

Kirk Eby

From: Maggie Hou <maggiealwaysshines@gmail.com>
Sent: Thursday, June 15, 2023 9:50 AM
To: Rob Robinson
Cc: Kirk Eby; Planning External Mailing
Subject: Re: Walnut hill shopping center hearing

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

Hi Rob,

Thanks much for the quick response! May I attend the 7/5 recommendation meeting via the YouTube channel stream?

Thanks for sharing the link, very helpful!

Maggie Hou

On Thu, Jun 15, 2023 at 9:41 AM Rob Robinson <Rob.Robinson@gaithersburgmd.gov> wrote:

Hi Ms. Hour,

Council and Planning Commission meetings are in person, but allow for virtual testimony should one not wish to attend. You may register through the following link.

<https://www.gaithersburgmd.gov/government/public-meeting-information>

The July and September meeting registrations are not open until closer to the meeting date.

Should you just wish to observe the meetings only, you may do so through though the City's YouTube channel:
<https://www.youtube.com/c/gburgmd>

The Planning Commission meeting in July regarding Walnut Hill is a recommendation and public testimony is at the discretion of the Commission as this not a public hearing.

Rob Robinson III, AICP CEP

FCA Qualified Professional

Long Range Planning Manager

City of Gaithersburg

Kirk Eby

From: Maggie Hou <maggiealwaysshines@gmail.com>
Sent: Wednesday, June 14, 2023 7:25 PM
To: Planning External Mailing
Subject: Fwd: Walnuthill shopping center hearing

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In addition - can I attend the 7/5 7:30pm recommendation hearing at Gaithersburg City Hall in person ? Or can I join remotely?

I realize there are 2 hearings regarding this project, one is 7/5 and then other one is 9/5.

Thanks

Maggie

----- Forwarded message -----

From: Maggie Hou <maggiealwaysshines@gmail.com>
Date: Wed, Jun 14, 2023 at 7:20 PM
Subject: Walnuthill shopping center hearing
To: <planning@gaitersburgmd.gov>

Hi Gaithersburg Gov,

I am a resident of Gaithersburg. Very curious about the 9/5 hearing of renovation plan of Walnuthill shopping center submitted by Granite Partners.

Any registration link for ZOOM conference call? Or Can I attend in person?

I haven't found a registration link on your website yet.

<https://www.gaitersburgmd.gov/government/public-meeting-information>

Thanks
Maggie Hou

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Sent from Gmail Mobile

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Sent from Gmail Mobile

Kirk Eby

From: sheila ray <sheila.ray@gmail.com>
Sent: Friday, June 16, 2023 8:11 AM
To: Jud Ashman; Lisa Henderson; Neil Harris; Jim McNulty; Ryan Spiegel; Robert Wu; Kirk Eby
Cc: Jake DiPiazza
Subject: Letter of Support for the Walnut Hill Shopping Center
Attachments: Gateway Commons HOA Letter of Support - June 2023 (2).pdf

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TO: Mayor Jud Ashman, Council Vice President Lisa Henderson, Council Member Neil Harris, Council Member Jim McNulty, Council Member Ryan Spiegel, Council Member Robert T. Wu

Please see attached for our letter of support for the Walnut Hill Shopping Center.

Thank you!

Sheila Ray & Jeff Smith (109 Swarthmore Ave., Gaithersburg, MD 20877)

Lucas & David Kempe-Cook (102 Swarthmore Ave., Gaithersburg, MD 20877)

Jorgina Andrawis (313 Swarthmore Ave., Gaithersburg, MD 20877)

TO: Mayor Jud Ashman, Council Vice President Lisa Henderson, Council Member Neil Harris, Council Member Jim McNulty, Council Member Ryan Spiegel, Council Member Robert T. Wu

Granite Canyon Partners (GCP) first contacted us almost a year and a half ago to share with us their vision for the revitalization of the Walnut Hill Shopping Center. At that time, we were excited about their plans, and have recently learned that they have secured the much-needed grocery store. This is a much needed development and will be convenient for our community. Further, the development will reduce car travel and be environmentally friendly for residents since we won't have to travel far for our weekly grocery shopping and have the option to walk to the shopping center. Our neighborhood has struggled without a nearby grocery for the past three years, and we urge the City of Gaithersburg to review and approve the needed plans in an expedited fashion, so that the Shopping Center can finally turn around.

