

From: [Lizabeth Lawrence](#)
To: [Planning External Mailing](#)
Subject: MAGRUDER PROPERTY
Date: Thursday, December 10, 2015 9:41:45 PM

Planning commission:

As residents of Montgomery County for the past 29 years, we are very concerned of the proposals set forth for large scale development by the Magruder Property at the corner of 124/28 in Gaithersburg.

Large scale development from what we understand is 3 to 4 story type buildings in the small existing shopping center near Quince Orchard High School at the corner of 124/28. This property may also be considered by the property owners to be incorporated within the proposed City of Gaithersburg.

Two problems:

1. We are within the County. We do not want to be suddenly within the City of Gaithersburg just because some developers want to change the zoning for their benefit. We are under the County police and County plans. We have rural designated roads just past this intersection of 124/28. This area should not suddenly become a mini city with high rise buildings.
2. The City of Gaithersburg wants a West gateway to the City. They already have contiguous land of the Kentlands and Lakelands, West of the current City lines. We would have City and County police crossing jurisdictions.

The County needs to maintain its original plans for the residents of the County. It is very hard to live and support County efforts when some groups, developers, can come in and loop-hole their way into changing existing zoning for their benefit. These benefits do not support the current County residents.

We appreciate your sincere efforts in reviewing the proposed zoning changes. We would greatly appreciate understanding the needs of the current County residents.

--Lizabeth & Steven Lawrence, 16000 Daven Pine CT, Gaithersburg, MD
Residents of the 124/28 area since 1986

Mayor and City Council
X-7089-2015
Ex. 50

From: [Jud Ashman](#)
To: [Doris Stokes](#)
Cc: [Mayor and Council Office](#)
Subject: FW: Planned Annexation of Johnson and Potomac Valley Shopping Center Properties
Date: Monday, December 14, 2015 5:11:31 PM
Attachments: [LettertoGaithersburgMayor12.14.2015.docx](#)

Hi Doris,

Please add this (and attachment) to correspondence - and to the record on the Johnson Annexation, if we have an open record as of yet.

Thanks,
- Jud

Jud Ashman
Mayor, Gaithersburg, MD
Founder & Chair, Gaithersburg Book Festival
www.gaithersburgbookfestival.org

From: Steve Gammarino [steve.gammarino@gmail.com]
Sent: Monday, December 14, 2015 4:55 PM
To: Jud Ashman
Subject: Planned Annexation of Johnson and Potomac Valley Shopping Center Properties

Mayor Ashman,

Please reference the attached letter from concerned citizens regarding the planned annexation of the Johnson and Potomac Valley Shopping Center Properties.

If you have any questions or would like to discuss please let us know.

Sincerely,

Steve Gammarino
President, Hidden Ponds HOA
240.278.8490

Mayor and City Council
X-7089-2015
Ex. 51

Mayor Jud Ashman
City Hall
31 South Summit Avenue
Gaithersburg, MD 20877

December 14, 2015

Dear Mayor Jud Ashman:

We write to request that your office take seriously the concerns regarding the upcoming planned annexation of the Potomac Valley Shopping Center (PVSC) and Johnson Properties at the intersection of Route 28 and 124. Though we are not in Gaithersburg's city limits, we are significantly affected by the planned annexation of these properties by the City of Gaithersburg. Our communities surround the proposed annexed sites and we share a common goal to ensure that our community continues to adhere to the high standards for education, and infrastructure while still maintaining a suburban character. We hope this vision is shared by you, the City Council, and City Planners. With this preface we respectfully submit our requests and concerns:

1) Notification Area for Annexation and Development - We respectfully request that the city expand the notification area to a one mile radius for development and redevelopment for these properties. It's our understanding that the City of Gaithersburg applies a 200 foot radius for notification. This will result in few if any communities being formally notified of the City's process involving these properties. For example, there are no communities bordering the PVSC property as it is bordered by Firehouse Station 31, Quince Orchard Library, and Routes 28 and 124. A one-mile radius notification area is consistent with Montgomery County's requirements which state "The applicant also must send written notice to abutting and confronting property owners and to homeowners associations and civic associations within a one-mile radius."¹

We've been advised by staff at the City's Planning Board that the leadership of the nearby communities can request to be included in a notification list. We will certainly avail ourselves of this, but still recommend that you reconsider the current notification policy to ensure that residents receive timely and adequate information regarding changes.

