

PLANNING AND CODE ADMINISTRATION

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**ANNEXATION OR DE-ANNEXATION APPLICATION**

*All information must be complete to initiate processing of application*

**SUBJECT PROPERTY**

Location 16531 South Frederick Avenue, 8939 North Westland Drive, and 8941 North Westland Drive, Gaithersburg, MD

**APPLICANT(S)**

Name (Business or Individual) Granite Partners

Primary Contact Jake DiPiazza

Street Address 5500 MacArthur Boulevard, N.W.

City Washington State DC Zip Code 20016

Telephone Numbers: Work (240) 461-9520 Cell (240) 461-9520 E-mail Address jdipiazza@granitecanyonpartners.com

**ATTORNEY OR APPLICANT'S REPRESENTATIVE**

Name(s) Patricia A. Harris

Street Address 7600 Wisconsin Avenue

City Bethesda State MD Zip Code 20814

Telephone Numbers: Work (301) 841-3832 Cell \_\_\_\_\_ E-mail Address paharris@lercheary.com

**PROPERTY OWNER (S)**

Name(s) Walnut Hill Propco, LLC, King Fisher Associates, LLC, and Lalita & Joginder, LLC

Street Address 16531 South Frederick Ave., 8939 North Westland Drive, and 8941 North Westland Drive, respectively

City Gaithersburg State MD Zip Code 20877

Telephone Numbers: Work (240) 461-9520 Cell (240) 461-9520 E-mail Address jdipiazza@granitecanyonpartners.com

**TYPE OF APPLICATION**

Annexation  De-Annexation

**PROPERTY DETAILS**

Total Acreage 10.03 Total Sq. Ft. 436,996 Number of Lots/Parcels 3, plus two ROWs

**ANNEXATIONS ONLY**

Present County Zoning CRT - 2.25, C 1.5, R 0.75 Requested Zoning C-2, C-D, C-D, respectively Requested Density See attached sheet. No greater than 50 percent greater than current zoning.

Proposed Use Shopping Center, Residential, Commercial Parcel(s)/Lot/Block Parcel B, Block A; Parcel B, Block G;

Tax Sheet FS63 Tax Account Number(s) 09-00794560; 09-03664857; 09-00794695

Requested Density: 16531 South Frederick Avenue – not to exceed 1,216,609 square feet of commercial density;

8939 North Westland Drive – not to exceed 70,490.25 square feet overall, with commercial not to exceed 46,993.5 square feet and residential density not to exceed 23,496.75 square feet; and

8941 North Westland Drive – not to exceed 36,396 square feet overall, with commercial not to exceed 24,264 square feet and residential not to exceed 12,132 square feet.

**THE CHECKLIST BELOW IS A GENERAL GUIDE FOR ITEMS THAT ARE TYPICALLY REQUIRED FOR APPLICATIONS. PLEASE REFER TO ARTICLE 23A, § 19(o)(3)(ii) OF THE ANNOTATED CODE OF MARYLAND FOR COMPLETE REQUIREMENTS OR CONTACT PLANNING STAFF AT 301-258-6330 FOR CLARIFICATION**

**SUBMISSION REQUIREMENTS:**

- Notarized Petition for Annexation or De-Annexation
- List of Owners with Addresses and Parcel Numbers
- Metes and Bounds Description, One (1) digital copy, Word or PDF
- Boundary Survey
- Vicinity Map
- Names and Addresses of Adjacent Property Owners Within 200 Feet
- Annexation Plan in Accordance with Article 23A, § 19(o)(3)(ii) of the Annotated Code of Maryland
- Approved Natural Resource Inventory and Forest Stand Delineation, One (1) hard copy, One (1) digital copy (DWF preferred) or PDF
- Statement in Support of Annexation/De-Annexation
- Applicable County and City Master Plan Sections