At present, the Walnut Hill Shopping Center does not provide a benefit to our neighborhood — it has a high level of vacancies, little retail activity and it seems to attract a lot of people who simply “hang out.” GCP's plans to renovate the Shopping Center look great and we look forward to the new grocery store, the Sheetz and other new retail activity on the Property. The renovation plans will add much needed vibrancy to the Center.

I want to convey my strong support for the proposed renovations to Walnut Hill Shopping Center. An attractive, vibrant Center, with a grocery store, will be a real asset to our neighborhood. The needed redevelopment of Walnut Hill cannot happen fast enough. We urge the City's swift action.

We greatly appreciate GCP's transparency and open lines of communication regarding their plans for the Walnut Hill Shopping Center. They have answered our questions and received feedback we provided. We fully support the project. Having an upgraded Shopping Center, with a much-needed grocery store, within walking distance of our neighborhood and revitalized small stores providing necessary goods and services provides a significant benefit to all of the nearby residents.

We understand that the City must grant certain approvals for the Walnut Hill Shopping Center to finally renovate. We urge the City to expedite these needed approvals. The neighborhood has been disadvantaged for quite a long time given the current state of the Shopping Center, and we want to see GCP's vision for redeveloping the Shopping Center become a reality as soon as possible.

In addition, we are supportive of the Sheetz coming to the Walnut Hill Shopping Center, as it provides another option for gas and potentially reduces gas prices in the nearby area, as it provides additional competition. Reduced gas prices in the area is another benefit for our community. The Sheetz development will provide the catalyst to other needed changes to the Shopping Center, as evidenced by the fact that a much-needed grocery store has finally committed to lease in the Center. We express our full support for this project and hope that the City's review and approval process will be completed in the near future.

I am an immediate neighbor of the Shopping Center and am writing to offer my strong support for the Center's redevelopment. The new Sheetz store and the grocery store are very welcome additions to the neighborhood. When the Mayor and Council and Planning Commission consider this project, I hope they give extra weight to the support that we, as the closest residents, have expressed.

Thank you.

Sincerely,

Sheila Ray & Jeff Smith (109 Swarthmore Ave., Gaithersburg, MD 20877)

Lucas & David Kempe-Cook (102 Swarthmore Ave., Gaithersburg, MD 20877)

Jorgina Andrawis (313 Swarthmore Ave., Gaithersburg, MD 20877)

Kirk Eby

From: Yearwood, Nkosi <nkosi.yearwood@montgomeryplanning.org>
Sent: Tuesday, June 06, 2023 12:45 PM
To: Kirk Eby
Cc: Rob Robinson; Michael Hackman
Subject: RE: Walnut Hill Annexation Question

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

Hi Kirk: Thanks for your email regarding the annexation. I have not seen the 50% standard applied in that manner on the Site Plan sheet. It helps to clarify things at my end.

Nkosi

From: Kirk Eby <Kirk.Eby@gaithersburgmd.gov>
Sent: Tuesday, June 6, 2023 11:45 AM
To: Yearwood, Nkosi <nkosi.yearwood@montgomeryplanning.org>
Cc: Rob Robinson <Rob.Robinson@gaithersburgmd.gov>; Michael Hackman <Michael.Hackman@gaithersburgmd.gov>
Subject: RE: Walnut Hill Annexation Question

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Nkosi,

The FAR limits shown on the Site Plan sheet are based on the state law “5-year rule,” which limits the density of annexed land to a maximum of 50% above the allowed density under the existing County Zoning at the time of annexation [§ 4-416(b) of the Local Government Article]. The existing County Zoning of CRT-2.25 C-1.5 R-0.75 H-45 allows an FAR of 2.25 overall (for a mixed commercial and residential development), an FAR of 1.5 for commercial-only development, an FAR of 0.75 for a residential-only development, and a height limit of 45 feet. Using the state law limit of 1.5 times the allowable density, the City can allow a maximum FAR of up to 3.375 (2.25 * 1.5) for a mixed commercial/residential development, an FAR of up to 2.25 (1.5 * 1.5) for a commercial-only development, and an FAR of up to 1.125 for a residential-only development.

