



March 2, 2010

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Glenn Kreger, Acting Chief *GK*
Vision Division

FROM: Sue Edwards, Team Leader, North Central Transit Corridor (301-495-4518)
Vision Division *Sue*

SUBJECT: Detailed Comments on G-887, the Sectional Map Amendment for the
*Approved and Adopted Sector Plan for the Germantown Employment Area:
An Amendment to the Germantown Master Plan*

STAFF RECOMMENDATION: Transmit a recommendation for approval of G-887 to
the County Council

BACKGROUND

The Sectional Map Amendment (SMA) for the *Sector Plan for the Germantown Employment Area: An Amendment to the Germantown Master Plan* was filed on February 5, 2010 as Local Map Amendment G-887. The County Council, sitting as the District Council, has set a public hearing for March 16, 2010.

Sec. 59-H-3.2 requires that:

The Planning Board must submit a written recommendation to the County Council, sitting as the District Council, or its designee, which will incorporate it in the application file, and as part of the record on the application.

The District Council is required to hold a public hearing on all applications for sectional map amendments. The Council's public hearing for this Sectional Map Amendment is scheduled for March 16, 2010 at 7:30 p.m. (new time).

There are no pending zoning cases within the boundaries of the proposed Germantown Sector Plan Sectional Map Amendment.

Listed below are areas within the 2009 Sector Plan where zoning changes are recommended. Approximately 832 acres covering approximately 500 properties are affected by this SMA. The proposed SMA covers the following areas illustrated by the Index Map (Attachment A).

Existing zoning for all other areas (approximately 1,797 acres) is reconfirmed by this SMA.

Areas Covered by the Proposed SMA

The proposed SMA covers the following districts:

- Gateway – comprehensive rezoning of the Rolling Hills property from multiple zones (R-H, R-30, PD-9, and C-T) depicted in the 1990 SMA to RMX-1
- Town Center – comprehensive rezoning of designated properties from T-S and I-3 to TMX-2. The SMA also changes zoning for designated properties with single use zones (C-2, C-O, C-T, R-200) to mixed use zones such as RMX-2C and TMX-2
- Cloverleaf – zoning change for properties zoned I-1 and I-3 to TMX-2
- West End – comprehensive rezoning of properties designated I-3 and T-S to TMX-2
- Seneca Meadows – comprehensive rezoning of properties adjacent to the future Corridor Cities Transitway (CCT) station from I-3 to TMX-2
- Montgomery College – zoning change to College-owned properties from R-60 and R-60/TDR to I-3
- Fox Chapel – rezoning of split zoned or single purpose zones to RMX-2C. Area 32 contains three properties along MD 355 where zoning would change from R-90 to C-1

Detailed information on proposed zoning for these properties appears in Attachment B.

SMA Property Designation	WSSC Grid Reference	Approximate Acreage	Existing Zoning	Proposed Zoning
Gateway District				
Area 1	226 NW 13	40.55	R-H, R-30, PD-9, C-T	RMX-1
Town Center District				
Area 2	226 NW 13	19.58	C-T, O-M, R-200, R-H	TMX-2
Area 3	226 NW 13	1.02	R-200	TMX-2
Area 4	226 NW 13 227 NW 13	8.93	R-200, C-3, O-M	TMX-2
Area 5	227 NW 13	10.12	RMX-2	RMX-2C
Area 6	227 NW 13	20.44	C-3, C-5, C-O, T-S	TMX-2
Area 7	227 NW 13	3.81	C-3, R-30	TMX-2
Area 8	227 NW 13	16.14	C-2, C-3	RMX-2C
Area 9	227 NW 13	25.76	T-S	TMX-2
Area 10	227 NW 13	4.16	T-S	TMX-2
Area 11	227 NW 13	3.72	T-S	TMX-2
Area 12	227 NW 13	13.79	T-S	TMX-2
Area 13	227 NW 13	18.15	T-S	TMX-2
Area 14	227 NW 13	6.49	T-S	TMX-2
Area 15	227 NW 13 227 NW 12	5.42	T-S	TMX-2
Area 16	227 NW 13 227 NW 12	8.50	T-S	TMX-2
Area 17	227 NW 13 227 NW 12	6.92	I-1	TMX-2

SMA Property Designation	WSSC Grid Reference	Approximate Acreage	Existing Zoning	Proposed Zoning
Cloverleaf District				
Area 18	228 NW 13 228 NW 12	44.94	T-S, I-1, I-3	TMX-2
Area 19	228 NW 13 228 NW 12	108.50	T-S, I-1, I-3	TMX-2
Area 20	228 NW 13	25.39	I-3	TMX-2
North End District				
Area 21	228 NW 13 228 NW 13	19.48	I-3, T-S	TMX-2
Area 22	229 NW 13	3.56	I-3	TMX-2
Area 23	229 NW 13	43.20	T-S	TMX-2
Area 24	229 NW 13	54.63	T-S	TMX-2
Area 25	229 NW 13 229 NW 12	46.88	I-3	TMX-2
Seneca Meadows District				
Area 26	229 NW 12 228 NW 12	39.94	I-3	TMX-2
Area 27	229 NW 12 228 NW 12	8.81	I-3	TMX-2
Area 28	228 NW 12	15.20	I-3	TMX-2
Montgomery College District				
Area 29	228 NW 12 227 NW 12 227 NW 11	139.78	R-60, R-60/TDR	I-3
Area 33	228 NW 12	0.48	C-4	R-60/TDR
Fox Chapel District				
Area 30	227 NW 11	39.42	R-200, R-90, R-30, C-1	RMX-2C/TDR
Area 31	227 NW 11	8.38	RT-12.5	RT-15
Area 32	226 NW 11	3.04	R-90	C-1
TOTAL ACRES		815.13		

CORRECTIVE MAP AMENDMENTS

This SMA also makes slight adjustments to zoning boundaries on some properties within the Sector Plan boundaries to complete the transition from hand-drawn zoning maps to digital maps. Corrective map amendments also make five changes to correct prior mapping errors found while preparing the SMA in accordance with Sec. 59-H-2.6 (d) (1-2):

(d) *A sectional map amendment may be filed:*

(1) to implement zoning changes that are recommended by a comprehensive plan or functional plan study for one or more tracts of land or a section of the Maryland-Washington Regional District within the county; or

(2) for the purpose of correcting existing zoning boundaries to enable the District Council to correct inaccurate depictions of zoning boundary lines on an adopted zoning map that are known or become apparent as the result of technical information.

Corrective map amendments affect five properties and impact approximately 18 acres.

Corrective Map Designation	WSSC Grid Reference	Approximate Acreage	Zoning Mapped	Corrected Zoning
C-1	227 NW 12	1.85	I-1	R-200
C-2	229 NW 12	5.68	I-3	R-30
C-3	228 NW 12	0.19	R-60/TDR	C-4
C-4	227 NW 12	7.87	R & D	I-3
C-5	227 NW 12	2.03	R & D	I-3

CONCLUSION

Approval of the Sectional Map Amendment will contribute towards implementing the vision and recommendations of the 2009 Approved and Adopted Sector Plan for the Germantown Employment Area. Staff recommends that the Planning Board recommend approval of G-887 in writing for inclusion in the public hearing record.

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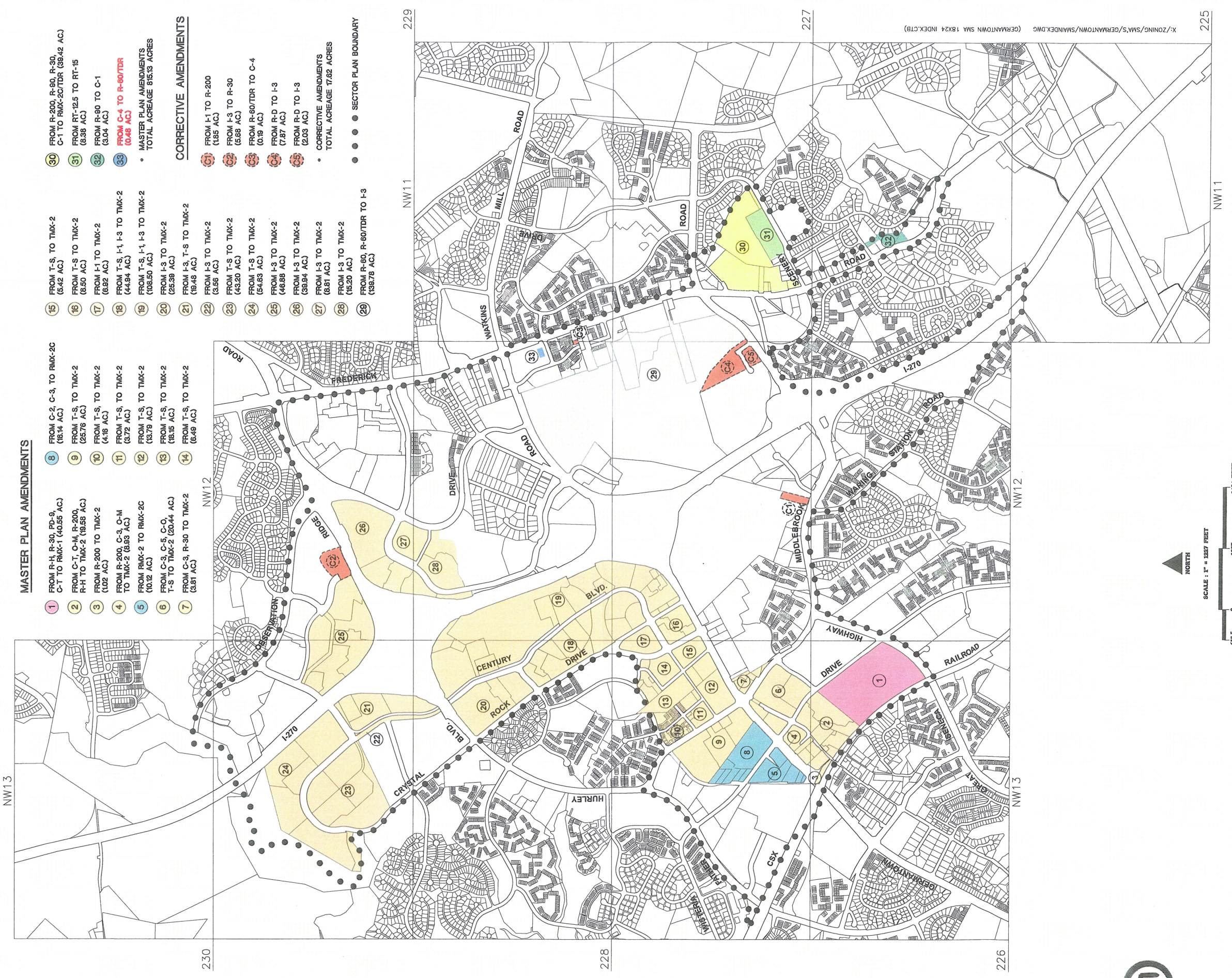
Attachment A: Map Index to the Sectional Map Amendment for the Sector Plan for the Germantown Employment Area

Attachment B: Amendments by Area: Description and Rationale

Attachment C: Correspondence

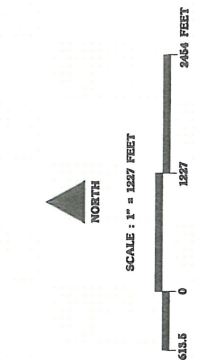
ATTACHMENT A: MAP INDEX

SECTOR PLAN INDEX FOR THE GERMANTOWN EMPLOYMENT AREA - SECTIONAL MAP AMENDMENT



MASTER PLAN AMENDMENTS

- 1 FROM R-H, R-30, PD-9, C-1 TO TMK-1 (40.55 AC)
 - 2 FROM C-T, O-M, R-200, R-H TO TMK-2 (18.58 AC)
 - 3 FROM R-200 TO TMK-2 (102 AC)
 - 4 FROM R-200, C-3, O-M TO TMK-2 (8.93 AC)
 - 5 FROM RMX-2 TO RMX-2C (10.12 AC)
 - 6 FROM C-3, C-5, C-O, T-S TO TMK-2 (20.44 AC)
 - 7 FROM C-3, R-30 TO TMK-2 (3.81 AC)
 - 8 FROM C-2, C-3, TO RMX-2C (18.14 AC)
 - 9 FROM T-S, TO TMK-2 (25.76 AC)
 - 10 FROM T-S, TO TMK-2 (4.16 AC)
 - 11 FROM T-S, TO TMK-2 (3.72 AC)
 - 12 FROM T-S, TO TMK-2 (18.79 AC)
 - 13 FROM T-S, TO TMK-2 (18.15 AC)
 - 14 FROM T-S, TO TMK-2 (6.49 AC)
 - 15 FROM T-S, TO TMK-2 (6.42 AC)
 - 16 FROM T-S TO TMK-2 (6.50 AC)
 - 17 FROM I-1 TO TMK-2 (6.92 AC)
 - 18 FROM T-S, I-1, I-3 TO TMK-2 (44.84 AC)
 - 19 FROM T-S, I-1, I-3 TO TMK-2 (108.50 AC)
 - 20 FROM I-3 TO TMK-2 (25.38 AC)
 - 21 FROM I-3, T-S TO TMK-2 (18.48 AC)
 - 22 FROM I-3 TO TMK-2 (3.56 AC)
 - 23 FROM I-3 TO TMK-2 (43.20 AC)
 - 24 FROM T-S TO TMK-2 (64.63 AC)
 - 25 FROM I-3 TO TMK-2 (46.88 AC)
 - 26 FROM I-3 TO TMK-2 (38.84 AC)
 - 27 FROM I-3 TO TMK-2 (8.81 AC)
 - 28 FROM I-3 TO TMK-2 (15.20 AC)
 - 29 FROM R-80, R-80/TDR TO I-3 (138.78 AC)
 - 30 FROM R-200, R-80, R-30, C-1 TO RMX-2/TDR (68.42 AC)
 - 31 FROM RT-12.5 TO RT-15 (8.38 AC)
 - 32 FROM R-80 TO C-1 (3.04 AC)
 - 33 FROM C-4 TO R-80/TDR (0.48 AC)
- MASTER PLAN AMENDMENTS
• TOTAL ACRES 915.13 ACRES
- CORRECTIVE AMENDMENTS**
- C1 FROM I-1 TO R-200 (1.85 AC)
 - C2 FROM I-3 TO R-30 (5.68 AC)
 - C3 FROM R-80/TDR TO C-4 (0.19 AC)
 - C4 FROM R-D TO I-3 (7.87 AC)
 - C5 FROM R-D TO I-3 (2.03 AC)
- CORRECTIVE AMENDMENTS
• TOTAL ACRES 17.82 ACRES
- ● ● SECTOR PLAN BOUNDARY



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ATTACHMENT B

AMENDMENTS BY AREA: DESCRIPTION AND RATIONALE

The 2009 Approved and Adopted Sector Plan for the Germantown Employment Area contains zoning recommendations to replace single purpose zoning categories such as R-200, R-90, C-2, C-3, and O-M with mixed-use zones such as TMX-2, RMX-2C and I-3 with a transit focus. The Transit Mixed Use Zone (TMX-2) is used extensively to implement the land use recommendations, development standards, and approval procedures envisioned by the Sector Plan in areas defined as Transit Station Development Areas.

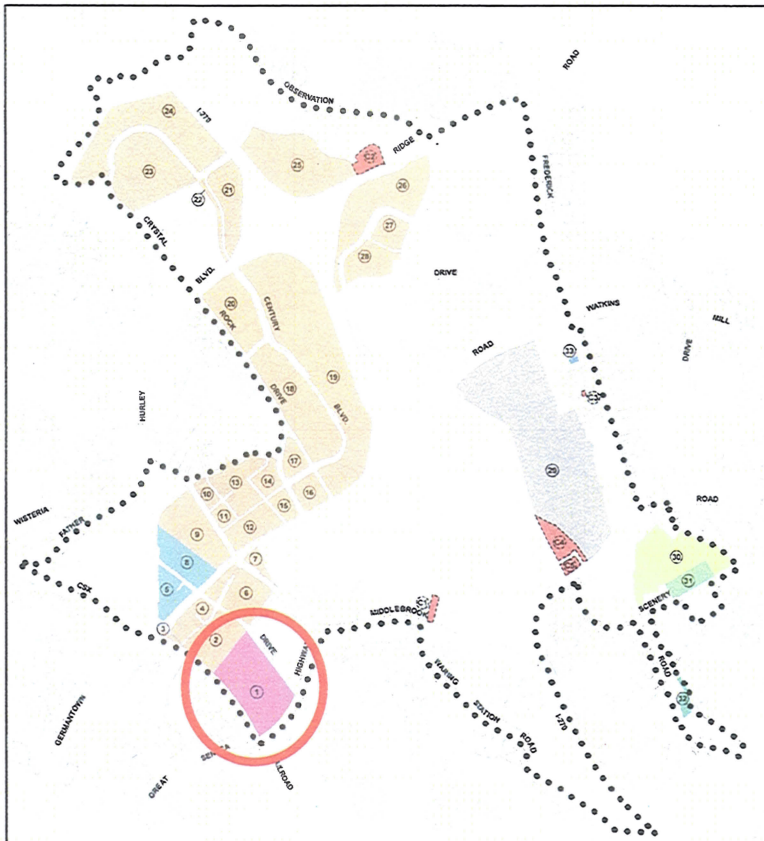
The TMX-2 zone also establishes the Building Lot Termination (BLT) easement purchase program which is used to terminate buildable lots in the County's Agricultural Reserve. The TMX-2 zone also allows for contribution to an amenity fund that can be used to provide all or part of a project's public use space and amenities or facilities off site.

The following pages include descriptions of the zoning changes, the zoning rationale for each, and detailed maps showing both the existing and proposed zoning.

