
STAFF COMMENTS FOR PLANNING COMMISSION

MEETING DATE: October 7, 2015

ANNEXATION: **X-7089-2015**

TITLE: Potomac Valley Shopping Center (South)

REQUEST: RECOMMENDATION TO MAYOR & COUNCIL

ADDRESS: 12110, 12114, 12116, 12118, 12120, 12126,
12130, 12132, 12136, 12140, 12146, 12150,
12154, 12158, 12162, 12166, and 12168
Darnestown Road

ZONE: Montgomery County – NR (0.75) Zone
Proposed Gaithersburg - MXD Zone

**Applicant/
Owner:** Darnestown Valley-WHM LP and Darnestown Valley
Petroleum WHM, LLC

Attorney Miles & Stockbridge, PC – Casey Cirner

STAFF LIAISON: Trudy Schwarz, Community Planning Director
Greg Mann, Planner II

Enclosures:

Location Map
Staff Report & Annexation Plan
Index of Memorandum and Exhibits

Mayor and City Council
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STAFF COMMENTS

The Local Government Article and Land Use Article of the *Maryland Annotated Code* and Chapter 24 (Zoning) of the City of Gaithersburg Code outline the requirements and process for a proposed annexation. The Planning Commission is required to review the proposed annexation and associated rezoning and land use plan for consistency with the City's master plan and adequacy of public facilities , and provide a recommendation to the Mayor and City Council at least 15 days prior to the required Mayor and City Council public hearing. The public hearing before the Mayor and City Council is tentatively scheduled for November 16, 2015.

The applicant will present the annexation petition to the Planning Commission. This has been listed a Public Discussion to allow testimony from the public.

Staff recommends that the Commission leave their record open for 8 days, until 5:00pm on October 15, 2015, and provide a formal recommendation on the annexation petition and annexation plan on October 21, 2015 (fifteen days prior to the Mayor and City Council Hearing.)



October 2, 2015

Mr. Kip Reynolds
Chief, Planning Area 3
Montgomery County Planning Department
Maryland-Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Mr. Fred Boyd
Planning Area 3
Montgomery County Planning Department
Maryland-Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: X-7089-2015 Potomac Valley Shopping Center (South) Properties Annexation to the City of Gaithersburg

Dear Mr. Reynolds and Mr. Boyd;

The City of Gaithersburg has received a petition for annexation for approximately 8.28 acres of land from Montgomery County into the City. The parcels, known as the Potomac Valley Shopping Center (South), are located southeast of the intersection of Quince Orchard Road and Darnestown Road at 12110, 12114, 12116, 12118, 12120, 12126, 12130, 12132, 12136, 12140, 12146, 12150, 12154, 12158, 12162, 12166, and 12168 Darnestown Road. The annexation also includes the rights of way of Maryland Route 28 and 124 (Darnestown Road and Quince Orchard Road.) The property is in the Potomac Subregion of M-NCPPC Planning Area 3. The property is currently zoned as NR 0.75 H45 in Montgomery County and the applicant is requesting the City zone the property in the MXD (Mixed Use Development) with a Floor Area Ratio of 0.75 allowing Commercial and Office Uses.

This letter serves as official notification, as required by Local Government Article of the *Maryland Annotated Code*, that the Mayor and City Council introduced the Annexation Petition on September 8, 2015. The City's Planning Commission will be reviewing the petition at their October 7, 2015, Planning Commission meeting at 7:30 p.m. and then making a recommendation at their October 21, 2015, meeting. The Mayor and City Council will hold a public hearing regarding the proposed annexation on a November 16, 2015. These meeting may be view on the City's Web site at <http://www.gaithersburgmd.gov/government/meeting-agendas-and-minutes> .

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CITY MANAGER
Tony Tomasello

Mayor and City Council
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Mr. Reynolds and Mr. Boyd

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October 2, 2015

As the City has done in the past, the record of the public hearing will be held open in order to receive comments from the Montgomery County Planning Board. Advertising for the public hearing will be in accordance with Local Government Article of the Annotated Code of Maryland. The City and the applicant met with Fred Boyd concerning the petition in June 22, 2015.

The subject property encompasses approximately 8.28 acres of land. The annexation petition includes a conceptual (Sketch Plan) for development and an annexation plan. Attached is an electronic copy of the Exhibits for the Annexation Petition. Also enclosed is Staff Analysis and Annexation Plan for Annexation Petition X-7089-2015 (both in PDF and Word Format.) The exhibits can also be viewed on the City Projects Page for the Potomac Valley Shopping Center at <http://www.gaithersburgmd.gov/government/city-projects>.

I look forward to working with M-NCPPC staff and the Planning Board in reviewing this annexation petition. I may be contacted at either 301-258-6330 or tschwarz@gaithersburgmd.gov if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Trudy Schwarz". The signature is written in a cursive, flowing style.