2) Rezoning of PVSC and Johnson Properties to MXD - We are especially concerned that with the planned annexations by the City of Gaithersburg, these three corners of Routes 28 and 124 will be rezoned to Mixed Use Development (MXD). This rezoning would allow for significant commercial and residential development. Our concerns are heightened by the long-term vision, as stated in Gaithersburg's Master Plan, for redevelopment of this area as a gateway to the City of Gaithersburg. This area is designed for low-density suburban living that includes an agricultural reserve to the west. We would be concerned if there were changes to have dense commercial/residential development in this area. As area residents and the County planners have observed, the local roads and schools are already overcrowded creating significant traffic and safety issues. Further, high rise buildings would change the look and feel of this intersection considerably from a suburban area to a city area. We could also potentially lose

¹ http://www.montgomeryplanning.org/info/participating_effectively.shtm#FindOut .

many needed and community resources such as the grocery store, banks, and small restaurants. In sum, we are opposed to changes to the zoning for these properties.

3) School Capacity Standards –Our schools in the Quince Orchard Cluster (QOC) are deemed by the Montgomery County Planning Department to have “inadequate” student capacity. Our concerns are exacerbated by the City’s new Adequate Public Facilities Ordinance (APFO) of 150% - per school, before imposing a moratorium on new residential development. This APFO is inconsistent and significantly higher than Montgomery County’s standard of 120% - per cluster. It’s our understanding that this could result in residential development on the Johnson property even if the Quince Orchard Cluster exceeds the County’s moratorium standard for new development of 120%. If this is correct, we are strongly opposed to the City’s APFO as it impacts our County schools.

5) The Johnson Property – On November 12th Montgomery County’s Planning Board decided that the Johnson’s proposed property modifications represented a significant change from today’s approved zoning and, therefore, did not endorse Johnson’s proposal. This included a recommendation by the Planning Board to the County Council to put a 5 year moratorium on any changes to the property upon annexation by the City of Gaithersburg. Since then we’ve learned that the Johnson Family has asked for a delay in their application from the County and the City of Gaithersburg to allow them more time for community outreach and assessment of their proposed plan. We look forward to receiving and reviewing any additional plans for this property.

We thank you for considering our viewpoints and would like these to be part of the record these properties. We are also available to discuss these issues with you at your convenience. We want to also acknowledge your staff, particularly, Trudy Schwarz and Rob Robinson, for their willingness to provide information and address our questions.

Sincerely,

Stephen Gammarino
President, Hidden Ponds HOA
3 Hidden Ponds Court
North Potomac, MD 20878

Susan Fitzpatrick
President, North Potomac
Citizens Association
P.O. Box 4216, North Potomac, MD 20885

Lee Bowes
President, Quince Orchard Knolls
Community Association

Walter Johnson
Orchard Hills
Community Association
16004 Charles Drive
Gaithersburg, MD 20878

Munish Mehra
President, Willow Ridge
Community Association
12500 Copen Meadow Court
Gaithersburg, MD 20878

Cc: Montgomery County Council member Sidney Katz,
Montgomery County Council member Craig Rice
Montgomery County Planning Board Chair, Casey Anderson
Gaithersburg Planning Commission Chair, John Bauer
Planning Division Chief, Martin Matsen, AICP
Long Range Planning Manager, Rob Robinson, AICP
Community Planning Manager, Trudy Schwarz
Hidden Ponds Homeowners
NCPA Homeowners
Quince Orchard Knolls Homeowners
Orchard Hills Homeowners
Willow Ridge Homeowners

