

ATTACHMENT 9

Ref: Annexation of land parcels P-458 & P-619 File# X-181
Location: Sam Eig Highway & Diamondback Drive

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

Dear Members:

I have lived in Montgomery County since 1950. My parents moved into the post-war housing of Veirs Mill Village after my dad was released from the Army. As this area became more and more congested, we moved to the brick ramblers being built around a new Wheaton High School. After graduation in 1962, I got married, and served overseas in the Navy and Marine Corps during the Vietnam crisis. When the dust had settled, and I was released from the hospital, my wife and I had a few dollars and a V.A. loan to buy our first house...a modest little place in Twinbrook. It was now 1972. We raised our kids there. It was nice. But, Rockville didn't stay quiet or even suburban for long. Every square inch of land was being developed, traffic became gridlock. In 1985, we moved to what was then a quiet little spot in Crestfield Estates, in the Washingtonian Village area. Our new address: # 7 Norwich Court. It was perfect. We were bordered by the Washingtonian Golf Course, and the beautiful expanse of farmland across the way.

It's now almost 20 years later. The golf course is no more. Our view of farmland has now been replaced by a long string of townhouses along Fields Rd, the RIO shopping complex, and the never-ending noise of cars streaming along Sam Eig Highway. Despite promises of a nice sound barrier wall, the squat little thing we got, does nothing to filter out the screeching tires, or the multiple gear changes by trucks starting out at the traffic light by Fields Rd.

We are now the only single-family housing development in the area. We are surrounded by townhouses, and the traffic continues to increase exponentially each year. All the vehicles in this area coming from Muddy Branch Rd. and Great Seneca Highway funnel through our neighborhood to get onto I-270 by way of Sam Eig Highway. A new project seems to go up on a regular basis along Great Seneca Highway, along with a new traffic light. Most of these residents make use of Muddy Branch or Sam Eig, to get onto I-270. This bottleneck has resulted in commuter headaches for everyone.

When I heard that the only "bare" pieces of land left on our side of Sam Eig might be re-zoned for more townhouses, I almost fell over. Parcel #P-458 has been our only buffer from the increasing crush of development around us. A place to throw a frisbee in the summer and go sledding in the winter. I know change is inevitable. I'm hoping, at least, that you will allow the change to be subtle and carefully thought out. If more development is needed, which I feel is not the case, please

consider leaving the zoning as it is, so that more single-family homes can be built in this area. If not from an aesthetic point of view, please realize that 80, or so, more townhouses, and the traffic that will bring, will increase the gridlock already being felt during peak hours at the traffic lights of:

1. Great Seneca/Muddy Branch
2. Great Seneca/Sam Eig
3. Sam Eig/Diamondback
4. Sam Eig/Fields Rd.
5. Diamondback/Story Drive
6. Muddy Branch/Diamondback

And as a reminder, it can't help but have an impact on Fields Road Elementary and the tiny, but already over-crowded, Muddy Branch Shopping Center that serves our neighborhood.

I apologize if I've sounded like a whining little kid, but I've seen my quiet little neighborhood slowly becoming what I left in Rockville. I would hope the council could see fit to either allow no further development on the two parcels of land #P-458 & #P-619, File # X-181 "Crown Farm Point," or at least leave the "low-density" zoning as it is. We would reluctantly welcome single-family homes on land parcel #P-458 as an alternative choice. Thanks for your time and consideration.

