



MCPB
Item No:
Date: 6/15/17

Corrective Map Amendments H-120 and H-121



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Staff Report Date: 6/1/17

Description

The following Corrective Map Amendments (CMAs) are necessary to correct technical errors that staff has discovered on the official zoning maps for Montgomery County.

A. Montgomery Village Center

Recommendation: Approval to file Corrective Map Amendment H-120 with a Planning Board recommendation of approval to the District Council.

B. Kings Crossing

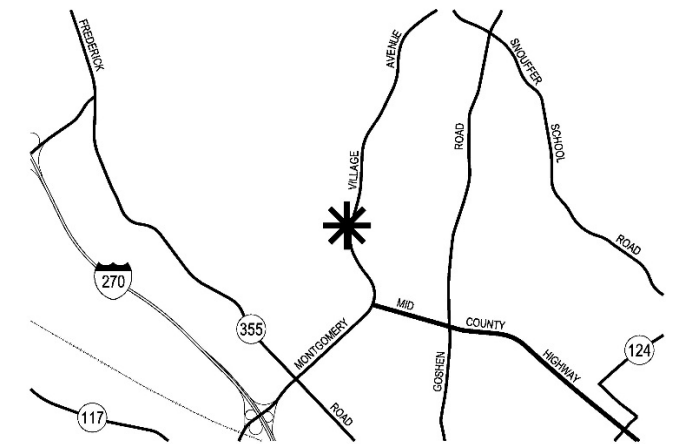
Recommendation: Approval to file Corrective Map Amendment H-121 with a Planning Board recommendation of approval to the District Council.

Background

Section 59-7.2.2, Corrective Map Amendment (CMA), allows for the correction of an administrative or technical error that occurs in a Sectional or District Map Amendment. The CMA process allows for correction of inadvertent omissions and mistakes without impacting the original intent of the rezoning actions. The Planning Board must show that there is an error or inaccurate depiction of the zoning boundary line on the adopted zoning map. Only the Planning Board may file an application for a CMA.

This report covers two Corrective Map Amendments.

A. Corrective Map Amendment H-120: Montgomery Village Center

<ul style="list-style-type: none">• Location: Montgomery Village Avenue, west of the intersection of Centerway Road in Gaithersburg, MD• Zone: CRT-1.5, C-0.75, R-1.25, H-75• Subject Site Size: 42.45 acres• Master Plan: <i>2015 Montgomery Village Master Plan</i>	
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Staff Summary

- A technical error occurred in Sectional Map Amendment H-112 within the Subject Site for the Residential floor area ratio (FAR) of the Commercial Residential Town (CRT) zone. It currently does not accurately reflect the R-1.0 FAR as recommended in the *2015 Montgomery Village Master Plan*.
- This CMA will not affect the Montgomery Village Center Sketch Plan (320170020) that was approved on December 15, 2016.

The Montgomery Village Master Plan (MVMP) was approved by the Montgomery County Council on February 9, 2016, by Resolution 18-398. In addition to approving the Master Plan, on February 9, 2016, the County Council approved zoning text amendment 15-12, (Council Ordinance 18-10) creating the Montgomery Village Overlay zone. On March 16, 2016, the Maryland-National Capital Park and Planning Commission adopted the approved plan by Resolution 16-01.

On April 7, 2016, the Montgomery County Planning Board approved the filing of Sectional Map Amendment H-112 with the County Council. The District Council implemented the zoning changes recommended by the approved MVMP by Resolution 18-534.

On December 15, 2016, the Montgomery County Planning Board approved Sketch Plan 320170020 to revitalize the existing Montgomery Village Shopping Center. The property consists of 18.784 acres and six lots. This CMA will not affect the prior approved sketch plan.

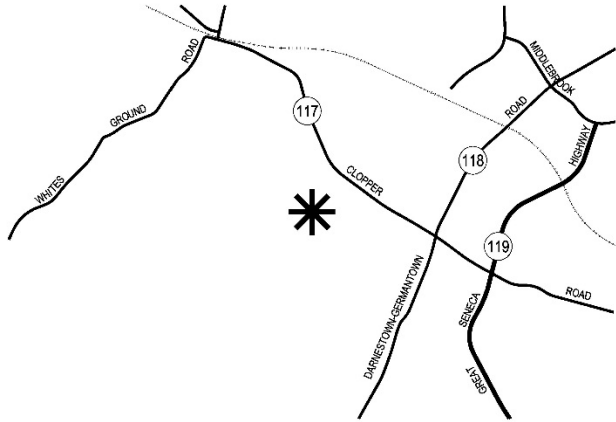
Corrective Map Amendment

This CMA is necessary to correct the residential FAR of the CRT zone for the Village Center site. The Planning Department was notified by David Humpton of the Montgomery Village Foundation that an error existed on the Montgomery County Zoning Map for the property located at 19630-19644 Club House Road. Staff researched the issue separately and determined other adjacent properties had the same mapping error.

The subject site is located on a block bounded by Montgomery Village Avenue, Club House Road, Watkins Mill Road, and Stedwick Road, in Gaithersburg, Maryland. The subject site is in the Middle Village area of the MVMP and is 42.45 acres. The majority of the subject site consists of commercial uses, including the following: Montgomery Village Shopping Center, Montgomery Village Library, U.S. Post Office, Montgomery Village Care, Global Food (grocery store), Montgomery Village Car Wash, and a number of retail pad sites and storefronts. The subject site is also surrounded by multiple residential townhome and apartment developments to the north and south. It is also in close proximity to three schools: Stedwick Elementary, Montgomery Village Middle, and Whetstone Elementary. This CMA will not affect the existing site or surrounding properties other than to correct the residential zoning designation of the site.

Staff have determined the original SMA H-112, which included “Change #51” (see Attachment 2) did not reflect the recommended zoning classification, in the MVMP (see Attachment 3), as shown on page 59 of Figure 16: Proposed Middle Village Zoning, site “1” to be CRT-1.5, C-0.75, **R-1.0**, H-75. A technical error occurred within SMA H-112, which shows “Change #51” to be zoned CRT-1.5 C-0.75 **R-1.25** H-75. Staff found this to be an inadvertent mistake and recommends reclassifying approximately 42.45 acres, from the CRT-1.5, C-0.75, **R-1.25**, H-75 Zone to CRT-1.5, C-0.75, **R-1.0**, H-75 Zone. This will correctly show the intended zoning classification, established by Resolution 18-398 (MVMP).

B. Corrective Map Amendment H-121: Kings Crossing

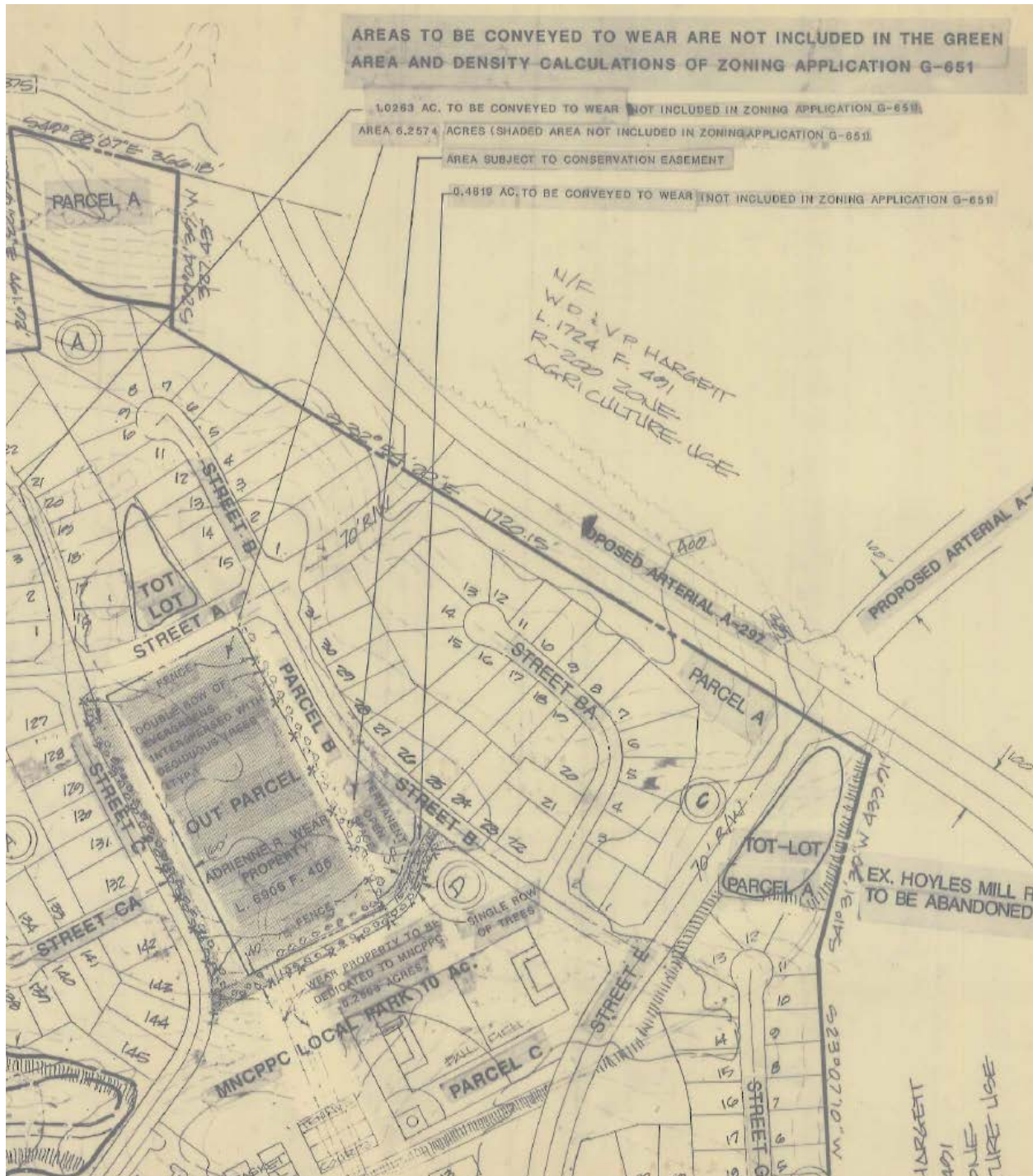
<ul style="list-style-type: none"> • Location: The southeast corner of the intersection of Crossview Road and Autumn Gold Road, Boyds • Zone: PD-2 • Subject Site Size: 5.986 acres • Master Plan: <i>1989 Germantown Master Plan</i> 	
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Staff Summary