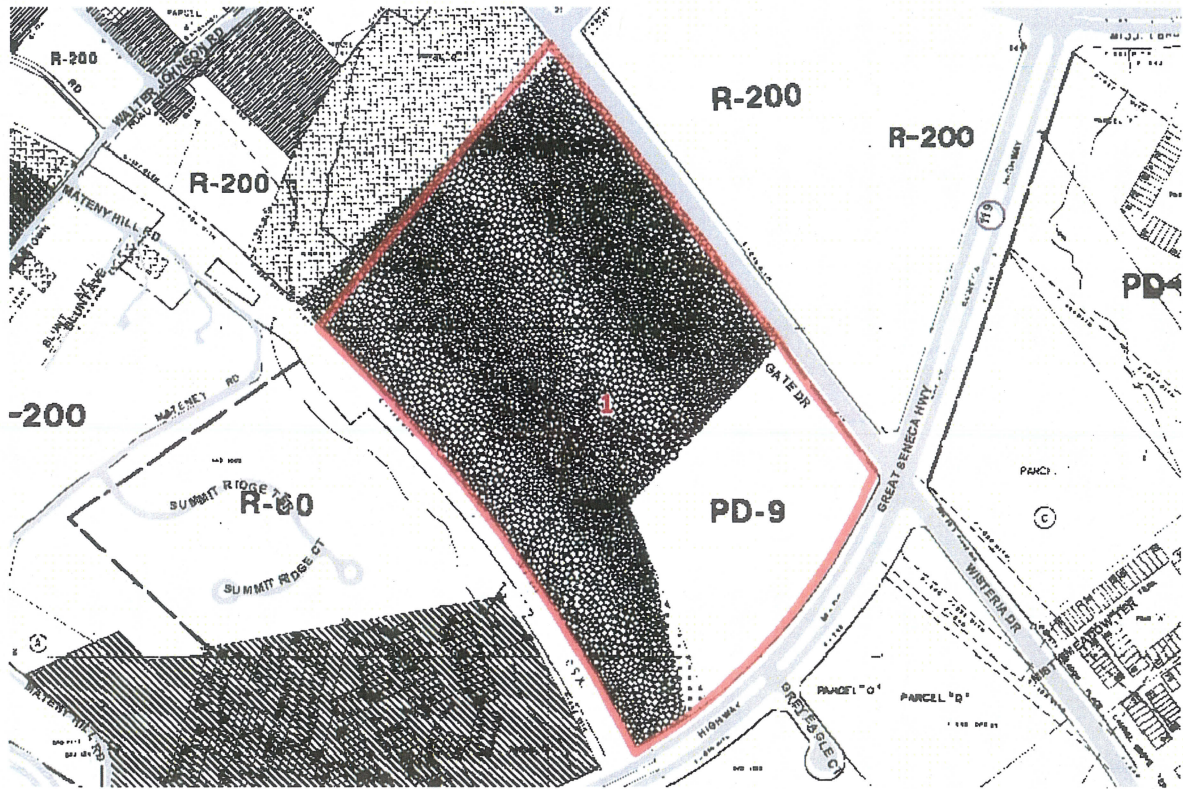


AREA 1

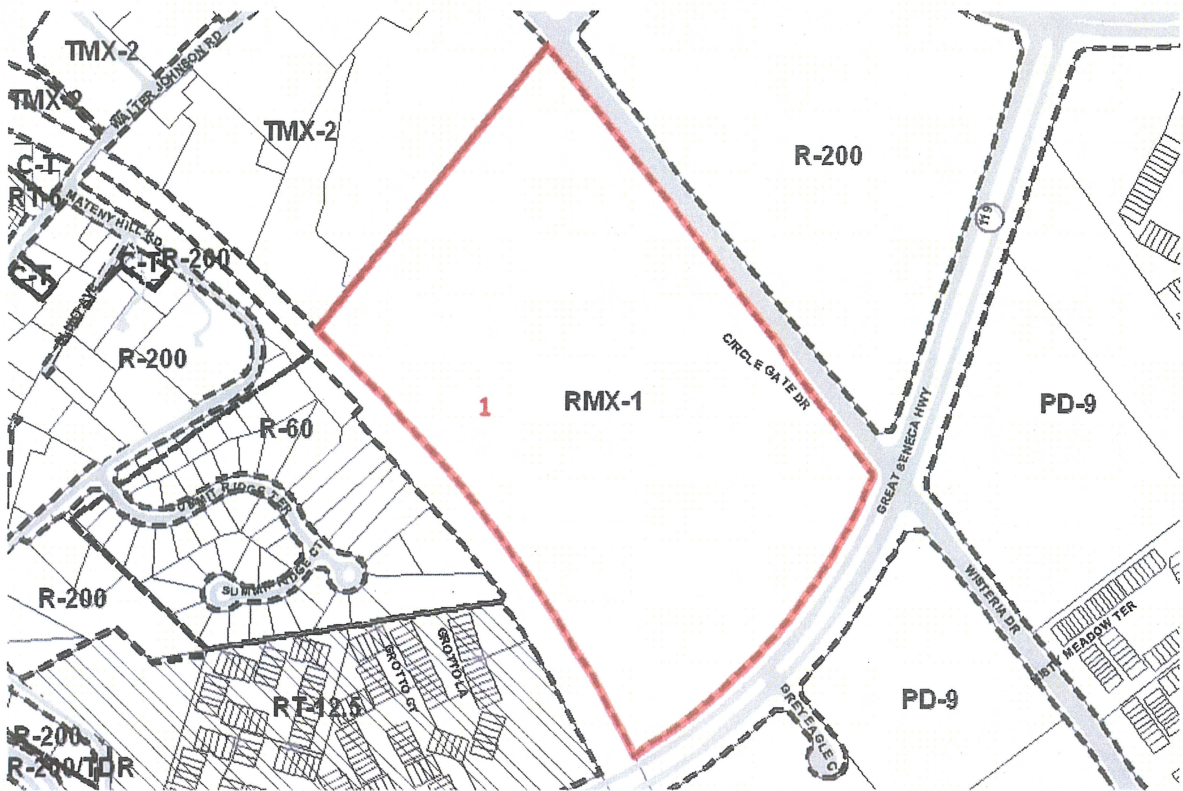
Acres: 40.55
Existing zoning: R-H, R-30, PD-9, C-T
Proposed zoning: RMX-1
Rationale: This area encompasses an existing garden apartment community. The RMX-1 zone allows for redevelopment of the property with a mix of uses, residential unit types and densities recommended in the Plan.



EXISTING ZONING



PROPOSED ZONING



AREA 2

Acres: 19.58
Existing zoning: C-T, O-M, R-200, R-H
Proposed zoning: TMX-2
Rationale: This area is currently a mix of zones and low intensity uses in close proximity to the MARC station. Applying the TMX-2 zone will create a consistent zoning pattern and support the existing transit with a non-residential focus.

AREA 4

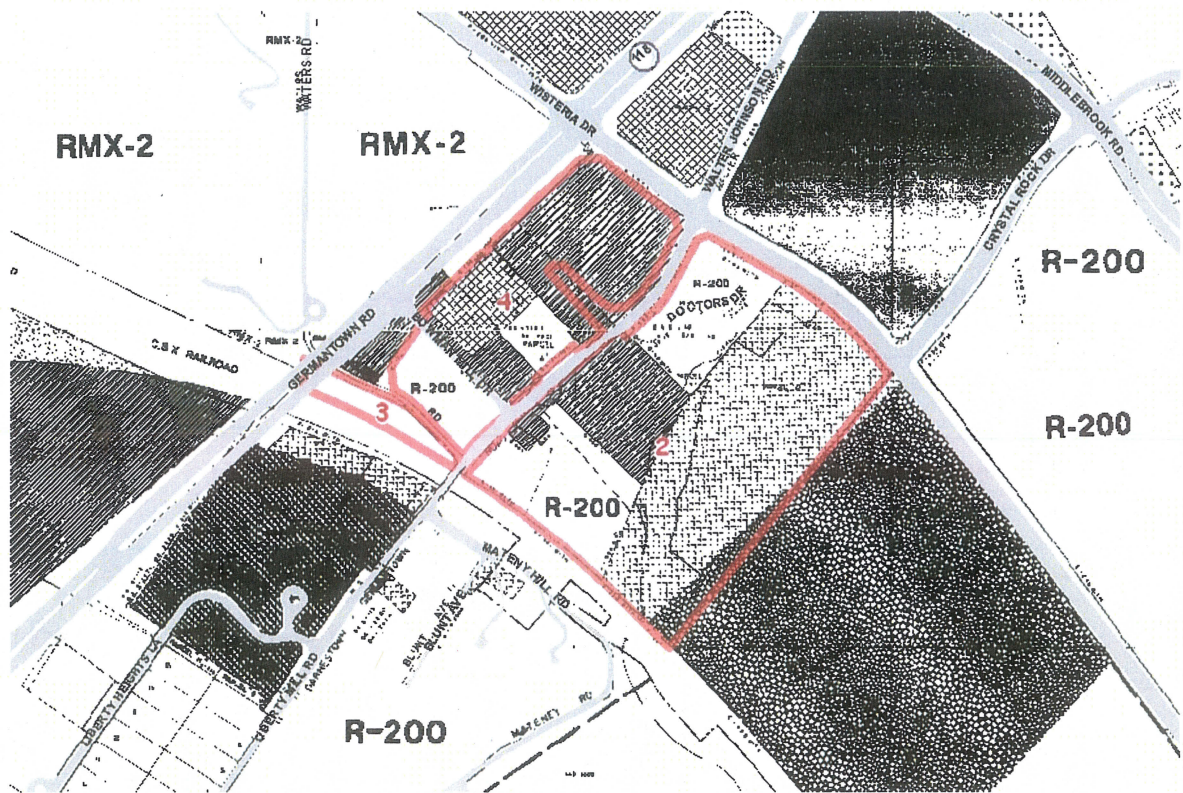
Acres: 8.93
Existing zoning: R-200, C-3, O-M
Proposed zoning: TMX-2
Rationale: These properties should be rezoned to TMX-2 to allow for the transit-oriented mix of uses and densities indicated in the Sector Plan.

AREA 3

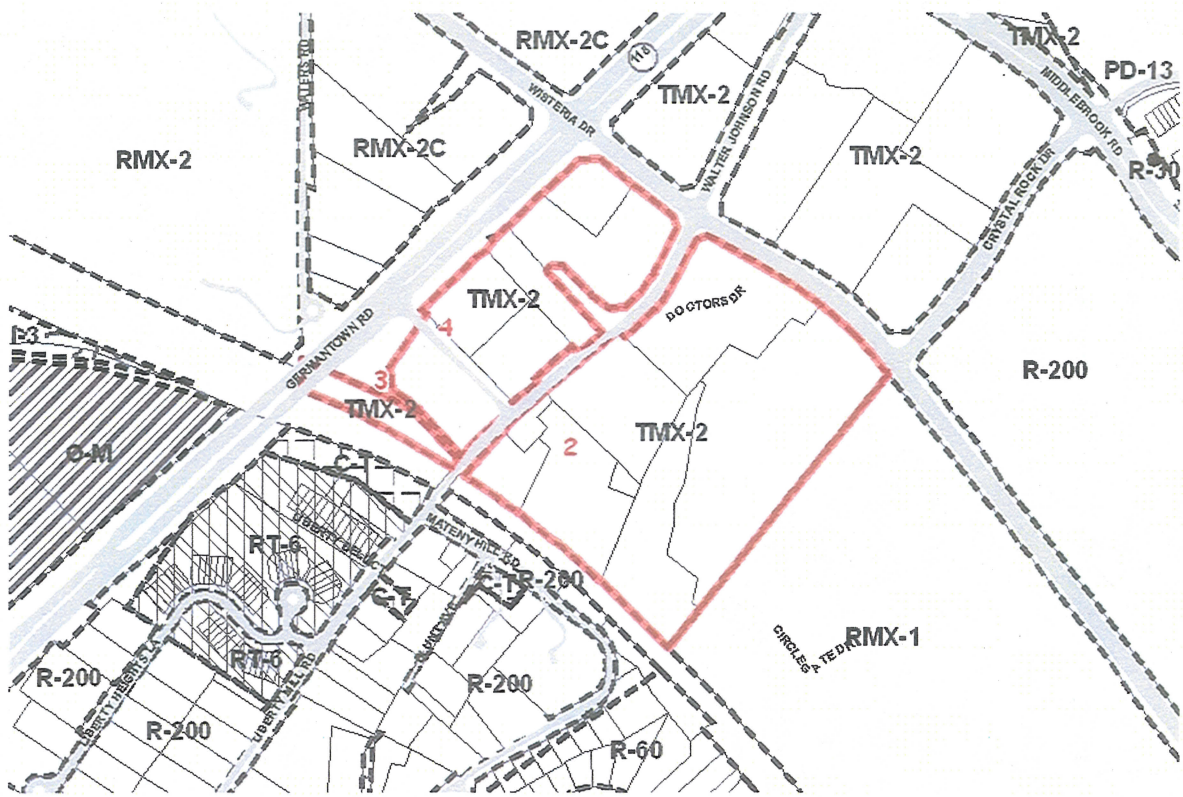
Acres: 1.02
Existing zoning: R-200
Proposed zoning: TMX-2
Rationale: Redevelop the County-owned MARC station parking lot with street level retail using the TMX-2 zone. This zone allows for the mix of uses indicated in the Sector Plan.



EXISTING ZONING



PROPOSED ZONING

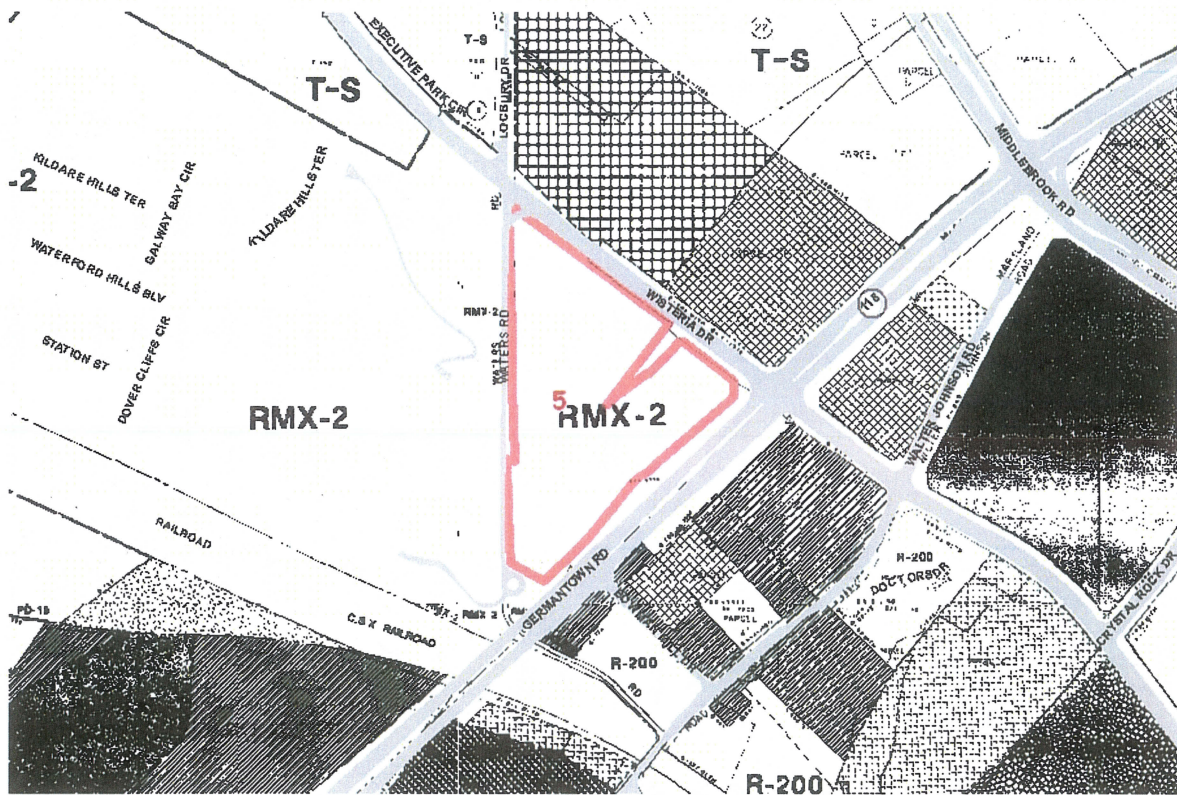


AREA 5

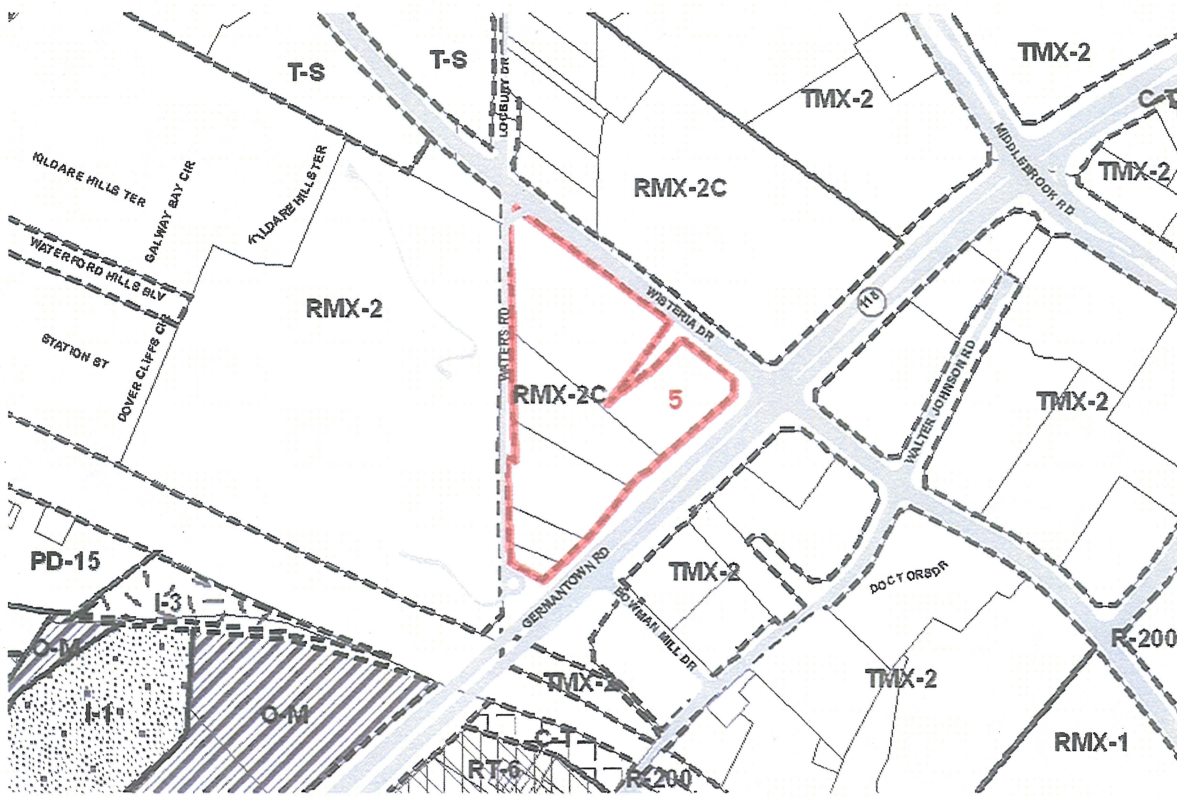
Acres: 10.12
Existing zoning: RMX-2
Proposed zoning: RMX-2C
Rationale: The Waters Road Triangle properties are currently a mix of commercial uses in the RMX-2 zone. Application of the RMX-2C zone will ensure that existing businesses are conforming uses.