- NOTES:**
1. NET TRACT AREA: 4.673 ACRES
 2. GROSS TRACT FOR THE PURPOSES OF CALCULATING FAR: 263,797 SF
 3. MAXIMUM FAR: .75% 197,847 SF
 4. MINIMUM SETBACK PROPOSED:
 - FROM QUINCE ORCHARD RD 15'
 - FROM DARNESTOWN RD 15'
 - FROM PARCEL 382 (FIRE STATION) 35'
 - FROM PARCEL 379 (LIBRARY) 35'
 5. MINIMUM GREEN SPACE 20% 43,190 SF
 6. EXISTING ZONE: NR 0.75 H45
PROPOSED ZONE: MXD
 7. BUILDING HEIGHT: UP TO 10 STORIES
Natural Resource Inventory / Forest Stand Delineation Notes:

Tax Map(s): ES62
Lots / Parcels: Pt. Parcel C, D AND F
Property Area: 4.673 Acres +/-

Property Description: The property is located, at the intersection of Quince Orchard Road and Darnestown Road (MD Rte 28)

Topography and Boundary: The outline of the property included in this application is taken from computed deeds and/or plats of record. The topographic data for the property is from topography provided by Dewberry.

Highly Erodible, Unsuitable and Unsafe Soils: There are no highly erodible, unsuitable, or unsafe soils noted on the Property. The soils mapped per the USDA Natural Resources Conservation Service (NRCS) online soil survey are:
1B - Galis silt loam, 3-8% slopes
67UB - Urban land -Wheaton complex, 0-8% slopes
400-Urban land

Streams & Stream Buffers: The property is within the Muddy Branch watershed (Class 1). There are no perennial streams

Floodplain: There is no 100 year floodplain on the property according to FEMA panels 24031C03070, dated September 29, 2006.

Wetlands: There are no known Wetlands on the property.
Steep Slopes: Existing moderate (15-25%) no steep slope over 25% on the property.

Rare, Threatened, Endangered Species: No Rare, Threatened, or Endangered species of plants or animals were observed on the property.

Existing Wildlife: No urban wildlife was observed on the property.

Special Protection Areas: The property is not within the Sensitive Areas of the City of Gaithersburg, per the City's Master Plan.

Significant Views & Vistas: No significant views or vistas were noted during site visits.

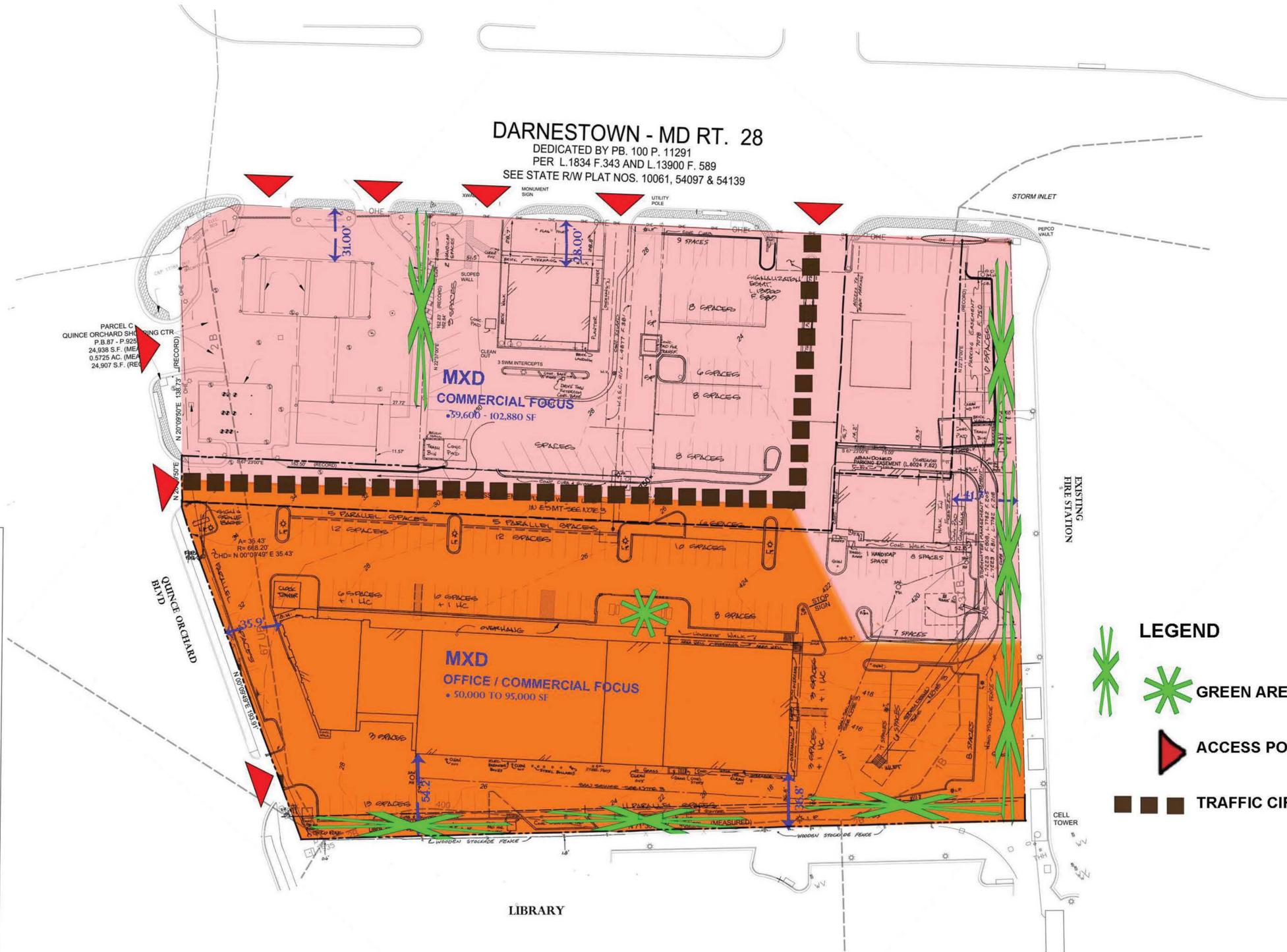
Other: Field work for this NRIFSD was conducted 8/14/12 Dewberry Consulting staff.