- Zoning case G-651, approved by the County Council on September 25, 1990, reclassified 390.1486 acres from the R-200 and Rural Zones to the PD-2 Zone.
- A property owned at the time by Adrienne Wear was explicitly excluded from the zoning application. An agreement was also made between Ms. Wear and the applicants for the rezoning to swap a small part of the Wear property used to access the former Hoyles Mill Road for about an acre of the applicant’s property surrounding the Wear property. The agreement also provided for “alternative driveway access, fencing and landscaping, a conservation easement and the location of a local park to the south” (G-651 OZAH Report, page 26). The property Ms. Wear received from the applicant was also explicitly excluded from the zoning application. See Figure 1.

- The subsequent preliminary plan of subdivision for the PD-2 zoned Kings Crossing (plan number 119880060) resulted in a street and property layout significantly different than the layout shown in the development plan. The Wear property was not included in that plan of subdivision.

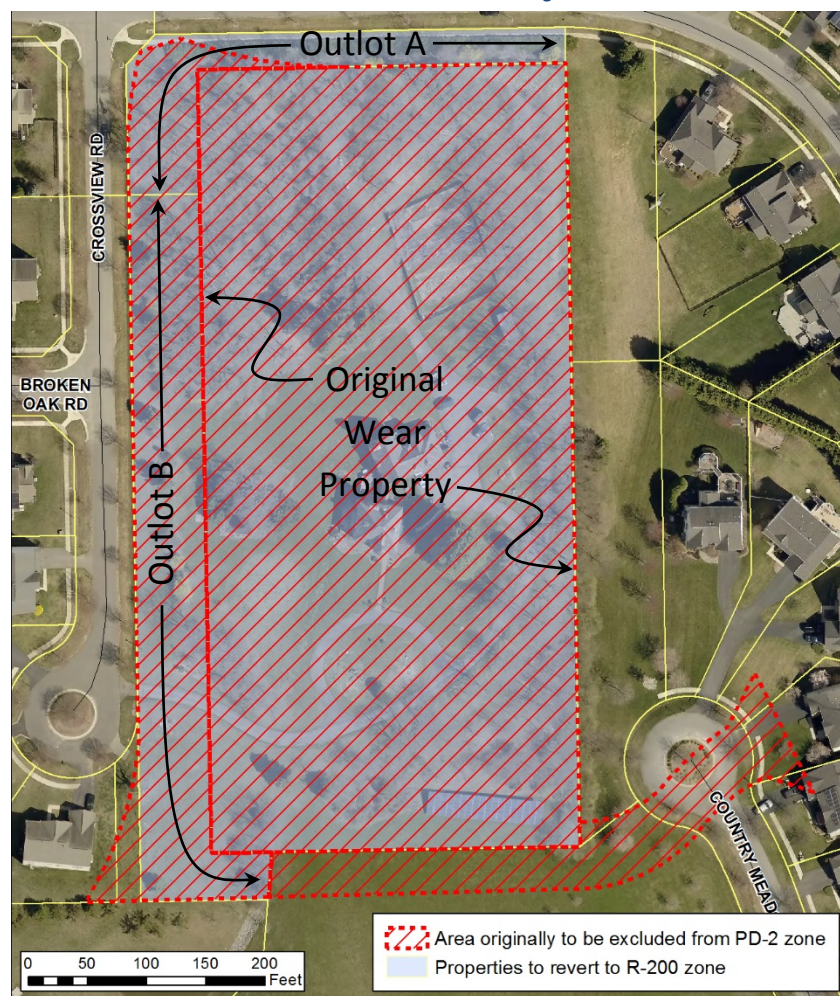
Figure 1. The portion of certified Development Plan G-651 showing the areas excluded from the plan.



As can be seen in Figure 1, notes on the development plan explicitly excluded the Wear property (shaded), referred to as “Out Parcel,” and the two areas “to be conveyed to Wear.” One of the two properties to be conveyed wraps around the Wear parcel on its western side to provide a landscaping buffer, whereas the other property to be conveyed was intended to provide access to the Wear property from the east.

In Figure 2, to the right, the areas shown on the development plan as excluded from the PD-2 zone (red-hatched area) are overlaid on a 2015 aerial image; the current property lines are shown in yellow. In 1997, prior to the conveyance of the properties to Ms. Wear, she sold her property to Robert and Welmoed Sisson. In 2002, the applicant for the original rezoning (Arcola Investment Associates), conveyed two outlots to the Sissons in fulfillment of the land-swap agreement. The original Wear property and the two outlots conveyed to the Sissons are shown shaded in Figure 2. Access to the property is now from the west, obviating the need for access to the east. The Sissons have recently sold their properties to Jim Zhao and Dianna Lu, who now wish to subdivide the property.

Figure 2. The entire image area below is part of the PD-2 zone. The original Wear property and the two outlots were excluded from the zoning application that applied the PD-2 zone to the area and should revert to their original R-200 zone.



Corrective Map Amendment

This CMA is to correct the zoning of the properties now owned by Zhao and Lu to the R-200 zone. Although zoning case G-651 showed a very specific area as excluded from the PD-2 Zone, Staff believes that the *intent* of the zoning case was to exclude from the PD-2 Zone the Wear property and the properties involved in the land swap. To correct the zoning exactly as shown in the certified Development Plan would create eight split-zoned properties, which could cause unnecessary difficulties for the affected property owners in the future, including the current owners of the original Wear property and the two outlots.

In July 2014, the District Council adopted District Map Amendment (DMA) G-956 via Council Resolution 17-1166, which became effective on October 30, 2014. The requested CMA is to correct an error on the zoning map prior to the adoption of the DMA that was carried forward through the District Map Amendment process.

Conclusion and Recommendations

Staff recommends approval to file CMAs with the District Council with a recommendation of approval by the Planning Board for the above corrective actions to be transmitted to the District Council.

Attachments:

Attachment 1: Corrective Map Amendment H-120 Map

Attachment 2: County Council Resolution 18-534

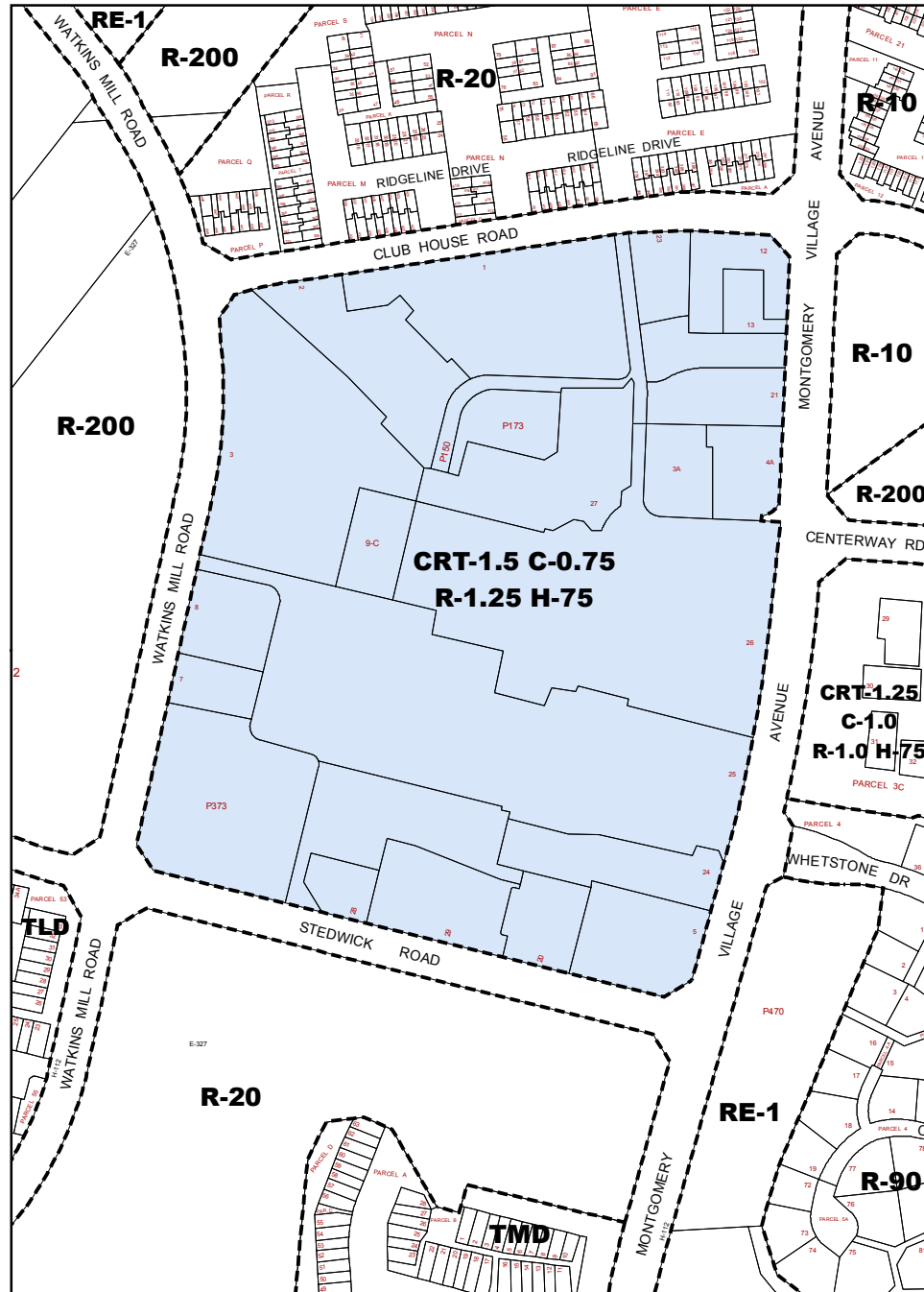
Attachment 3: County Council Resolution 18-398