Sincerely,

Doug and Judy Ireland
#7 Norwich Court
Gaithersburg, Md. 20878

From: "Mark Hackman" <mhackman@erols.com>
To: <plancode@gaithersburgmd.gov>, <cityhall@gaithersburgmd.gov>
Date: 12/01/2004 12:44:41 AM
Subject: ANNEXATION X-181 Crown Farm Point

To the Attention of:

The City of Gaithersburg - Planning Commission

The City of Gaithersburg - Mayor and City Council

Mr. Derick Berlage, Chairman, Montgomery County Planning Board

The Montgomery County Council:
Michael Subin, President
Phil Andrews
Nancy Floreen
Michael Knapp
George Leventhal
Thomas Perez
Marilyn Praisner
Steve Silverman

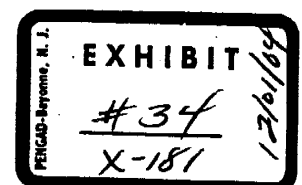
My name is Mark Hackman, I live at 64 Appleseed Lane, Gaithersburg, Maryland 20878. I am writing this e-mail as the President of the Shady Grove Village III Homeowners Association, Board of Directors.

The purpose of this letter is to express my community's concerns regarding the proposed Annexation Agreement X-181, for the land known as Crown Farm Point located at the northwest and southwest quadrant of the intersection of Sam Eig Highway and Diamondback Drive. This land is currently owned by Lorraine Crown, Charles O. Crown, and Catherine V. Stinson.

The subject property is currently located within the jurisdiction of Montgomery County; however the land owners have expressed an interest in annexing the land into the City of Gaithersburg because they believe that the City of Gaithersburg will amend the current Montgomery County R-200 zoning with a TDR-5 overlay, to a City of Gaithersburg, RP-T (Medium Density Residential) zone that will allow the contract purchaser, North Gaithersburg Investment, LLC to build approximately 80 townhouses on this 13.18 acres parcel of land.

The City of Gaithersburg, Greater Neighborhood III already has one of the highest ratios of townhouses to single family detached homes within the City of Gaithersburg. The homeowners in my community and the citizens in Greater Neighborhood III are concerned that the current infrastructure will not support another medium density development, in addition to a proposed 850,000 square feet of speculative office space that is proposed for the Washingtonian North Property. According to the Schematic Development Plan approved by the Mayor and City Council, the Washingtonian North property development will generate another 3000-3400 cars on Sam Eig Highway and the Diamond Interchange.

Our streets are already overburdened with traffic, Fields Elementary School is over capacity and they must use portable classrooms to accommodate the extra students. Parking at the Muddy Branch Shopping Center and the Rio Center is problematic because of the excess number of cars that are already attempting to access this part of the City of Gaithersburg.



In March of 2001, I went to Gaithersburg City Hall and acquired the plans for the Diamond Interchange. Two Civil Engineers that live in my community, the Secretary for our HOA Board and I, took valid measurements regarding the Diamond Interchange to show the City of Gaithersburg that the Diamond Interchange on Sam Eig Highway was not built as designed. Initially the City of Gaithersburg denied our claims that the Diamond Interchange was not built as designed and asked me to write to the Montgomery County Department of Public Works and Transportation (DPWT) Department, since Mr. Ollie Mumpower with the Gaithersburg Department of Public Works, stated in a Public Hearing that the Diamond Interchange was approved by the State of Maryland and Montgomery County.

During April of 2001, I wrote a letter to Ms. Jean Chait and the former Director of the DPWT stating that the Diamond Interchange not being built as designed. After waiting over a year for the Montgomery County Department of Public Works and Transportation to respond to my letter; Mr. Edgar Gonzalez, Deputy Director for Transportation Policy, called me and stated the Montgomery County DPWT, never approved the plans for the Diamond Interchange. Mr. Gonzalez sent me a letter to the City of Gaithersburg requesting that the land developer (Washingtonian North Associates LLC) perform another traffic study to determine if Diamond interchange was sufficient to support the development that had already occurred (or was currently planned at the time) for the south side of Sam Eig Highway in what is known as the Rio Center, not to mention the proposed 850,000 square feet of speculative office space that is proposed for the Washingtonian North Property, which would cause another 3000-3400 cars per day to use Sam Eig Highway and the Diamond Interchange in order to access the Washingtonian North Property.

There have been numerous accidents on Sam Eig Highway on or near the Diamond Interchange and intersection of Field Road and Sam Eig Highway. The two civil engineers that studied the Diamond Interchange expressed the following concerns to the City of Gaithersburg and the Montgomery County DPWT.