Trudy M. W. Schwarz, Community Planning Manager
Planning and Code Administration



October 2, 2015

Mr. Casey Anderson
Chair, Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Re: X-7089-2015 Potomac Valley Shopping Center (South) Properties Annexation to the City of Gaithersburg

Dear Mr. Anderson:

The City of Gaithersburg has received a petition for annexation for approximately 8.28 acres of land from Montgomery County into the City. The parcels, known as the Potomac Valley Shopping Center (South), are located southeast of the intersection of Quince Orchard Road and Darnestown Road at 12110, 12114, 12116, 12118, 12120, 12126, 12130, 12132, 12136, 12140, 12146, 12150, 12154, 12158, 12162, 12166, and 12168 Darnestown Road. The annexation also includes the rights of way of Maryland Route 28 and 124 (Darnestown Road and Quince Orchard Road.) The property is in the Potomac Subregion of M-NCPPC Planning Area 3. The property is currently zoned as NR 0.75 H45 in Montgomery County and the applicant is requesting the City zone the property in the MXD (Mixed Use Development) with a Floor Area Ratio of 0.75 allowing Commercial and Office Uses.

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Mayor and City Council
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Mr. Casey Anderson

Page 2

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Trudy M. W. Schwarz, Community Planning Manager
Planning and Code Administration

cc: Gwen Wright
Kip Reynolds
Fred Boyd



October 2, 2015

Ms. Gwen Wright, Planning Director
Montgomery County Planning
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Re: X-7089-2015 Potomac Valley Shopping Center (South) Properties Annexation to the City of Gaithersburg

Dear Ms. Wright:

The City of Gaithersburg has received a petition for annexation for approximately 8.28 acres of land from Montgomery County into the City. The parcels, known as the Potomac Valley Shopping Center (South), are located southeast of the intersection of Quince Orchard Road and Darnestown Road at 12110, 12114, 12116, 12118, 12120, 12126, 12130, 12132, 12136, 12140, 12146, 12150, 12154, 12158, 12162, 12166, and 12168 Darnestown Road. The annexation also includes the rights of way of Maryland Route 28 and 124 (Darnestown Road and Quince Orchard Road.) The property is in the Potomac Subregion of M-NCPPC Planning Area 3. The property is currently zoned as NR 0.75 H45 in Montgomery County and the applicant is requesting the City zone the property in the MXD (Mixed Use Development) with a Floor Area Ratio of 0.75 allowing Commercial and Office Uses.

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Ms. Gwen Wright

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October 2, 2015

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I look forward to working with M-NCPPC staff and the Planning Board in reviewing this annexation petition. I may be contacted at either 301-258-6330 or tschwarz@gaithersburgmd.gov if you have any questions.

Sincerely,

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Trudy M. W. Schwarz, Community Planning Manager
Planning and Code Administration

cc: Kip Reynolds
Fred Boyd



October 2, 2015

Mr. Peter Conrad
Director of Local Government Assistance
Maryland Department of Planning
301 West Preston Street, Suite 1101
Baltimore, MD 21201

Re: X-7089-2015 Potomac Valley Shopping Center (South) Properties Annexation to the City of Gaithersburg

Dear Mr. Peter Conrad;

The City of Gaithersburg has received a petition for annexation for approximately 8.28 acres of land from Montgomery County into the City. The parcels, known as the Potomac Valley Shopping Center (South), are located southeast of the intersection of Quince Orchard Road and Darnestown Road at 12110, 12114, 12116, 12118, 12120, 12126, 12130, 12132, 12136, 12140, 12146, 12150, 12154, 12158, 12162, 12166, and 12168 Darnestown Road. The annexation also includes the rights of way of Maryland Route 28 and 124 (Darnestown Road and Quince Orchard Road.) The property is in the Potomac Subregion of M-NCPPC Planning Area 3. The property is currently zoned as NR 0.75 H45 in Montgomery County and the applicant is requesting the City zone the property in the MXD (Mixed Use Development) with a Floor Area Ratio of 0.75 allowing Commercial and Office Uses.

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Mr. Peter Conrad

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October 2, 2015

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Sincerely,

A handwritten signature in black ink that reads "Trudy Schwarz". The signature is written in a cursive style with a large, sweeping flourish at the end.

Trudy M. W. Schwarz, Community Planning Manager
Planning and Code Administration



October 2, 2015

The Honorable Sidney Katz
District 3
Montgomery County Council
100 Maryland Ave
Rockville, Maryland 20850

Re: X-7089-2015 Potomac Valley Shopping Center (South) Properties Annexation to the City of Gaithersburg

Dear Mr. Katz:

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Mr. Sidney Katz

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Trudy M. W. Schwarz, Community Planning Manager
Planning and Code Administration

cc: Jeff Zyontz



October 2, 2015

The Honorable George Leventhal
Council President
Montgomery County Council
100 Maryland Ave
Rockville, Maryland 20850

Re: X-7089-2015 Potomac Valley Shopping Center (South) Properties Annexation to the City of Gaithersburg

Dear Mr. Leventhal:

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Ex. 20

Mr. George Leventhal

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October 2, 2015

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Trudy M. W. Schwarz, Community Planning Manager
Planning and Code Administration

cc: Jeff Zyontz



October 2, 2015

The Honorable Isiah Leggett
Montgomery County Executive
101 Monroe Street, 2nd Floor
Rockville, MD 20850

Re: X-7089-2015 Potomac Valley Shopping Center (South) Properties Annexation to the City of Gaithersburg

Dear Mr. Leggett:

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Mr. Isiah Leggett

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Planning and Code Administration

cc: Jeff Zyontz



October 2, 2015

Mr. Jeff Zyontz
Montgomery County Council Office
100 Maryland Ave, 5th Floor
Rockville, Maryland 20850

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Ex. 22

Mr. Jeff Zyontz
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