Attachment 4: Corrective Map Amendment H-121 Map

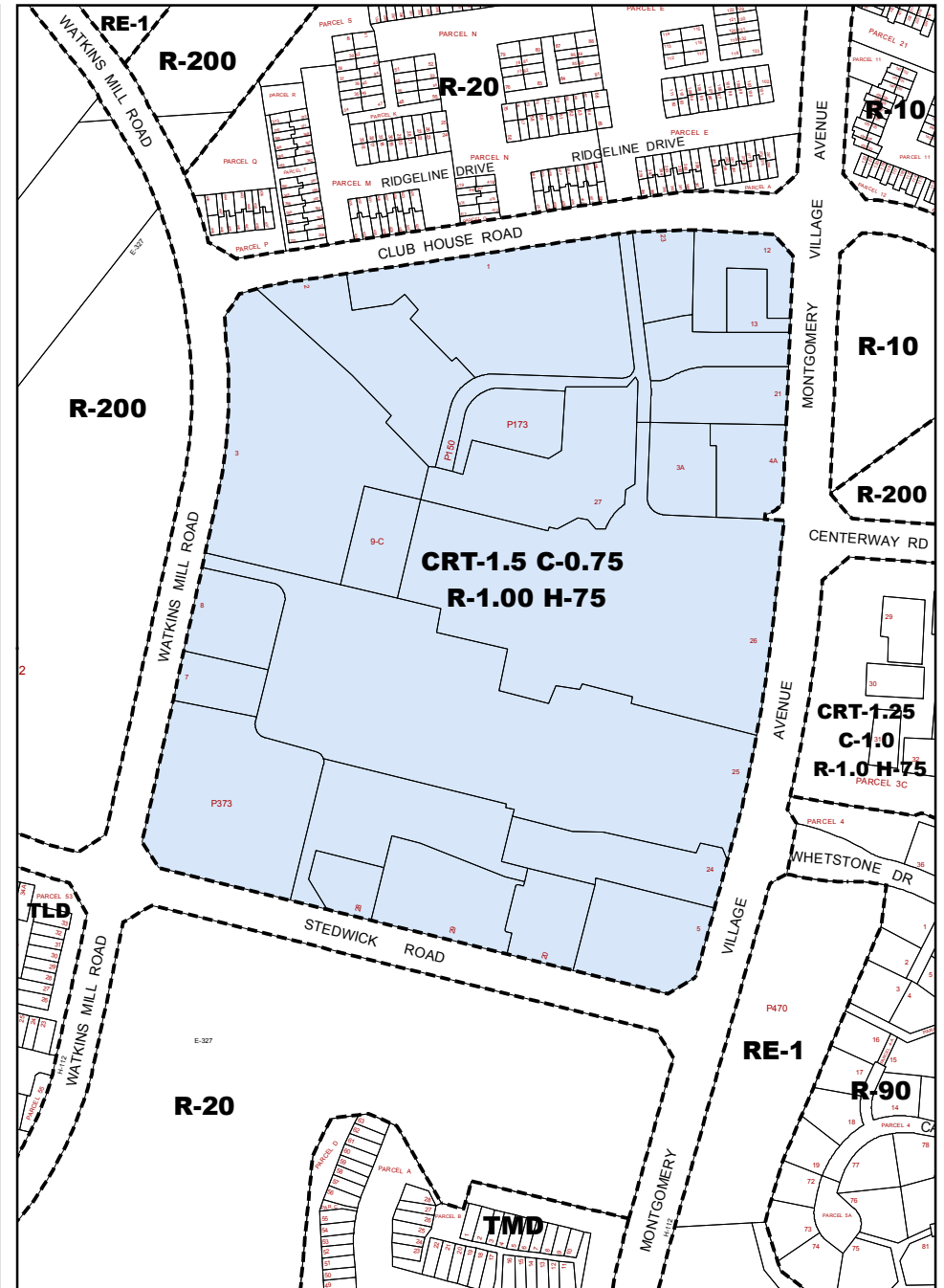
Attachment 5: County Council Resolution 11-2230

ATTACHMENT # 1 (H-120)

Existing Zoning - January, 2017



Proposed Correction



Map Grid: 226 & 227 NW10

1 in = 400 ft

ATTACHMENT 2

Resolution No.:	<u>18-534</u>
Introduced:	<u>June 21, 2016</u>
Adopted:	<u>June 21, 2016</u>

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Montgomery Village Master Plan Sectional Map Amendment (H-112)

OPINION

Sectional Map Amendment (SMA) H-112 was filed by the Maryland-National Capital Park and Planning Commission and is a comprehensive rezoning application for the purpose of implementing the zoning recommendations contained in the Approved and Adopted Montgomery Village Master Plan. The SMA application covers approximately 2,512 acres. It would rezone approximately 2,270 acres and reconfirm the zoning on 65 acres. It will also add the 2,435 acre Montgomery Village Overlay zone, which is coterminous with the Montgomery Village Master Plan area.

The District Council approved the Montgomery Village Master Plan on February 9, 2016. The Master Plan sets forth the specific land use and zoning objectives for the development of the Montgomery Village Master Plan area and was subject to extensive and detailed review by the District Council. The District Council held a public hearing on the Draft Plan on December 1, 2015, wherein testimony was received from interested parties, and the County Executive transmitted to the County Council his fiscal impact analysis for the Montgomery Village Master Plan on January 6, 2016.

Sectional Map Amendment (SMA) H-112 was filed on April 12, 2016 by the Montgomery County Planning Board to implement the specific zoning recommendations of the Montgomery Village Master Plan.

The Council held a public hearing on the SMA for the Montgomery Village Master Plan on June 14, 2016. In addition to testimony in support of the SMA and testimony not germane to the rezoning, the Council received testimony asking that there be a separate zone for open space. Open space throughout the County has the same zone as the surrounding properties, which provides the flexibility to add new open space without requiring a rezoning. The Council did not believe there was any merit to changing this practice. Moreover, the Montgomery Village Overlay Zone (adopted in February 2016) ensures that existing open space owned by the Montgomery Village Foundation and homeowners associations will be retained as open space.

The Council considered the Sectional Map Amendment at a worksession held on June 21, 2016. The Council finds Sectional Map Amendment Application H-112 to be consistent with the Approved and Adopted Montgomery Village Master Plan and necessary to implement the land use and development policies expressed in the Approved and Adopted Montgomery Village Master Plan.

The evidence of record for Sectional Map Amendment H-112 consists of all record materials compiled in connection with the County Council public hearing on the Planning Board Draft of the Montgomery Village Master Plan, dated December 1, 2015, and all record materials compiled in connection with the public hearing held by the Council on June 14, 2016 on Sectional Map Amendment H-112.

For these reasons, and because to grant this application will aid in the accomplishment of a coordinated, comprehensive, adjusted and systematic development of the Maryland-Washington Regional District, this application will be GRANTED.

Action

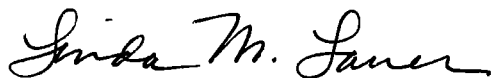
The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland approves the following resolution:

1. Application No. H-112, Maryland-National Capital Park and Planning Commission, Applicants for the Sectional Map Amendment covering the area of the Montgomery Village Master Plan consisting of approximately 2,512 acres, more or less, is GRANTED. Approximately 2,270 acres are proposed for change in zoning classification and 65 acres are reconfirmed. In addition, the 2,435 acre Montgomery Village Overlay zone, which is coterminous with the Montgomery Village Master Plan area, is added.
2. The following areas are reclassified as part of this action, consistent with the recommendations in the Montgomery Village Master Plan.

