Commission has been asked for an opinion by the Mayor and Council. She noted that during the presentation there will be opportunities for the Commission to discuss and ask questions.

New Zones

Ms. Simmons reviewed the new zones that will be created by the ZOR and CMA. These include a family of Mixed-Use Transit District (MXTD) zones that correspond to the character areas identified in the Town Center Master Plan, including MXTD-85, corresponding to the Edge character area, MXTD-200 corresponding to the Core area and MXTD-235, corresponding to the MD355 Corridor character area. In addition, there are proposed height bonuses of 50 feet for MXTD-85 and 100 feet for MXTD-200 and MXTD-235 when additional affordable residential units are provided in those zones. The Mayor and Council supported these recommendations at their May 5 work session.

Ms. Simmons noted that MXTD-235 is also recommended to be applied to properties in areas near the Shady Grove and Twinbrook Metro stations. The Mayor and Council endorsed this recommendation on May 5.

Ms. Simmons described the new Residential High Density (RHD) Zone to be implemented on the properties that currently contain the Congressional Towers and Rollins Park Apartments in the Montrose Planning Area. The Rockville 2040 Plan recommends development of a high-density residential zone to be applied in this area, as the current code does not contain such a zone. The proposed zone would have a maximum height of 75 feet and a maximum density of 50 dwelling units per acre. Property in this area would be limited in height to 45 feet when located within 100 feet of single unit detached dwellings. Ms. Simmons noted that the community values the existing private community center which is recommended for rezoning. The Mayor and Council supported this rezoning at the May 5 work session.

Commissioner Sun asked about details on Champion projects, and Mr. Wasilak responded that this designation applies to certain development projects that provide certain public benefits in exchange for additional height and density.

Commissioner Fulton expressed support for the recommendations but asked about the difference between abutting and confronting. Ms. Simmons responded that abutting means immediately adjacent, while confronting means across the street.

Commissioner Salahuddin asked if the Mayor and Council recognize that the private community center has value, but they also want to see the property redevelop, and Ms. Simmons stated that the Mayor and Council support the staff recommendation, although community members have addressed the Mayor and Council regarding this property. Ms. Simmons further noted that the draft proposal has evolved based on community feedback.

Height Transitions

Ms. Simmons described the layback slope that the current Zoning Ordinance uses to address transitions between low density development and higher density that is in close proximity. The ZOR recommends a more modern method of achieving these transitions as the slope would not permit the recommended heights in the Town Center Master Plan on many properties. The proposed height transition would allow for the new height to be achieved while mitigating the impact of the height on nearby properties. Buildings taller than 50 feet would step back ten feet at 50 feet in height and again at 85 feet in height. This requirement would apply when low density residential single unit attached and detached zones abut the high-density mixed-use properties. The Mayor and Council supported this recommendation.

Commissioner Sun supported this recommendation.

Housing Expansion and Affordability Act (HEAA)

Ms. Simmons described the state legislation that became effective on January 1 and will impact certain development projects in Rockville. For qualified projects, which include being located within .75 miles of a rail station and providing 20 percent of residential units as affordable for 40 years, a 30 percent height bonus applies. Also, for projects that are controlled by a nonprofit or located on land owned by a nonprofit and provide 25 percent of the units as affordable for 40 years, the project is eligible for a 30 percent height bonus. She noted that the legislation allows for the development of middle housing on properties that are zoned for single unit detached dwellings.

Revisions to Existing Zone Standards

Ms. Simmons noted that the height in the I-L Zone is proposed to be increased from 40 feet to 60 feet to allow for more flexibility in that zone, and that design requirements in all zones will be simplified and clarified and will provide for alternative compliance.

In addition, the maximum height in the MXNC Zone is recommended to be increased from 45 feet to 65 feet. Ms. Simmons asked if the Commission had an opinion on this recommendation, as it has not been discussed by the Mayor and Council.

Commissioner Pitman asked if there were any sites in the city to illustrate the impact of the increased height, and Mr. Wasilak responded that the Twinbrook shopping centers at Veirs Mill Road and Atlantic Avenue are currently zoned MXNC, and this would permit redevelopment up to a height of 65 feet.

Commissioner Salahuddin asked if any projects were considered but not did not go forward with the optional height of 65 feet in the current zone, and Mr. Wasilak answered that there have been few if any projects proposed in that zone since it was created in 2009. He mentioned one project that was considered but not pursued because the additional 20 feet would not be enough to make the project feasible economically.

Commissioner Sun asked if there would be a bonus height in the zone, and Ms. Simmons answered that there would only be the proposed increase in the base height. All commissioners expressed support for the increased height.

RMD-Infill Zone

Ms. Simmons described the purpose of the zone, which allows for middle housing, or house-scale dwellings such as duplexes, triplexes, fourplexes, cottage courts and townhouses. She noted that the Mayor and Council supported the revisions of development standards in the zone to aid in achieving these units.

Commissioner Fulton asked if projects in the RMD-Infill Zone could take advantage of the increased density afforded by the HEAA and Mr. Wasilak responded that he thought that there could be if the conditions were met.

Commission Pitman asked if there would be an opportunity for existing single-family homes to be converted to duplexes or small apartment buildings, and could there be a tax credit. Ms. Simmons answered that conversion of single-family homes is certainly possible and would be considered middle housing. Mr. Wasilak added that the tax credit question is a policy issue that could be addressed by the Mayor and Council.

Commissioner Sun asked if there would be examples of middle housing in the code, and Mrs. Simmons responded that this is an excellent suggestion.