EXISTING ZONING



PROPOSED ZONING



AREA 6

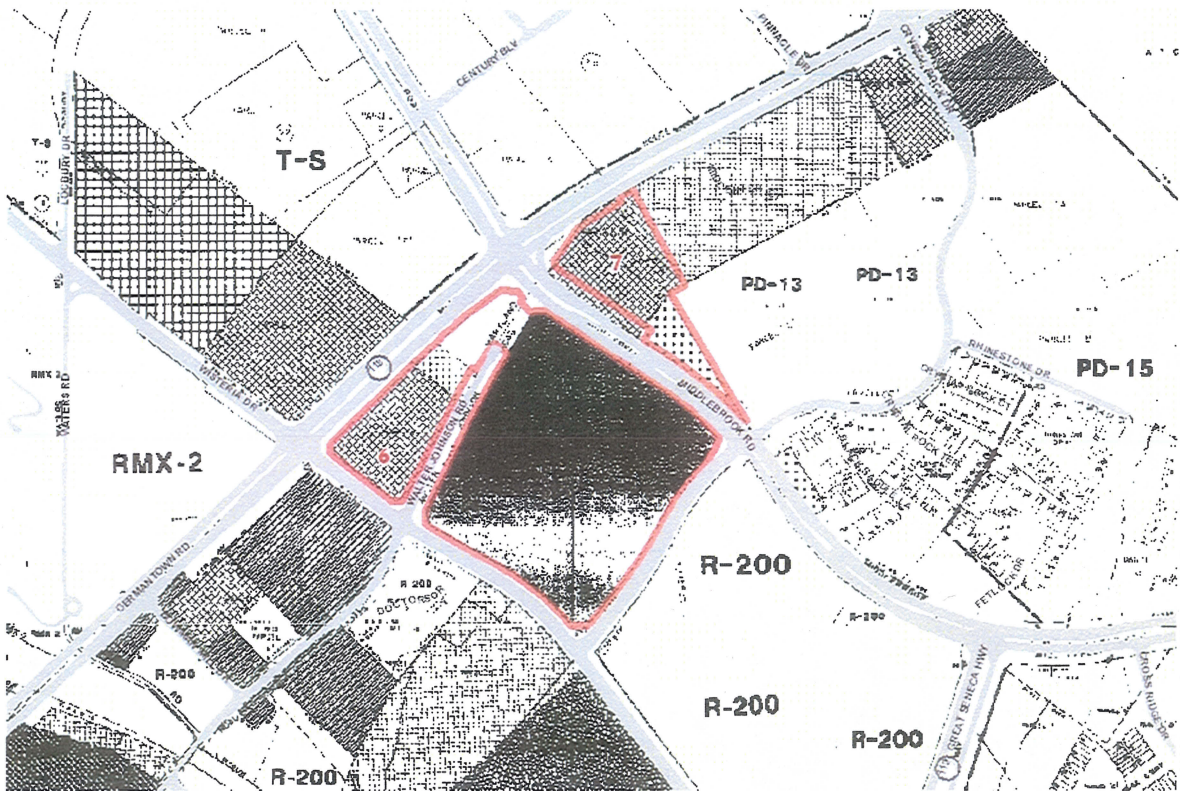
Acres: 20.44
Existing zoning: C-3, C-5, C-O, T-S
Proposed zoning: TMX-2
Rationale: These properties are about one quarter of a mile from the MARC station. They should be rezoned to TMX-2 to allow for the transit-oriented mix of uses and densities indicated in the Plan.

AREA 7

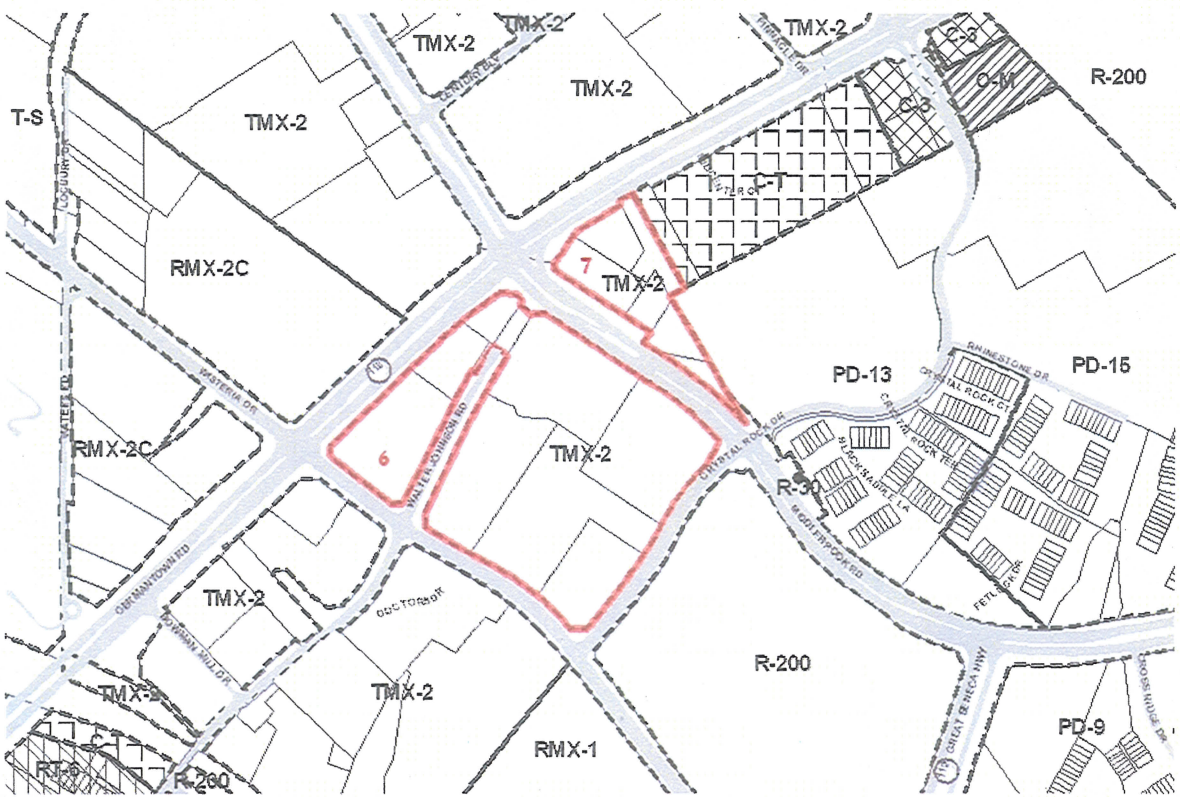
Acres: 3.81
Existing zoning: C-3, R-30
Proposed zoning: TMX-2
Rationale: These properties at the corner of MD 118 and Middlebrook Road are within the half-mile walking area of both the MARC station and the future Town Center CCT station. They should be rezoned to TMX-2 to allow the uses and densities indicated in the Plan.



EXISTING ZONING



PROPOSED ZONING



AREA 8

Acres: 16.14

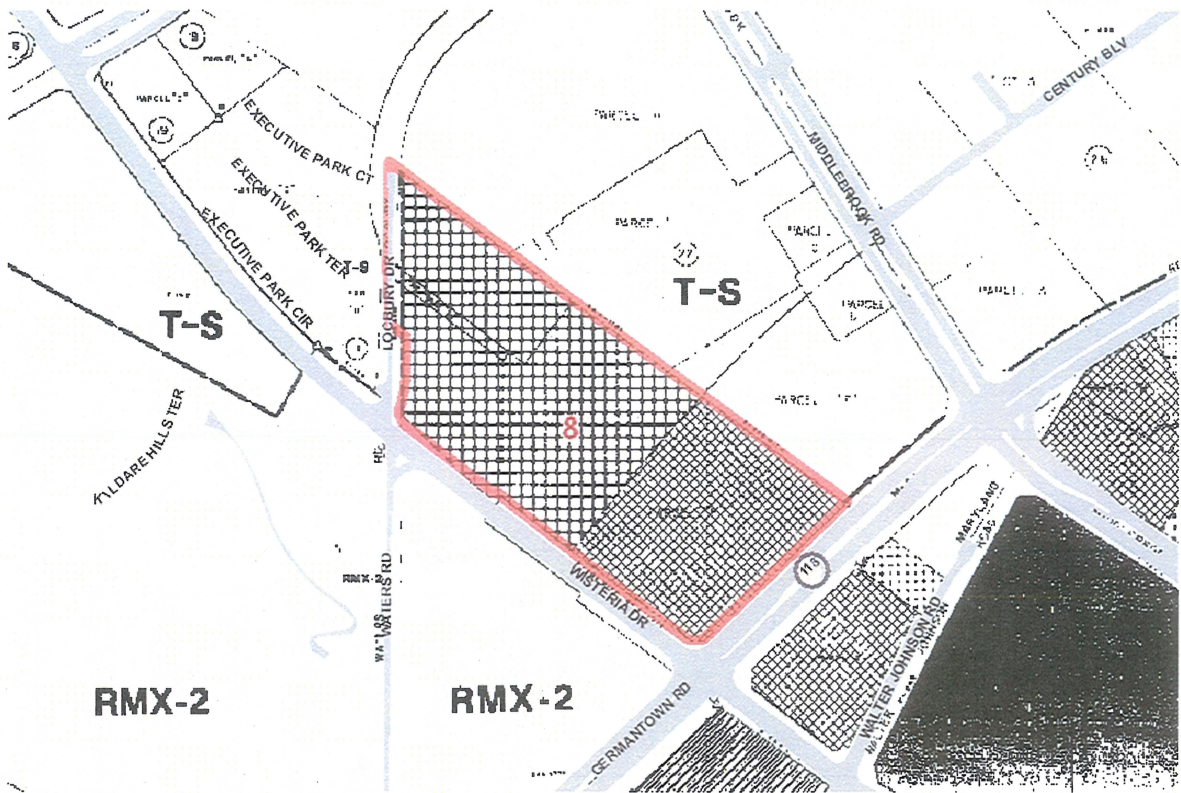
Existing zoning: C-2, C-3

Proposed zoning: RMX-2C

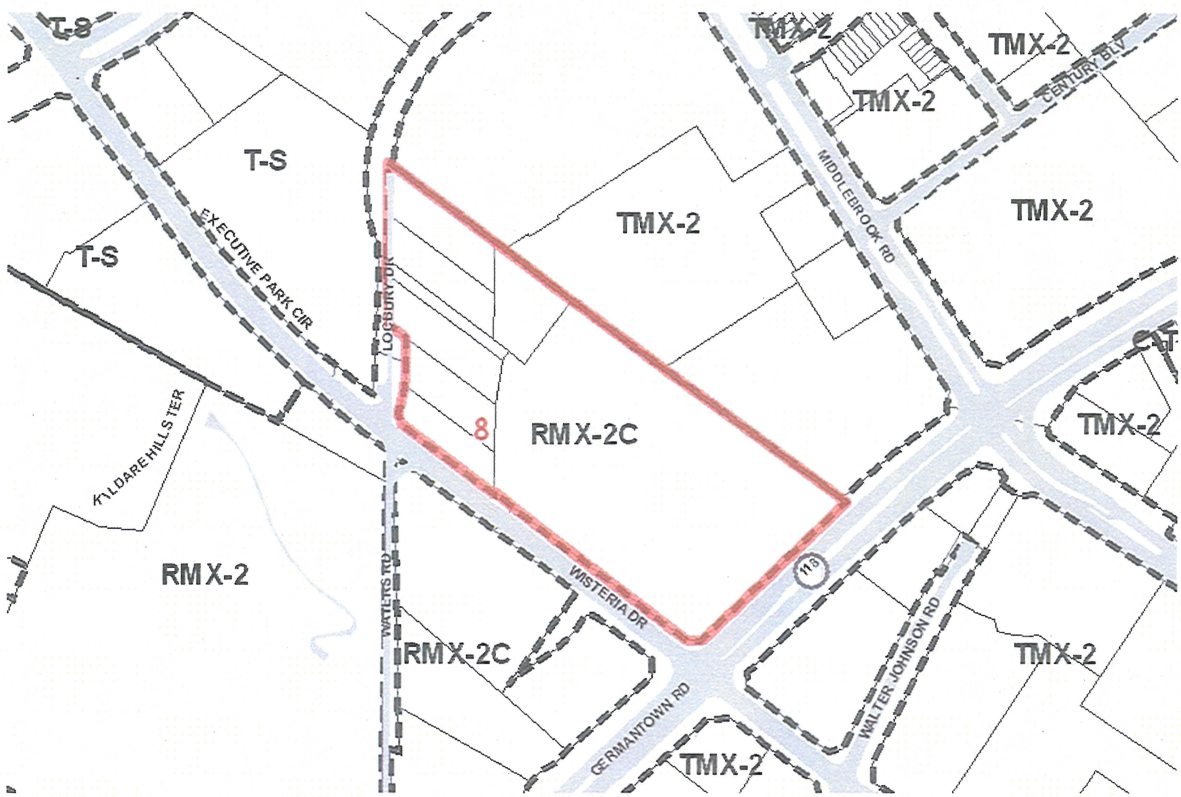
Rationale: The Sugarloaf Shopping Center and surrounding properties should be rezoned from C-2 and C-3 to RMX-2C to allow for redevelopment with the mix of uses and densities indicated in the Plan.



EXISTING ZONING



PROPOSED ZONING



AREA 9

Acres: 25.76

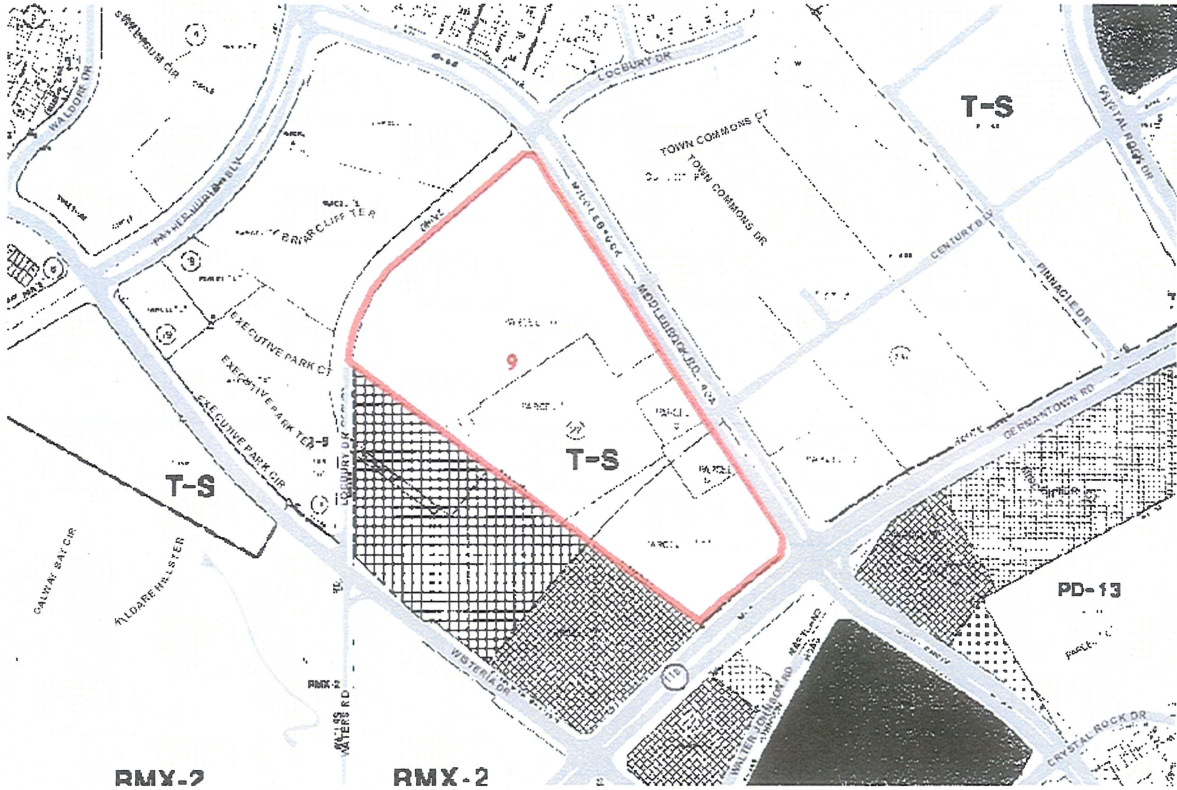
Existing zoning: T-S

Proposed zoning: TMX-2

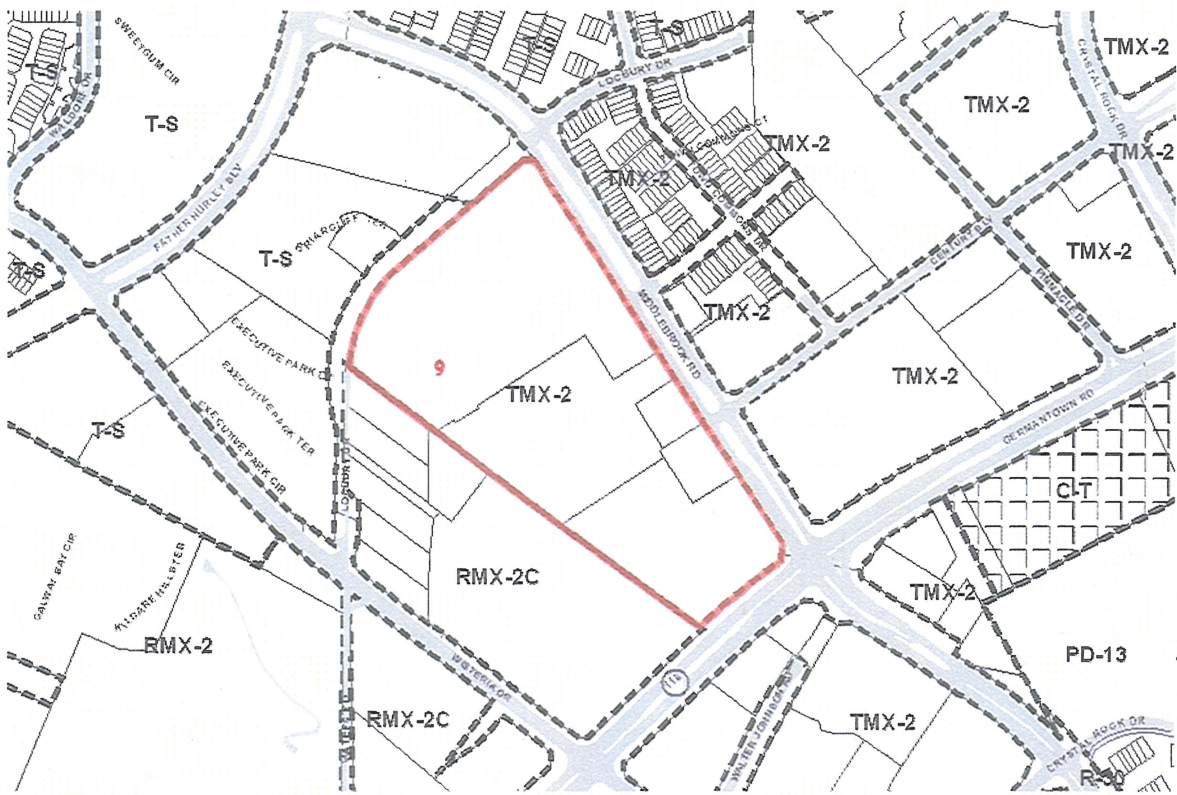
Rationale: The area covering the Germantown Commons Shopping Center and the Upcounty Regional Services Center is within the half-mile walking area of the future Town Center CCT station. It should be rezoned to TMX-2 to allow the transit-supporting densities and mix of uses indicated in the Plan.