Table 1: Parcels to be Rezoned¹

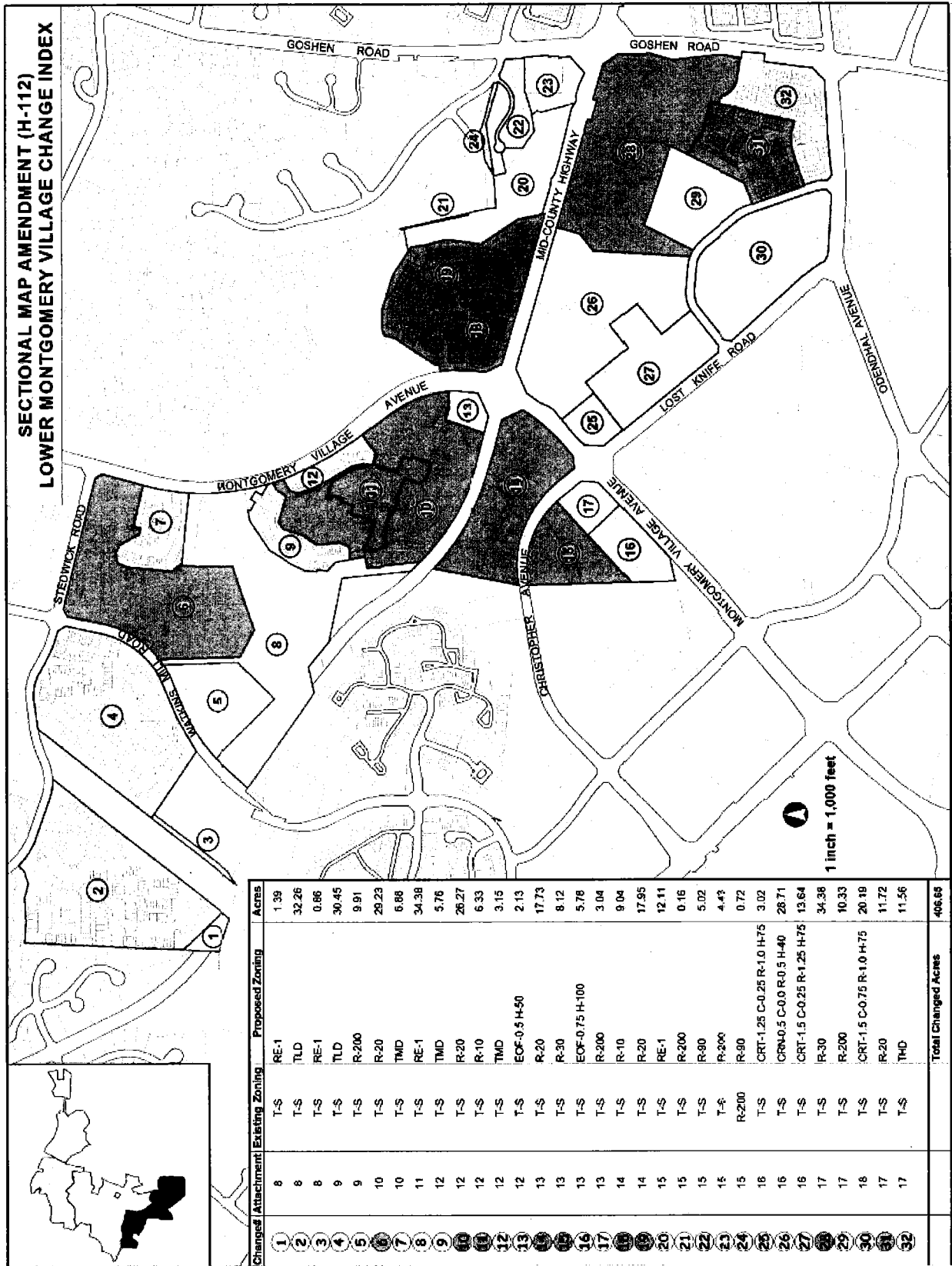
Area	Existing Zones	Proposed Zone	Acres
1, 3, 8, 20, 33, 35, 37, 40, 43, 44, 53, 71, 73, 75, 80, 83, 84, 87, 92, 99, 103, 114, 116, 119, 122, 123, 128, 130, 131, 134	T-S	RE-1	375.24
5, 17, 21, 23, 29, 38, 48, 49, 50, 55, 65, 66, 67, 68, 76, 89, 112, 113, 117	T-S	R-200	219.66
22, 34, 47, 69, 70, 74, 82, 85, 106, 109, 115, 120, 127, 132, 135	T-S	R-90	542.82
107	T-S	R-60	13.19
2, 4, 36, 39, 46, 56, 58, 61, 79, 81, 88, 93, 100, 110, 111, 126, 129, 133	T-S	TLD	469.37
7, 9, 12, 41, 42, 45, 57, 77, 90, 102, 104, 105, 125	T-S	TMD	162.67
32, 86, 101	T-S	THD	54.45
11, 18, 63, 64, 94	T-S	R-10	37.68
6, 10, 14, 19, 31, 52, 62, 78, 108	T-S	R-20	168.00
15, 28	T-S	R-30	42.50
26	T-S	CRN-0.5 C-0.0 R-0.5 H-40	28.71
54	T-S	CRN-0.5 C-0.0 R-0.5 H-65	27.31
25	T-S	CRT-1.25 C-0.25 R-1.0 H-75	3.02
72	T-S	CRT-1.25 C-1.0 R-1.0 H-75	6.59
27	T-S	CRT-1.5 C-0.25 R-1.25 H-75	13.64
30	T-S	CRT-1.5 C-0.75 R-1.0 H-75	20.19
51	T-S	CRT-1.5 C-0.75 R-1.25 H-75	42.45
60	T-S	EOF-0.5 H-45	1.70
13, 91	T-S	EOF-0.5 H-50	3.96
16	T-S	EOF-0.75 H-100	5.78
97	T-S	IL-0.5 H-45	5.26
95, 96, 98	T-S	NR-0.25 H-45	23.58
	N/A	Montgomery Village Overlay Zone	2,512.48
		Total Changes	2267.77

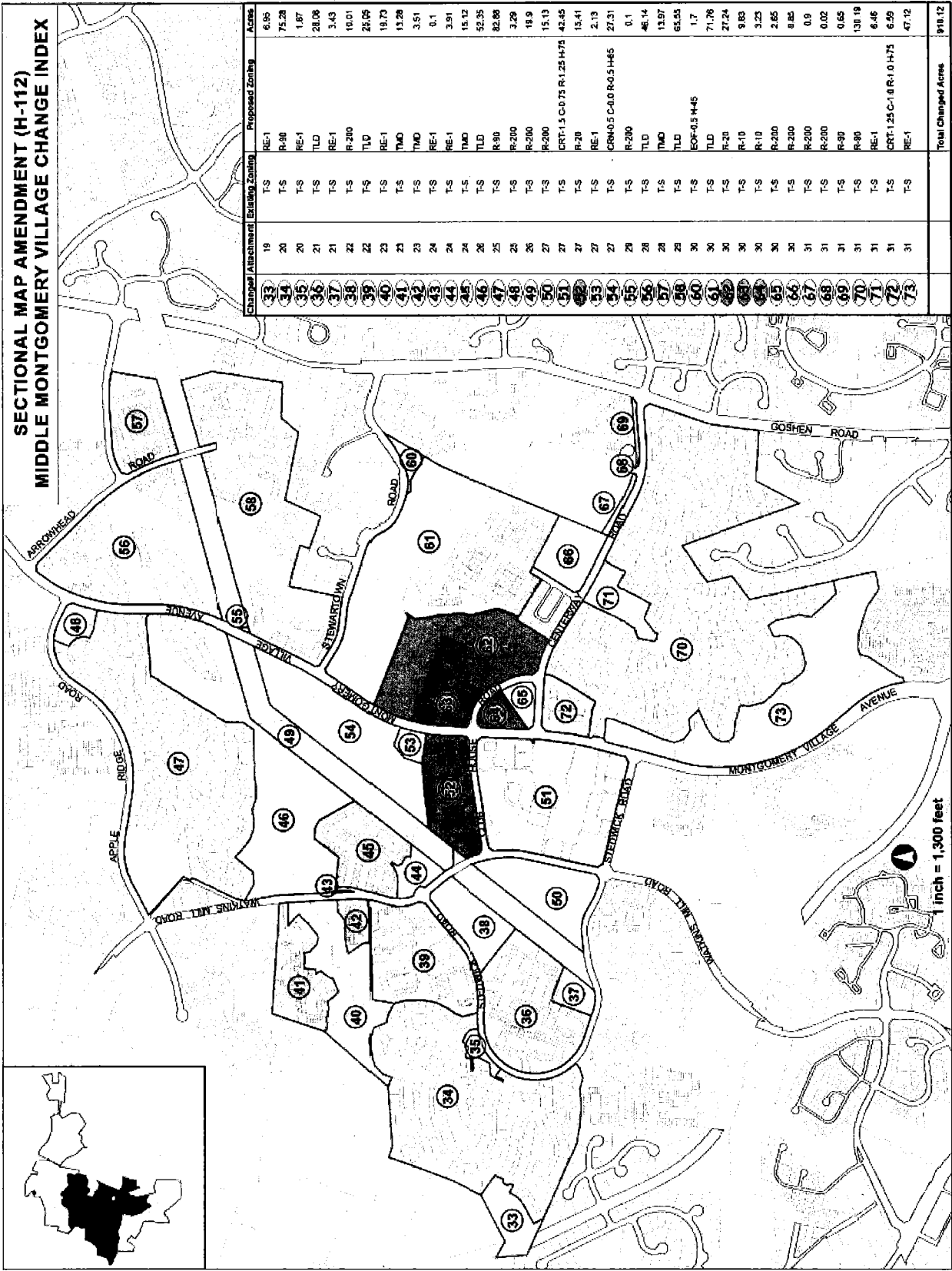
This is a correct copy of Council action.

