

January 14, 2023

The Honorable Jud Ashman
The Honorable Members of the City Council
Members of the City Planning Commission
31 South Summit Avenue
Gaithersburg, Maryland 20877
(VIA Electronic Mail)

RE: Lakeforest Zoning Map Amendment Z-9444-2022 & Sketch Plan

Dear Mayor Ashman, members of the City Council and Planning Commission:

The above-referenced applications to rezone, reuse, and reformat the Lakeforest Mall property must retain and incorporate the 1.6-acre forest grove at the intersection of Montgomery Village Avenue and Lost Knife Road, and the 0.50-acre pond #3 on Russell Avenue into the proposed redevelopment to conform with Section 24-160D.10(a)(b), *Findings Required of the MXD Zone*, and Section 24-160D.1(g), *Purposes and Objectives of the MXD Zone*, of the Code of the City of Gaithersburg.

A large forest complex—visible on a 1951 aerial photograph--that enveloped the Walkers Run stream system extended to the site of the present day Lakeforest Mall. This wooded patch at the intersection of Montgomery Village Avenue and Lost Knife Road was championed in the 1970's and left to grow, shade, cool, and grab carbon from the atmosphere, as part of the approval of the Lakeforest Mall site plan. These trees were granted additional protection through legal covenants in 1998 that established a 'tree save area' in this location.

This 1.67-acre forest grove contains specimen trees with 100-year-old oaks in good condition and is located in proposed land bay or block "C," identified for 250,000 square feet of possible large format retail, 220,000 square feet of possible neighborhood-scale retail, restaurants and entertainment uses, 750,000 square feet of possible employment uses, potentially 600 multi-family dwelling units, plus removal of all trees.

The City needs to respect and take pride in these historic landscape elements. The stewardship and retention of this forest grove can and must coexist with the redevelopment that is proposed for Lakeforest Mall. There is no valid or sound reason to not preserve and integrate this wooded patch into the proposed redevelopment project. The 1.67-acre wooded area is a very, very small portion of the massive Lakeforest Mall site, and can easily be assimilated into the project as a park, or through dilution of the possible uses in block "C" to add more residential units adjacent to the woodlands. Countless studies have documented the economic premium of residential properties that area adjacent to natural areas. To allow the removal of the 1.67-acres of trees would be contrary to and inconsistent with the City's land use

regulations, as Section 24-160D.1(g) states that an objective of the MXD zone is *“to provide a superior natural environment by the preservation of trees, natural topographic and geologic features, wetlands, watercourses, and open spaces.”*

In the City’s Preliminary Background Report, a description of this wooded area in block “C” notes “the higher value forest conservation and green and open area in other locations of the property will provide greater environmental benefits...” Newly planted trees in a small pocket park fail, by any measure, to achieve the environmental service or ecological benefit provided by a group of large, mature oak trees. Additionally, the Lakeforest Master Plan acknowledges the inferiority of the City’s green area elements—private yards, sidewalks, street trees, and portions of the rights-of-ways—because “these are not truly open, usable park-like spaces.” The 1.67-acre wooded area in block “C” should be retained and promoted as an open, usable park for future residents, visitors, and workers.

Furthermore, pages 16 and 17 of the City’s Preliminary Background Report state that this tree save area within block “C” “acts as a barrier to connectivity to the focal 124/Lost Knife Road intersection and uses such as the library.” This grouping of valuable trees is not an impediment, constraint, or “barrier to connectivity” to the Montgomery Village Avenue/Lost Knife Road intersection. This wooded area has not disconnected people or inhibited movement or access to Lakeforest Mall for the past 45 years. Instead of a “barrier,” this forest patch must continue to be viewed as an attractive, natural feature and a welcoming entrance detail in a dense, suburban area.

Regardless of the fact that the Maryland Department of the Environment has indicated that a permit could be sought to remove pond #3 along Russell Avenue, the proposed filling of the pond is wholly inconsistent with the Lakeforest Master Plan, which describes all three ponds as “unique assets that should be incorporated into any future redevelopment” and that the “ponds should be viewed as an integrated part of the greater redevelopment and not as separate, disconnected assets.” Recommendations on page 57 of the Master Plan state:

- 1) Retain the 3 stormwater ponds and place under a Category II forest conservation easement.
- 2) Enhance the 3 stormwater ponds and integrate them into the larger open space and green space network.

Surprisingly, the City’s Preliminary Background Report endorses the removal of pond #3, contradicting the Lakeforest Master Plan. For this reason, the proposed Sketch Plan does not comply with Section 24-160D.10(b) of the City Code which requires a finding that “an application is in accord with the recommendations in the applicable Master Plan for the area...” The proposed Sketch Plan also does not comply with Section 24-160.10(a) because the application does not meet the objectives of the MXD zone to “preserve trees, wetlands, watercourses (i.e, ponds), and open spaces” (referenced above).