However, as you noted, the City’s C-2 Zone only allows an FAR of up to 1.5, and this lower FAR cap will apply to the shopping center parcel (16531 S Frederick Ave), since it is proposed to be zoned C-2. (The maximum theoretical 2.25 FAR will thus not apply to the shopping center parcel, since the City’s C-2 zoning is more restrictive.) The maximum allowed density for the shopping center parcel will remain 540,715 square feet after annexation, and City staff notes that the overall FAR with the near-term development will be 0.27 (compared to the existing development’s FAR of 0.26). We will work with the Applicant to clarify the FAR limit for the shopping center parcel on the Site Plan sheet. The C-2 Zone has a height limit of 10 stories, which will also apply to this parcel.

The other two parcels are proposed to be zoned CD, and because the City’s CD Zone does not have an FAR limit, those two properties could be developed to the maximum theoretical 3.375/2.25/1.125 FAR limits based on 50% above the existing County zoning. We will work with the Applicant to add the additional FAR limits for the different land use types

to the Site Plan sheet. The height limit of the CD Zone is based upon the district identified in the associated corridor development master plan, in this case the Frederick Avenue Corridor Land Use Plan. Although these two properties are not included in the City's Frederick Avenue Corridor Land Use Plan, they are adjacent to other properties in that plan, which are identified within the Southern Residential District. Additionally, a "residential district" has the lowest (most restrictive) height limit (three stories and 35 feet), so any property being annexed with a proposed CD Zoning and not identified in a master plan would be limited to the most restrictive development standards of the CD Zone (the residential district standards), until such time as a new land use or corridor plan recommendation for a specific district was made for that property. Notwithstanding the three story height limit (maximum FAR of 3.0), in theory a development project may be able to achieve the full 3.375 overall FAR for a mixed commercial and residential development, if the project includes a mezzanine area (or areas) that do not exceed 1/3 of the floor area of the floor immediately below, and the required parking, forest conservation, stormwater, and other standards can be met on site. In reality, it will be difficult to achieve an FAR of 3.0 (three story height limit), given the constraints of the other City standards (forest conservation, stormwater management, parking, etc.).

Thanks. Let me know if you have any additional questions.