- LEGEND**
- MXD COMMERCIAL FOCUS
 - MXD OFFICE / COMMERCIAL

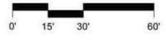


LEGEND:

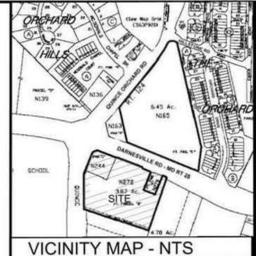
- EXISTING**
- SANITARY SEWER
 - WATER LINE, METER, VALVE & HYDRANT
 - STORM DRAIN
 - SITE BOUNDARY
 - LOT LINE
 - TREE LINE
 - FENCE
 - BUILDING
 - CURB
 - EDGE OF PVMNT
 - SIDEWALK
 - GAS LINE
 - OVERHEAD ELEC.
 - UNDERGR. ELEC.
 - UNDERGR. TELE.
 - UTILITY POLE
 - EXIST. CONTOUR
 - SPECIMEN TREE
 - TANK FILLER CAP
 - MONITORING WELL
 - TELEPHONE POLE
 - POWER POLE
 - LIGHT POLE
 - GUY WIRE
 - CLEAN OUT
 - SANITARY MANHOLE
 - STORM MANHOLE
 - TRAFFIC LIGHT POLE
 - OVERHEAD UTILITY WIRES
 - SLOPED WALL



- LEGEND**
- GREEN AREAS
 - ACCESS POINTS
 - TRAFFIC CIRCULATION



NOTE:
FOR LOCATION OF UTILITIES CALL 8-1-1 OR 1-800-257-7777 OR LOG ON TO www.call811.com <http://www.missutility.net>
48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY
INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS BUT THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF THE MAINS BY DIGGING TEST PITS BY HAND AT ALL UTILITY CROSSINGS WELL IN ADVANCE OF THE START OF EXCAVATION.