EXISTING ZONING



PROPOSED ZONING



AREA 10

Acres: 4.16
Existing zoning: T-S
Proposed zoning: TMX-2
Rationale: The Plan recommends rezoning of this existing townhouse community to TMX-2 to maintain consistent zoning of properties located south of Locbury Drive.

AREA 12

Acres: 13.79
Existing zoning: T-S
Proposed zoning: TMX-2
Rationale: This auto-oriented commercial area is within a quarter of a mile of the future Town Center CCT station. It is recommended for the TMX-2 zone to allow for the densities and mix of uses indicated in the Plan.

AREA 11

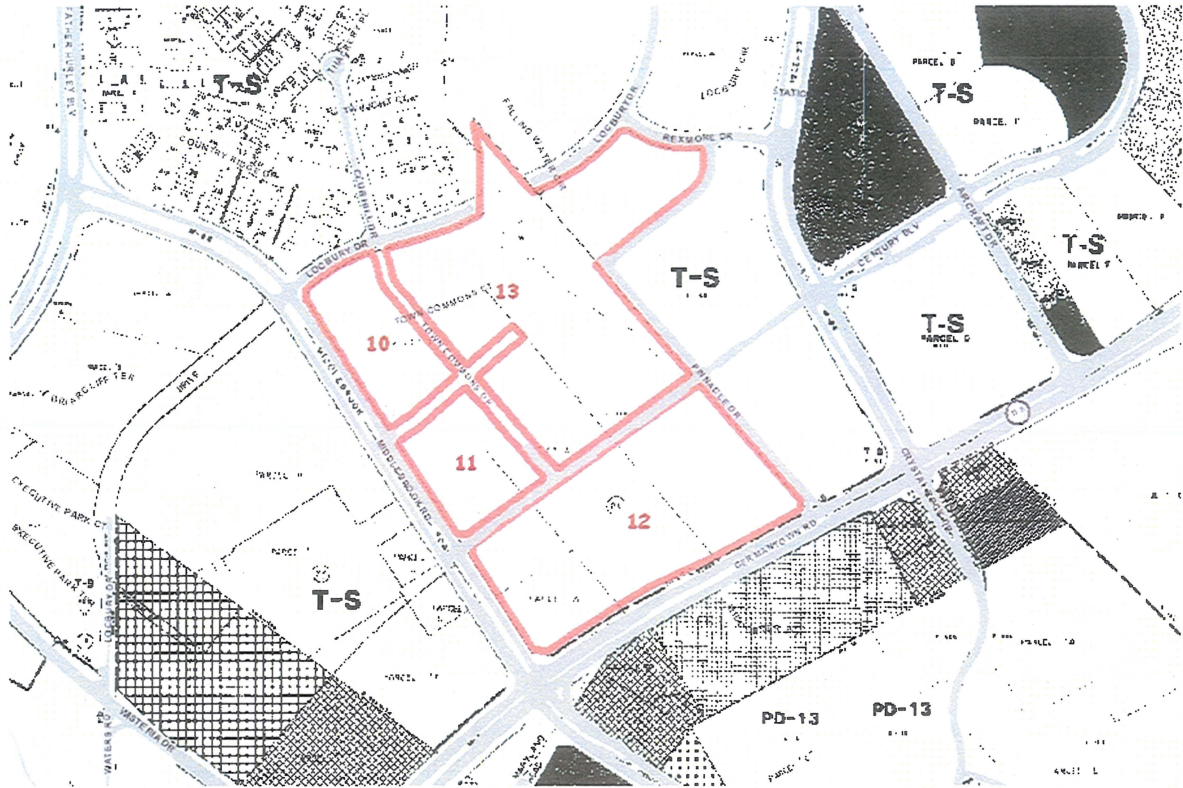
Acres: 3.72
Existing zoning: T-S
Proposed zoning: TMX-2
Rationale: The Plan recommends TMX-2 zoning for this existing townhouse community and retail area to allow for the densities and mix of uses indicated in the Plan.

AREA 13

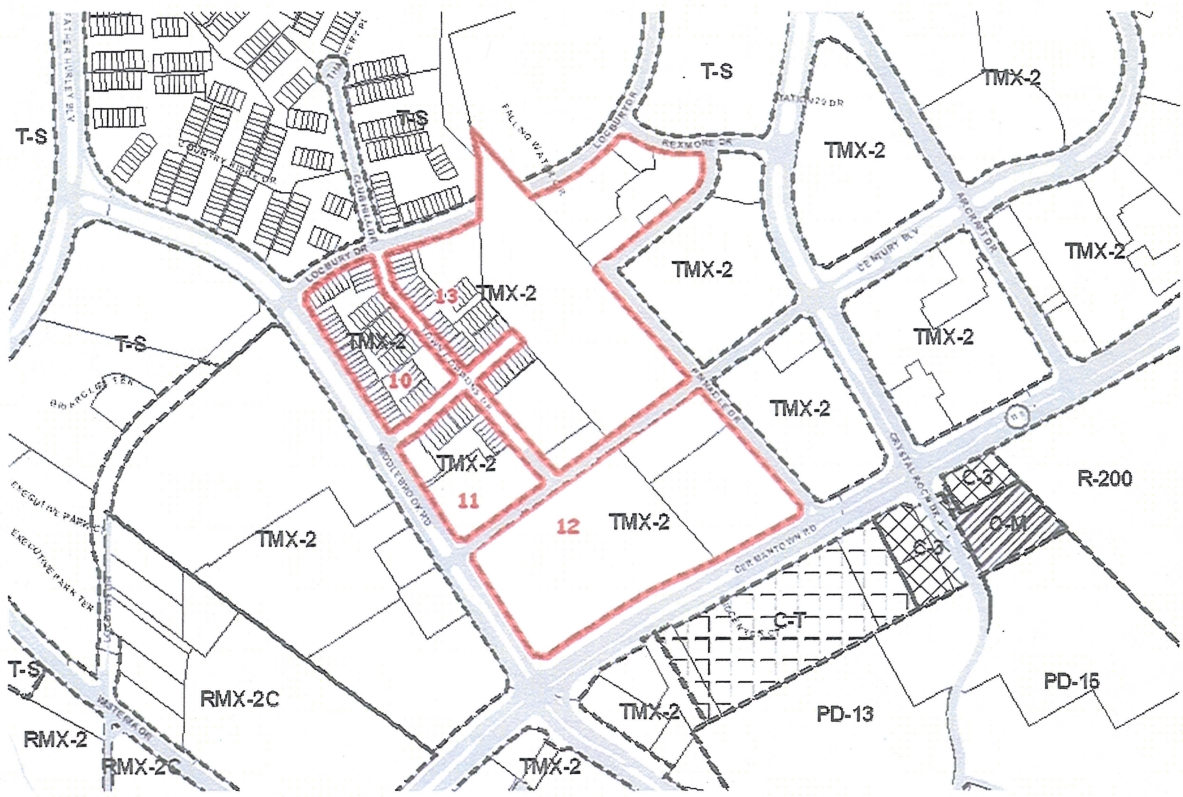
Acres: 18.15
Existing zoning: T-S
Proposed zoning: TMX-2
Rationale: This area includes the Germantown Library, the BlackRock Center for the Performing Arts, and the Town Commons. Although no change in use is recommended for these properties, the zoning should be changed to TMX-2 to provide a consistent zoning pattern.



EXISTING ZONING



PROPOSED ZONING



AREA 14

Acres: 6.49

Existing zoning: T-S

Proposed zoning: TMX-2

Rationale: The Plan recommends rezoning of this existing residential community to TMX-2 to maintain consistent zoning of properties located south of Locbury Drive.

AREA 15

Acres: 5.42

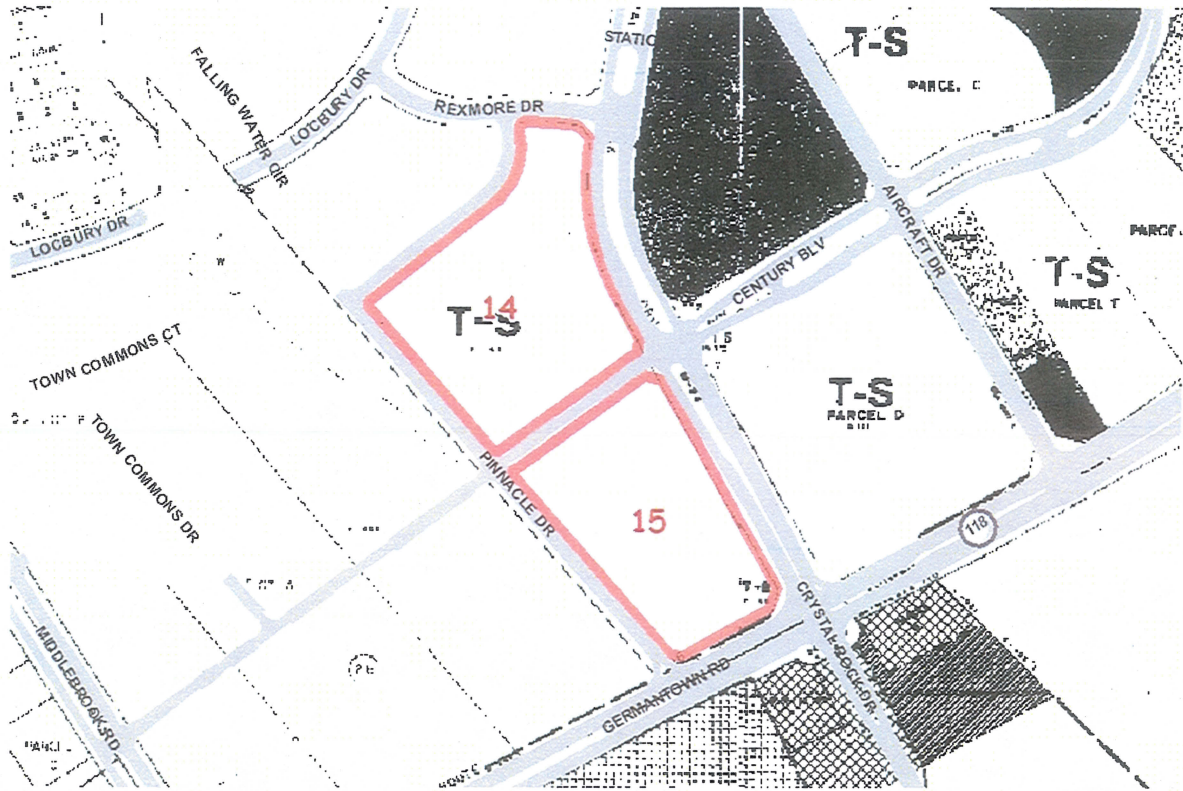
Existing zoning: T-S

Proposed zoning: TMX-2

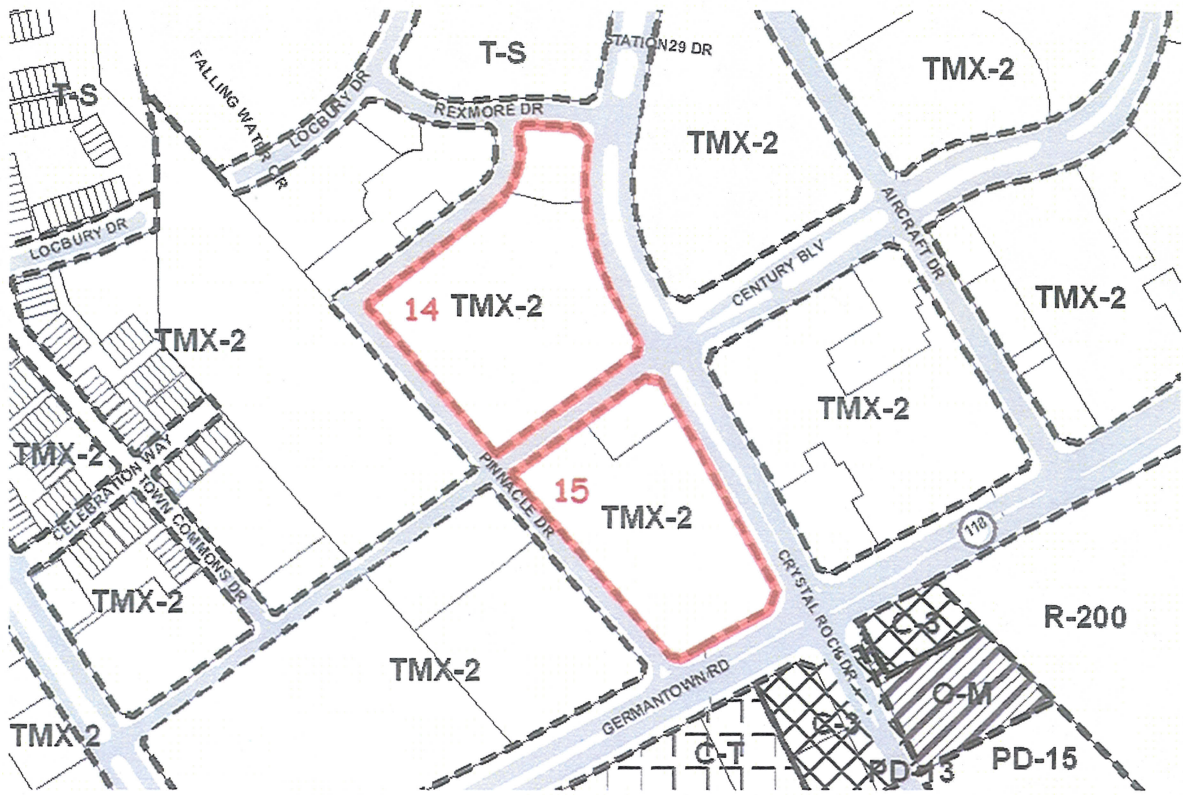
Rationale: This area is adjacent to the future Town Center CCT station and should be rezoned to TMX-2 to allow for the transit-oriented densities and mix of uses indicated in the Plan.



EXISTING ZONING



PROPOSED ZONING



AREA 16

Acres: 8.50
Existing zoning: T-S
Proposed zoning: TMX-2

Rationale: This area encompasses the future Town Center CCT station and should be rezoned to TMX-2 to allow for the transit-oriented densities and mix of uses indicated in the Plan.

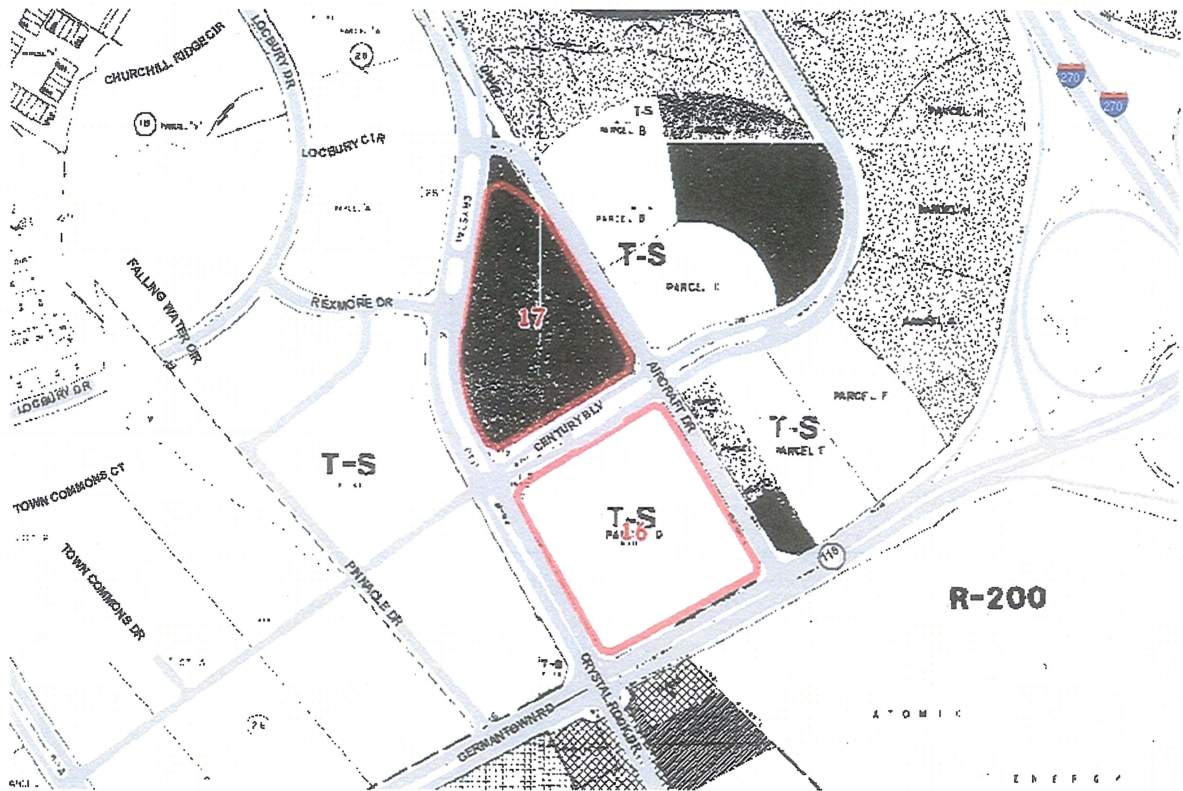
AREA 17

Acres: 6.92
Existing zoning: I-1
Proposed zoning: TMX-2

Rationale: This area covers County-owned property for Fire and Rescue Station #29. The Plan recommends rezoning the property to TMX-2 to allow for the densities and mix of uses indicated in the Plan.



EXISTING ZONING



PROPOSED ZONING



AREA 18

Acres: 44.94
Existing zoning: T-S, I-1, I-3
Proposed zoning: TMX-2
Rationale: Rezoning this area, adjacent to a future CCT station, to TMX-2 will allow for the transit-supportive densities and mix of uses indicated in the Plan.