**OPTIONAL SUBMISSIONS:**

- Conceptual Site Plan or Sketch Plan, One (1) hard copy, One (1) digital copy (DWF preferred) or PDF
- Traffic Impact Statement
- Concept Architectural Elevations, One (1) hard copy, One (1) digital copy (DWF preferred) or PDF

**BEFORE**  
**THE MAYOR AND CITY COUNCIL OF THE CITY OF GAITHERSBURG**  
**PETITION OF WALNUT HILL PROPCO, LLC and KING FISHER ASSOCIATES, LLC**  
**FOR ANNEXATION**

Walnut Hill Propco, LLC, a Maryland limited liability company and King Fisher Associates, LLC a Maryland limited liability company, (“Petitioners”) pursuant to Section 4-401 *et. seq.*, Local Government Article of the Maryland Annotated Code (2013), hereby petition the Mayor and City Council of the City of Gaithersburg, Maryland to annex into the corporate limits of the City of Gaithersburg (the “City”) that certain property described below and reflected on the Annexation Plan attached hereto and made a part hereof as Exhibit A. In support of this Petition, the Petitioners represent to the Mayor and the City Council as follows:

1. Walnut Hill Propco, LLC is the fee simple owner of the subject property know as Block A, Parcel B, “Walnut Hill Section One” subdivision recorded in the Land Records of Montgomery County, Maryland at Plat 4267 situated in the northeast quadrant of the intersection of MD Route 355 and South Westland Drive, consisting of 360,477 square feet or 8.28 acres with a property address of 16531 South Frederick Avenue, Gaithersburg, Maryland, and more particularly described on the boundary survey and metes and bounds attached hereto and made a part hereof as Exhibit A-1 (the “16531 South Frederick Avenue Property”). The tax account number of the Property is 09-00794560.

2. King Fisher Associates is the fee simple owner of the subject property known as Block G, “Parcel B, Walnut Hill” subdivision recorded in the Land Records of Montgomery County, Maryland at Plat No. 24052 situated in the northeast quadrant of MD Route 355 and North Westland Drive, consisting of 20,886 square feet with a property address of 8939 North Westland Drive, Gaithersburg, Maryland, and more particularly described on Exhibit A-1 (the “8939 North Westland Drive Property”). The tax account number of the 8939 North Westland Drive Property is 09-03664857.

3. Lalita & Joginder, LLC is the fee simple owner of the subject property known as Block G, “Parcel A-2, Walnut Hill” subdivision recorded in the Land Records of Montgomery County, Maryland at Plat No. 8290 situated in the northeast quadrant of MD Route 355 and North Westland Drive, consisting of 10,784 square feet with a property address of 8941 North Westland Drive, Gaithersburg, Maryland, and more particularly described on Exhibit A-1 (the “8941 North Westland Drive Property”). The tax account number of the 8941 North Westland Drive Property is 09-00794695.

4. The South Westland Drive right-of-way along the frontage of the South Frederick Avenue Property consisting of \_\_\_ square feet and the North Westland Drive right-of-way along the frontage of the 8939 North Westland Drive Property and the 8941 North Westland Drive Property consisting of \_\_\_ square feet and more particularly described on Exhibit A-1 (the “South Westland Drive and North Westland Drive Rights-of-Way”) are currently located outside the corporate boundaries of the City of Gaithersburg.

5. Petitioners seek the annexation of the 16531 South Frederick Avenue Property, the 8939 North Westland Drive Property, the 8941 North Westland Drive Property and the South Westland Drive and North Westland Drive Rights-of-Way (collectively, the “Annexation Property”).

6. The frontage of the 16531 South Frederick Avenue Property for a depth of 20 feet is currently located within the City of Gaithersburg and is unzoned.

7. The Annexation Property is contiguous and adjoining the existing boundaries of the corporate limits of the City of Gaithersburg on the north, south and west, and in the case of the 8939 North Westland Drive Property, to the east.