Dewberry
203 Perry Parkway, Suite 1
Gaithersburg, MD 20877-2169
301.948.8300 Fax: 301.258.7607
www.dewberry.com

Drawn by: ACO
Designed by: KDM
Checked by: KDM
Preliminary Plan #: _____
NRIFSD #: _____
Tax Map #: _____
Zone: _____



OWNER
THE MAGRUDER COMPANIES
1216 DARNESTOWN ROAD
GAITHERSBURG, MD 20878
TEL: 301.921.0500
FAX: 301.921.0507
ATT: BILL MAGRUDER

LEGAL DESCRIPTION
QUINCE ORCHARD SHOPPING CENTER
PARCELS C, D & F

ZONING SKETCH PLAN
POTOMAC SHOPPING CENTER SOUTH PARCELS C, D & F
MONTGOMERY COUNTY, MARYLAND
6TH ELECTION DISTRICT

Date: 10.01.15
Sheet: 1 of 1
Scale: 1:30
File number: _____

Mayor and City Council
X-7089-2015
Ex 52

From: Trudy Schwarz
To: "Katie Rapp"
Cc: Councilmember.Katz@montgomerycountymd.gov; COUNCILMEMBER.RICE@MONTGOMERYCOUNTYMD.GOV; [Lindsay Hoffman](#); [Munish Mehra](#); [Rob Robinson](#); [Neil Harris](#)
Subject: RE: Questions about the Magruder property annexation X-7089-2015
Date: Tuesday, December 15, 2015 4:10:00 PM
Attachments: [image001.png](#)

Hi Katie:

See responses below **in Pink**.

I hope this helps you understand the proposal.

Sincerely,

Trudy Schwarz

Trudy M. W. Schwarz, CFM | Community Planning Manager
Planning & Code Administration

City of Gaithersburg | 31 S Summit Avenue | Gaithersburg, MD 20877

P (301) 258.6330 ext. 2119 | F (301) 258.6336

tschwarz@gaitthersburgmd.gov

www.gaitthersburgmd.gov

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The opinions expressed in this message are not necessarily those of the City of Gaithersburg Staff, Mayor or Council

From: Katie Rapp [mailto:wookyluvr2002@yahoo.com]
Sent: Monday, December 14, 2015 10:42 PM
To: Trudy Schwarz
Cc: Councilmember.Katz@montgomerycountymd.gov; COUNCILMEMBER.RICE@MONTGOMERYCOUNTYMD.GOV; Lindsay Hoffman; Munish Mehra; Rob Robinson; Neil Harris
Subject: Re: Questions about the Magruder property annexation X-7089-2015

Hi Trudy,

I was reading through your report about the annexation. Can you confirm this for me? It says:

The total site includes **39,097 square feet** of commercial uses. (p.11)

Then later it says:

The Plan proposes a maximum Floor Area Ratio (FAR) of 0.75 for the site¹². This calculates to a development capacity of **197,847 square feet**. (p.14)

Am I reading it correctly that it goes from about 40k sf right now to almost 200k? **YES**
And 5 story buildings. **Please note that there is no height limit in the MXD Zone** The applicant looking at a 40-year buildout of the property has asked for a 10-story maximum height. This request came after my report was written.

Mayor and City Council
X-7089-2015
Ex 53

Also, toward the end it says:

The annexation will further the City's stated goals of promoting economic development, diversifying local economy to allow a variety of uses, allowing for redevelopment opportunities on **underutilized sites**, promoting a mix of uses for "**24/7 activity**" and increasing the City's tax base. (p.16)

Is the Magruder property considered an "underutilized site" and can you explain that? And what is meant by 24/7 activity?

A property in which the parking lot encumbers more than 50% of the lot area is considered an underutilized site. A 24/7 activity area means that different parts of the site would have activity during different parts of the day and that there would be shared parking. An example would be the RIO/Washingtonian, which has many different activities during a 24 hour period. An opposite example would be a traditional office park, where employees are only there from 9 am to 5 pm and the other 16 hours of the day, the area is deserted. This is considered a safety issue. Certainly this site is much smaller. But perhaps a 24 hour grocery or pharmacy would be an example or an office building with a movie theater that can share parking because their business hours are different. As mentioned by the applicant in his testimony, there are no immediate plans for development at this time as he has several long-term leases. Additionally, the construction costs of going above five stories have limited the height of buildings in the City in most areas.