AREA 20

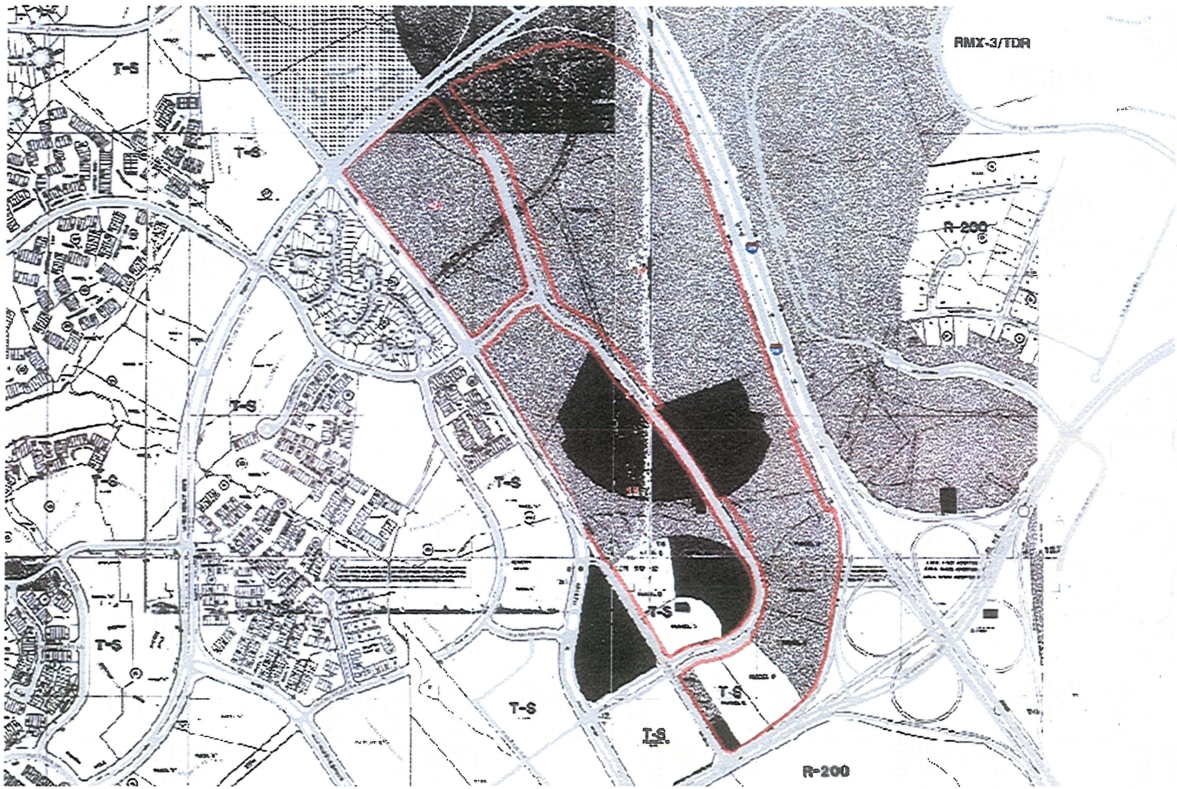
Acres: 25.39
Existing zoning: I-3
Proposed zoning: TMX-2
Rationale: See previous.

AREA 19

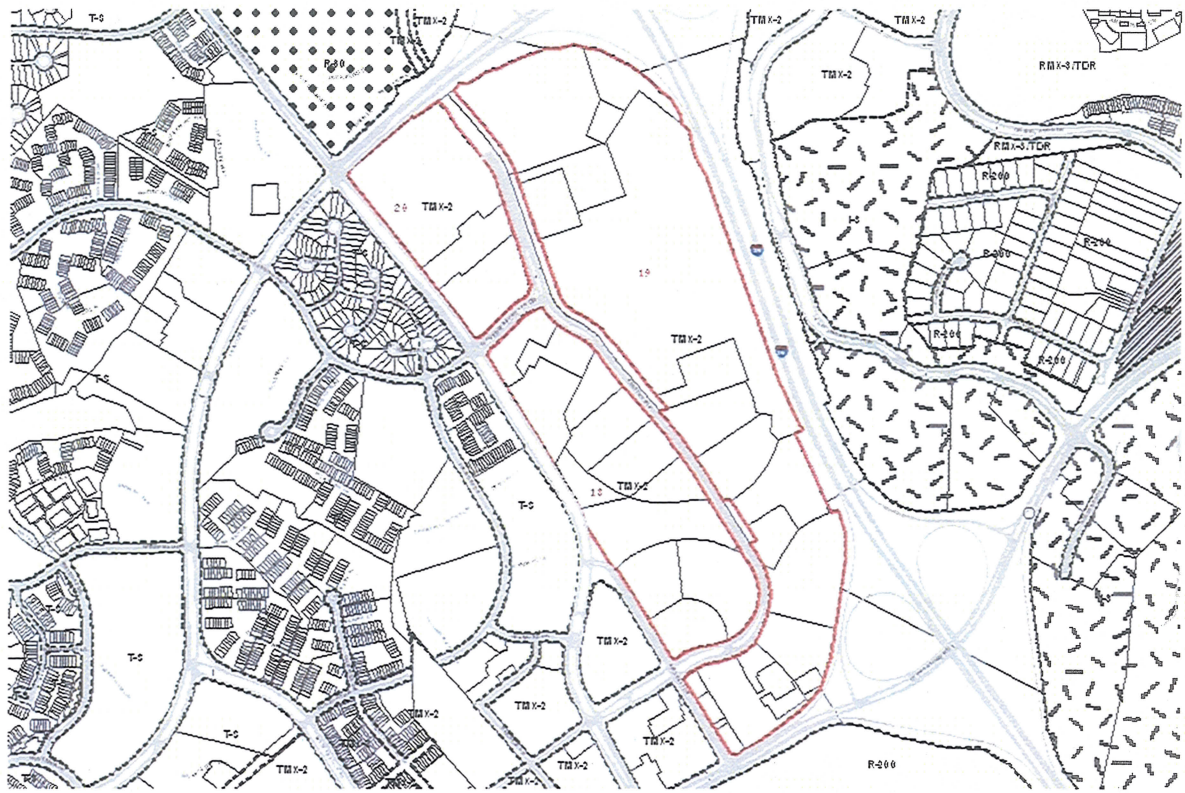
Acres: 108.50
Existing zoning: T-S, I-1, I-3
Proposed zoning: TMX-2
Rationale: See previous.



EXISTING ZONING



PROPOSED ZONING



AREA 21

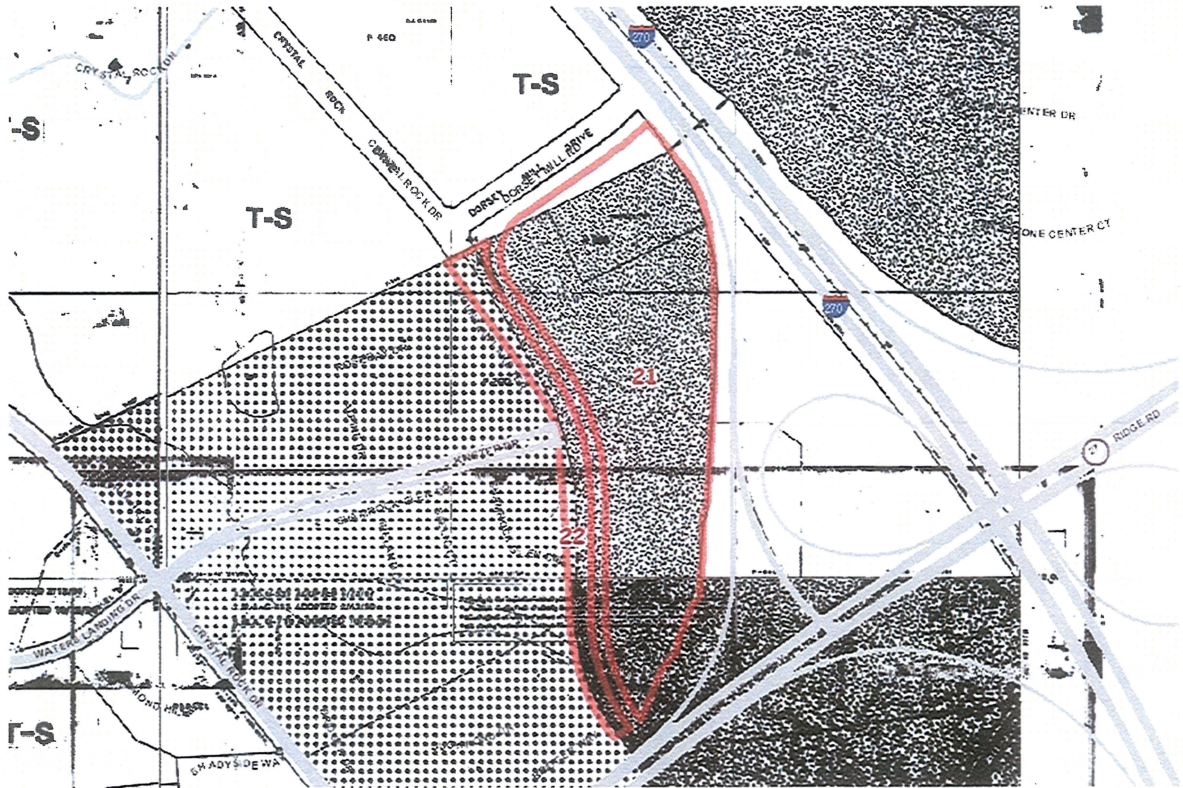
Acres: 19.48
Existing zoning: I-3, T-S
Proposed zoning: TMX-2
Rationale: Rezoning this area, adjacent to a future CCT station, to TMX-2 will allow for the transit-supportive densities and mix of uses indicated in the Plan.

AREA 22

Acres: 3.56
Existing zoning: I-3
Proposed zoning: TMX-2
Rationale: This area is an undedicated portion of Area 21 and should be rezoned to TMX-2 to provide a consistent zoning pattern.



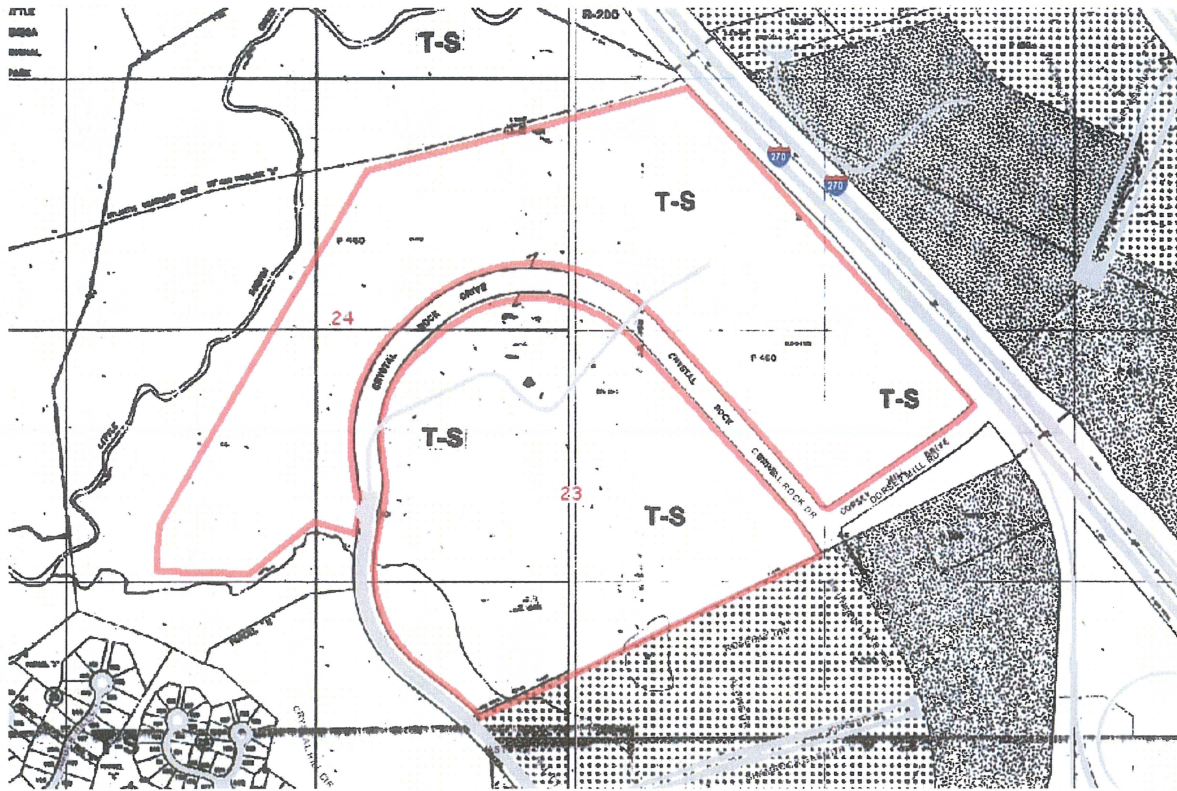
EXISTING ZONING



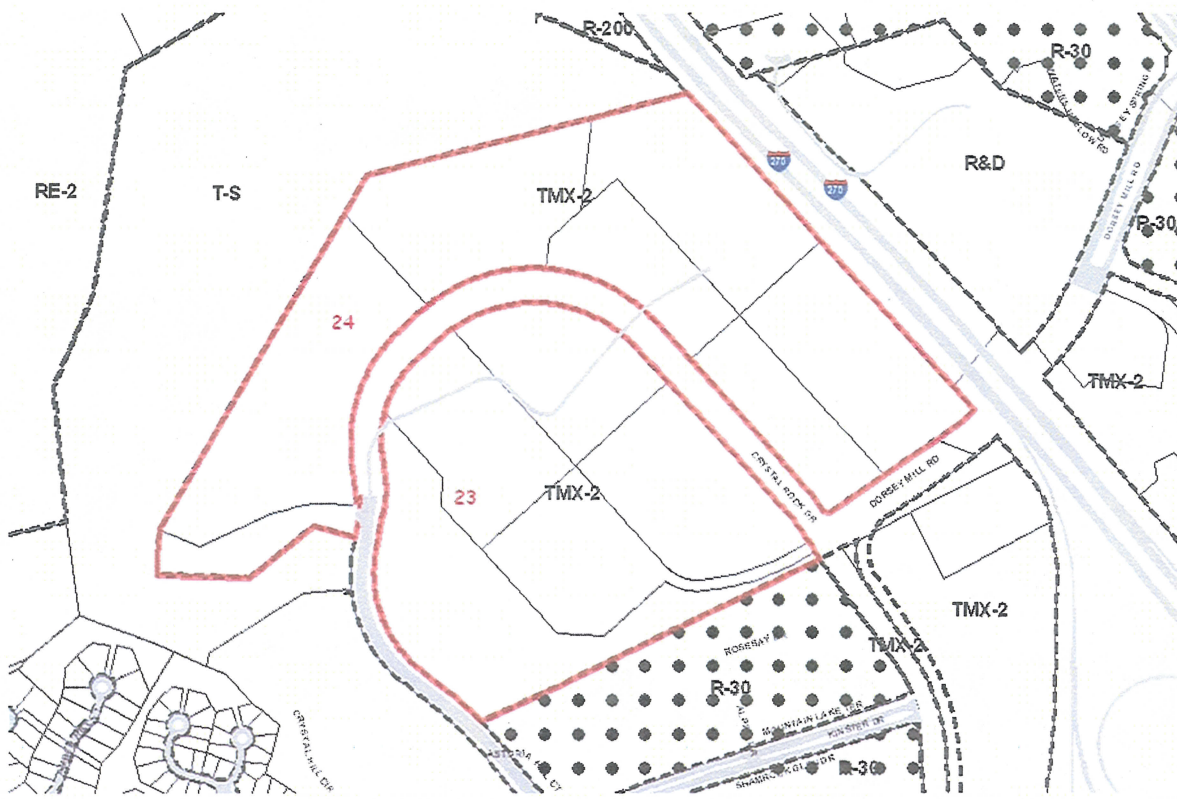
PROPOSED ZONING



EXISTING ZONING



PROPOSED ZONING



AREA 25

Acres: 46.88

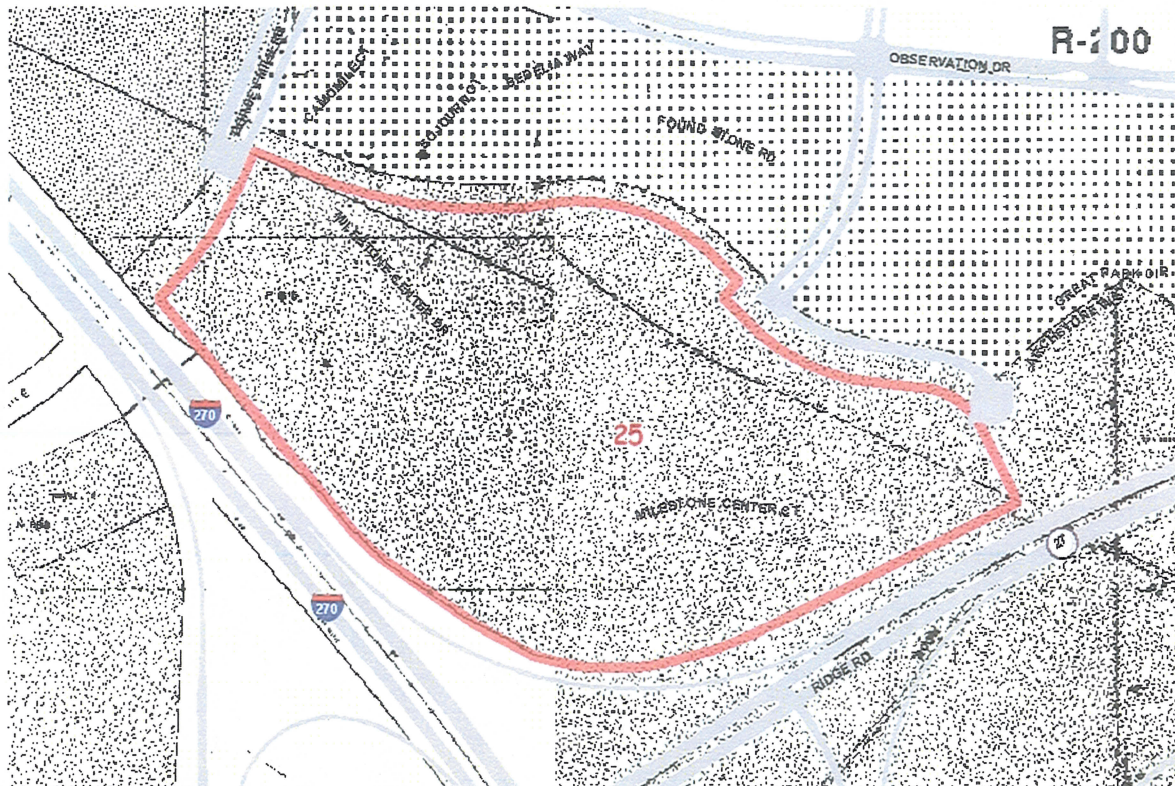
Existing zoning: I-3

Proposed zoning: TMX-2

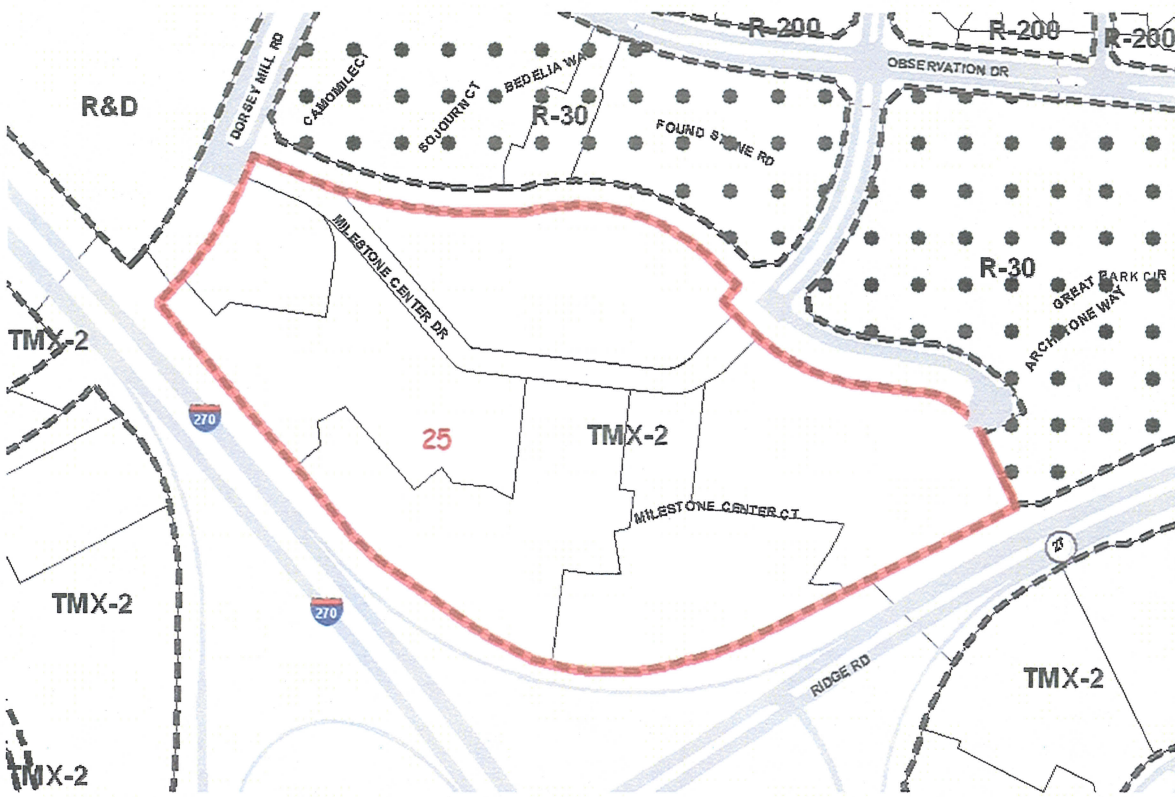
Rationale: Rezoning this area adjacent to the future Dorsey Mill CCT station to TMX-2 will allow for the transit-supporting densities and mix of uses indicated in the Plan.



