

MEMORANDUM TO: Planning Commission

VIA: Greg Ossont, Planning and Code Administration Director

FROM: Lauren Pruss, Planning Director  
Planning and Code Administration

DATE: March 12, 2009

SUBJECT: Gaithersburg West Plan

Please find attached a draft comment letter regarding the *Gaithersburg West Master Plan* for your review and discussion at the March 19, 2009 regular meeting. Copies of the plan have either been previously provided, or can be provided upon request. You may view the plan at:

[http://www.montgomeryplanning.org/viewer.shtm#http://www.montgomeryplanning.org/community/gaithersburg/documents/gwmp\\_phdraft\\_02182009.pdf](http://www.montgomeryplanning.org/viewer.shtm#http://www.montgomeryplanning.org/community/gaithersburg/documents/gwmp_phdraft_02182009.pdf)

Following the discussion, staff will make modifications to the letter in response to your comments, and then forward the letter to the Maryland National Park and Planning Commission for inclusion in the public hearing record. You may contact me if you have any questions.

LP/lp

March 19, 2009

Chairman Royce Hanson  
Maryland National Capital Park and Planning  
8787 Georgia Avenue  
Silver Spring, MD 20910

Dear Chairman Hanson:

Thank you for forwarding the draft *Gaithersburg West Master Plan* for our review. The draft Plan was discussed by the Gaithersburg Planning Commission at our regular meeting on March 19, 2009 and we offer the following comments:

1. The smart growth elements of the plan are in keeping with the *City of Gaithersburg Smart Growth Policy*, a master plan element adopted in 1999. As such, the City is encouraged to see such elements embodied within the plan.
2. The annexation of the McGown property would be a logical extension of the City's corporate limits. Accordingly, the City supports the plan's recommendation for the McGown property.
3. The City supports the County fully funding construction of the CCT from the Shady Grove Metro Station to the proposed Belward station.
4. The City supports the plan to utilize multi-story schools with shared recreational fields.
5. As previously stated within a previous letter dated March 5, 2009, from Angel Jones, City Manager, utilizing the word Gaithersburg into a Montgomery County plan, City and non City residents believe the recommendations proposed reflect the needs and objectives of the Gaithersburg Mayor and City Council the Planning Commission and the citizens of Gaithersburg. While much of the study area of the Gaithersburg West Master Plan is within the Gaithersburg postal code none of it is within the incorporated limits of the City of Gaithersburg.

Accordingly, the City has requested that the name of the document be changed to "The Mid-County South Regional Plan."

6. The Plan refers to several unincorporated areas as "enclaves" and describes these areas as being surrounded by the City. The term "enclave" suggests that these unincorporated areas are in violation of the Maryland Annotated Code which prohibits "...any unincorporated area which is bounded on all sides by real property presently within the corporate limits of the municipality..." In fact, only the National Institute of Standards and Technology (NIST) property and the Londonderry/Hoyle's Addition neighborhood is an "enclave." Furthermore, the NIST property is a federally recognized enclave not within County jurisdiction. The remaining neighborhoods are only partially surrounded by the City.

Accordingly, the City of Gaithersburg recommends that an alternate word be used to refer to these areas, or that the definition of “enclave” be revised to state “completely or nearly completely surrounded by a municipality”, since four of the six areas described are only partially surrounded by a municipality.

7. The first paragraph of the subsection “Annexation” describes the statutory requirements for municipal establishment of Maximum Expansion Limits. This paragraph is concluded with the statement “Ideally, the boundaries between the County and the municipalities would be logical and well-defined, following roads or natural features such as streams.” The incorporation of this County-stated policy within this paragraph infers that the state regulations require conformance with this statement, when, in fact, the state regulations include no such statement.

Accordingly, it is recommended that this statement be removed from this paragraph. It is more appropriately placed within the subsequent paragraph which clearly states the County’s position regarding the City’s Municipal Growth Element.

8. On page 51, the Plan states “Both the Londonderry and Hoyle’s Addition areas are appropriate for annexation by the City of Gaithersburg.” Please be advised that in regard to property other than Belward and McGown, the City has a policy of not actively seeking annexation. In all cases, annexation into the City is a purely voluntary action initiated by the property owner. Because of this policy, the City recommends that the language be modified to state “Both the Londonderry and Hoyle’s Addition areas are appropriate for annexation into the City of Gaithersburg.”

Furthermore, on page 48 the plan recommends that the City prepare annexation fact sheets and hold information seminars with residents to inform them of requirements for annexation. Because the City does not actively seek annexation of these areas, we request that this language be removed entirely.

9. All maps showing the CCT should include the alternate Kentlands station and route adjustment along the south side of Great Seneca Highway. For consistency, all of the area/enclave maps should show the proposed CCT alignments, including the alternate Kentlands CCT station and route (two of the maps do not show the CCT).
10. The Plan should clearly state the acceptable alternative build scenarios in the event that the MTA does not support the proposed CCT realignment or if the CCT is not constructed in the near-term.
11. Specific height limits and dimensions of the buffers for the portion of LSC Belward directly adjacent to the Mission Hills neighborhood should be provided within the LSC Belward subsection.