1. The Traffic study was performed for a single use (monolithic) Business Campus that was originally intended to be the corporate headquarters for the Manugistics Corporation. When the Manugistics plan failed, the developer (Boston Properties) proposed a multi tenant speculative office park.
2. The traffic counts in the traffic study were based on numbers generated in 1993 and 1994.
3. The Traffic Study was based upon an assumption that only 6% of the traffic would be coming from Rockville Pike (a.k.a. Route 355). Later in the study they projected that 25% of the traffic would come from Rockville Pike.
4. No future traffic volumes were given for the Fields Road Intersection
5. No future intersection analysis was performed for the Fields Road Intersection
6. No weave/merge pattern analysis was performed for the Diamondback Intersection and Sam Eig Highway
7. The weave/merge distance from the 355 off ramp onto Sam Eig Highway and the Diamond Interchange were less than 50% of what was in the original design

The current weave/merge pattern east of the Diamond Interchange as you approach the Diamondback Road turn off is just plain dangerous. Cars traveling east down the Diamond Interchange off-ramp are attempting to merge

left onto Sam Eig Highway while the cars that are traveling east on Sam Eig Highway attempt to merge right, so that they can turn onto Diamondback Road. I experience this traffic insanity on a daily basis as a return home from work. If the X-181 annexation agreement is passed, this will only create more traffic on infrastructure that is currently overburdened and failing.

I respectfully request that the Montgomery County Council and the Montgomery National Capital Park and Planning Commission write a letter expressing their concerns to the City of Gaithersburg Planning Commission and the Mayor and City Council regarding their desire to rezone the Crown Point Land from a Montgomery County R-200 zoning to a City of Gaithersburg RP-T zoning. The Greater Neighborhood III community infrastructure cannot support the extra traffic that would be generated by a medium density development, not to mention the proposed 850,000 sq. ft. of office space that is currently approved for the Washingtonian North Property.

I would also like to request that a member of the Montgomery County Council and/or a member of the Montgomery National Capital Park and Planning Commission appear at tomorrows (December 1, 2004) Planning Commission Meeting to voice your concerns over the proposed annexation agreement. If either the County Council or the Montgomery National Capital Park and Planning Commission decide to send a letter to the City of Gaithersburg, I request that I receive a copy of said letter.

To the City of Gaithersburg, I request that a copy of this e-mail become part of the public record regarding the X-181 Annexation Plan.

Thank you for your attention to this important matter.

Sincerely yours,

Mark Hackman
President
Shady Grove Village III Homeowners Association
Board of Directors
Tel: 301-947-8000

CC: <mcp-chairman@mncppc-mc.org>, <county.council@montgomerycountymd.gov>, <Councilmember.subin@montgomerycountymd.gov>, <Councilmember.Andrews@montgomerycountymd.gov>

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

2 Gibson Court
Gaithersburg, MD 20878
December 8, 2004

Montgomery County Council
Derick Berlage, Chairman
8787 Georgia Ave.
Silver Spring, MD 20910

Dear Chairman Berlage:

We live in the City of Gaithersburg in a small neighborhood called the Courts of Watch Hill. Recently, signs went up on a field adjacent to our neighborhood announcing that a developer had petitioned the City to annex and rezone the field in order to build a dense cluster of town homes. This action was described as:

**X-181 – Lorraine Crown, Charles O. Crown, and Catherine V. Stinson
North Gaithersburg Investment, LLC. (Contract Purchaser)**
Application to annex 13.18 acres of land, known as Crown Farm Point, located at the northwest and southwest quadrant of the intersection of Sam Eig Highway and Diamondback Drive. The application requests a reclassification of the subject property from the current R-200 (Low-Density Residential) Zone with a TDR-5 overlay (Transfer of Development Rights) in the County, to the RP-T (Medium Density Residential) Zone in the City of Gaithersburg, Maryland.