8. The Annexation Property lies within the boundaries of the City’s designated Maximum Expansion Limits (“MEL”) as depicted in the Growth Element of the City’s 2003 Master Plan, adopted April 6, 2009 and therefore, included in and consistent with the Growth Element’s analysis regarding the future adequacy of public facilities, including schools, libraries, police, fire and rescue, water and sewer, stormwater management and recreation. The applicable portions of the Growth Element of the City’s 2003 Master Plan are attached hereto as Exhibit B.

9. The proposed annexation will not result in an unincorporated area bounded on all sides by (1) real property presently within the corporate limits of the City of Gaithersburg; (2) real property proposed to be within the corporate limits of the City of Gaithersburg as a result of the proposed annexation; or (3) any combination of real property described in items (1) or (2).

10. The Annexation Property is currently classified in the CRT 2.25, C 1.5, R .75, H-45 commercial zone pursuant to the Montgomery County (“County”) Zoning Ordinance and official Zoning Map, a copy of which is attached hereto and incorporated as Exhibit C.

11. The Annexation Property is subject to the Approved and Adopted 2010 Greater Seneca Science Corridor Master Plan (the “Master Plan”). While the Master Plan recognizes the retail and commercial use of the 16531 South Frederick Avenue Property, there are no specific recommendations for said Property. The Master Plan contains no specific recommendations with respect to the 8939 North Westland Drive Property and the 8941 North Westland Drive Property. The applicable portions of the County’s Master Plan are attached hereto and incorporated herein as Exhibit D.

12. The City of Gaithersburg Land Use Plan, adopted in the December 20, 2011 Master Plan Element of the City’s Master Plan (Exhibit E) recommends a Commercial Office-Residential land use designation and CD zoning for the Annexation Property.

13. Given Walnut Hill Propco, LLC’s intent to continue the current use of the 16531 South Frederick Avenue Property for commercial retail uses only, the zoning classification for the Property proposed by this Petition is the C-2, General Commercial Zone, which is consistent with

the recommendation for the 16531 South Frederick Avenue Property set forth in the City Master Plan.

14. Given King Fisher Associates' intent to develop the 8939 North Westland Drive Property for either residential use or commercial retail uses, the zoning classification for the 8939 North Westland Drive Property proposed by this Petition is the C-D, Corridor Development Zone, which is consistent with the recommendation for the Property set forth in the City Master Plan.

15. Given Lalita & Joginder, LLC's intent to continue the current use of the 8941 North Westland Drive Property or redevelop the 8941 North Westland Drive Property for either residential use or commercial retail uses, the zoning classification for the 8941 North Westland Drive Property proposed by this Petition is the C-D, Corridor Development Zone, which is consistent with the recommendation for the Property set forth in the City Master Plan.

16. The C-2 and C-D zoning classifications proposed for the Annexation Property upon annexation do not permit development of the annexed land with uses that would be substantially different from or densities that are substantially higher than what may be granted under the existing CRT Zone by the Montgomery County Zoning Ordinance.

17. Petitioners own more than 25% of the assessed valuation of the Annexation Property and there are no persons residing within the area of the Annexation Property who are registered voters in the precinct within which the Annexation Property is location. No additional consents to this Annexation Petition are required under Sections 4-401, et seq., Local Government Article of the Maryland Annotated Code.

18. Petitioners reserve the right to withdraw this Petition without liability to the City (except for costs of public notice advertising), if the conditions of the annexation as specified in the Annexation Agreement and as set forth in the Annexation Resolution are substantially different and/or are materially changed to Petitioners' detriment as determined by the Petitioners in its sole and absolute discretion. Petitioners may elect to withdraw this Annexation Petition and terminate the Annexation Agreement at any time prior to the effective date of the Annexation Resolution.