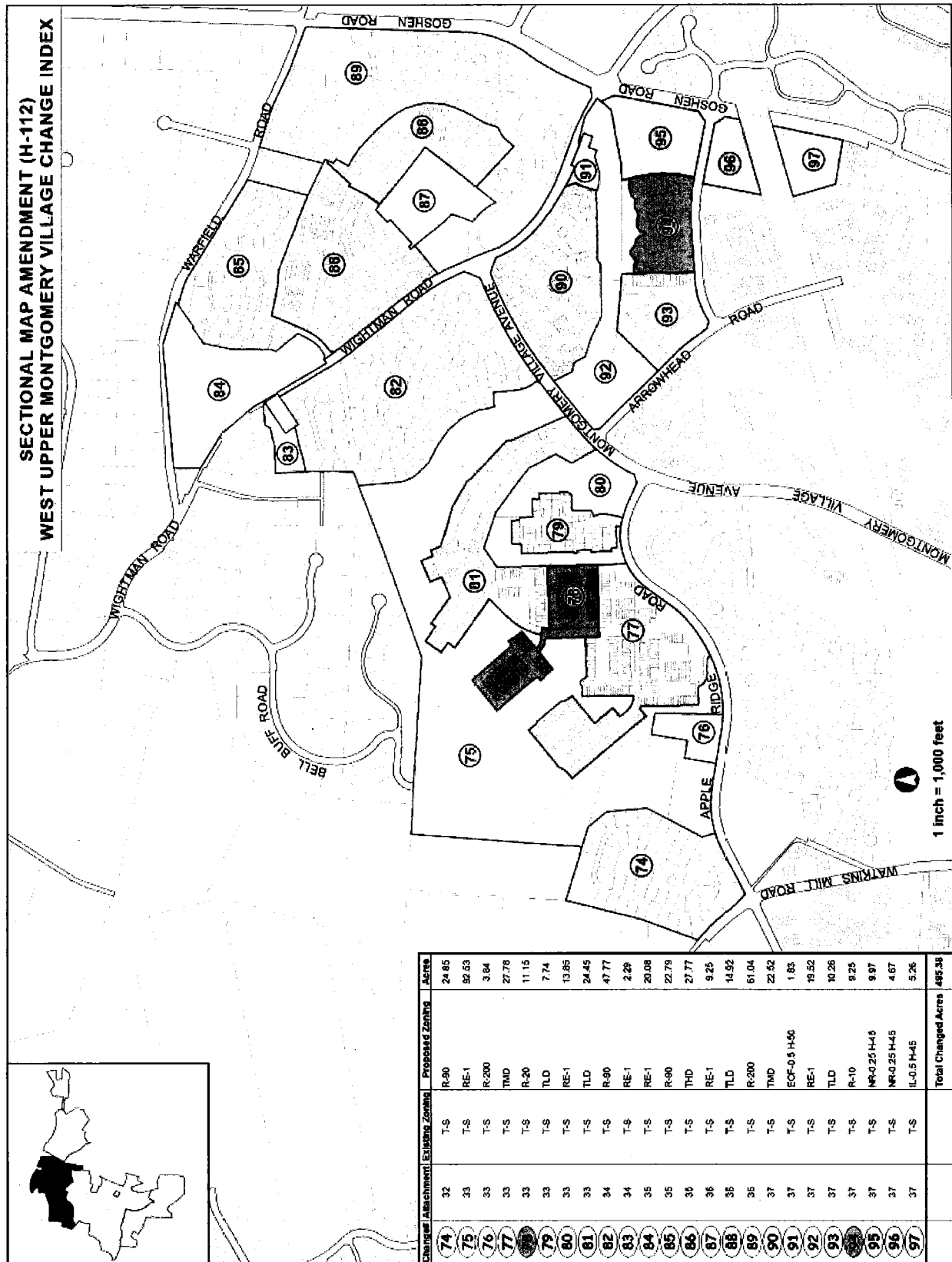


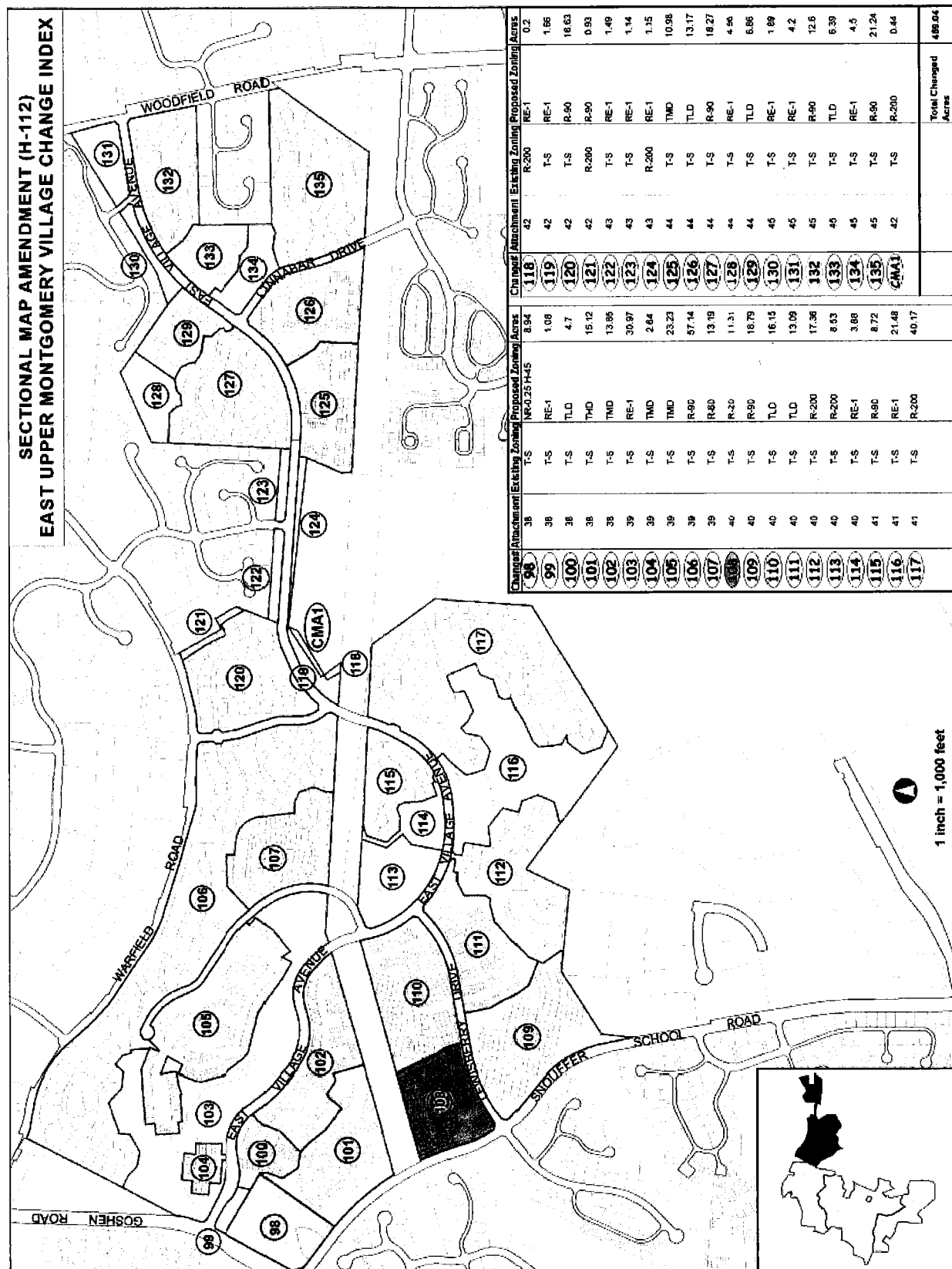
Linda M. Lauer, Clerk of the Council

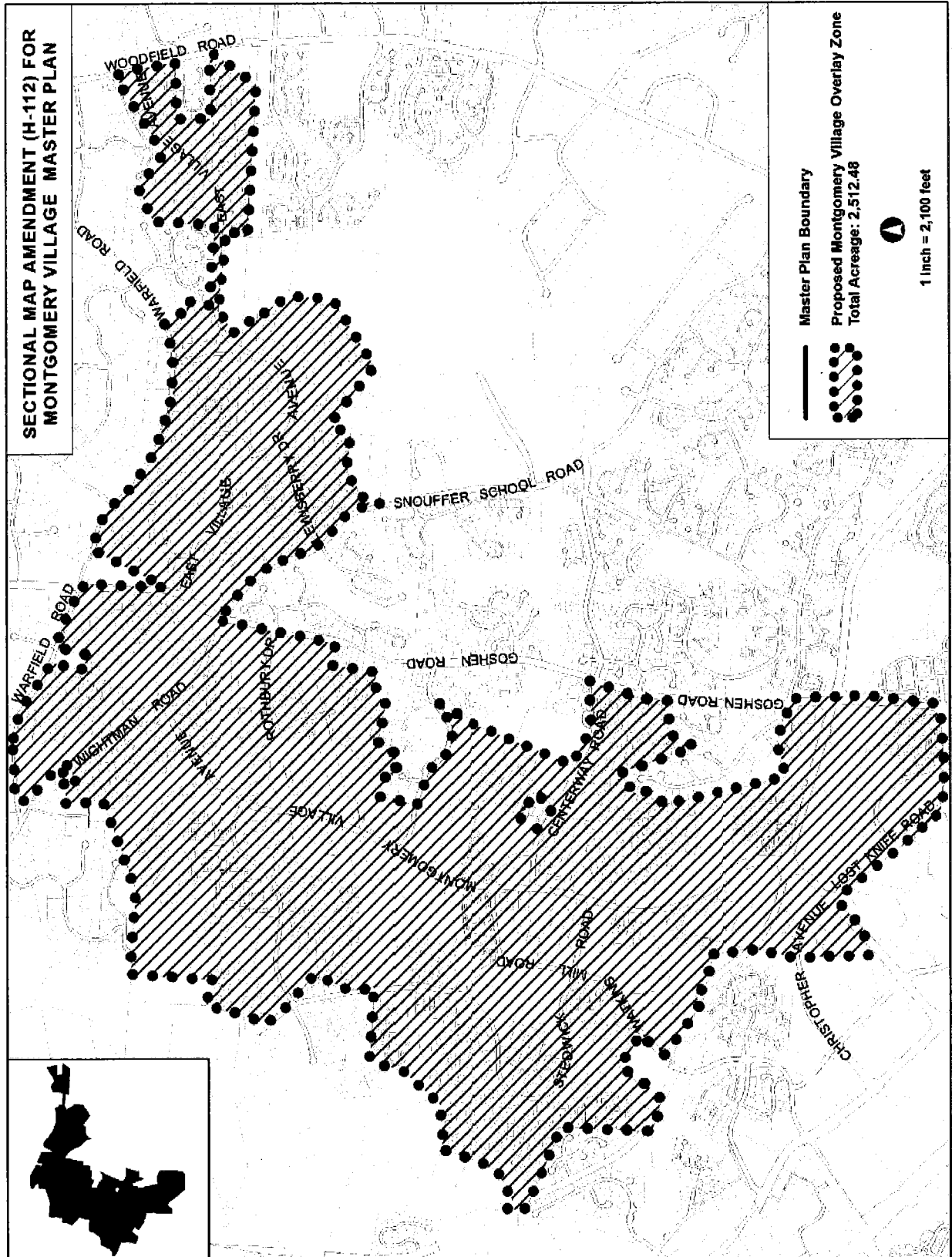
¹ The acreages shown in this table are estimates of acreage to be rezoned; actual acreage will depend on future engineering surveys. In approving the Zoning Maps, the District Council is approving the boundary lines, not a precise acreage amount.



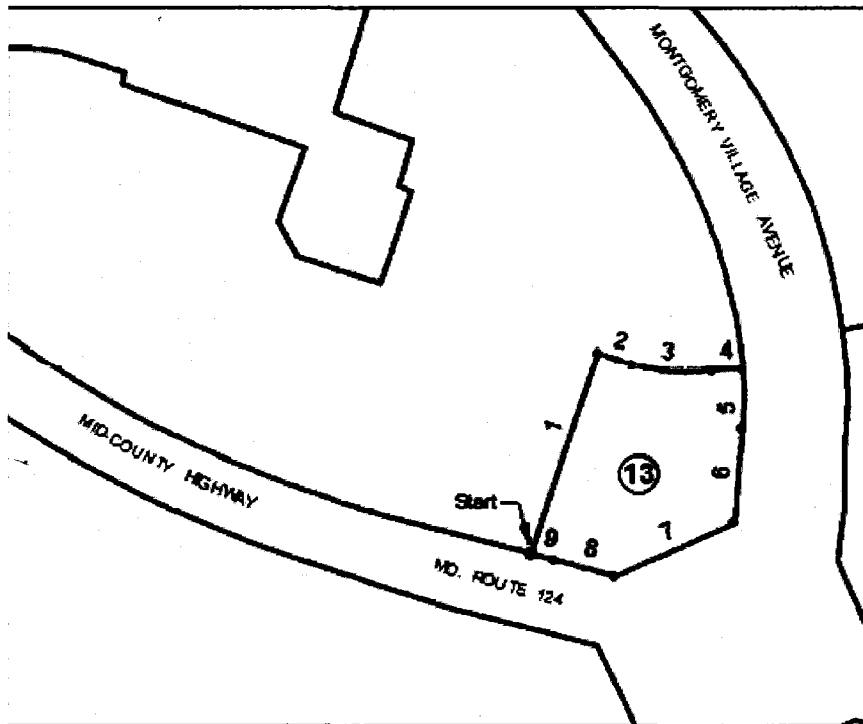








Metes and bounds description for split zone block #13



Beginning at an XY coordinate recognized as
 NAD_1983_StatePlane_Maryland_FIPS_1900_Feet
 From point - X: 1254647.983704' Y: 544132.423889'

Thence **Segment 1** Direction: N 18-41-37 E, Distance: 352.62'

Thence **Segment 2** Direction: S 71-32-45 E, Distance: 59.04'

Curve right Chord **Segment 3** Direction: S 85-50-48 E, Distance: 135.48'

Thence **Segment 4** Direction: N 87-50-37 E, Distance: 49.25'

Curve right Chord **Segment 5** Direction: S 0-7-11 W, Distance: 100.24'

Thence **Segment 6**: -Direction: S 5-5-50 W, Distance: 156.91'

Thence **Segment 7**: -Direction: S 66-6-20 W, Distance: 216.70'

Thence **Segment 8**: -Direction: N 75-19-40 W, Distance: 102.68'

Thence **Segment 9**: Direction: N 75-19-40 W, Distance: 43.16'

ATTACHMENT 3

Resolution No.: 18-398
Introduced: February 9, 2016
Adopted: February 9, 2016

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Approval of October 2015 Planning Board Draft Montgomery Village Master Plan

1. On October 27, 2015, the Montgomery County Planning Board transmitted to the County Executive and the County Council the October 2015 Planning Board Draft Montgomery Village Master Plan.
2. The October 2015 Planning Board Draft Montgomery Village Master Plan amends portions of the Approved and Adopted 1985 Gaithersburg Vicinity Master Plan, as amended. It also amends The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties, as amended; the Master Plan of Highways and Transitways, as amended; and the Countywide Bikeways Functional Master Plan, as amended.
3. On December 1, 2015, the County Council held a public hearing on the October 2015 Planning Board Draft Montgomery Village Master Plan. The Master Plan was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.
4. On January 6, 2016, the Director of the Montgomery County Office of Management and Budget transmitted to the County Council the Fiscal Impact Statement for the October 2015 Planning Board Draft Montgomery Village Master Plan.