The following conditions and requirements, if implemented, will bring greater visual appeal, aesthetic enhancement, and environmental stewardship to this project, and will be compliant with the Lakeforest Master Plan and the City Code. I urge the City Council and City Planning Commission to:

- Add a condition of approval to the Lakeforest Zoning Map Amendment Z-9444-2022 to retain and protect all trees present in the approximately 1.67-acre grove along Montgomery Village Avenue and Lost Knife Road.
- Require the applicant to revise the Sketch Plan to depict the trees in the approximately 1.67-acre grove along Montgomery Village Avenue and Lost Knife Road and to incorporate the preservation of these trees into the development project and to depict the trees on future schematic development plans and future site plan submissions.
- Require the applicant to revise the Sketch Plan to depict the retention of pond #3 and to incorporate the preservation of pond #3 into the development project—consistent with the Lakeforest Master Plan—and to depict pond #3 on future schematic development plans and future site plan submissions.
- Determine, describe, and document the status of the 2.7-acre Tree Save Area at Montgomery Village Avenue/Lost Knife Road recorded in the Montgomery County land records at Liber 15702, Folio 679, in relation to the applicant’s proposal to remove the protected trees.

Sincerely,

Tim Goodfellow
18520 Boysenberry Drive, #234
Gaithersburg, Maryland 20879

From: [Keith](#)
To: [Planning External Mailing](#); [CityHall External Mail](#); [Jud Ashman](#); [Lisa Henderson](#); [Neil Harris](#); [Jim McNulty](#); [Ryan Spiegel](#); [Robert Wu](#)
Subject: Lakeforest Mall Redevelopment
Date: Tuesday, January 17, 2023 8:40:24 PM

This email is from an EXTERNAL source. Please use caution when opening attachments, clicking links, or responding.

I want it to be in the public record that I think the current plan for Lakeforest Mall is a missed opportunity. The plan appears to be to go long on office space. To think that 2023 is the year to invest in office space is odd. How much slack office space already exists in the city? In the new pandemic world, remote work is the future.

I also take issue with calling office space "employment." That to me is an attempt to misrepresent office space as something else. It's office space, use normal words that everyone understands.

The development of the mall should be the next level development for the future. To me, this looks like more of the same that people have been building for the last 20 years. It seems to me that the designers haven't updated their vision to the new world for work - employment.

The property should be more about community development, not dentist offices and legal firms. There should be good local retail, restaurants, a dog park, lots more green space. The current counts sidewalks as green space. That also seems disingenuous as well. The drainage ponds are also not really green space. The ponds are a place for runoff water and goose poop.

The plan isn't awful, I just think it lacks vision, and if implemented, I think we'd be looking at a lot of empty office space.

Keith Vance
5 Highland Ave.

Lakeforest Mall Sketch Plan Hearing
Tuesday, Jan. 17
7:30 p.m.
Gaithersburg City Hall, 31 Summit Avenue

Good evening, Mayor Ashman, City Council Members and Planning Commission Chair John Bauer. Thank you for the opportunity to speak this evening regarding the Lakeforest Mall Redevelopment and the project Sketch Plan you are considering. I am Scott Dyer, President of the Montgomery Village Foundation Board of Directors, and on behalf of the residents of the mall's neighbor, Montgomery Village, and the MVF Board, I would like to highlight a few key points of the proposed plan and raise several questions.

First, thank you for working with residents, neighbors, WRS and other key stakeholders to transform the mall site into a reimagined space that advances economic growth, promotes community, and brings needed amenities to the area. I also would like to thank Kevin Rogers of WRS for keeping our community informed on what is envisioned for the site which is Montgomery Village's gateway. On the whole, Montgomery Village Foundation supports the proposed sketch plan and rezoning; as one of the closest neighbors to the property, Village residents will once again be excited about the prospects of additional shopping, dining and entertainment so close to their doorsteps.

With the mall no longer a viable business, it is refreshing to see how this new concept will continue to bring retail and other businesses to the property, along with the increase in housing stock to support the county's growing housing needs.

Of course, an increase in housing also brings an increase in population, transportation and traffic-related issues. On these topics, MVF offers the following observations and questions:

1. With an increase in population, what are the projected impacts to surrounding Montgomery County schools, specifically South Lake Elementary School?
2. The new through-connection of Lakeforest Boulevard and Lost Knife Road should help spread traffic and improve accessibility to the site. Concerning the new, anticipated residential traffic, and steady traffic flow supporting the retail and commercial businesses, how will the additional traffic impact the surrounding streets (MD 355, Montgomery Village Avenue, Russell Avenue, Odenhal Avenue, Lost Knife Road and Contour Road)? What other roadway improvements beyond the new access points are necessary to handle the additional traffic flow? How will pedestrian safety be addressed?
3. Is there an opportunity to put in place a unique recreational amenity—such as a dedicated bikeway that encircles the property or sports amenities (including the growing demand for Pickleball, Futsal/Soccer)—that would help highlight that this is a special place, and differentiate it from other Gaithersburg Town Centers?