Thank you,
Katie Rapp

From: Trudy Schwarz <TSchwarz@gaithersburgmd.gov>
To: Katie Rapp <wookyluvr2002@yahoo.com>
Cc: "Councilmember.Katz@montgomerycountymd.gov" <Councilmember.Katz@montgomerycountymd.gov>; "COUNCILMEMBER.RICE@MONTGOMERYCOUNTYMD.GOV" <COUNCILMEMBER.RICE@MONTGOMERYCOUNTYMD.GOV>; Lindsay Hoffman <lindsay.hoffman@montgomerycountymd.gov>; Munish Mehra <mmehra@qbiop.com>; Rob Robinson <RRobinson@gaithersburgmd.gov>
Sent: Thursday, November 19, 2015 9:00 AM
Subject: RE: Questions about the Magruder property annexation X-7089-2015

Good morning Ms. Rapp:

The development process requires the City to evaluate traffic and improvement needed for project at the time of Schematic Development Plan. The Schematic Development Plan process has its own public hearing process.

There are no more public hearings for testimony or public comment. The record for the hearing will be open until December 16, 2015 at 5 pm for written testimony (email or letter). The Mayor & Council are tentatively scheduled to have Policy Discussion on January 4, 2016.

The owners of the Potomac Valley Shopping Center North (Starbucks side) have not filed for rezoning the property and have not mentioned that they are planning to at this time.

Also, you may listen to the hearing again by going to the following link:

<http://www.gaithersburgmd.gov/government/meeting-agendas-and-minutes>

It does take about 30 seconds to populate. So be patient! Then click on the video for the 11/16/15 Mayor & City Council Meeting.

Let me know if you have any other questions.

Sincerely,

Trudy



**Trudy M. W. Schwarz, CFM | Community Planning Manager
Planning & Code Administration**

City of Gaithersburg | 31 S Summit Avenue | Gaithersburg, MD 20877

P (301) 258.6330 ext. 2119 | F (301) 258.6336

tschwarz@gaitersburgmd.gov

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From: Katie Rapp [<mailto:wookyluvr2002@yahoo.com>]

Sent: Wednesday, November 18, 2015 11:11 PM

To: Trudy Schwarz

Cc: Councilmember.Katz@montgomerycountymd.gov;

COUNCILMEMBER.RICE@MONTGOMERYCOUNTYMD.GOV; Lindsay Hoffman; Munish Mehra; Rob Robinson

Subject: Re: Questions about the Magruder property annexation X-7089-2015

Hi Trudy,

I have a question. I was at the hearing Monday night and I didn't understand your response to the councilmember's questions about traffic and improvements to the intersection and the roads. Can you clarify that?

I don't see any additional meetings posted on the website for the Magruder annexation. Are there any additional hearings scheduled? I think they mentioned something at the council meeting, but I missed the date. Something in December?

Last question... is the rezoning of the other side of the Magruder shopping center (Starbucks side) in process at this time or is there a plan for that?

Thanks,
Katie Rapp

From: Trudy Schwarz <TSchwarz@gaitersburgmd.gov>

To: "wookyluvr2002@yahoo.com" <wookyluvr2002@yahoo.com>

Cc: "Councilmember.Katz@montgomerycountymd.gov"

<Councilmember.Katz@montgomerycountymd.gov>;

"COUNCILMEMBER.RICE@MONTGOMERYCOUNTYMD.GOV"

<COUNCILMEMBER.RICE@MONTGOMERYCOUNTYMD.GOV>

Sent: Thursday, November 12, 2015 12:07 PM

Subject: Questions about the Magruder property annexation X-7089-2015

Good morning Ms. Rapp:

Rob Robinson forwarded your questions below concerning the Magruder property annexation (X-7089-2015).