EXISTING ZONING



PROPOSED ZONING



AREA 26

Acres: 39.94
Existing zoning: I-3
Proposed zoning: TMX-2
Rationale: This property is designated for a future CCT transit station. The Plan recommends the TMX-2 zone for the property to allow for the densities and mix of uses indicated in the Plan. The property owner has expressed intent to develop a portion of this area as a grocery store and associated retail uses including apparel stores, opticians, telephone sales, dentist offices, and restaurants. The Planning Board has received approximately 10 letters from community members objecting to locating a “big box” use at the proposed CCT Seneca Meadows transit station.

commercial uses such as grocery store, eating and drinking establishments (excluding drive-in), general offices; professional offices; and other retail uses such as book stores, florists, and office supply stores. Services permitted in the TMX-2 zone include daycare, barber and beauty shops, and dry cleaning and laundry pick-up stations.

AREA 27

Acres: 8.81
Existing zoning: I-3
Proposed zoning: TMX-2
Rationale: The remainder of this area, adjacent to a future CCT station, is recommended for TMX-2 zoning to allow the densities and mix of uses indicated in the Plan.

The TMX-2 zone provides for moderate through intensive mixed-use development in a Transit Station Development Area. The permitted uses of the zone include

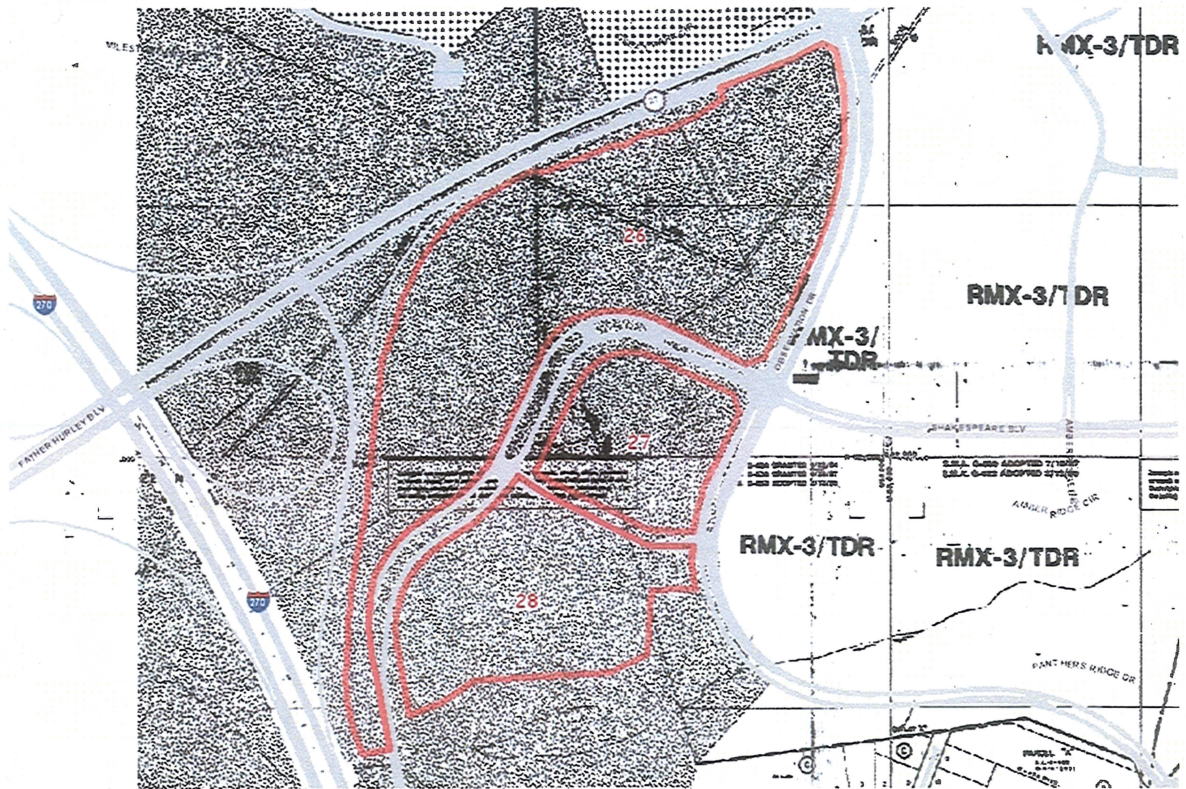


AREA 28

Acres: 15.20
Existing zoning: I-3
Proposed zoning: TMX-2
Rationale: See previous.



EXISTING ZONING



PROPOSED ZONING



AREA 29

Acres: 139.78
Existing zoning: R-60, R-60/TDR
Proposed zoning: I-3
Rationale: This area covers portions of the Montgomery College District primarily under Montgomery College ownership. The 2009 Sector Plan states that:

The existing combination of I-3 and R-60 zoning on the College property will probably not serve the College's goals to partner with private biotechnology, medical, and/or technology businesses that may help support the College's mission. This Sector Plan recommends rezoning the entire property to the I-3 zone (for development under standard or optional method) which appears to provide the greatest flexibility to meet the College's needs. Current revisions being considered for the Life Science Center (LSC) zone could also make this zone appropriate for the College property. Once the zone is amended, additional analysis should

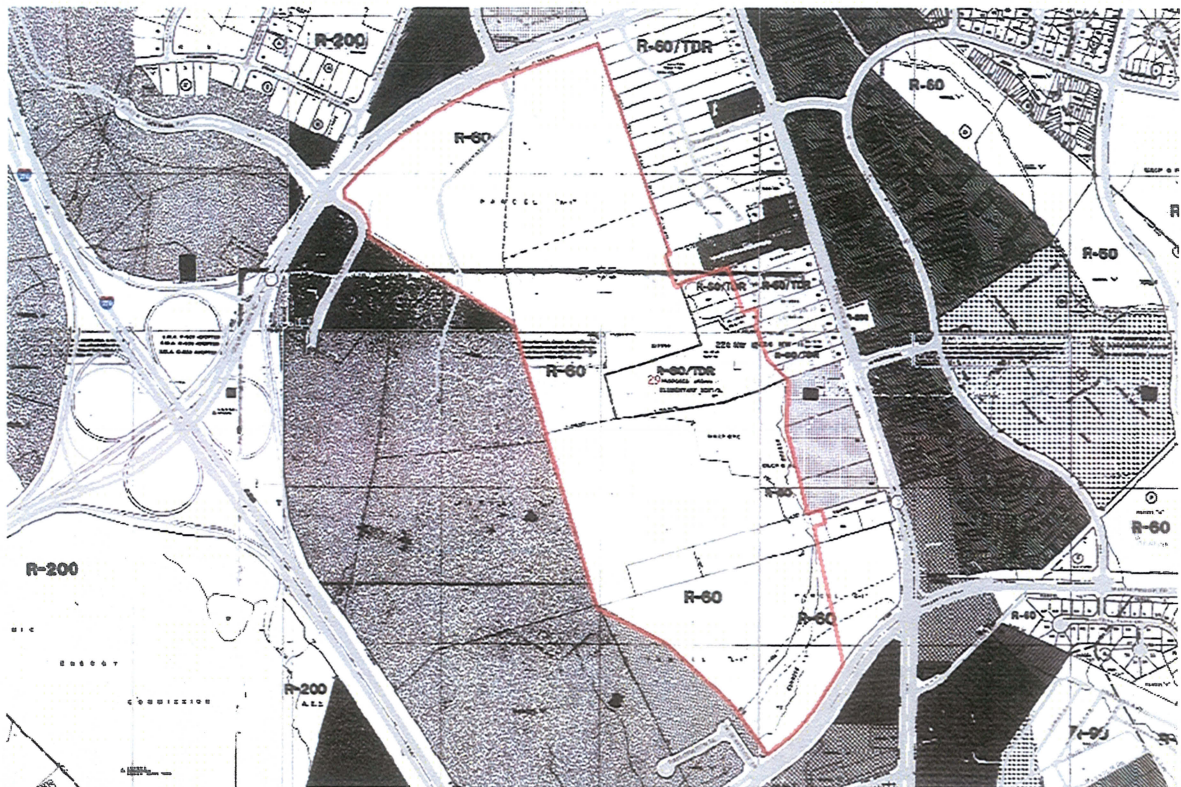
determine whether the I-3 or LSC zone would better serve the College's needs. If this determination is made after the Sectional Map Amendment, and rezoning is advised, a government sponsored Local Map Amendment may be appropriate. (Council Resolution 16-1126, page 24.)

Council staff completed revisions to the LSC zone in December 2009. Further discussion of the LSC zone at the Planning, Housing and Economic Development (PHED) Committee has been scheduled for March 10, 2009.

Representatives of the College's development partner, Foulger Pratt, requested that both the I-3 and LSC zones be designated in the SMA prior to filing with the District Council. The Planning Board upheld the I-3 zoning contained in the Council Resolution and concluded that the District Council could apply either the I-3 or LSC as part of the Sectional Map Amendment.



EXISTING ZONING



PROPOSED ZONING



AREA 30

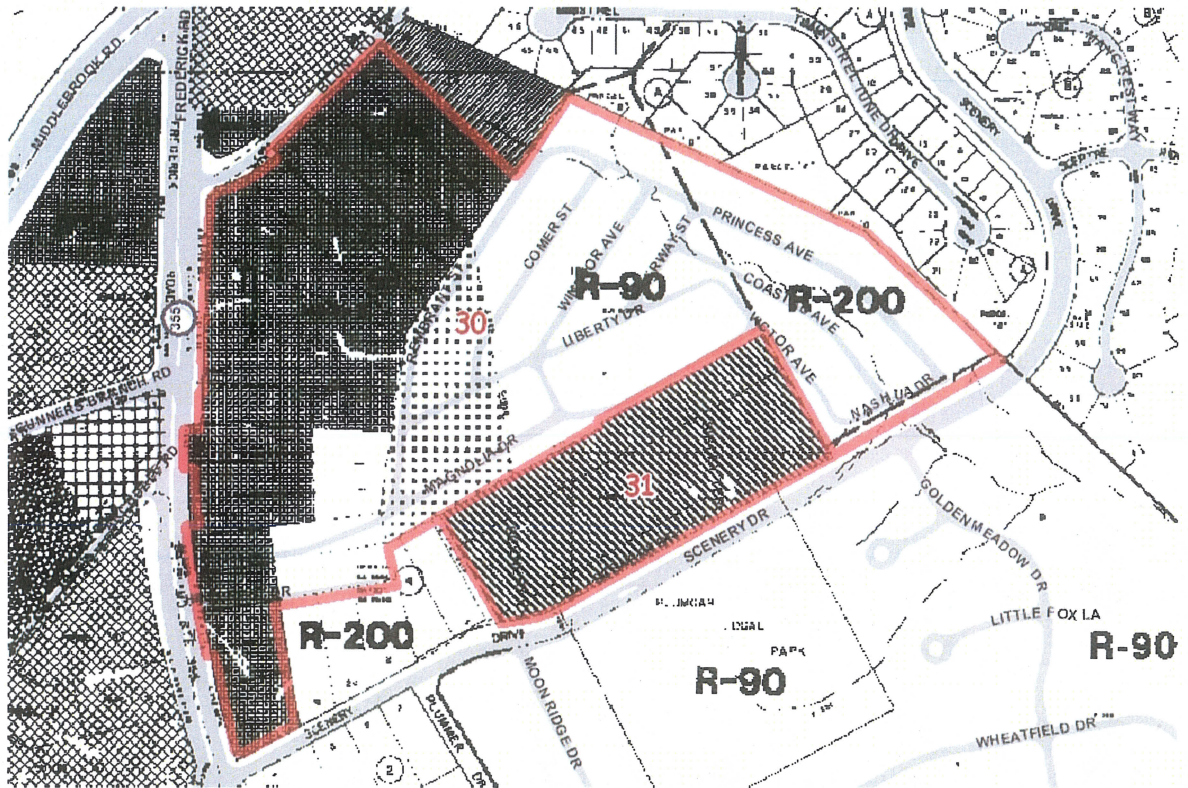
Acres: 39.42
Existing zoning: R-200, R-90, R-30, C-1
Proposed zoning: RMX-2C/TDR
Rationale: This area includes the Fox Chapel Shopping Center, the Middlebrook Mobile Home Park, and surrounding commercial properties. The RMX-2C/TDR zone is intended to provide a consistent zoning pattern and allow for the densities and mix of uses indicated in the Plan.

AREA 31

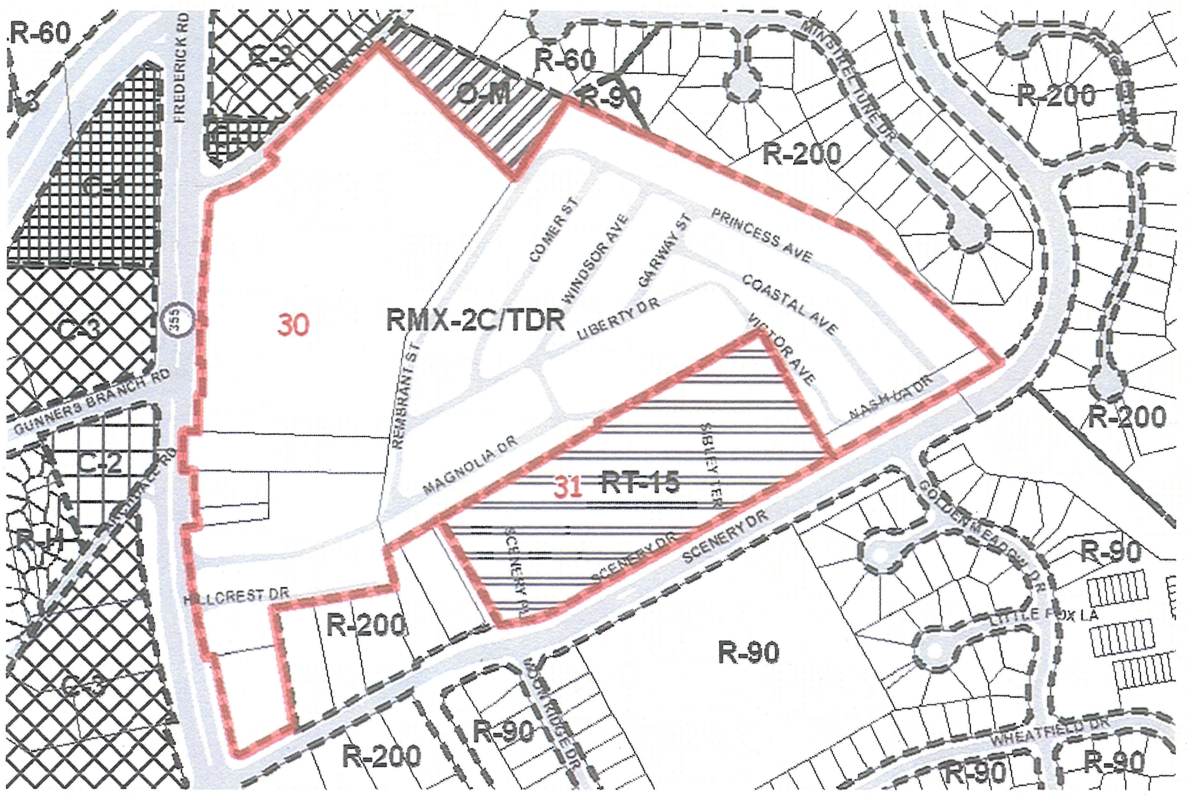
Acres: 8.38
Existing zoning: RT-12.5
Proposed zoning: RT-15
Rationale: At the request of the property owner, the Housing Opportunities Commission, this area was recommended for rezoning to RT-15 to allow for increased density on the property in the future.