4. While we understand the need to position a transit station where accessibility to BRT and other bus traffic is key, moving this important feature of the property from the East edge to the West edge creates a significant difficulty for those in the nearby Cider Mill Apartments and Asbury Methodist Village who utilize these services. Is there flexibility in the plan to allow for a smaller transit center in the same relative location that currently exists, or some other option to move pedestrian traffic to the proposed larger transit center in the plan?

Again, the Montgomery Village Foundation generally supports the sketch plan and rezoning, and looks forward to the opportunities it will bring to Montgomery Village and the broader community. Thank you for your time and consideration of the issues raised as you move forward with this important redevelopment project.

From: [Chris Mowl](#)
To: [CityHall External Mail](#)
Subject: Testimony for Lakeforest
Date: Wednesday, January 18, 2023 8:24:09 AM

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Good morning-

I am a chestnut historic district resident. I support the redevelopment of lakeforest to become a mixed community residential area.

I plea to request if part of the area becomes a recreation center it's not owned directly by City of gaithersburg but the County Recreation center with a Indoor Pool so all of the whole community like Montgomery Village and cider mill can use the area with no issues.

I also support the area of the new transit center as it will serve better for all the routes and it can also branch off and serve the Asbury residents who can walk to odenhal bus stop.

Chris Mowl

Sent from my iPhone

From: [Harold Garman](#)
To: [Planning External Mailing](#)
Subject: Lakeforest Mall Hearing
Date: Tuesday, January 17, 2023 7:02:41 PM

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Lakeforest Mall Hearing 1-17-23 Rev. Hal Garman

I am Rev. Hal Garman. My wife and I moved to Asbury Methodist Village 13 years ago. One year later I initiated the development of Gaithersburg Beloved Community Initiative (GBCI). I speak today as a member of GBCI and the Greater Gaithersburg Community Lakeforest Redevelopment Task Force.

I support rezoning the entire site to Multiple Use (MDX). The sketch plan needs modification:

The Transit Center needs to remain at its present location to make it more accessible to the people who live and work at Asbury, to better serve residents of Cider Mill apartments, South Lake Elementary School and nearby Montgomery Village residents and businesses.

Clearly designated corridors are needed to enhance pedestrian safety for access to the public library, fire station, Cider Mill apartments and Asbury (especially for youth, seniors, and persons with handicapping conditions).

A proportion of the housing needs to be clearly designated as affordable for residents including persons who work at Asbury (approximately 800 employees) and others whose resources are limited.

The Master Plan emphasized the diversity of the area and the importance of preserving it in the Lakeforest redevelopment; the sketch plan needs to reflect this in its housing and green space utilization plans.

Recommendation No. 3 of the Greater Gaithersburg Community Lakeforest Redevelopment Task Force is essential to fulfillment of the vision of the Master Plan:

We strongly recommend that County and non-profit agencies which are often funnels for private and public resources, including but not limited to Workforce Development, Housing and HOC, HHS, Youth Services, Elderly Services, Security Services, Montgomery College, Montgomery Public Schools, be brought to the planning table with the developer in order to modify the sketch plan and recommend and submit possible tenants and resources to meet the requirements of the Master Plan.

From: [The Active Family](#)
To: [CityHall External Mail](#)
Subject: Lakeforest plan input
Date: Tuesday, January 17, 2023 1:09:09 AM

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Hi,

My name is Jason Makstein. I don't technically live in Gaithersburg but right across the street in North Potomac and probably spend 90% or more of our money locally in Gaithersburg.

I also grew up going to Lakeforest mall and am a former Gaithersburg resident.

I would like to submit my input on the plan for Lakeforest mall.

The plan seems adequate... if just that. And I understand wanting to move forward as quickly as possible given the long time frame already.

But I wanted to urge caution into turning this very unique large space into just another development that doesn't have a unique draw.

Overall, I think that the area would be better suited to incorporate a large venue that gives it something unique with more compact housing in other parts.

But the primary reason I am writing in to comment is that I would like the plan to include some sort of free community center or youth center type space. We need to have a more positive impact on the community and give youth areas that they can go for free, safe recreation to make all of our areas safer and provide them with positive opportunities. I believe that at least some section of the property should be devoted to a city or county owned area that could be administered by non profits or the county itself and provide this opportunity. Otherwise if everything is luxury stores and fancy restaurants, we are not giving anything that youth in the area can afford to do and it could result in more crime.

All over there is talk about violence prevention through youth programming and this is a key opportunity to put our money where our mouth is by providing this. A community space could also be put to use by seniors, kids and adults and can serve many other purposes.

Please consider requesting that some area of the plan be reserved for a community center or similar public area that could benefit these people in the area that have been starved for low cost programming and also the overall community by providing safe free spaces for youth.

The linked tweet shows a plan that includes some of these ideas:
<https://twitter.com/keepingitneet/status/1389391415541649425?s=46&t=7hA1c0VXtV2AR70X6tpEmg>

Thank you,

Jason Makstein