J. Kirk Eby, AICP, GISP | Planner III

City of Gaithersburg Planning & Code Administration

31 South Summit Avenue • Gaithersburg, MD 20877

(P) 240-805-1068 (F) 301-258-6336

<http://www.gaithersburgmd.gov>

From: Yearwood, Nkosi <nkosi.yearwood@montgomeryplanning.org>

Sent: Monday, June 5, 2023 10:56 PM

To: Rob Robinson <Rob.Robinson@gaithersburgmd.gov>

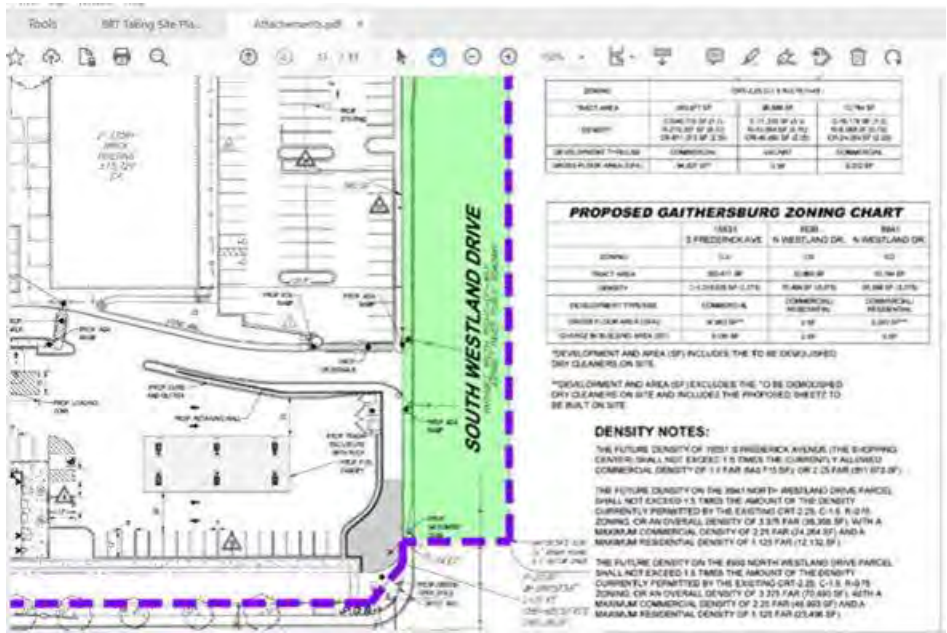
Cc: Kirk Eby <Kirk.Eby@gaithersburgmd.gov>; Michael Hackman <Michael.Hackman@gaithersburgmd.gov>

Subject: Walnut Hill Annexation Question

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

Hi Rob: I am trying to understand the density notes shown on the annexation plan. Why is CRT zone being use as a base to increase the potential density up to 3.375 FAR? I believe the City's C-2 Zone allows development up to 1.5 FAR and the CD zone allows development between 35 feet and 65 feet. Once annexation occurs, future development should follow the standards of either the City's zones.

Maryland Planning is also asking this same question. Any clarification would be appreciated.



Thanks,
Nkosi

Kirk Eby

From: Kirk Eby
Sent: Thursday, June 01, 2023 4:32 PM
To: 'Susan Llareus -MDP-'
Cc: Michael Hackman; Rob Robinson; Chuck Boyd (CBoyd@mdp.state.md.us); sarah.diehl@maryland.gov; ellen.mussman@maryland.gov
Subject: RE: City of Gaithersburg Notice of Annexation

Susan,

The FAR limits shown on the Site Plan sheet are based on the state law “5-year rule,” which limits the density of annexed land to a maximum of 50% above the allowed density under the existing County Zoning at the time of annexation [§ 4-416(b) of the Local Government Article]. The existing County Zoning is CRT-2.25 C-1.5 R-0.75 H-45, which allows an FAR of 2.25 overall (for a mixed commercial and residential development), an FAR of 1.5 for commercial-only development, an FAR of 0.75 for a residential-only development, and a height limit of 45 feet. Using the state law limit of 1.5 times the allowable density, the City can allow an FAR of up to 3.375 (2.25 * 1.5) for a mixed commercial/residential development, an FAR of up to 2.25 (1.5 * 1.5) for a commercial-only development, and an FAR of up to 1.125 for a residential-only development.

The City’s C-2 Zone allows an FAR of up to 1.5, and this lower FAR cap will apply to the shopping center parcel (16531 S Frederick Ave), since it is proposed to be zoned C-2. (The maximum theoretical 2.25 FAR will thus not apply to the shopping center parcel, since the City’s C-2 zoning is more restrictive.) The maximum allowed density for the shopping center parcel will remain 540,715 square feet after annexation, and City staff notes that the overall FAR with the near-term development will be 0.27 (compared to the existing development’s FAR of 0.26). We will work with the Applicant to clarify the FAR limit for the shopping center parcel on the Site Plan sheet.

The other two parcels are proposed to be zoned CD, and because the City’s CD Zone does not have an FAR limit, those two properties could be developed to the maximum theoretical 3.375/2.25/1.125 FAR limits based on 50% above the existing County zoning. We will work with the Applicant to add the additional FAR limits for the different use types to the Site Plan sheet.