EXISTING ZONING



PROPOSED ZONING



AREA 32

Acres: 3.04

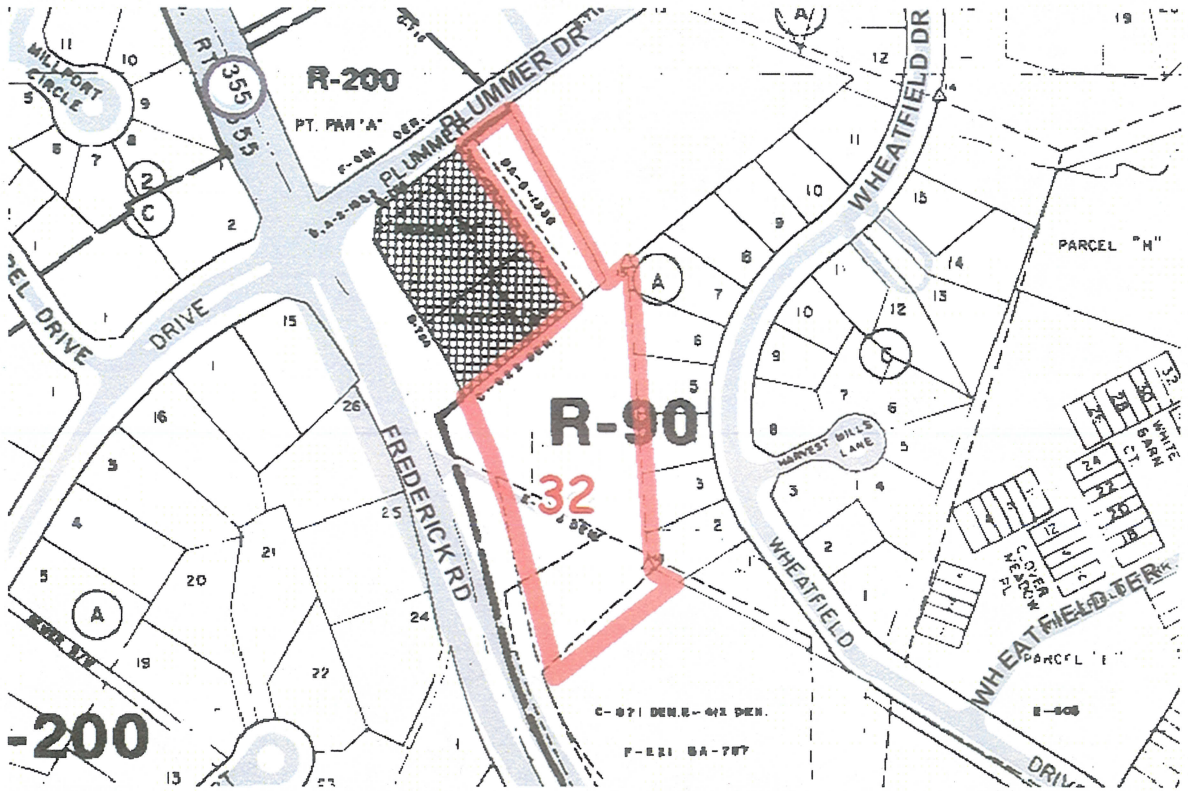
Existing zoning: R-90

Proposed zoning: C-1

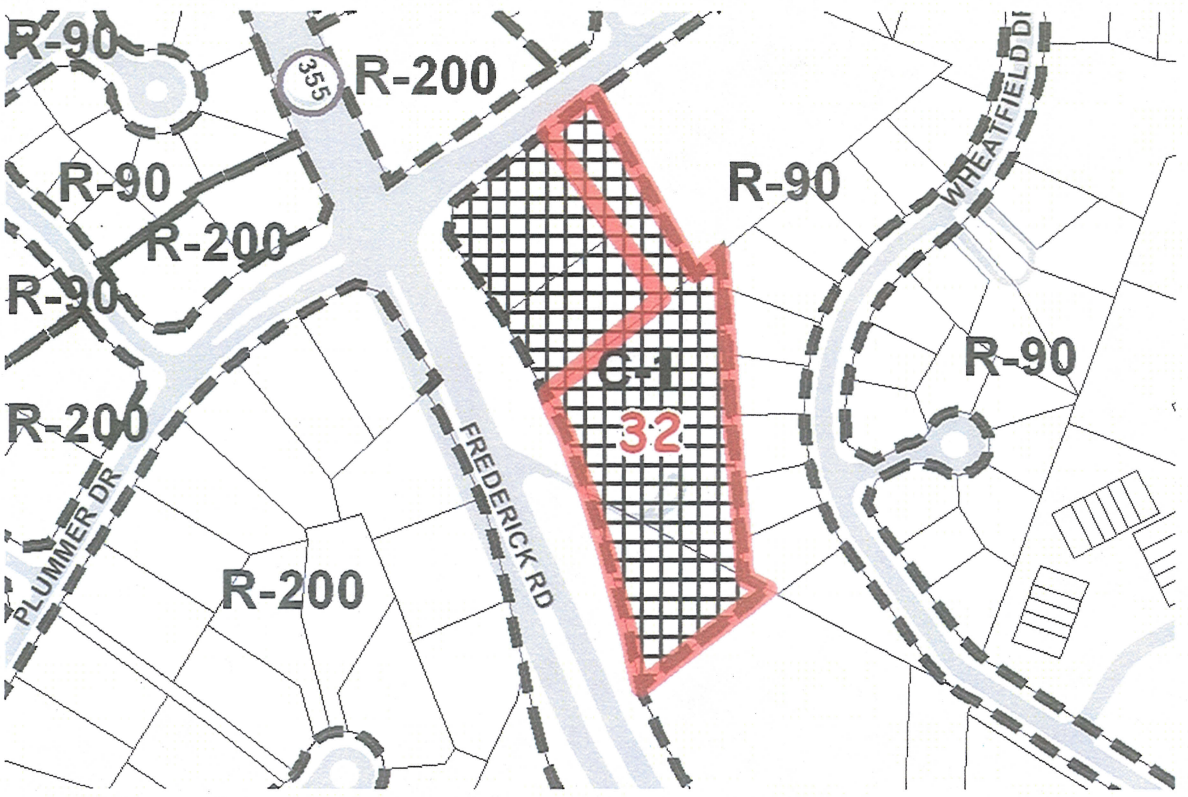
Rationale: Rezoning of these small properties would allow for the densities and uses indicated in the Plan and would make the existing Middlebrook Inn restaurant a conforming use in the C-1 zone.



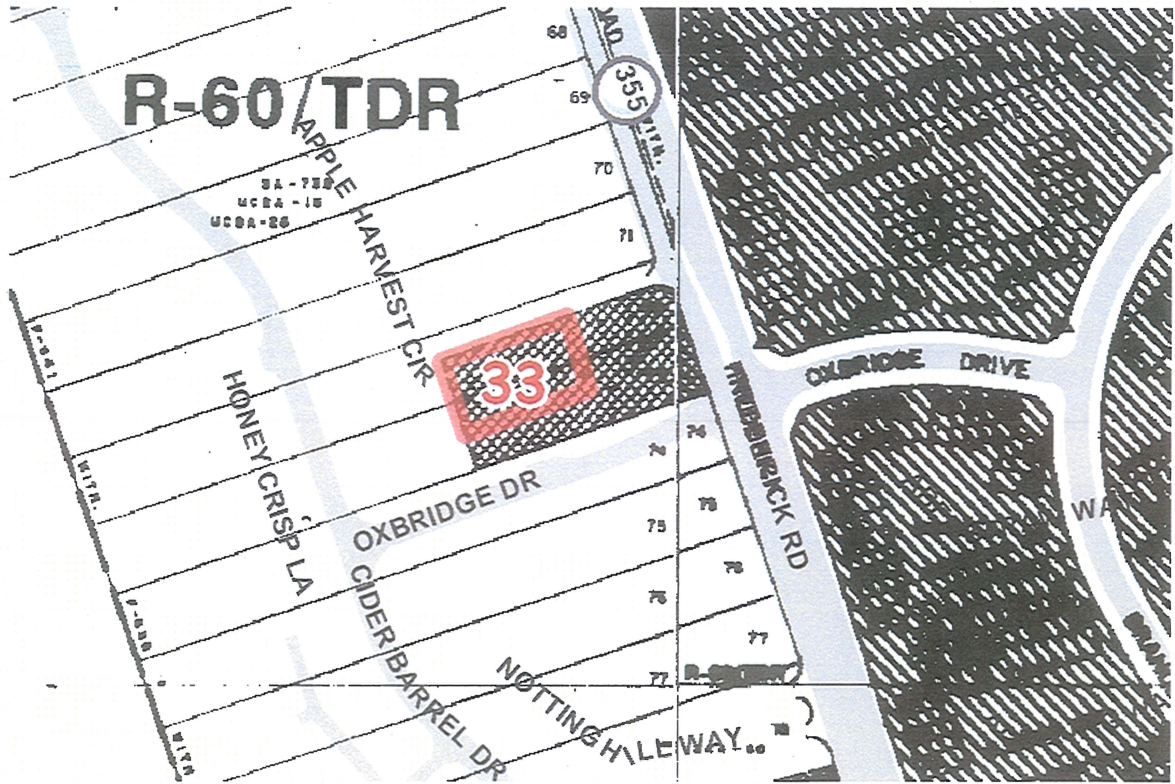
EXISTING ZONING



PROPOSED ZONING



EXISTING ZONING



PROPOSED ZONING



AREA C1

Acres: 1.85

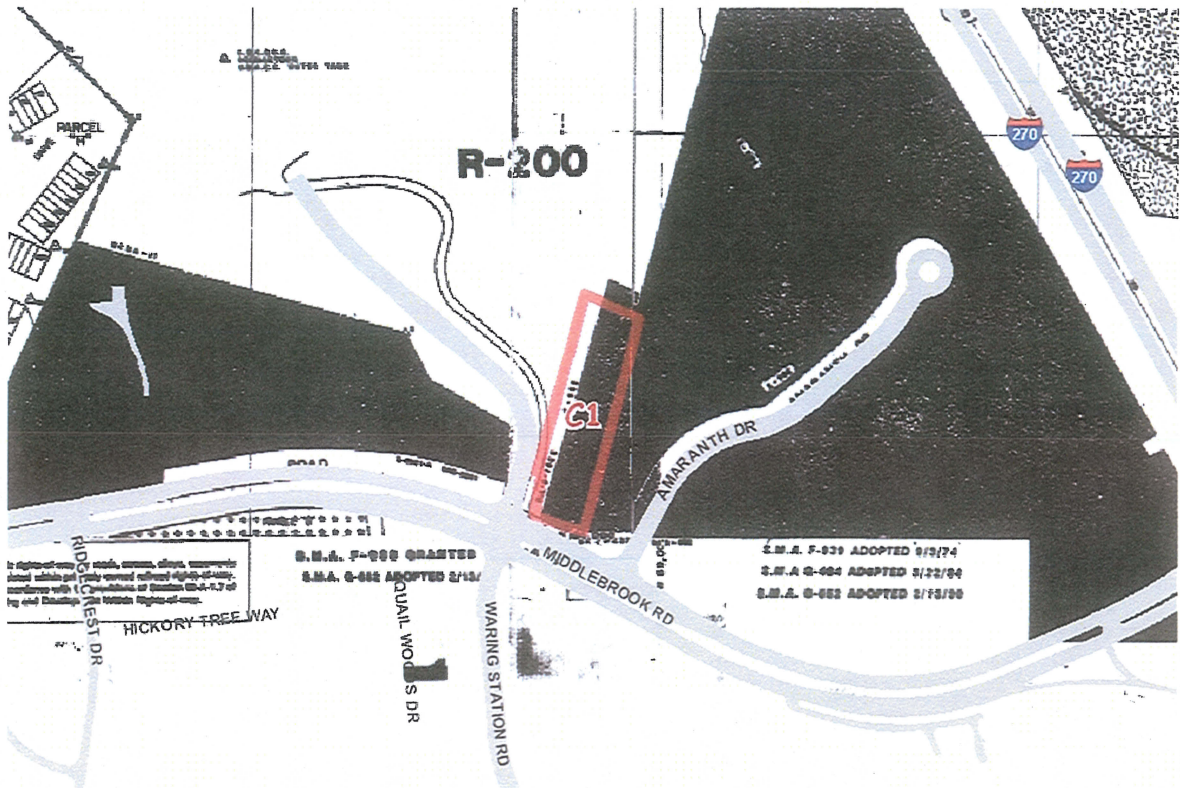
Existing zoning: I-1

Proposed zoning: R-200

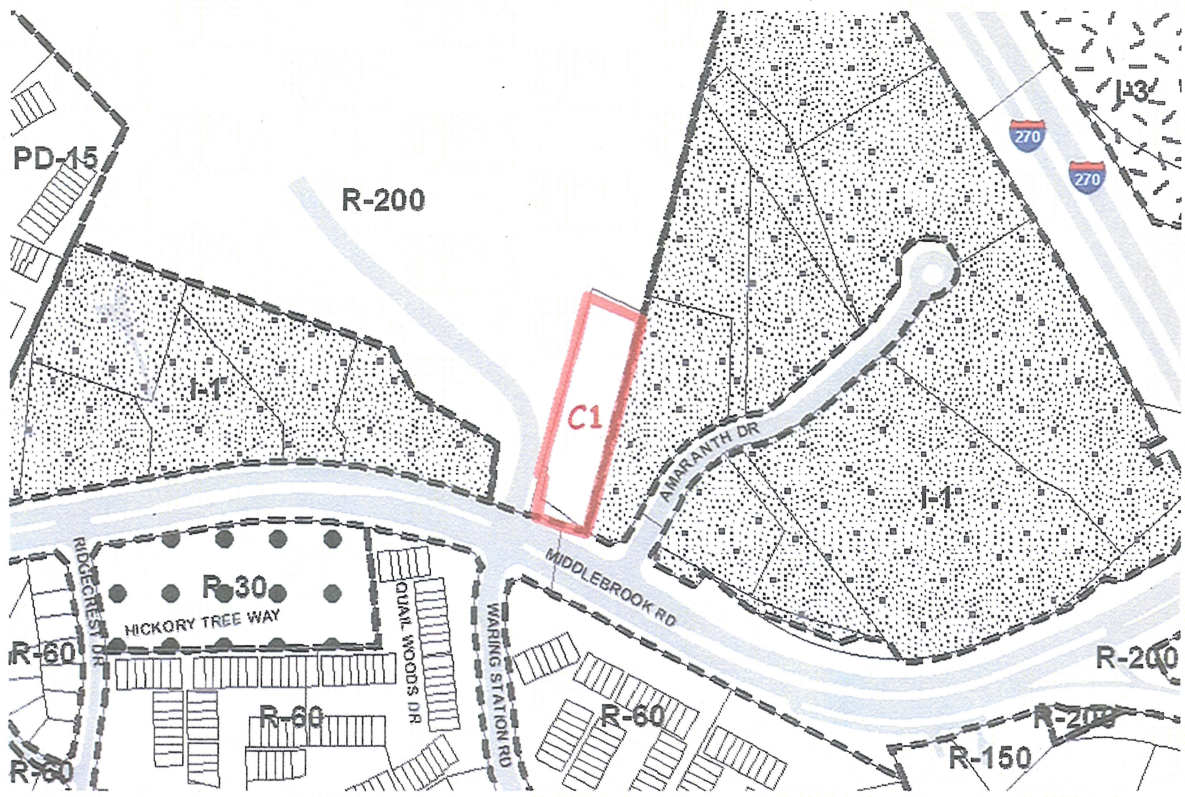
Rationale: This corrective map designation replaces the mapped I-1 designation with R-200 as directed by the 1990 Germantown Master Plan SMA, G-652.



EXISTING ZONING



PROPOSED ZONING



AREA C2

Acres: 5.68

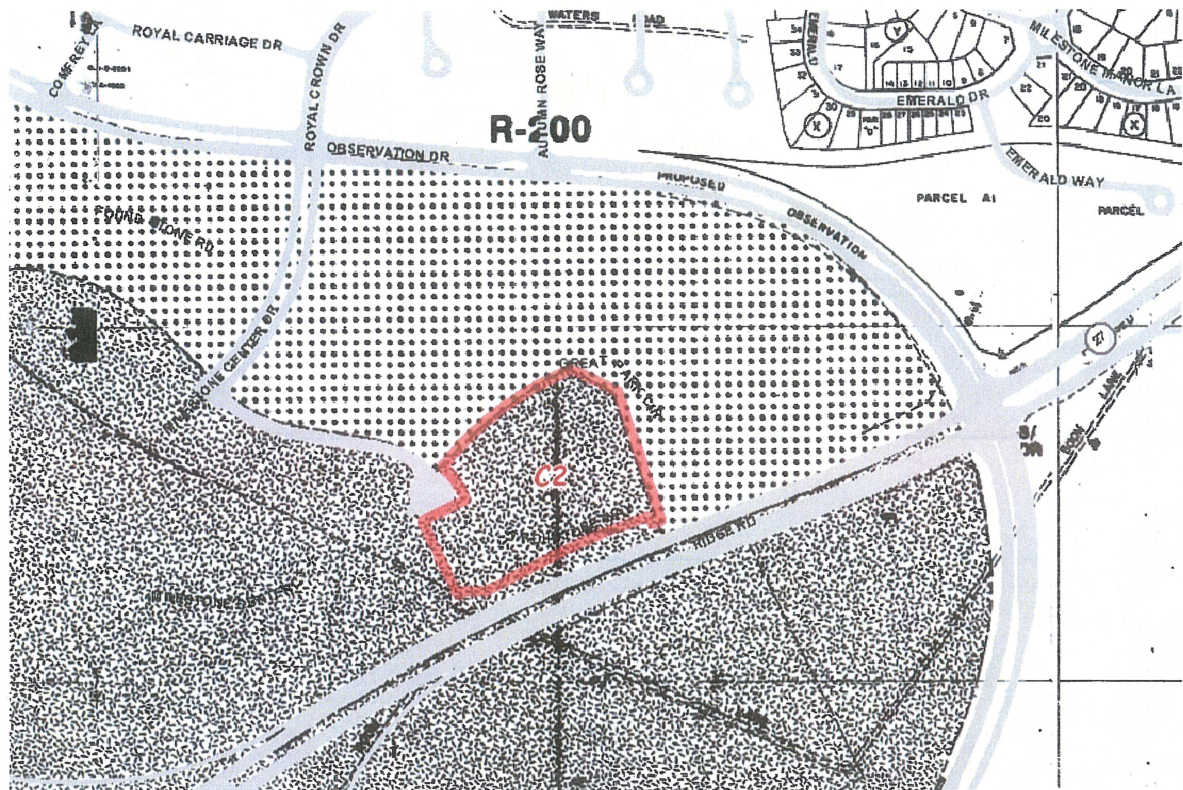
Existing zoning: I-3

Proposed zoning: R-30

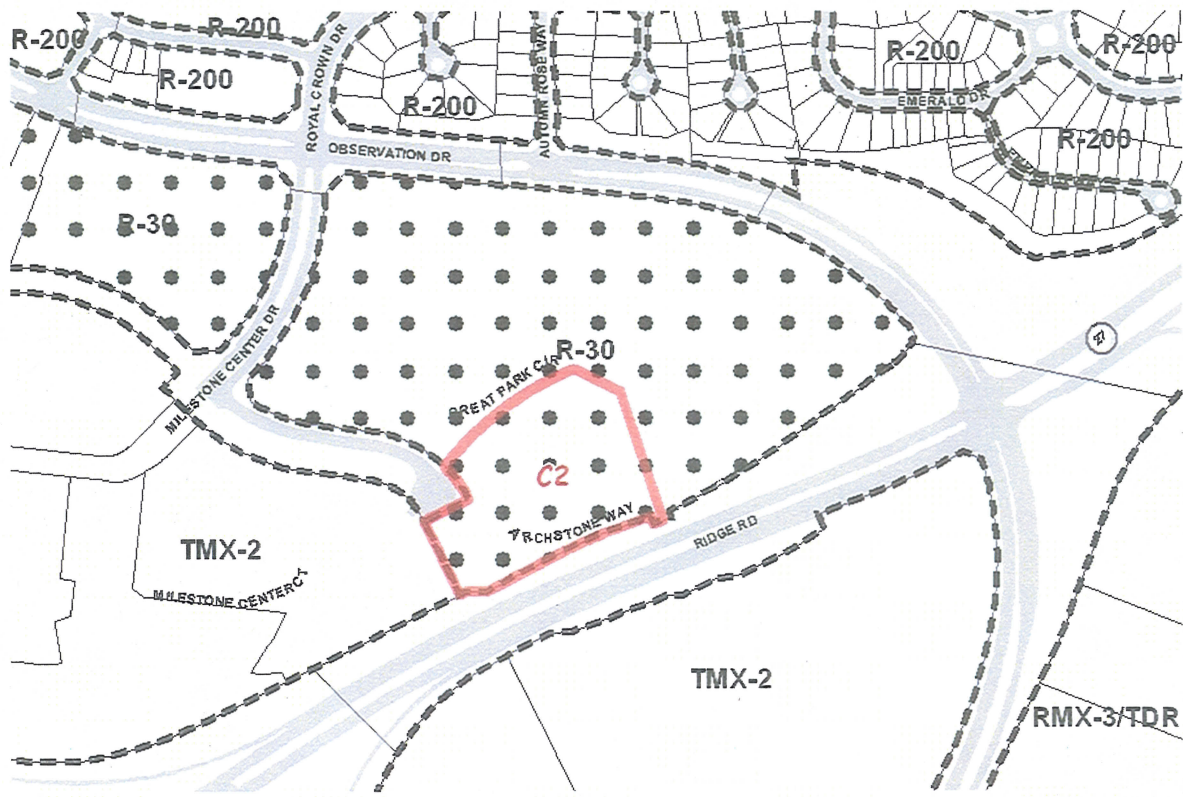
Rationale: This corrective map amendment places the R-30 designation as contained in Local Map Amendment G-759.



