

COMMUNICATION: PLANNING COMMISSION

MEMORANDUM TO: Mayor and City Council

FROM: Planning Commission

DATE: July 19, 2023

SUBJECT: X-9510-2023 -- Walnut Hill Commercial
Request to annex approximately 9.5 acres of the Walnut Hill Commercial Area, consisting of a portion of the North Westland Drive right of way, a portion of the abandoned MD 355 right of way, the Walnut Hill Propco property located at 16531 North Frederick Avenue, the King Fisher Associates property located at 8939 North Westland Drive, and the Lalita & Joginder property located at 8941 North Westland Drive in Gaithersburg, Maryland into the City of Gaithersburg and rezone four (4) tax parcels from the County's CRT-2.25 C-1.5 R-0.75 H 45 Zone to the City of Gaithersburg's C-2 and CD Zones as shown on the associated annexation plan.

At its regular meeting on July 19, 2023, the Planning Commission made the following motion:

Commissioner Kaufman moved, seconded by Commissioner Winborne, to recommend to the Mayor and City Council that:

1. The proposed reclassification to the City's C-2 (General Commercial) Zone and CD (Corridor Development) Zone in the X-9510-2023 Annexation Petition is appropriate based upon the findings presented in the Staff Analysis:
 - The proposed land uses for each property are consistent with the existing County land uses and thus in conformance with the requirements of Section 4-416(b) of the Local Government Article of the Maryland State Code; and
 - The proposed density for each property does not exceed 50% greater than the density allowed by the existing County zoning and thus is in conformance with the density requirements of Section 4-416(b) of the Local Government Article of the Maryland State Code; and
 - The proposed annexation plan shows a continuation of the mixed commercial uses on the shopping center parcel, consistent with the uses allowed by the proposed City C-2 zoning; and

- The proposed City CD zoning allows the existing uses on the two properties along North Westland Drive to continue, while providing flexibility for future development and redevelopment of these properties; and
 - The proposed City C-2 and CD zoning are consistent with the recommendations in the 2009 Master Plan Land Use Element.
2. The proposed X-9510-2023 Annexation Petition and associated plan are in compliance with the City's Master Plan and Strategic Plan, based upon the findings presented in the Staff Analysis:
- The Property is identified in the City's adopted Municipal Growth Element and is appropriate to be annexed;
 - The annexation and associated plan reflect the uses and recommendations approved as Map Designations 24 and 25 in the 2009 Master Plan Land Use Element:
 - It includes two platted and developed parcels that have commercial uses consistent with the commercial-office-residential land use recommendation in the 2009 Master Plan Land Use Element; and
 - It includes a vacant platted parcel that could be developed with a use consistent with the commercial-office-residential land use recommendation in the 2009 Master Plan Land Use Element.
 - The annexation and associated plan comply with the FY 2022 City Strategic Plan:
 - It includes land suitable for economic development and redevelopment activity; and
 - It provides the opportunity for reinvestment in ageing commercial properties and the opportunity to improve an undeveloped, underutilized parcel;
 - It includes platted lots within walking distance of the proposed MD 355 Bus Rapid Transit project, thereby providing connectivity of housing and people to services, activities, and employment; and
 - It provides the opportunity to increase the City's tax base.
3. The proposed X-9510-2023 Annexation Petition and associated plan can be served by both existing and future public facilities based upon the findings presented in the Staff Analysis:
- The Property is currently developed with both water and sewer service and has WSSC categories of S-1 and W-1; and
 - The Property is within a 10 minute response time of 4 fire stations (Rockville Station 3, Gaithersburg Station 8, Redland Station 28, and Travilah Station 32.); and
 - The Property is located within the Gaithersburg School Cluster and is served by Washington Grove Elementary School, Gaithersburg Middle School, and Gaithersburg High School. All of these schools are well below the moratorium limit of 150% capacity as of the FY 2023 Schools Test and the preliminary FY 2024 Schools Test; and

- The Applicant provided a preliminary traffic impact study that determined the surrounding intersections would continue to operate at an acceptable level of service at full plan buildout, and the preliminary study will be refined into a full traffic impact statement and further evaluated during the site plan review process.

Vote: 5-0 (Absent: Cantrell)