Thanks. Let me know if you have any additional questions.

J. Kirk Eby, AICP, GISP | Planner III

City of Gaithersburg Planning & Code Administration
31 South Summit Avenue • Gaithersburg, MD 20877
(P) 240-805-1068 (F) 301-258-6336
<http://www.gaithersburgmd.gov>

From: Susan Llareus -MDP- <susan.llareus@maryland.gov>
Sent: Thursday, June 01, 2023 1:44 PM
To: Kirk Eby <Kirk.Eby@gaithersburgmd.gov>
Cc: Michael Hackman <Michael.Hackman@gaithersburgmd.gov>; Rob Robinson <Rob.Robinson@gaithersburgmd.gov>; Chuck Boyd (CBoyd@mdp.state.md.us) <CBoyd@mdp.state.md.us>; sarah.diehl@maryland.gov; ellen.mussman@maryland.gov
Subject: Re: City of Gaithersburg Notice of Annexation

Kirk,

Please clarify where in the Gaithersburg Zoning Ordinance it states that the density is 3.375 FAR for the C-2 and the CD zones, as shown in the Proposed Gaithersburg Zoning Chart. .

Thanks,

Susan

On Thu, Jun 1, 2023 at 11:43 AM Kirk Eby <Kirk.Eby@gaithersburgmd.gov> wrote:

Susan,

City staff believes the site plan and Applicant Statement are consistent for the near-term/immediate development plans for the shopping center (construction of a new Sheetz building, demolition of a small freestanding dry cleaners building).

City staff notes that the site plan includes a statement (“Density Notes”) describing the maximum density allowed on each of the parcels, which is an FAR of 2.25 or 3.375, depending on whether the future development is commercial or mixed use in nature. While the Applicant’s Statement only mentions the near-term/immediate development plans and does not discuss the maximum allowed density (FAR of 2.25 or 3.375), City staff does not consider that an “inconsistency,” since site plans often include more detail than the Applicant’s statement, which is usually focused on describing the immediate changes to the property following a successful annexation.

Thanks. Please let us know if you have any additional questions.

J. Kirk Eby, AICP, GISP | Planner III

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<http://www.gaithersburgmd.gov>

From: Susan Llareus -MDP- <susan.llareus@maryland.gov>

Sent: Thursday, June 1, 2023 9:54 AM

To: Rob Robinson <Rob.Robinson@gaithersburgmd.gov>

Cc: Chuck Boyd <CBoyd@mdp.state.md.us>; Sarah Diehl -MDP- <sarah.diehl@maryland.gov>; Ellen Mussman -MDP- <ellen.mussman@maryland.gov>

Subject: Re: City of Gaithersburg Notice of Annexation

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

Hi Rob,

Hope you are well and enjoying the spring weather.

We are working on the Annexation for Walnut Hill, Section One and have a few questions for you. It appears that the plan prepared by Bohler includes some information that is not consistent with the letter from Learch, Early, & Brewer. Could you take a look at the Density Notes on the plan and compare to the letter (p.4-6) and let me know if you agree with me that the calculations are not consistent. I believe the attorney's office has it correct, but wanted to check with you to make sure.

We are in the middle of writing the comment letter and as you know, one of the issues we look for is that the new zoning is consistent with the existing county zoning, or we suggest that the municipality seek a waiver if development/redevelopment is likely to occur within five years.

Please let me know your opinion and we will consider it in our review. If you also find the documents are conflicting, can you manage the team and have it corrected and resubmitted to my attention?

Thanks so much for your help.

