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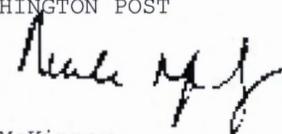
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THE WASHINGTON POST

By



Nicole McKinney
BILLING MANAGER

NOTICE OF PUBLIC HEARING The Mayor and City Council of the City of Gaithersburg, Maryland, will conduct a public hearing on Annexation Petition X-7067-2015 on MONDAY SEPTEMBER 19, 2016 AT 7:30

P.M. or as soon thereafter as this matter can be heard in the Council Chambers at 31 South Summit

Avenue, Gaithersburg, Maryland. The applicant requests to annex with an associated annexation plan

the approximately 23 acre Johnson Properties located at 12201, 12251, 12301 and 12311 Darnestown Road (MD Route 28) in Gaithersburg, Maryland into the City of Gaithersburg and rezone the four parcels from the County's R-200 and NR 0.75 H 45 zones to the City of Gaithersburg's MXD Zone. Further information may be obtained from the Planning and Code Administration Department at City Hall, 31 South Summit Avenue, between the hours of 8 a.m. and 5 p.m., Monday through Friday, or visit the City's website at www.gaithersburgmd.gov. Rob Robinson, Long Range Planning Manager
Planning and Code Administration # 1194

From: [Martin Matsen](#)
To: [Rob Robinson](#)
Subject: FW: Opposition to the Johnson Property Plan
Date: Wednesday, September 07, 2016 8:49:21 AM

From: Britta Monaco
Sent: Tuesday, September 06, 2016 6:51 PM
To: JMPiotrowski
Cc: Doris Stokes; John Schlichting; Planning External Mailing
Subject: RE: Opposition to the Johnson Property Plan

Ms. Piotrowski, thank you for your e-mail related to the proposed annexation of the Johnson Property. Your information will be entered into the record and will be shared with our elected officials for their consideration.

Britta Monaco, Director
Department of Community & Public Relations

-----Original Message-----

From: JMPiotrowski [<mailto:jmpiotrowski@comcast.net>]
Sent: Tuesday, September 06, 2016 6:37 PM
To: CityHall External Mail
Subject: Opposition to the Johnson Property Plan

Mr. Mayor and Mr. Councilmen -

I am writing this letter to express my opposition to the Johnson Property. Mr. Johnson has sent out emails requesting support for his development stating that it benefits the city with increased revenue and a small park of open space. There are many more drawbacks of this development to the surrounding communities - increased traffic on Rte 28, increased students in an already overpopulated school system, increased traffic to the shopping centers. I live in the Kentlands community and travel home down Rte 28 West - a congested road as you approach Quince Orchard Road that requires multiple light cycles to get through on weekday evenings. This development will increase the traffic tremendously. Between this development and the Johns Hopkins property development, travel will be severely impacted.

Thank you for your time -
Joanne Piotrowski

From: Johnson Property [<mailto:johnsonpropertyannexation@gmail.com>]
Sent: Friday, March 04, 2016 12:11 PM
To: tallemong@gmail.com
Cc: Councilmember.Katz@montgomerycountymd.gov; CityHall External Mail; MCP-Chair@mncppc-mc.org
Subject: Re: Proposed Annexation

Mr. Allemong,

Thank you for sharing your thoughts.

As I said at the community workshop last week, my team is in the process of revising the development plans. While I proposed up to 180 residential units, the final number of homes will most likely go down. Also, based on what the team has heard so far, I no longer have plans for the large-scale commercial redevelopment proposed last fall. Instead of 375,000 sq. ft. of commercial space, we are only asking for a modest 10,000 sq. ft. increase.

I have also met with civic and PTSA leaders, as well as school officials, to talk about school capacity and traffic concerns. The feedback and comments from the workshop and our conversations with residents are helping to inform our work on a new plan. I hope to present a revised plan to the community in the coming weeks.

Thank you again for your comments.

Sincerely,

Russell Johnson

Mayor and City Council
X-7067-2015
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On Sat, Feb 27, 2016 at 5:20 PM, Tim Allemong <tallemong@gmail.com> wrote:
Mr. Johnson,

I was not able to attend the meeting since business of my own took me out of town for 5 days. I have, however, been keeping close tabs on the meetings, discussions and proposals through members of our community and research.

Like the vast majority of residents you have spoken with, I side with the feeling that the property should be used exactly for what it was zoned for - 30 single family homes. Nothing more.

I respect that you want to maximize your personal wealth and develop the property as much as you can to generate the most amount of yield. Given that the roles were reversed, I too would be tempted to do the same.

However, I'd like to believe that I'd take into consideration the wants of the community. Over-developing this area does not benefit the residents in any way. To date, I've not spoken with an area resident that sees any benefit to our proposed plan.