5. On January 11 2016, the Planning, Housing, and Economic Development Committee held a worksession to review the issues raised in connection with the October 2015 Planning Board Draft Montgomery Village Master Plan.
6. On January 26, 2016, the County Council reviewed the Planning Board Draft Montgomery Village Master Plan and the recommendations of the Planning, Housing, and Economic Development Committee.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following resolution:

The Planning Board Draft Montgomery Village Master Plan, dated October 2015, is approved with revisions. County Council revisions to the Planning Board Draft Montgomery Village Master Plan are identified below. Deletions to the text of the Plan are indicated by [brackets], additions by underscoring. All page references are to the October 2015 Planning Board Draft Plan.

Page 25: Revise Proposed Zoning Map (Figure 5) to reflect Council changes and to indicate the boundaries of the Montgomery Village Overlay zone.

Page 27: Revise the first paragraph of the section titled “3.3.1 Public Schools” as follows:

Most of the MVMP is located within the service areas of schools in the Watkins Mill [High School] cluster[. A]; a small portion of the Plan is within the Gaithersburg [High School] cluster. In the Watkins Mill cluster, the Plan area is served by South Lake, Stedwick, Watkins Mill, and Whetstone Elementary Schools, Montgomery Village and Neelsville Middle Schools, and Watkins Mill High School. In the Gaithersburg cluster, the Plan area is served by Goshen Elementary School, Forest Oak Middle School, and Gaithersburg High School. Enrollment increases have been occurring at all these schools, and a variety of strategies should be considered to accommodate [increases in] additional students [that could result from additional development in the MVMP area] resulting from the Plan. The Plan includes a potential future elementary school site.

Page 28: Revise the first paragraph of the section titled “Elementary Schools” as follows:

A. Elementary Schools

At the elementary school level in the Watkins Mill cluster, Stedwick, Watkins Mill, and Whetstone Elementary Schools are projected to be near full utilization for the next six years, while enrollment at South Lake Elementary School is projected to [significantly] exceed the school’s capacity. [A feasibility study for an addition at South Lake Elementary School is being conducted in fiscal year 2015.] In the Gaithersburg cluster, Goshen Elementary School is projected to [exceed its capacity in] be near full utilization for the next six years [and a feasibility study for an addition is currently underway].