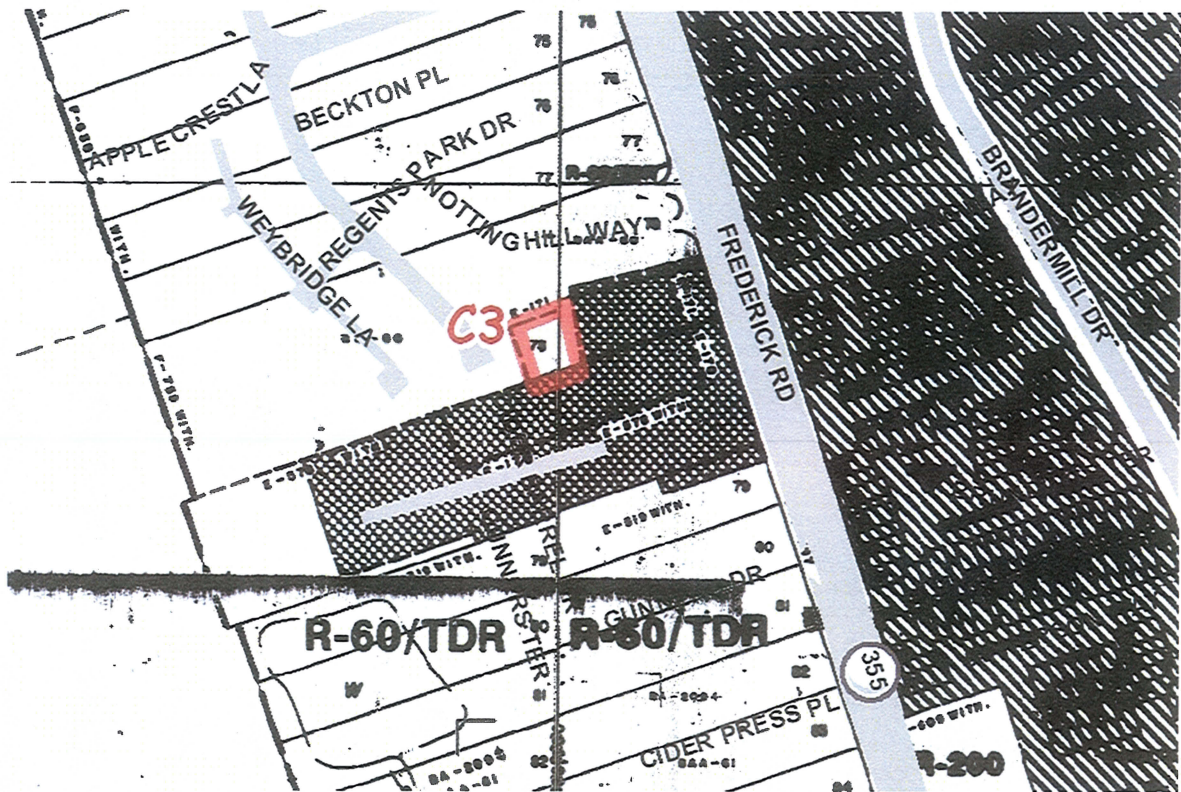
EXISTING ZONING



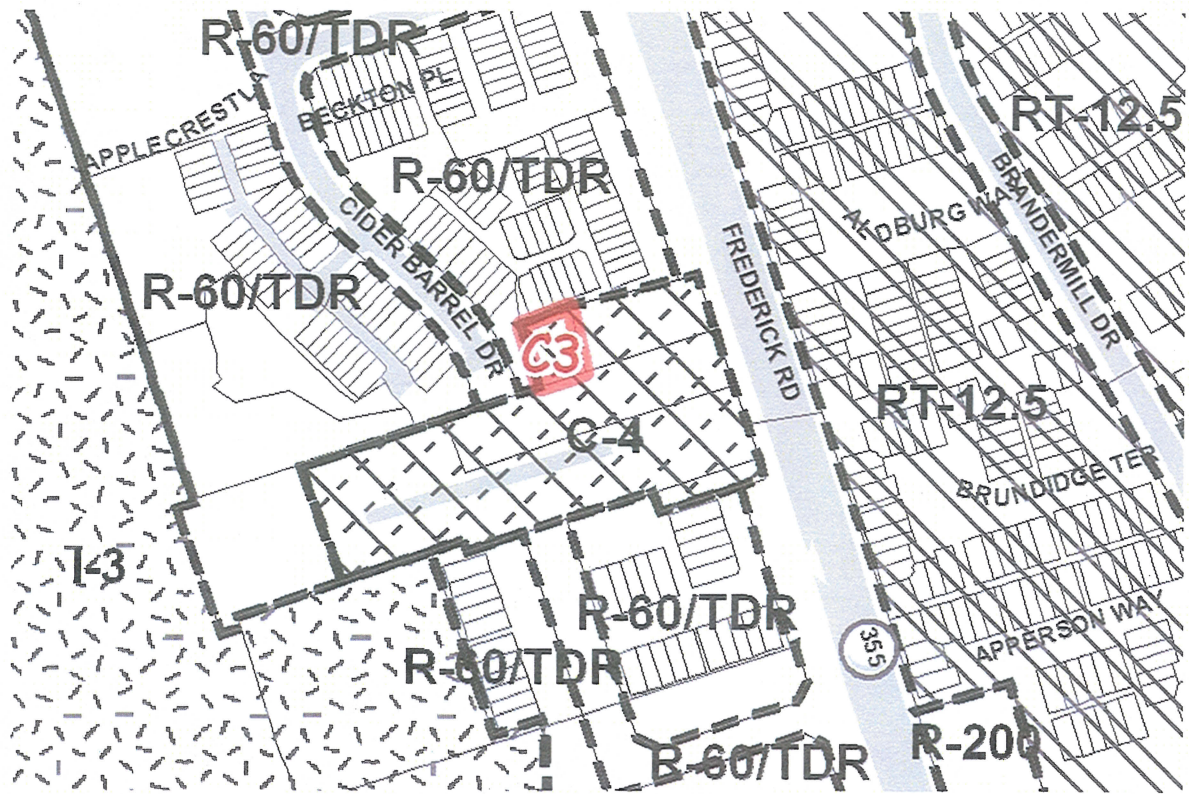
PROPOSED ZONING



EXISTING ZONING



PROPOSED ZONING



AREA C4

Acres: 7.87

Existing zoning: R-D

Proposed zoning: I-3

Rationale: These corrections place the I-3 zone in accordance with the 1990 Germantown Master Plan SMA. This corrective action will make zoning of property owned by Montgomery College consistent under the I-3 zone.

AREA C5

Acres: 2.03

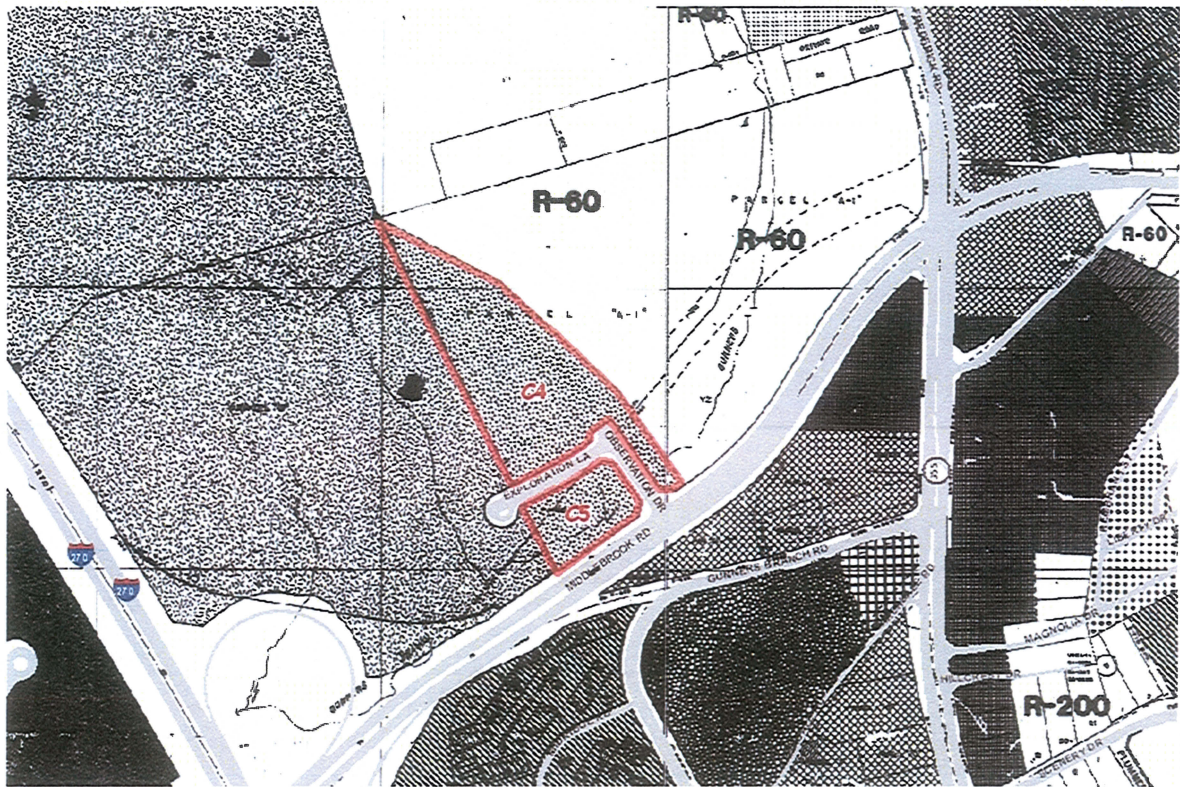
Existing zoning: R-D

Proposed zoning: I-3

Rationale: See previous.



EXISTING ZONING



PROPOSED ZONING



M:\germantown\00 SMA\031110 Germ SMA attachment B.doc

ATTACHMENT C

MCP-CTRACK

From: PATTY MALLON [pattymallon@verizon.net]
Sent: Wednesday, March 03, 2010 11:20 AM
To: MCP-Chair
Subject: Transit Mixed Use Zoning in Germantown Area Sector

RECEIVED
0192
MAR 03 2010

OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Dear Mr. Hanson,

We are writing to support the TMX zoning, WITHOUT business restrictions. I am very much in favor with having a Wegmans come to Sennca Meadows Park, off 118.

Thank-you,
Patty and Matt Mallon
11516 Dragonfire Way
Germantown, MD 20876

MCP-CTRACK

From:
Sent:
To:
Subject:

The Woottens [crabland@verizon.net]
Monday, March 01, 2010 6:00 PM
MCP-Chair
Transit Mixed Use Zoning in Germantown Area Sector

RECEIVED
0187
MAR 02 2010

OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Dear Mr. Hanson,

We are writing to support the TMX zoning, without business size restrictions.

Thank you for your consideration.

Joyce & Larry Wootten
11517 Dragonfire Way
Germantown, MD 20876

MCP-CTRACK

From: Sheryl Stein Mervis [sheryl1203@gmail.com]
Sent: Monday, March 01, 2010 1:56 PM
To: MCP-Chair; Councilmember.floreen@montgomerycountymd.gov
Subject: Milestone / No big box stores

RECEIVED

MAR 01 2010

OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Dear Sir/Ms;

I'm very concerned about developers being aloud to build big box stores in my community. We have enough big box stores in Milestone. The crime rate in Milestone has increased over the last few years. It's difficult to get out of my neighborhood at certain times of the day due to heavy traffic, which will only get worse. There will be an increase of people cutting through our neighborhood streets. The noise level from the traffic on Father Hurley is already a blight in our neighborhood and the development of big box stores will only make this worse.

We don't need another "Rockville Pike" in the upcounty. I am asking you to *please* add a size restriction to the TMX zoning.

A registered voter,
Sheryl Stein



MCP-CTRACK

RECEIVED

MAR 01 2010

OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

From: Mark and Rosemary St. Clair [portabello98@comcast.net]
Sent: Monday, March 01, 2010 4:53 PM
To: MCP-Chair
Subject: Germantown TMX zoning

Hello! My name is Mark St. Clair. I live at 11605 Settlers Circle, Germantown, MD 20876. I was just informed of the upcoming meeting on March 16th re TMX zoning for Germantown. Please restrict the size of any stores or businesses so that large, box stores will not be allowed. The Germantown area along 355 already has enough shopping available in the Neelsville shopping center. Thank you for your consideration.

Sincerely,
Mark St. Clair
301-540-4452



MCP-CTRACK

From: Cliffordde@aol.com
Sent: Monday, March 01, 2010 11:57 AM
To: MCP-Chair
Subject: TMX zoning

RECEIVED
0182
MAR 01 2010

OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Dear Chairman Hanson,

We're counting on you to add a size restriction to the TMX zoning effecting the Milestone area in Germantown. We do not want this area inundated with massive big box stores, adding more auto congestion, longer commutes, people cutting through our neighborhoods, 24-hour noise, bright night-time lights, and increased crime and insurance rates. We already have more than we can handle with the Neilsville shopping center!

Thanks so very much!

Mrs. Margaret Clifford
21527 Manor View Circle
Germantown, MD 20876

301-540-7894

RECEIVED
0761
FEB 23 2010

February 2010

OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Members of the Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850
Via Fax (240) 777-7888

Dear Members of the Montgomery County Council:

On March 16, 2010, members of the county council will hold a public hearing on the Sectional Map Amendment (SMA) for the Germantown Area Sector Plan. As concerned residents in the Germantown area, we are writing to urge you to schedule the public hearing for the SMA rezoning for Germantown to an evening in order to allow residents an opportunity to attend the meeting.

In addition, we would request that the venue for the public hearing be changed to a location in Germantown since the rezoning impacts Germantown. Finally, we advise that when the public hearing is held, you rescind the pending Sectional Map Amendment resolution to the Planning Board until it can be determined whether a big box retail store would be an allowed use in the TMX zone.

We are concerned the proposed Wegmans is getting expedited by the developer while the public is not being granted an adequate opportunity to comment on its impacts.

The process began with a Montgomery County Planning Board public hearing that was held in July 2008. At the time of this hearing, the Wegmans had not even been introduced into the plan. In fact, the Wegmans was not announced until the middle of the Planning Board worksessions in November 2008.

At that point in the process only the developer, Minkoff, could make comments about the master plan and took the opportunity to encourage the Planning Board to change the language to allow for this type of use on the site. Minkoff requested this change because the initial draft master plan did not allow for a big-box to be built on this site. The Montgomery County Planning staff supported the original language.

Then a new version of the Draft Germantown Sector plan, with the developer's language included, was forwarded to the County Council/Executive for review. The only opportunity for public comment was at the public hearing held in May 2009, on a morning on a weekday making it difficult for the community to attend this meeting. Even though we could not attend, we sent over 25 letters regarding this issue and our concerns were never even discussed by the County Council.

Following this hearing there were multiple Council worksessions, but only the developer was allowed to comment at these meetings. Once it was sent to the full County Council there was no recourse for the public to ask that the language be removed or put back to its original form.

Subsequently, the Maryland National Capital Parks and Planning Commission (M-NCPPC) formalized the language of the Germantown Area Sector Plan. Once the SMA was filed with the Montgomery County Planning Board, it was once again a daytime hearing in Silver Spring, which made it difficult for us to attend. However, we again sent additional letters regarding this issue. But when the planning staff attempted to explain that the community had written several letters, they were abruptly cut-off to discuss another topic and they never returned to mention the letters that had been written.

When will our voices be heard? The next step will be when the council holds a public hearing on the SMA to change the zoning of this site to TMX-2. That is why we are requesting a change of time and venue for the public hearing. While we do not disagree that the site should eventually be zoned for transit oriented development, we do not believe a 140,000 square foot big-box should be placed next to a proposed Corridor Cities Transitway stop.

Thank you for your time and consideration.

Sincerely,

Jan Popp
12219 Emerald Way
Germantown, MD 20876

Gail R. Haag
12525 Milestone Manor Lane
Germantown, MD 20876

Greg Pringle
11608 Doxdam Terrace
Germantown, MD 20876

Margaret DuBois
12204 Sunnyview Drive
Germantown, MD 20876

Cc: Royce Hanson, Planning Board Chair
Via Fax 301-495-1320



February 22, 2009

The Honorable Nancy Floreen
President, Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

Re: Germantown Sectional Map Amendment

Dear President Floreen and Members of the Council:

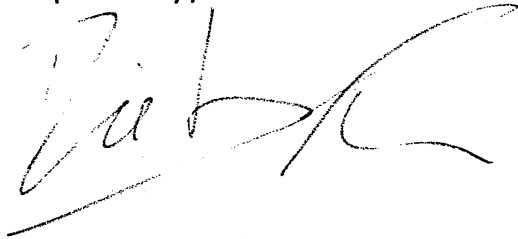
The recently filed Sectional Map Amendment for the Germantown Area Sector Plan should be returned to the drawing board for further study. I would urge each member of the County Council to recommend sending the rezoning application back to the Planning Board.

Many residents in Germantown are concerned about the potential impact this can have on our community. According to the Montgomery County Planning Staff report dated January 13th, over 400 acres are slated for a new mixed-use zoning category called Transit Mixed Use (TMX).

I believe it is imperative that the Council delay any zoning application that includes the Transit Mixed Use zone until adequate protections are placed on new developments within this zone.

Thank You for your attention to this important matter.

Respectfully,



DIETER EBER

12575 ROYAL CROWN
GERMANTOWN
MD, 20876

cc: Sue Edwards, Team Leader, MNCPPC