ADDING A RESIDENTIAL COMPONENT: If someone decides that a Residential component should be added to sketch plan of the property, the City Code requires that the Mayor and City Council and Planning Commission conduct a joint public hearing. These types of hearing require that the property be posted with signs and notices of public hearing be sent to properties within 200 feet of the Magruder property. In order to speak at the hearing, a person just needs to attend the meeting and raise their hand to speak and come to the microphone when called upon by the Mayor. Currently, the City does not require signing up to speak at a public hearing. Although from time to time, the City does have a sign-up sheet available the night of the hearing. This helps the Mayor keep the meeting orderly. Each speaker is required to state their name (and spell their name) and address for the record. Generally, there is a 3 minute time slot allowed.

WRITTEN COMMENTS: As you can imagine, the packages for the public hearing on November 16, 2015 have already been prepared and sent out. It should be posted on the City's Mayor and Council agenda page by late this afternoon. The staff has recommended that the Mayor and Council hold their record open until 5 pm on Wednesday, December 16, 2015. So the deadline for submitting written comments is 5 pm on Wednesday, December 16, 2015.

PUBLIC TESTIMONY: As mentioned above, public testimony is welcome at the public hearing on November 16th. In order to speak at the hearing, a person just needs to attend the meeting and raise their hand to speak and come to the microphone when called upon by the Mayor. Currently, the City does not require signing up to speak at a public hearing. Although from time to time, the City does have a sign-up sheet available the night of the hearing. Each speaker is required to state their name (and spell their name) and address for the record. Generally, there is a 3 minute time slot allowed.

I hope that these answers assist you in understanding the public process in the City of Gaithersburg. Would be so kind as to forward this to Munish Mehra and Lindsay Hoffman, their email addresses did not come through in the forwarded email.

Sincerely,
Trudy



Trudy M. W. Schwarz, CFM | Community Planning Manager
Planning & Code Administration

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From: Katie Rapp [<mailto:wookyluvr2002@yahoo.com>]

Sent: Wednesday, November 11, 2015 8:02 PM

To: Rob Robinson

Cc: COUNCILMEMBER.KATZ@MONTGOMERYCOUNTYMD.GOV;
COUNCILMEMBER.RICE@MONTGOMERYCOUNTYMD.GOV; Munish Mehra; Lindsay Hoffman

Subject: Re: Questions re Johnson property

Hi Rob,

Please respond to my question #5 below regarding the gateway concept. I would like to understand what is meant by that and how it applies to the properties on all the corners of the 28/QO intersection surrounding Quince Orchard High School as indicated in the Gburg Master Plan.

Switching gears, I have a question about the Magruder property annexation (X-7089-2015).

Although there is currently no residential component requested by the Magruders for that property, once it is annexed and rezoned MXD can they or someone who purchases the property from them add a residential component? What is the process for that, notifications, hearings, etc?

I see there is a hearing about the Magruder property on Monday, 11/16. Is there a deadline for submitting written comments? What is the process for residents who wish to speak at that hearing?

Thanks,

Katie Rapp

From: Trudy Schwarz
To: ["Steve Gammarino"](#)
Bcc: [Planning External Mailing](#)
Subject: RE: Gaithersburg's Planned Annexation of the Johnson and Potomac Valley Shopping Center Properties
Date: Tuesday, December 15, 2015 4:33:00 PM
Attachments: [image001.png](#)

Thanks Mr. Gammarino

We will add this to the record of X-7089-2015. We did receive the email to Mayor Ashman, too.

Please be aware that the Planning Commission made their recommendation on the Potomac Valley Shopping Center to the Mayor and City Council on October 21, 2015 (Exhibit 31). We will forward this to Chair Bauer.

This email will also be added to the Johnson Annexation File.

Thank you for your kind words about staff.

Sincerely,

Trudy Schwarz



Trudy M. W. Schwarz, CFM | Community Planning Manager
Planning & Code Administration

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P (301) 258.6330 ext. 2119 | F (301) 258.6336
tschwarz@gaithersburgmd.gov
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From: Steve Gammarino [<mailto:steve.gammarino@gmail.com>]

Sent: Tuesday, December 15, 2015 12:44 PM

To: Planning External Mailing

Subject: Gaithersburg's Planned Annexation of the Johnson and Potomac Valley Shopping Center Properties

To: Planning Commission Chair Bauer, Martin Matsen, Rob Robinson and Trudy Schwartz

Attached is a letter concerned citizens sent to the Mayor of Gaithersburg concerning the cities planned annexation of the Johnson and Potomac Valley Shopping Center.