I often speak very highly of this cluster to relatives and friends who don't live in the area. While a populous area, it is not over populated. It is not like Rockville Pike near White Flint, where you can waste tremendous time, even on Saturday's, just trying to run errands. Within 2 miles of Quince Orchard High School, we have everything we need - grocery stores, coffee shops, dry cleaning, fantastic restaurants, wonderful schools, and plenty of community services. We simply don't need more. I can leave the city and live my life within the confines of this radius peacefully.

As you've heard, the schools are already over crowded. The intersection of Route 28 and Quince Orchard Road, right next to the high school, is already a problem area. We had a person on a bike killed last year at that intersection near the McDonald's. As it is in the mornings, I cannot get out of the Willow Ridge Community to commute due to the traffic on 28 and lack of appropriate stoplights. Further traffic and congestion is not what we need.

Your proposal wouldn't improve our area. It would only make a vast array of issues worse for those of us who live here.

Adding 180 dwellings means adding another 360-600 residents to our immediate neighborhood. It means at a minimum 180 more cars, if not 300 plus, to our neighborhood. It means longer lines in our grocery stores. It means more over crowding in our schools. It means greater traffic and increased risks of accidents.

We don't need additional commercial development or over-residential development in our future.

My request is that you develop the property as it was zoned - for 30 single family homes.