Susan

On Tue, May 16, 2023 at 4:21 PM Rob Robinson <Rob.Robinson@gaithersburgmd.gov> wrote:

Hi Chuck and Susan, attached are the official notification materials for a pending annexation into the City. Feel free to touch base with any questions,

Rob

Rob Robinson III, AICP CEP

FCA Qualified Professional

Long Range Planning Manager

City of Gaithersburg

240-805-1072

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Susan Holm Llareus, PLA, ASLA
Regional Planner for Maryland Capital Region
Planner Supervisor
Maryland Department of Planning
301 W. Preston St., Suite 1101
Baltimore, MD 21201
(410) 767-6087/ (877) 767-6272
susan.llareus@maryland.gov

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<https://facebook.com/MDPlanning>

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Kirk Eby

From: Susan Llareus -MDP- <susan.llareus@maryland.gov>
Sent: Monday, June 12, 2023 7:54 AM
To: Kronenberg, Robert
Cc: Kirk Eby; Michael Hackman; Rob Robinson; Chuck Boyd (CBoyd@mdp.state.md.us); sarah.diehl@maryland.gov; ellen.mussman@maryland.gov; Yearwood, Nkosi; McVary, Jessica; Sanders, Carrie
Subject: Re: City of Gaithersburg Notice of Annexation

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Thank you for letting us know. We are interested in understanding this issue better and will wait to hear from you and the municipality before we finalize our response.

Best,

Susan

On Fri, Jun 9, 2023 at 2:26 PM Kronenberg, Robert <robert.kronenberg@montgomeryplanning.org> wrote:

Susan and Kirk,

Thanks for the feedback. I'm looking in Nkosi and Jessica from our office on the response.



Robert A. Kronenberg

Deputy Planning Director

Montgomery County Planning Department

2425 Reddie Dr, Floor 14, Wheaton, MD 20902

Robert.Kronenberg@montgomeryplanning.org

c: 301.908.6290 | o: 301.495.2187





WE'VE MOVED!

THE NEW PARK AND PLANNING HEADQUARTERS IS NOW LOCATED AT
2425 REEDIE DRIVE, WHEATON, MD 20902

From: Susan Llareus -MDP- <susan.llareus@maryland.gov>
Sent: Thursday, June 8, 2023 12:23 PM
To: Kirk Eby <Kirk.Eby@gaithersburgmd.gov>
Cc: Michael Hackman <Michael.Hackman@gaithersburgmd.gov>; Rob Robinson <Rob.Robinson@gaithersburgmd.gov>; Chuck Boyd (CBoyd@mdp.state.md.us) <CBoyd@mdp.state.md.us>; sarah.diehl@maryland.gov; ellen.mussman@maryland.gov; Kronenberg, Robert <robert.kronenberg@montgomeryplanning.org>
Subject: Re: City of Gaithersburg Notice of Annexation

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Kirk,

Generally, we simply compare the maximum density/intensity of development allowed in the county zones and directly compare it to the city's proposed zoning. If the city's zoning could result in development that exceeds 50%, then a waiver is needed from the county. In this case, the FAR component makes this very complicated. This is really an issue between the county and the city. The local jurisdictions know their zoning better than we do. So I am glad to hear that you are working with the Montgomery County Planning Department.

Thank you,

Susan

On Wed, Jun 7, 2023 at 4:10 PM Kirk Eby <Kirk.Eby@gaithersburgmd.gov> wrote:

Susan,

We have reached out to the applicant's team to create a revised plan and statement of justification, but those probably will not be available for another week or so. We have also received questions from the County's planning staff and have been sending them the same information we are providing to the state, and vice-versa.

Overall Density – Theoretical Limit

The FAR limits shown on the Site Plan sheet are based on the state law “5-year rule,” which limits the density of annexed land to a maximum of 50% above the allowed density under the existing County Zoning at the time of annexation [§ 4-416(b) of the Local Government Article]. The existing County Zoning of CRT-2.25 C-1.5 R-0.75 H-45 allows an FAR of 2.25 overall (for a mixed commercial and residential development), an FAR of 1.5 for commercial-only development, an FAR of 0.75 for a residential-only development, and a height limit of 45 feet. Using the state law limit of 1.5 times the allowable density, the City can allow a maximum FAR of up to 3.375 ($2.25 * 1.5$) for a mixed commercial/residential development, an FAR of up to 2.25 ($1.5 * 1.5$) for a commercial-only development, and an FAR of up to 1.125 for a residential-only development.