19. The follow exhibits are submitted in support of this Petition and incorporated herein:

- Exhibit A – Annexation Plan
- Exhibit A-1– Boundary Survey and Metes and Bounds Description
- Exhibit B – Growth Element of City Master Plan
- Exhibit C – Montgomery County Zoning Map
- Exhibit D – Applicable County Master Plan Sections
- Exhibit E – Land Use Element of City Master Plan
- Exhibit F – List of Owners
- Exhibit G – Vicinity Map
- Exhibit H – Adjacent Property Owners

- Exhibit I – Approved Natural Resource Inventory and Forest Stand Delineation for 16531 South Frederick Avenue and Approved NRI/FSD for 8939 and 8941 North Westland Drive
- Exhibit J – Statement in Support of Annexation
- Exhibit K – Overall Site Plan for 16531 South Frederick Avenue
- Exhibit L – Traffic Impact Statement
- Exhibit M – Concept Stormwater Management Plan
- Exhibit N – Draft Annexation Agreement

[Signature Pages to Follow]

Walnut Hill Propco, LLC respectfully requests that the Mayor and Council of the City of Gaithersburg initiate the process required by law for enactment of a resolution annexing the Property into the Corporate boundaries of the City of Gaithersburg.

WALNUT HILL PROPCO, LLC, a Maryland Limited Liability Company

By: [Signature]

Name: JASON KLUG

Its: Authorized Person

Date: May 1, 2023

STATE OF Washington )  
 ) ss:  
COUNTY OF District of Columbia )

I HEREBY CERTIFY that on the 1 day of May, 2023, before me, the subscriber, a Notary Public in and for the aforesaid jurisdiction, personally appeared Jason Klug, the Authorized Person of Walnut Hill Propco, LLC, a Maryland Limited Liability Company, who acknowledged himself/herself to me, and that he/she executed the foregoing instrument for the purposes therein contained by signing his/her name on behalf of Walnut Hill Propco, LLC.

WITNESS WHEREOF, I hereunto set my hand and official seal.



[Signature]  
Notary Public

My commission expires: 10-14-2026



Mayor and City Council  
X-9510-2023  
Exhibit #03

Statement in Support of Annexation  
Walnut Hill Shopping Center and 8939 and 8941 North Westland Drive  
April 28, 2023

I. Introduction and Background

Walnut Hill Propco, LLC, the owner of the Walnut Hill Shopping Center located at 16531 North Frederick Road and King Fisher Associates, LLC, the owner of 8939 North Westland Drive (both related affiliates of Standard Properties) seek the annexation of their respective properties and the property located at 8941 North Westland Drive from Montgomery County into the City of Gaithersburg. The Annexation is sought through Walnut Hill Propco’s joint venture partner, Granite Partners (the “Applicant”).

Granite Partners initially approached the City to explore the annexation of the Walnut Hill Shopping Center. Several factors drove Granite Partner’s desire to pursue the annexation. The Shopping Center is located within Gaithersburg’s Maximum Expansion Limits and all of the surrounding commercial properties are located within Gaithersburg. More importantly, the function and operation of the Shopping Center are more oriented toward Gaithersburg. As a small city, Gaithersburg is responsive and efficient in ways that are difficult for a larger municipality, such as Montgomery County. From a land use perspective, the Shopping Center is the “missing tooth” in terms of providing a logical municipal boundary. We are aware that the City has previously pursued the annexation of the Shopping Center into the City.

In order to upgrade the Shopping Center, the Applicant’s primary objective has been to secure a grocery store anchor tenant. For a number of reasons, including the competition in the market place and the location, condition and size of the Shopping Center, this has proved to be a challenge. After months of effort, the Applicant has successfully leveraged the development of the retail pad site in the southwest corner of the Shopping Center, such that they are able to make important improvements to the Shopping Center which allowed them to secure lease with Lidl, a nationally known grocer for the site. The combination of the new retail pad, the façade, landscaping and lighting improvements and the establishment of the grocery store will significantly raise the profile and competitive market position of the Shopping Center and provide an overall benefit to the neighborhood.