Regards,

Tim Allemong

Tim Allemong

~~~~~  
[tallemong@gmail.com](mailto:tallemong@gmail.com)

**From:** "Sze, Deborah" <[Deborah.Sze@sodexo.com](mailto:Deborah.Sze@sodexo.com)>

**Date:** July 29, 2016 at 4:37:50 PM EDT

**To:** "[jashman@gaithersburgmd.gov](mailto:jashman@gaithersburgmd.gov)" <[jashman@gaithersburgmd.gov](mailto:jashman@gaithersburgmd.gov)>, "[msema@gaithersburgmd.gov](mailto:msema@gaithersburgmd.gov)" <[msema@gaithersburgmd.gov](mailto:msema@gaithersburgmd.gov)>, "[nharris@gaithersburgmd.gov](mailto:nharris@gaithersburgmd.gov)" <[nharris@gaithersburgmd.gov](mailto:nharris@gaithersburgmd.gov)>, "[hmarraffa@starpower.net](mailto:hmarraffa@starpower.net)" <[hmarraffa@starpower.net](mailto:hmarraffa@starpower.net)>, "[rspiegel@gaithersburgmd.gov](mailto:rspiegel@gaithersburgmd.gov)" <[rspiegel@gaithersburgmd.gov](mailto:rspiegel@gaithersburgmd.gov)>, "[rwu@gaithersburgmd.gov](mailto:rwu@gaithersburgmd.gov)" <[rwu@gaithersburgmd.gov](mailto:rwu@gaithersburgmd.gov)>

**Subject:** RE Johnson Property

Regarding the Johnson Property Annexation petition X7067-2015, we continue to oppose this annexation and encourage you to again recommend a 5-year moratorium on development, should the annexation occur. Best case scenario is to reject the annexation and retain the current zoning. We have argued against this annexation for months, and continue to vigorously oppose it for many reasons:

The Johnsons claim to have reduced the number of housing units from 305 to 110. In reality, the original proposal had 180 residential units on the undeveloped parcel and 125 units on the current commercial parcel. In the updated proposal, they have chosen to exclude the existing commercial parcel; therefore, including it in the discussion is misleading. The original proposal of 180 homes on the undeveloped parcel has been reduced to 110. It is crucial to note that this parcel is currently zoned R-200, which permits 30 single-family homes. Going from 30 units to 110 or 180 is still far in excess of what is acceptable. While the Johnsons claim that their revised sketch plan is comparable to what could be done through the county, we do not believe this to be the case, i.e., why would they go to the great lengths to apply for annexation if they could have simply done the development with the County?

Our concerns are exacerbated by the City's new Adequate Public Facilities Ordinance (APFO) of 150% per school, particularly since this could permit overcrowding of schools that are outside city limits (e.g. Thurgood Marshall Elementary) due to development within the city limits. Overcrowded classrooms and filling outdoor space in portable classrooms is not an acceptable situation. This is particularly frustrating if decisions made by the City have a significant and detrimental effect on homeowners in the County. *Do any of your children attend overcrowded schools? If not, this might not seem to be important to you, however, I would argue that if it affected your children, you would oppose it.*

Vehicular and pedestrian traffic is another major concern, and their proposals are grossly inadequate to address these issues. This area is currently a traffic disaster, with three lanes of traffic merging into one on Rt. 28 directly in front of this property. Their proposed plan contributes significantly to the problem without offering any realistic mitigation. *Some or all of you should drive over and experience this for yourselves!*

The Johnsons have held meetings to get input from neighbors. In reality, those meetings were marketing tools to give the impression that they give a hoot about the neighboring residents. We voiced the same concerns repeatedly and they ignored our input. Their proposal implies that we agree with their current plan. We do NOT!

In summary, given that this revised plan does not address the community concerns consistently voiced, nor does it abide by the current zoning allowed by the county, we urge you to oppose this annexation and impose a 5-year moratorium on this development.

*It would be nice if, in your review of the proposal, you could place yourself in the shoes of those who will be most affected.*

Sincerely,  
John and Deborah Sze  
Residents of Willow Ridge

**From:** Bill and Carol Scott <[scott97@comcast.net](mailto:scott97@comcast.net)>

**Date:** July 29, 2016 at 12:50:42 PM EDT

**To:** <[jashman@gaithersburgmd.gov](mailto:jashman@gaithersburgmd.gov)>, <[msema@gaithersburgmd.gov](mailto:msema@gaithersburgmd.gov)>, <[nharris@gaithersburgmd.gov](mailto:nharris@gaithersburgmd.gov)>, <[hmarraffa@starpower.net](mailto:hmarraffa@starpower.net)>, <[rspiegel@gaithersburgmd.gov](mailto:rspiegel@gaithersburgmd.gov)>, <[rwu@gaithersburgmd.gov](mailto:rwu@gaithersburgmd.gov)>

**Subject: Johnson Property Annexation**

Dear Mayor Ashman and Council Members,

Regarding the annexation of the Johnson Property at the intersection of Rt 28 and Quince Orchard Rd, we continue to oppose this annexation for many reasons:

1. This annexation forms a peninsula that is barely beyond an enclave and should not be allowed. The case cited in the PHED report as precedent was for an actual physical peninsula, surrounded on three sides by water and adjoining the city on the fourth side. The Johnson property adjoins the city only along 5-10% of its perimeter and is surrounded by county residents on the other ~95%. These are vastly different situations and should not be considered equivalent.
2. The Johnsons claim to have reduced the number of housing units from 305 to 110. In reality, the original proposal had 180 residential units on the undeveloped parcel and 125 units on the current commercial parcel. In the updated proposal, they have chosen to exclude the existing commercial parcel; therefore, including it in the discussion is misleading. The original proposal of 180 homes on the undeveloped parcel has been reduced to 110. It is crucial to note that this parcel is currently zoned R-200, which permits 30 single-family homes. Thus, they have gone from 600% of current zoning limits to 367%, which is still far in excess of what is acceptable. While the Johnsons claim that their revised sketch plan is comparable to what could be done through the county, we do not believe this to be the case. The Johnsons were told by the planning board last November that they cannot assume a Local Map Amendment would be approved. They have not gone through that process, so with the current R-200 zone, they cannot build townhouses. In addition, the 9-acre parcel that is currently commercial is still a concern. If they obtain Gaithersburg annexation and rezoning, we have no reason to expect anything less than the 125 residential units in their original proposal. Their promise of a "binding agreement" provides very little assurance, as this agreement could be nullified in the future.
3. The fuzzy math required to permit the aggregation of permitted housing from all parcels onto a single parcel is dubious at best, and deceptive/manipulative at worst. Allowing this would set a dangerous precedent. Imagine a property owner with 10 parcels each zoned for 30 residences, deciding to aggregate all onto one parcel and apply the 150% allowance. They could put 449 units on a single parcel and cite this property as their precedent. As noted by the county attorney on page 5 of the PHED report: "The need to add words to the statute to address the interpretation makes that interpretation untenable." That is putting it as generously as possible. It makes that interpretation nonsense!!

4. Our concerns are exacerbated by the City's new Adequate Public Facilities Ordinance (APFO) of 150% per school, particularly since this could permit overcrowding of schools that are outside city limits (e.g. Thurgood Marshall Elementary) due to development within the city limits. Overcrowded classrooms and all outdoor space covered in portable classrooms is not an acceptable situation. This is particularly frustrating if decisions made by the City have a significant and detrimental effect on homeowners in the County.

5. Vehicular and pedestrian traffic is a major concern, and their proposals are grossly inadequate to address these issues. This area is currently a traffic disaster, with three lanes of traffic merging into one on Rt. 28 directly in front of this property. Their proposed plan contributes significantly to the problem without offering any realistic mitigation.

6. The Johnsons claim to have held numerous meetings to get input from neighbors. In reality, this felt like a charade. We voiced the same concerns repeatedly and they ignored our input. Their proposal implies that we agree with their current plan. We do NOT!

In summary, given that this revised plan does not address the community concerns consistently voiced nor abide by the current zoning allowed by the county, we urge you not to proceed with this annexation.

Sincerely,

Carol and Bill Scott

Resident of Willow Ridge