

# Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Mayor and City Council  
X-9510-2023  
Exhibit #65

APPROVED  
MINUTES AND SUMMARY

SUMMARY

**Thursday, July 13, 2023**

2425 Reedie Drive  
Wheaton, MD 20902  
301-495-4605

The Montgomery County Planning Board met in regular session in the Wheaton Headquarters Building in Wheaton, Maryland, and via Microsoft Teams video conference on Thursday, July 13, 2023, beginning at 9:04 a.m. and adjourning at 5:08 p.m.

Present were Chair Artie Harris, Vice Chair Mitra Pedoeem, and Commissioners Shawn Bartley, James Hedrick and Josh Linden.

Items 1 through 8 were discussed in that order and reported in the attached Minutes.

The Planning Board recessed for lunch at 12:05 p.m. and reconvened in the auditorium and via video conference at 1:10 p.m. to discuss Items 9 through 14 as reported in the attached Minutes.

There being no further business, the meeting was adjourned at 5:08 p.m. The next regular meeting of the Planning Board will be held on Thursday, July 20, 2023, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

*Rachel Roehrich*

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Technical Writer/Legal Assistant

**Item 11. Annexation petition from the City of Gaithersburg, (ANX-9510-2023), for the properties located at 16531 South Frederick Road (MD 355), 8939 North Westland Drive and 8941 North Westland Drive to be annexed into the City of Gaithersburg. (Public Hearing)**

*Staff Recommendation: Transmit comments to the City of Gaithersburg Mayor and City Council and the Montgomery County Council.*

N. Yearwood/M. Folden

**BOARD ACTION**

**Motion: Pedoeem/Hedrick**

**Vote: 5-0**

**Other:**

**Action: Approved Staff recommendation for approval to transmit comments to the City of Gaithersburg, City Council, and Montgomery County Council, as stated in a transmittal letter to be prepared at a later date.**

Nkosi Yearwood, Planner III, offered a multi-media presentation regarding the Annexation petition from the City of Gaithersburg. Further information can be found in the Staff Report dated June 30, 2023.

Mr. Yearwood stated Walnut Hill Propco, LLC, King Fisher Associates, LLC and Lalita & Joginder, LLC seek annexation of the Walnut Hill Shopping Center and the properties located at 8939 North Westland Drive and 8941 North Westland Drive into the City of Gaithersburg from Montgomery County. In addition, two right-of-way segments of North Westland Drive and South Westland Drive that front these properties are also included in the annexation petition.

Mr. Yearwood noted the annexation petition proposes to use the City's General Commercial (C-2) zone for the shopping center and the Corridor Development (CD) zone for the smaller properties. The petitioners indicate that the commercial properties are oriented towards the City of Gaithersburg, and as a municipality of its size, Gaithersburg is more responsive and efficient than the County. Further, the proposed annex properties are in Gaithersburg's Maximum Expansion Limits (MEL), and it would complete a gap between the City and County. The annexation petition does not anticipate significant redevelopment in the near-term.

Pat Harris of Lerch Early and Brewer offered comments on behalf of the Applicant regarding annexation of the properties and being the right time to move forward.

The Board asked questions regarding alternate option for zoning in order to keep density, if the properties were zoned commercial, what municipalities such as fire and rescue serve the parcels, the benefits of the annexation of the parcels, specific interests considered, the last time residential property was annexed, and if the owner is in favor of the annexation.

Staff offered comments and responses to the Board's questions.

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Rob Robinson from the City of Gaithersburg offered comments regarding annexations coming through the City of Gaithersburg as well as the process.