Upon broaching the annexation of the Shopping Center with City officials, the officials suggested that Standard Properties’ site at 8939 North Westland Drive also be included in the annexation effort. Subsequently, the officials urged the Applicant to also include the adjacent parcel – 8941 North Westland Drive. At the City’s direction, the Applicant has included the 8941 North Westland Drive site as part of the annexation petition, although the Applicant has had no discussion with the owners of 8941 North Westland Drive about the proposed annexation. In addition, the South Westland Drive and North Westland Drive rights-of-way along the frontage of the Shopping Center not currently located within the Gaithersburg City limits are also included in the annexation petition.

## II. Description of Property and Surrounding Area

### A. Property Description

The proposed property to be annexed comprises three parcels, as follows:

- Block A, Parcel B, “Walnut Hill Section One” subdivision recorded in the Land Records of Montgomery County, Maryland at Plat 4267 situated in the northeast quadrant of the intersection of MD Route 355 and South Westland Drive, consisting of 360,477 square feet or 8.28 acres with a property address of 16531 South Frederick Avenue, Gaithersburg, Maryland.
- Block G, “Parcel B, Walnut Hill” subdivision recorded in the Land Records of Montgomery County, Maryland at Plat No. 24052 situated in the northeast quadrant of MD Route 355 and North Westland Drive, consisting of 20,886 square feet with a property address of 8939 North Westland Drive, Gaithersburg, Maryland.
- Block G, “Parcel A-2, Walnut Hill” subdivision recorded in the Land Records of Montgomery County, Maryland at Plat No. 8290 situated in the northeast quadrant of MD Route 355 and North Westland Drive, consisting of 10,784 square feet with a property address of 8941 North Westland Drive, Gaithersburg, Maryland.
- The South Westland Drive right-of-way consisting of        square feet and the North Westland Drive right-of-way consisting of        square feet located along the frontages of the 16531 South Frederick Avenue property.

(collectively “the Property”).

The 20 foot wide residual South Frederick Avenue right-of-way along the frontage of the Shopping Center is located within the Gaithersburg city limits and is zoned R-A. This R-A zoning will remain unchanged.

### B. Surrounding Land Uses

The land uses and zoning surrounding the Shopping Center are as follows:

North – 623 South Frederick Road located at the corner of South Frederick Road and North Westland Drive, improved with two commercial buildings zoned C-D, located within Gaithersburg. To the east of 623 South Frederick Road is 617 North Frederick Road improved with three commercial buildings, zoned C-D and located within Gaithersburg. The 617 North Frederick Road site is “T” shaped with frontage on North Westland Drive and North Frederick Road. To the east of 617 North Frederick Avenue

are the two other sites that are the subject of the Annexation Petition, 8939 and 8941 North Westland Drive.

South – 16425 Frederick Road located at the corner of South Frederick Avenue and South Westland Drive improved with a gas station located on two parcels zoned C-D. To the east of the gas station are two vacant parcels owned by affiliates of Standard Properties zoned C-2, both located within Gaithersburg.

East – A single family residential neighborhood zoned R-60 located within Montgomery County. An eight foot (approximately) high fence is located along the Shopping Center's eastern property line and separates the Shopping Center from ten single family residences.

West – On the west side of South Frederick Avenue are two churches, located in the R-A zone located within Gaithersburg.

The land uses and zoning surrounding 8939 and 8941 North Westland Drive are as follows:

North – 617 North Frederick Road (identified above).

South – Walnut Hill Shopping Center, one of the parcels subject to the Annexation Petition.

East – 8929 North Westland Drive, vacant, zoned R-90 and located within Gaithersburg.

West – 617 South Frederick Road (identified above).

### C. Existing Zoning

The Property is zoned Commercial Residential Town - CRT – 2.25, C 1.5, R 0.75, H 45. The zoning permits a maximum density of 2.25 floor area ratio (“FAR”) of which the maximum commercial density is 1.5 FAR and the maximum residential density is .75 FAR. In order to maximize the allowable density, a mixed use development would be required, although a development exclusively residential or exclusively commercial up to the designated densities is permitted in the zone. The maximum height allowed is 45 feet. The CRT Zone (as well as the CR and CRN zones) permits a mix of residential and nonresidential uses.