Commissioner Pitman suggested that the height of residential structures could be used to determine when the height transition provisions would be required, instead of just being based on the unit type.

Comprehensive Map Amendment

Mr. Wasilak presented the draft Zoning Map, which shows that most properties will not have a zoning change, while others will as recommended in the Rockville 2040 Plan and Town Center Master Plan. He reviewed the proposed rezonings by Planning Area.

In Planning Area 2 – East Rockville, the proposed rezonings consist of the east side of the Rockville Metro station proposed for rezoning from MXNC to MXCD, as well as expansions of the areas already zoned RMD-Infill. In addition, properties fronting Veirs Mill Road are recommended to be rezoned from R-60 to RMD-Infill as part of the upzoning related to the Bus Rapid Transit (BRT) on Veirs Mill Road. In Planning Area 3 – Hungerford, New Mark Commons, Lynfield and Fireside Park, a portion of the Woodmont Country Club is recommended to be rezoned from R-400 to RMD-25. Mr. Wasilak noted that he presented this rezoning to the Hungerford Civic Association, and no opposition was voiced.

In Planning Area 6 – Lincoln Park, rezoning from R-60 to RMD-Infill is proposed for properties on the west side of North Stonestreet Avenue, north of the MCPS facility. Staff have reached out to the Lincoln Park Civic Association to make sure they are aware of this recommended rezoning. Mr. Wasilak noted that professional guidance has indicated that communities that traditionally been vulnerable at times welcome new housing opportunities, but that if the community does not support the new housing it should not be imposed. Staff is evaluating the recommendation on this rezoning.

In Planning Area 8 – Twinbrook, several rezonings are proposed, including rezoning the Burgundy Shopping Center on Baltimore Road from MXC to MXNC, as well as the Veirs Mill Road corridor

from R-60 to RMD-Infill and MXNC at the BRT stop locations. He noted that the station sites have been modified since the Plan was adopted, so these rezonings may shift to reflect those changes. In the southern part of the planning area, there is an area near the Twinbrook Metro station that is proposed for rezoning from R-60 to RMD-Infill as well as properties currently zoned I-L proposed for rezoning to MXB.

One corrective rezoning is recommended for Planning Area 9 – Rockville Pike, which will amend the zone boundary between the MXCT and the MXCD zones on the Congressional Plaza property. In Planning Area 10 - Montrose, a new high density residential zone is recommended for the Congressional Towers and Rollins Park apartments properties, while the East Jefferson Street frontage is recommended to be rezoned from RMD-25 to MXCT, mirroring the zone across the street.

Within Planning Area 12 – Tower Oaks, a ten-acre parcel that is undeveloped is recommended to be rezoned from the R-90 Zone to the RMD-25 Zone. Mr. Wasilak noted that adjacent property owners have requested a meeting with staff to discuss the rezoning and private agreements that exist for the property.

Mr. Wasilak then described a rezoning in Planning Area 17 – Southlawn and Redgate, which recommends rezoning from I-L to MXE. This rectifies in part the existence of the David Scull Courts community which exists in the I-L Zone, which does not permit residential use.

Mr. Wasilak then asked the Commission whether they support the proposed changes to the Zoning Map based on the revised locations of the BRT stations, and the Commission agreed to support the changes.

Commissioner Pitman asked what the concerns about the proposed rezoning in the Lincoln Park neighborhood as expressed by residents, and Mr. Wasilak responded that the community was concerned about introducing different types of housing within an area that is an important part of the community and there was also a disconnect between the proposed rezoning and recent efforts to update the conservation district that applies to the neighborhood.

Commissioner Fulton stated that he would support extending the RMD-Infill Zone to other areas of the city, and Commissioner Pitman asked if this was being considered. Ms. Simmons stated that staff did hear similar feedback from some residents but that further investigation would be needed given the constraints of the Comprehensive Plan. Commissioner Sun asked if the RMD-Infill Zone included mixed uses, and Ms. Simmons stated that it included a mix of different housing types but not uses other than residential.

Commissioner Salahuddin asked if small apartment buildings were possible in the RMD-Infill, and Ms. Simmons responded that the zone allows for up to 4 units in a building in the form of a fourplex.

Commissioner Fulton asked if the Commission could recommend that additional areas of RMD-Infill be rezoned, and what the process would be, and Mr. Wasilak responded that the Commission could recommend it and likely take the form of a Plan amendment initially.

IV. COMMISSION ITEMS

- A. Staff Liaison Report** – Mr. Wasilak noted that the next Planning Commission meeting would be on June 11. There will be a follow-up to recent work session on the development review process as well as several record plats and a recommendation on an amendment to the project plan for 900 Rockville Pike. On June 25, there will be a recommendation on the loft conversion proposal in the Ansel 44 building.
- B. Old Business** – None.
- C. New Business** – Planning Commission Annual Report for 2024: Mr. Wasilak reviewed the report of the activities undertaken by the Commission in 2024, as well as the status of adequate public facilities in the city as required by the Land Use Article. Commissioner Sun asked whether she should be included in the list, and Mr. Wasilak answered that she should be and that he will add. Commissioner Salahuddin asked if he should attend as the chair from 2024, and Chair Espinosa said that he would make the presentation. He suggested that one sentence related to the pandemic could be deleted.
- D. Minutes Approval** – None.
- E. FYI/Correspondence** – Mr. Wasilak noted one email received since the last meeting.

V. ADJOURN

There being no further business to come before the Planning Commission, Commissioner Fulton moved, seconded by Commissioner Sun, that the meeting be adjourned at 8:32 p.m. The motion was approved unanimously.

Respectfully Submitted,



Commission Liaison