Pages 28-30: Revise the last paragraph on page 28, delete the bullets that follow, and add two bullets as follows:

Enrollments at all elementary schools that serve the Plan area are forecast to be close to, or exceed, the 740 students that [constitute] MCPS has determined is the high end of the desired size for elementary schools. Combined, current projections indicate that, for the next six

years, there will be little space available in the elementary schools that serve the Plan area[, even with the planned additions]. If there is insufficient surplus capacity available at these schools by the time new housing occupancies occur in the Plan area, then MCPS would explore the following range of options to serve additional elementary school students:

- [Determine if space is available at nearby elementary schools in the area and reassign students to a school(s) with space available.]
- [Build an addition, or additions, at nearby school(s) and reassign students to the school(s) with increased capacity.]
- [If the capacity of existing elementary schools, even with additions built, is insufficient to address increased enrollment, then the opening of a new elementary school would be considered. A new elementary school could be provided in one of two ways:
 - A former operating elementary school could be reopened. However, there are no former elementary schools in the Watkins Mill and Gaithersburg clusters.
 - Construct a new elementary school. Centerway Local Park, among other site options, may be considered in the future during site selection if the need for a new school arises. Co-location and/or purchase of a site may be required.]
- Determine if there is surplus capacity or the ability to increase the capacity of elementary schools adjacent to the Watkins Mill and Gaithersburg clusters, and reassign students to a school with sufficient capacity. Elementary schools adjacent to the Watkins Mill cluster include Brown Station, Fox Chapel, Capt. James E. Daly, William B. Gibbs, Jr., Goshen, Strawberry Knoll, and Gaithersburg elementary schools. The following elementary schools are located adjacent to the Gaithersburg cluster: Belmont, Brown Station, Candlewood, Rachel Carson, Cedar Grove, Clearspring, College Gardens, Damascus, Fields Road, William B. Gibbs, Jr., Greenwood, Thurgood Marshall, Mill Creek Towne, Olney, Judith A. Resnik, Ritchie Park, Sequoyah, South Lake, Stone Mill, Watkins Mill, Whetstone, and Woodfield.
- If reassignments and increasing the capacity of existing elementary schools are not sufficient to address increased enrollment, then the opening of a new elementary school would be considered. Since there are no former operating elementary schools within the Gaithersburg and Watkins Mill clusters, a new elementary school could be provided in the following way:
 - Construct a new elementary school. Centerway Local Park, located at 9551 Centerway Road, Gaithersburg, among other options, should be considered if needed in the future. This, and other site options, would be considered during site selection if the need for a new school arises. Collocation and/or purchase of a site may be required.

Page 29: Revise Community Facilities Map (Figure 6) to add the following note:

The location for a proposed Fire and Rescue Station shown on Figure 6 is illustrative, as it has not gone through the site selection process.

Page 30: Revise the section titled "Middle Schools" as follows:

B. Middle Schools

At the middle school level in the Watkins Mill cluster, Montgomery Village Middle School is projected to have some space available for the six-year forecast period, while Neelsville Middle School is projected to exceed capacity by [more than 200 students by] the end of the six-year forecast period. A feasibility study for an addition at [the school is scheduled in FY 2015. Boundary changes to address the over utilization are also being reviewed. A decision on building an addition, or changing boundaries, will be made in the fall of 2015. In the Gaithersburg cluster, Forest Oak Middle School is projected to exceed capacity in the next six years. However, the amount of space deficit projected is not enough to justify an addition at this time] Neelsville Middle School has been conducted; however, the amount of space deficit is not sufficient to justify an addition at this time.

[If there is insufficient surplus capacity at the three middle schools that serve the Plan area by the time new housing occupancies occur, MCPS would explore the following range of options to serve additional middle school students:]

- [Determine if space is available in an adjacent middle school and reassign students to a school with space available.]
- [Build additions at middle schools that serve the Master Plan area.]
- [Build an addition at an adjacent middle school and reassign students to the school.]
- [Reopen a former operating middle school. However, there are no former operating middle schools in the Master Plan area.]
- [Construct a new middle school. There are no future middle school sites in the Watkins Mill cluster. There are two future middle school sites in the Gaithersburg cluster, known as King Farm Middle School and Laytonsville Middle School. A site selection process would be conducted for a new middle school and co-location and/or purchase may be required.]

In the Gaithersburg cluster, Forest Oak Middle School is projected to exceed capacity by the end of the six-year forecast period. However, the amount of space deficit projected is not sufficient to justify an addition at this time. If there is insufficient surplus capacity at the three middle schools that serve the Plan area by the time new housing occupancies occur, MCPS would explore the following range of options to serve additional middle school students:

- Build additions at middle schools that serve the Plan area.
- Determine if there is surplus capacity or the ability to increase the capacity of middle schools adjacent to the Montgomery Village, Neelsville, and Forest Oak middle schools and reassign students to a school with sufficient capacity. Middle schools adjacent to the three middle schools serving the Plan area include: Roberto W. Clemente, Gaithersburg, Dr. Martin Luther King, Jr., Lakelands Park, Redland, and Rocky Hill.
- Construct a new middle school. There are no future middle school sites in the Watkins Mill cluster. There are two future middle school sites in the Gaithersburg cluster known

as King Farm and Laytonsville middle schools; therefore, a site selection process would be conducted for a new middle school and collocation and/or purchase may be required.

Pages 30-31: Revise the section titled "High Schools" as follows:

C. High Schools

At the high school level, enrollment at Watkins Mill High School is projected to be within the capacity of the school for the six-year forecast period. Gaithersburg High School [was recently revitalized and expanded to a capacity of 2,407 students. Despite the increased capacity, the school is projected to begin exceeding capacity by the end of the six-year forecast period. Also, the school will be at the high end of desired size for high schools] is projected to begin exceeding capacity by the end of the six-year forecast period. Also, the school will be at the high end of desired size for high schools with its capacity of 2,407 students. If there is insufficient surplus capacity at Watkins Mill and Gaithersburg high schools by the time new housing occupancies occur in the Plan area, then MCPS would explore the following range of options to serve additional high school students:

- [Determine if space is available in an adjacent high school and reassign students to a school with space available.]
- [Build an addition at Watkins Mill High School.]
- [Build an addition at an adjacent high school and reassign students to the school.]
- [Construct a new high school. There is one future high school site in the up-County. This site is in the Gaithersburg cluster and is known as Central Area High School (Crown Farm). A site selection process would be conducted for a new high school, including consideration of the Central Area High School site. Co-location and/or purchase of a site may be required.]
- Build an addition at Watkins Mill High School.
- Determine if there is surplus capacity or the ability to increase the capacity of high schools adjacent to the Watkins Mill and Gaithersburg high schools, and reassign students to a school with available space. High schools adjacent to the Watkins Mill High School include Clarksburg, Gaithersburg, Quince Orchard, and Seneca Valley. High schools adjacent to Gaithersburg High School include Clarksburg, Damascus, Col. Zadok Magruder, Richard Montgomery, and Quince Orchard.
- Construct a new high school. There is only one future high school site located upcounty, in the Gaithersburg cluster, known as Central Area High School (Crown Farm). A site selection process would be conducted for a new high school, including consideration of the Central Area High School site. Collocation and/or purchase of a site may be required.

Page 31: Under the heading "3.3.3 Fire, Rescue, and Emergency Medical Services", add a new sentence after the last sentence of the second paragraph as follows:

This station has also been recommended in the "2016-2022 Fire, Rescue, Emergency Medical Services, and Community Risk Reduction Master Plan".

Page 31: Under the heading “3.3.3 Fire, Rescue, and Emergency Medical Services”, amend the third paragraph as follows:

To adequately address the future fire, rescue, and EMS needs of Montgomery Village, a fire station with a site large enough to accommodate a paramedic-engine and ambulance (and potentially a future [second ambulance] additional EMS Unit), and a Battalion EMS Supervisor has been proposed by MCFRS for northeastern Montgomery Village. Ideally, a new fire station should be located at or in the vicinity (i.e., within approximately one-half mile) of the intersection of Goshen Road and Rothbury Drive at a location that meets site suitability criteria established by MCFRS in the Fire, Rescue, Emergency Medical Services, and Community Risk Reduction Master Plan. A site evaluation process will determine potential sites at this general location, and potentially elsewhere in the region, and the site that best meets the site suitability criteria will be recommended [by MCFRS] to the County Executive by the site evaluation committee.

Page 53: Revise Proposed Lower Village Zoning Map (Figure 15) to reflect Council changes and the Montgomery Village Overlay zone.

Page 53: Revise the third paragraph in the section titled “The Boulevard on Lost Knife” as follows:

Lost Knife Road, between Montgomery Village Avenue and Odendhal Avenue, has the potential to transform over time. (See Illustrative Concept.) The Plan encourages, to the extent possible, coordinated redevelopment on both sides of the street. Lost Knife Road could evolve and transform into an urban boulevard or main street if synergies emerge between developments on both sides of the street, and there is an effort at overall coordination between the stakeholders. Redevelopment could include a variety of uses and open spaces that reinvigorate this area. Should redevelopment occur along Lost Knife Road, it is the goal of this Master Plan to maintain the surrounding multi-family residential apartments in the northern section of the Cider Mill property, which provide convenient and relatively affordable housing options. If there is redevelopment of the Cider Mill parcel along Lost Knife Road, any required recreational amenities and public benefits may be met on the entire Cider Mill Apartment property, as allowed by the Zoning Ordinance. Enhanced connectivity should be explored, including possible new north-south vehicular access from Lost Knife Road to Midcounty Highway. Redevelopment of the Lakeforest Mall site could provide opportunities to extend Contour Road to Russell Avenue. Revitalization of this area will be challenging, but it is an important long-term goal of this Plan.