Prior to Montgomery County's comprehensive rezoning in 2014, the Property was zoned C-2, general commercial. In an effort to accommodate potential future mixed-use redevelopment, the majority of shopping centers and commercially zoned properties in the County were rezoned to one of the CR zones – CR, CRT or CRN. The County recognized that many of these shopping centers would continue for quite some time to function exclusively as commercial

centers, but did not want to preclude the opportunity for potentially introducing a residential component in the future.

### III. Master Plans

#### A. County Master Plan

The Property is located within the June 2010 Approved and Adopted Great Seneca Science Corridor Master Plan (the “Master Plan”) area. In terms of the subject annexation, one of the most important components of the Master Plan is the recognition that annexations into the City of Gaithersburg may occur and “that annexing properties surrounded by municipalities would help create coherent boundaries.” The Master Plan continues that boundaries between the County and the municipalities should be logical and well-defined, following roads and certain natural features. The Master Plan strongly opposes annexation of any portion of the Life Sciences Center, of which the Property is not a part (pages 13 and 14). The Master Plan specifically provides that Walnut Hill, as one of the Master Plan’s five enclaves, could be considered for annexation (page 66). Importantly, the South Frederick Road corridor, from the 370 interchange north to the northern boundary of Gaithersburg is located within Gaithersburg, except for the Walnut Hill Shopping Center. This certainly makes the annexation of the Property a logical action in order to create the coherent boundaries called for in the Master Plan.

The Master Plan identifies the Property’s existing zoning and land uses as retail and commercial and there are no specific future recommendations for the Property. However, it is important to emphasize that subsequent to the 2010 Master Plan, the Property was rezoned to the CRT zone, with a zoning designation permitting the residential development of the Property.<sup>1</sup>

In support of the potential redevelopment of 8939 North Westland Drive with housing uses, the Master Plan calls for a range of housing to help achieve the County’s housing goals. The addition of residential units on this conveniently located parcel is in keeping with locating housing in proximity to existing or future planned infrastructure (i.e. the bus rapid transit to be constructed along South Frederick Road).

#### B. City Land Use Plan

The City of Gaithersburg’s 2009 Land Use Plan, Master Plan element identifies the Property as within the City’s Maximum Expansion Limits and notes that it could be annexed without creating an enclave. The Land Use Plan notes that if annexed, the Shopping Center should be incorporated into the Frederick Avenue Corridor Plan and subject to its design elements. The Land Use Plan further provides that the land use designation should be commercial-office-residential and recommends C-D zoning. Given the intended continuation of the commercial use (with no residential uses contemplated) for the Shopping Center, C-2 zoning is proposed for the

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<sup>1</sup> Based on the existing zoning of CRT 2.25, C 1.5, R 0.75, the maximum density of 2.25 FAR may only be maximized if the Property were developed with both commercial and residential development, thereby suggesting that the County would be supportive of residential development on the 8939 North Westland Drive parcel.

Shopping Center, while C-D zoning is proposed for the 8939 and 8941 North Westland Drive parcels.

The 2001 Special Study Area Frederick Avenue Corridor Land Use Plan, Master Plan Element recognizes the continued commercial use of the Shopping Center and recommends C-D zoning with a commercial-office-residential land use designation. The Special Study Area Plan recommends “infill retail liner buildings along the street edge of South Frederick Avenue, within the existing parking lot” and recommends a range of 20,000 to 30,000 square feet of additional retail space. There are no recommendations for the 8939 and 8941 North Westland Drive parcels.