12. The Mayor and City Council have publicly opposed Longdraft Road retaining the four lane arterial road classification. The City of Gaithersburg supports Longdraft Road remaining in its current configuration with spot improvements.
13. There is no room for a grade-separated interchange at Diamondback Drive and Sam Eig Highway and this recommendation should be summarily removed. Beginning in 2005, the City of Gaithersburg annexed both the Crown Farm and the Crowne Pointe subdivisions. During these annexations, preliminary plans were submitted for these areas, neither showing a full diamond interchange, nor Diamondback Drive extended across Sam Eig Highway. The County was aware of these designs and approved the right-in-right-out, left-in entrance into the Crown Farm from Sam Eig Highway. Single family homes have been occupied, and entitlements have been granted for residential and commercial buildings that are sited within areas that would be used for the right-of-way of a grade separated interchange.
14. The proposed master plan of streets shows an increase in the ROW for most of the major roads. No details are provided to explain the need for this additional ROW, how the additional ROW will be used, nor any impacts to the transportation mode split. No information is provided on how this increased ROW acquisition will be funded or whether it is supported by the Maryland State Highway Administration.

The City is particularly concerned with the ROW recommendations for Frederick Avenue, Muddy Branch Road, Quince Orchard Road, Sam Eig Highway. However, it is difficult to comment without a detailed discussion on the recommendations. Accordingly, it is recommended that a more thorough discussion of these needs be provided within the document.

15. What is the timing for the LSC Central? Have the current landowners accepted the realignment and conceptually agreed to any dedication of CCT ROW, at the time of CCT approval? In the absence of the County fully funding the construction of the CCT, or any agreement which fast tracks the construction of the CCT, the City of Gaithersburg would oppose an approved realignment that would delay the overall project waiting for numerous owners to allow what is being proposed.
16. The staging plan does not include housing – it only includes “nonresidential development.” No information is given as to the impact of the proposed additional 4,700 residential units on schools, traffic, water/sewer, and other community facilities. Without incorporating the housing within the staging plan, it would seem that housing is permitted without any ties to the CCT or other developmental milestones within the LSC.

We thank you for the opportunity to comment on the Plan. Your consideration is appreciated. If you have any questions contact me at 301-258-6310.

Sincerely,

John Bauer  
Chairman  
Planning Commission



**Gaithersburg**  
A CHARACTER COUNTS! CITY

March 5, 2009

Chairman Royce Hanson  
Maryland National Capital Park and Planning  
8787 Georgia Avenue  
Silver Spring Maryland 20910

Re: *Gaithersburg West Master Plan*

Dear Chairman Hanson:

Thank you for forwarding the draft *Gaithersburg West Master Plan* for our review.

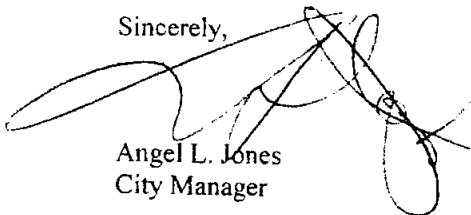
During the course of a recent work session held by the Gaithersburg Mayor and City Council and Planning Commission on February 9, 2009, it was noted that there is continued confusion among City and County residents regarding the City's work on its own Master Plan and the work being conducted on the *Gaithersburg West Master Plan* by the Montgomery County Planning Department.

Each jurisdiction is responsible for guiding future development through their respective master plan process. By incorporating the word "Gaithersburg" into a Montgomery County plan, City and non-City residents believe the recommendations proposed reflect the needs and objectives of the Gaithersburg Mayor and City Council, the Planning Commission, and the citizens of Gaithersburg. While much of the study area of the *Gaithersburg West Master Plan* is within the Gaithersburg postal code, none of it is within the incorporated limits of the City of Gaithersburg.

As you are aware, the former "Gaithersburg Vicinity Master Plan" was divided into two study area master plans, East and West, using Midcounty Highway as the dividing line. Accordingly, the City of Gaithersburg is requesting that the Planning Board change the name of the *Gaithersburg West Master Plan* to "**The Mid-County South Master Plan**" to prevent any further confusion as to what jurisdiction is responsible for the recommendations and to whom they apply. This proposed name will be appropriate both from a County study area perspective as well as a geographic perspective.

Your consideration is appreciated. If you have any questions contact me at 301-258-6310.

Sincerely,



Angel L. Jones  
City Manager

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098  
301-258-6300 • FAX 301-948-6149 • TTY 301-258-6430 • [cityhall@gaithersburgmd.gov](mailto:cityhall@gaithersburgmd.gov) • [www.gaithersburgmd.gov](http://www.gaithersburgmd.gov)

MAYOR  
Sidney A. Katz

COUNCIL MEMBERS  
Jud Ashman  
Cathy C. Drzyzgula  
Henry F. Marraffa, Jr.  
Michael A. Sesna  
Ryan Spiegel

CITY MANAGER  
Angel L. Jones