Walnut Hill Shopping Center Parcel, to be Zoned C-2

However, as you noted, the City's C-2 Zone only allows an FAR of up to 1.5, and this lower FAR cap will apply to the shopping center parcel (16531 S. Frederick Ave.), since it is proposed to be zoned C-2. (The maximum theoretical 2.25 FAR will thus not apply to the shopping center parcel, since the City's C-2 zoning is more restrictive.) The maximum allowed density for the shopping center parcel will remain 540,715 square feet after annexation, and City staff notes that the overall FAR with the near-term development will be 0.27 (compared to the existing development's FAR of 0.26). As mentioned, we are working with the Applicant to clarify the FAR limit for the shopping center parcel on the Site Plan sheet. The C-2 Zone has a height limit of 10 stories, which will also apply to this parcel.

Other Two Parcels, to be Zoned CD

The other two parcels (8939 and 8941 N. Westland Dr.) are proposed to be zoned CD, and, as you noted, the City's CD Zone does not have an FAR limit, so those two properties could be developed to the maximum theoretical 3.375/2.25/1.125 FAR limits based on 50% above the existing County zoning. We are working with the Applicant to add the additional FAR limits for the different land use types to the Site Plan sheet, for clarity. The height limit of the CD Zone is based upon the district identified in the associated corridor development master plan, in this case the Frederick Avenue Corridor Land Use Plan. Although these two properties are not included in the City's Frederick Avenue Corridor Land Use Plan, they are adjacent to other properties in that Plan, which are identified within the Southern Residential District. Additionally, a “residential district” has the lowest (most restrictive) height limit (three stories and 35 feet), so any property being annexed with a proposed CD Zoning and not identified in a master plan would be limited to the most restrictive development standards of the CD Zone (the residential district standards), until such time as a new land use or corridor plan recommendation for a specific district was made for that property. Notwithstanding the three story height limit (maximum FAR of 3.0), in theory a development project may be able to achieve the full 3.375 overall FAR for a mixed commercial and residential development, if the project includes a

mezzanine area (or areas) that do not exceed 1/3 of the floor area of the floor immediately below (per the City zoning code's definition of a "story"), and the required parking, forest conservation, stormwater, and other standards can be met on site. In reality, it will be difficult to achieve an FAR of even 3.0 (three story height limit across the entire parcel), given the constraints of the other City standards (forest conservation, stormwater management, parking, etc.).

Thanks. Let me know if you have any additional questions.

J. Kirk Eby, AICP, GISP | Planner III

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<http://www.gaithersburgmd.gov>

From: Susan Llareus -MDP- <susan.llareus@maryland.gov>

Sent: Wednesday, June 07, 2023 3:15 PM

To: Kirk Eby <Kirk.Eby@gaithersburgmd.gov>

Cc: Michael Hackman <Michael.Hackman@gaithersburgmd.gov>; Rob Robinson

<Rob.Robinson@gaithersburgmd.gov>; Chuck Boyd (CBoyd@mdp.state.md.us)

<CBoyd@mdp.state.md.us>; sarah.diehl@maryland.gov; ellen.mussman@maryland.gov

Subject: Re: City of Gaithersburg Notice of Annexation

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

Hi Kirk,

We are working on the annexation and would like to finish this up in the next week or so. Have you been able to work with your team to address our question relating to the FAR caps. We read the C-2 zone as no more than 1.5 FAR. Development in the CD zone does not appear to be limited other than by height of the structure by **Section 24-160G.4. - Development standards.**

(a)Height of buildings and structures. No building or structure in this zone shall exceed the following heights, exclusive of decorative elements, mechanical, communications or other equipment placed upon the roof.

(1)Any residential district identified in a corridor development area master plan three (3) stories and not to exceed thirty-five (35) feet in height.

(2)Any commercial district identified in a corridor development area master plan four (4) stories and not to exceed forty-five (45) feet in height.