#### IV. Proposed Development and Proposed Zoning

The Applicant intends to continue the use of the Shopping Center as a retail center but proposes a number of revisions to promote the viability of this use. These changes include the following:

- Establishment of a 57,851 square foot retail pad in the southwest corner of the Shopping Center to accommodate a 4,959 square foot retail convenience store with an accessory use to include 12 fueling positions.
- Establishment of pedestrian connections leading from South Frederick Avenue through the Shopping Center
- Renovation of the existing in-line structure to accommodate a grocery store
- Elimination of the center driveway along South Westland Drive
- Demolition of the one story vacant brick building in the southeast corner of the site
- Dedication of the Shopping Center frontage (variable width of between 13 and 19 feet) to accommodate the future BRT.
- Various landscaping, lighting and elevation improvements

Subsequent to the annexation, the Applicant plans to pursue the Planning Commission’s approval of a Preliminary/Final Site Plan to accommodate these changes.

Given the intent to continue the current use of the Shopping Center for commercial retail uses only, the Applicant proposes the C-2, General Commercial Zone for the Shopping Center, which is consistent with the recommendation of the Special Study Area Frederick Avenue Corridor Land Use Plan, Master Plan Element, to continue the retail use.

Based on the market position of the Shopping Center and the surrounding multi-family landscape, the Applicant does not anticipate that residential uses will be considered for the Shopping Center site for at least another 15 to 20 years. While the Applicant expects that future Gaithersburg Master Plan Amendments and any corresponding future rezoning will take this into account so as not to foreclose the potential residential development on the Shopping Center at some point in the future, any accommodation for residential uses on the Shopping Center at this time would be premature. Thus, the requested C-2 zoning for the Shopping Center is the appropriate zoning.

With respect to the 8939 North Westland Drive parcel, the current intent is to develop this site with residential townhouses or two-over-two residential units, but the opportunity for commercial or retail uses should be preserved. For this reason the C-D zoning is appropriate for this site.

With respect to the 8941 North Westland Drive parcel, the Applicant understands based on discussion with City officials that it is the owner's intent to continue the current commercial use of the site. Zoning the site C-D would preserve the opportunity to redevelop the site with residential uses and would also not preclude the continued commercial use.

#### V. Adequacy of Public Benefits

In terms of the public benefits, there are adequate public facilities, including public water and sewer, electricity, and police and fire safety to accommodate the annexation. With respect to the Shopping Center, the Applicant has conducted a Transportation Impact Statement ("TIS") and has concluded that there is adequate traffic capacity on the surrounding road network to accommodate the proposed development on this site. More specifically, the TIS concluded that all of the study intersections meet the City of Gaithersburg's and MDOT SHA's Guidelines of Critical Lane Volumes of less than 1,450 in all conditions.

#### VI. Civic Outreach

Since December of 2021, the Applicant has had extensive outreach with the surrounding and nearby interested civic associations including Gateway Commons, Walnut Hill, Rosemont Citizens Association and East Gaithersburg United, and shared with them the intended plans for the Shopping Center and the Applicant's progress. This outreach has included nine virtual or in-person meetings and numerous phone conversations. Walnut Hill, the civic association closest to the Shopping Center (which is located in the County) has expressed that their primary interest is the securing of a grocery store for the Shopping Center. Additional comments expressed by Walnut Hill and other civic associations to which the Applicant has responded included a desire for improved outdoor gathering space and an overall upgrade to the look and feel of the Shopping Center so that it would be considered an asset to the neighborhood. The leadership of Walnut Hill has verbally expressed their support for the Applicant's plans.

#### VII. Conclusion

The Applicant is excited to pursue the annexation of the Property into Gaithersburg and believes the time is right to do so. From a land use and zoning perspective, the annexation will remedy what is currently an illogical municipal boundary. The proposed improvements to the Shopping Center provide the opportunity to upgrade an underutilized, depreciated retail center and convert it to an up-to-date, attractive gateway retail center for the City of Gaithersburg that provides a real benefit to both the surrounding community and the City as a whole.

The Applicant looks forward to working with the City in this pursuit.