We strongly urge you to maintain the current zoned designation for this property.

For the past 10 years the quality of life in our community has steadily gone down. The schools are grossly overcrowded; as is the library, transfer station, and other public services. The grocery store is a madhouse as is the MVA. The burden on I-270 has turned the morning commute into a nightmare. The intersections are jammed and the traffic is increasingly aggressive, noisy, and dangerous. Even without the proposed town home development, there are several large pending projects nearby that will add significantly to the current congestion bringing even more stress to our community in the coming years. Cramming yet another dense town home development in our area will only exacerbate greatly the problems we face.

Of course, all of these problems and more are already catalogued in the Gaithersburg Master plan. We would like to see this land used in a creative and productive way that enhances the community and makes Gaithersburg a better place.

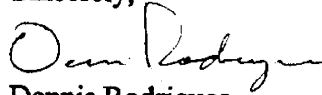
Repetitive tracts of town homes represent the absolute worse when it comes to creating bland, sterile, characterless suburban landscapes. Why do some parts of Gaithersburg stand out as visionary and award winning but in our area, the plan is: an unending tract of

town homes? In every respect, this does nothing to help create a sense of character and place for the city. In fact, it makes things far worse.

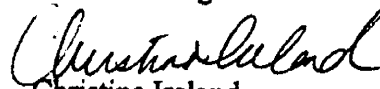
Also of concern is the failure of our professional planners to hold some land in reserve in anticipation of future needs. Filling every available tract with dense housing limits any chance of adding additional service and community support facilities in the future.

On Dec 1 at the Gaithersburg City zoning commission meeting, many members of the community attended and raised serious concerns and asked the Zoning Commission to reject the proposal to annex and re-zone this property. We call upon you as our representative to assist the citizens in neighborhood 3 who intensely oppose this proposal.

Sincerely,



Dennis Rodrigues



Christine Ireland

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DEC 01 2004

Senior, Sherrie

From: Jim Michalowski [jim_michalowski@hotmail.com]
Sent: Wednesday, December 01, 2004 9:06 AM
To: MCP-Chairman
Subject: Posted Crown Family Properties-Corner of Sam Eig & Diamondback

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

Montgomery County Planning Board:

We strongly object to any residential development of the above two properties that would increase the current zoning of five single family detached houses per acre to a higher density.

This area is already saturated with high density housing and the Greater Neighborhood III community does not need any more traffic congestion and related problems.

We strongly advise you not to support any action that would increase the zoning density of the above two properties.

Jim Michalowski
Gaithersburg

ATTACHMENT 10

County Revenue Implications of Annexation Petition X-181

ESTIMATED ANNUAL TAX PAID TO THE COUNTY BEFORE ANNEXATION

Total Appraised Value of the Properties	\$ 3,280
Assessed Value Divided by 100	\$ 33
Multiplied by the Total Tax Rate of:	<u>1.141</u>
=Total Annual Tax Paid to the County	\$ 31

ESTIMATED SPECIAL SERVICE AREA TAXES PAID TO THE COUNTY THAT WOULD NOT BE PAID AFTER ANNEXATION BASED ON 2004 LEVY YEAR RATE SCHEDULE

	Tax Rate		Assessed Value/100		Yearly Tax Loss
Recreation Tax	0.025	*	\$ 33	=	\$ 1
Storm Drainage Tax	0.003	*	\$ 33	=	\$ 0
Total Yearly Loss to County					\$ 1

ESTIMATED PARK TAX THAT SHOULD CONTINUE TO BE PAID AFTER ANNEXATION

	Tax Rate		Assessed Value/100		Park Tax
Metropolitan Tax	0.059	*	\$ 33	=	\$ 2

Sources: Montgomery County Department of Finance
State Department of Assessments and Taxation

Montgomery County Department of Park and Planning,
Research and Technology Center, January 13, 2005

NM:tv a:\x-178pettabrevised