(3)Any employment district identified in a corridor development area master plan six (6) stories and not to exceed sixty-five (65) feet in height..

Thanks for your help,

Susan

On Thu, Jun 1, 2023 at 1:43 PM Susan Llareus -MDP- <susan.llareus@maryland.gov> wrote:

Kirk,

Please clarify where in the Gaithersburg Zoning Ordinance it states that the density is 3.375 FAR for the C-2 and the CD zones, as shown in the Proposed Gaithersburg Zoning Chart. .

Thanks,

Susan

On Thu, Jun 1, 2023 at 11:43 AM Kirk Eby <Kirk.Eby@gaitersburgmd.gov> wrote:

Susan,

City staff believes the site plan and Applicant Statement are consistent for the near-term/immediate development plans for the shopping center (construction of a new Sheetz building, demolition of a small freestanding dry cleaners building).

City staff notes that the site plan includes a statement (“Density Notes”) describing the maximum density allowed on each of the parcels, which is an FAR of 2.25 or 3.375, depending on whether the future development is commercial or mixed use in nature. While the Applicant’s Statement only mentions the near-term/immediate development plans and does not discuss the maximum allowed density (FAR of 2.25 or 3.375), City staff does not consider that an “inconsistency,” since site plans often include more detail than the Applicant’s statement, which is usually focused on describing the immediate changes to the property following a successful annexation.

Thanks. Please let us know if you have any additional questions.

J. Kirk Eby, AICP, GISP | Planner III

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From: Susan Llareus -MDP- <susan.llareus@maryland.gov>

Sent: Thursday, June 1, 2023 9:54 AM

To: Rob Robinson <Rob.Robinson@gaithersburgmd.gov>

Cc: Chuck Boyd <CBoyd@mdp.state.md.us>; Sarah Diehl -MDP- <sarah.diehl@maryland.gov>; Ellen Mussman -MDP- <ellen.mussman@maryland.gov>

Subject: Re: City of Gaithersburg Notice of Annexation

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Hi Rob,

Hope you are well and enjoying the spring weather.

We are working on the Annexation for Walnut Hill, Section One and have a few questions for you. It appears that the plan prepared by Bohler includes some information that is not consistent with the letter from Learch, Early, & Brewer. Could you take a look at the Density Notes on the plan and compare to the letter (p.4-6) and let me know if you agree with me that the calculations are not consistent. I believe the attorney's office has it correct, but wanted to check with you to make sure.

We are in the middle of writing the comment letter and as you know, one of the issues we look for is that the new zoning is consistent with the existing county zoning, or we suggest that the municipality seek a waiver if development/redevelopment is likely to occur within five years.

Please let me know your opinion and we will consider it in our review. If you also find the documents are conflicting, can you manage the team and have it corrected and resubmitted to my attention?

Thanks so much for your help.

Susan

On Tue, May 16, 2023 at 4:21 PM Rob Robinson <Rob.Robinson@gaithersburgmd.gov> wrote:

Hi Chuck and Susan, attached are the official notification materials for a pending annexation into the City. Feel free to touch base with any questions,

Rob

Rob Robinson III, AICP CEP

FCA Qualified Professional

Long Range Planning Manager

City of Gaithersburg

240-805-1072



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Susan Holm Llareus, PLA, ASLA
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Kirk Eby

From: Rob Robinson
Sent: Thursday, June 15, 2023 12:20 PM
To: Susan Llareus -MDP-
Cc: Kirk Eby
Subject: Revised Walnut Hill annexation plan and petition
Attachments: Annexation Plan.pdf; Petition.pdf

Hi Susan, we received the revised annexation plan and petition (unsigned) reflecting the plan, which we feel resolves the FAR confusion. This has been sent to Montgomery Planning also and we are meeting with them next week.

Rob

Rob Robinson III, AICP CEP
FCA Qualified Professional
Long Range Planning Manager
City of Gaithersburg
240-805-1072