Please include this letter in your review of the Potomac Valley Shopping Center annexation and rezoning.

We appreciate your support on these concerns.

Please let us know if you have any questions.

Best Regards,

Steve Gammarino
President, Hidden Ponds HOA

Mayor and City Council
X-7089-2015
Ex 54

Mayor Jud Ashman
City Hall
31 South Summit Avenue
Gaithersburg, MD 20877

December 14, 2015

Dear Mayor Jud Ashman:

We write to request that your office take seriously the concerns regarding the upcoming planned annexation of the Potomac Valley Shopping Center (PVSC) and Johnson Properties at the intersection of Route 28 and 124. Though we are not in Gaithersburg's city limits, we are significantly affected by the planned annexation of these properties by the City of Gaithersburg. Our communities surround the proposed annexed sites and we share a common goal to ensure that our community continues to adhere to the high standards for education and infrastructure while still maintaining a suburban character. We hope this vision is shared by you, the City Council, and City Planners. With this preface we respectfully submit our requests and concerns:

1) Notification Area for Annexation and Development - We respectfully request that the city expand the notification area to a one mile radius for development and redevelopment for these properties. It's our understanding that the City of Gaithersburg applies a 200 foot radius for notification. This will result in few if any communities being formally notified of the City's process involving these properties. For example, there are no communities bordering the PVSC property as it is bordered by Firehouse Station 31, Quince Orchard Library, and Routes 28 and 124. A one-mile radius notification area is consistent with Montgomery County's requirements which state "The applicant also must send written notice to abutting and confronting property owners and to homeowners associations and civic associations within a one-mile radius."¹

We've been advised by staff at the City's Planning Board that the leadership of the nearby communities can request to be included in a notification list. We will certainly avail ourselves of this, but still recommend that you reconsider the current notification policy to ensure that residents receive timely and adequate information regarding changes.

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many needed and community resources such as the grocery store, banks, and small restaurants. In sum, we are opposed to changes to the zoning for these properties.

3) School Capacity Standards –Our schools in the Quince Orchard Cluster (QOC) are deemed by the Montgomery County Planning Department to have “inadequate” student capacity. Our concerns are exacerbated by the City’s new Adequate Public Facilities Ordinance (APFO) of 150% - per school, before imposing a moratorium on new residential development. This APFO is inconsistent and significantly higher than Montgomery County’s standard of 120% - per cluster. It’s our understanding that this could result in residential development on the Johnson property even if the Quince Orchard Cluster exceeds the County’s moratorium standard for new development of 120%. If this is correct, we are strongly opposed to the City’s APFO as it impacts our County schools.

4) The Johnson Property – On November 12th Montgomery County’s Planning Board decided that the Johnson’s proposed property modifications represented a significant change from today’s approved zoning and, therefore, did not endorse Johnson’s proposal. This included a recommendation by the Planning Board to the County Council to put a 5 year moratorium on any changes to the property upon annexation by the City of Gaithersburg. Since then we’ve learned that the Johnson Family has asked for a delay in their application from the County and the City of Gaithersburg to allow them more time for community outreach and assessment of their proposed plan. We look forward to receiving and reviewing any additional plans for this property.

We thank you for considering our viewpoints and would like these to be part of the record these properties. We are also available to discuss these issues with you at your convenience. We want to also acknowledge your staff, particularly, Trudy Schwarz and Rob Robinson, for their willingness to provide information and address our questions.

Sincerely,

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Cc: Montgomery County Council member Sidney Katz,
Montgomery County Council member Craig Rice
Montgomery County Planning Board Chair, Casey Anderson
Gaithersburg Planning Commission Chair, John Bauer
Planning Division Chief, Martin Matsen, AICP
Long Range Planning Manager, Rob Robinson, AICP
Community Planning Manager, Trudy Schwarz
Hidden Ponds Homeowners
NCPA Homeowners
Quince Orchard Knolls Homeowners
Orchard Hills Homeowners
Willow Ridge Homeowners