Page 54: Revise the “Zoning Recommendations” section by adding a second paragraph after the first paragraph as follows:

This Plan recommends two zones for the Cider Mill Apartment property: 1) the CRT zone on the Lost Knife Road portion of the property is intended to focus redevelopment, create a boulevard, and encourage synergies with any future redevelopment of Lakeforest Mall; and 2) the CRN zone (with no commercial floor area ratio) on the remainder of the Cider Mill property is intended to maintain market affordable multi-family housing.

Page 54: Revise the zoning recommendation for the Cider Mill site in the second column of text on the page as follows:

Cider Mill site: CRT-1.5, C-0.25, R-1.25, H-75 (See CRT #2 on Figure 15.)
CRN-0.5, C-0.0, R0.5, H-40 (See CRN #xx on Figure 15.)

Page 55: Revise Proposed Middle Village Zoning Map (Figure 16) to reflect the Montgomery Village Overlay zone.

Page 63: Revise Proposed Upper Village Zoning Map (Figure 17) to reflect the Montgomery Village Overlay zone.

Page 67: Add these sections after the bulleted section regarding Montgomery Village Avenue:

- Reduce the number of planned through lanes on Goshen Road from 6 to 4 lanes, and reduce the minimum right-of-way from 120' to 105', which more closely reflects the completed design of this roadway improvement.
- Reduce the number of planned through lanes on Wightman Road from 4 to its existing 2 lanes between Great Seneca Creek and Goshen Road. Wightman Road is far removed from the I-270/MD 355 corridor; its location would not provide adequate travel service to commuters and its widening would negatively affect the character of the semi-rural area that the road traverses.

Page 67: Revise the first bullet in the second column as follows:

- Extend Stewartown Road as a two-lane minor arterial (MA-298) across the former golf course from Montgomery Village Avenue at its current terminus to Watkins Mill Road at the intersection with Crested Iris Drive. (See Figure 18.) Extending Stewartown Road will improve local connectivity between the east and west sides of the Village, as well as provide access [for the future,] to residential lots within the potential development of the former golf course. The road should be designed as a two-lane undivided section with on-street parking where feasible, a shared-use path along the southern side, a sidewalk along the northern side, and a targeted design speed of 25 MPH to discourage speeding traffic. Because of the unique environmental constraints and the particular character of the existing and proposed residential neighborhoods, several methods [Methods] for slowing traffic [that] should be [taken into consideration] considered for design modifications. These modifications may include: reduced horizontal baseline radius, reduced horizontal distance between curve tangents, reduced monumental entrance lengths, increased maximum vertical slope (up to 10% grade maximum), allowance of median islands, and enhanced pedestrian and bicyclist circulation and reduced planting strip width.

Based on the general location of the proposed road, as shown on the roadway classification map, construction of the Stewartown Road extension will not impact the stream valley buffer. However, the alignment of the roadway should be carefully designed to balance the desires for [a roadway] vehicular access and pedestrian

connection within [any] the environmental and community [constraints] context. [As such, where needed, the illustrative cross section shown on page 68 could be modified to a reduced 56-foot right-of-way with no on-street parking.] The existing segment of Stewartown Road between Montgomery Village Avenue and Goshen Road should be assigned the same minor arterial (MA-298) MPOHT classification as the unbuilt extension.

Page 68: In Figure 18, revise each Green Panel to be 6.5' wide, the Sidewalk to be 5' wide, and each Through Lane (including gutter) to be 12' wide. Delete the two parking lanes. Revise the total right-of-way to be 56'.

Pages 70-71: Revise Table 1 as follows:

- Add a new Footnote 2 for the "Through Travel Lanes" column as follows: These are the number of planned through travel lanes for each segment, not including lanes for turning, parking, acceleration, deceleration, or other purposes auxiliary to through travel.
- Re-number Footnote 2 as Footnote 3.
- Re-number Footnote 3 as Footnote 4, and revise as follows: Goshen Road is planned to be widened to [an interim section of] 4[-] through lanes within a [107-foot] minimum 103-foot ROW; design presented to the Planning Board 1/14/10].
- Delete Footnote 4.
- Revise the minimum right-of-way for M-25 Goshen Road from 120' to 105', and revise its number of through travel lanes from 6 to 4.
- Revise the number of through travel lanes on A-36 Wightman Road from 4 to 2 lanes.
- Revise the minimum right-of-way for MA-298 Stewartown Road between Watkins Mill Road and Montgomery Village Avenue from 70' to 56'.


Page 85: In Table 3, delete the widening of Wightman Road to 4 lanes and delete the widening of Goshen Road to 6 lanes.

Page 86: Delete footnotes 2 and 3 from Table 3.

General

All illustrations and tables included in the Plan will be revised to reflect the District Council changes to the Planning Board Draft Montgomery Village Master Plan (October 2015). The text and graphics will be revised as necessary to achieve and improve clarity and consistency, to update factual information, and to convey the actions of the District Council. Graphics and tables will be revised to be consistent with the text.

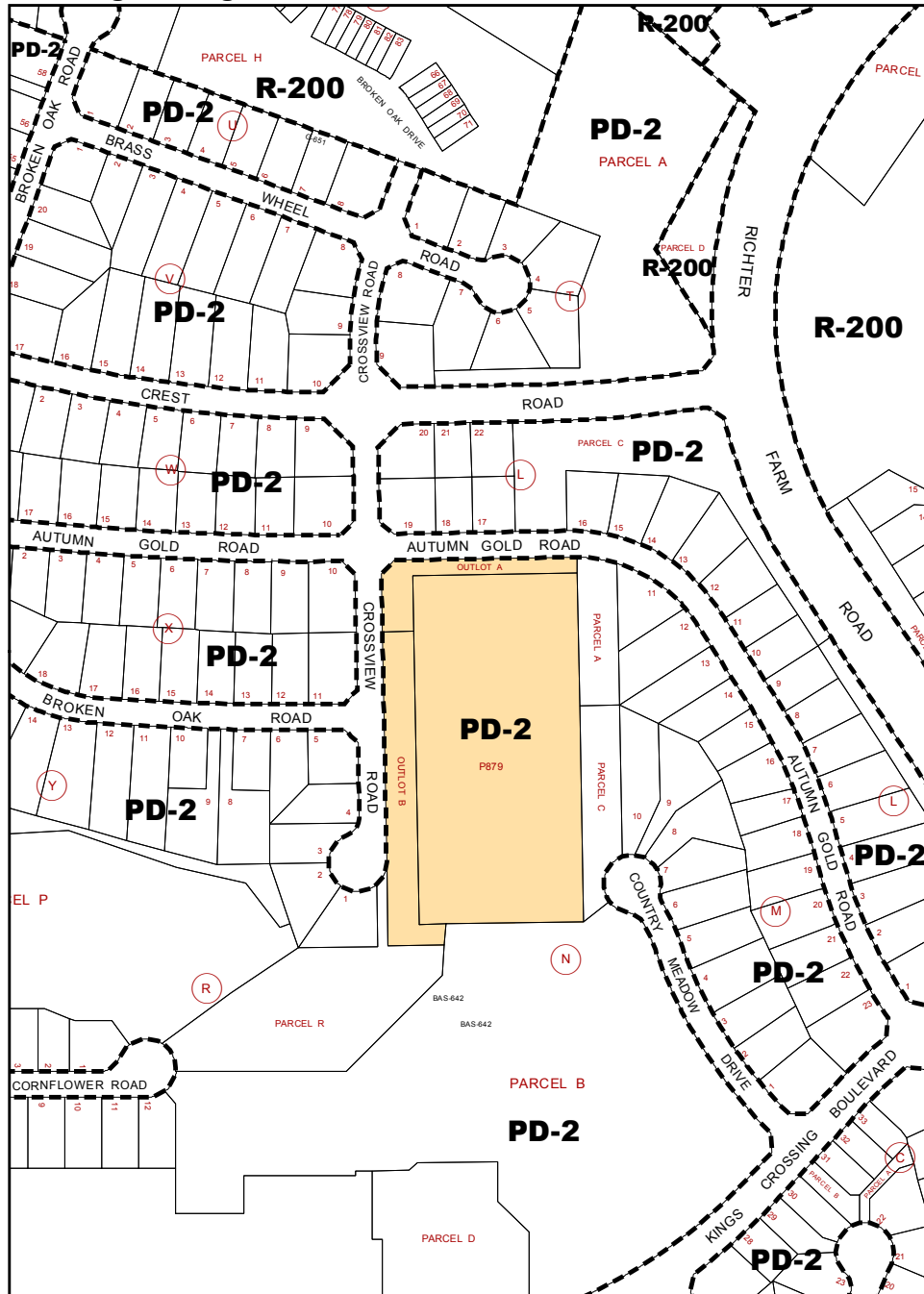
This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

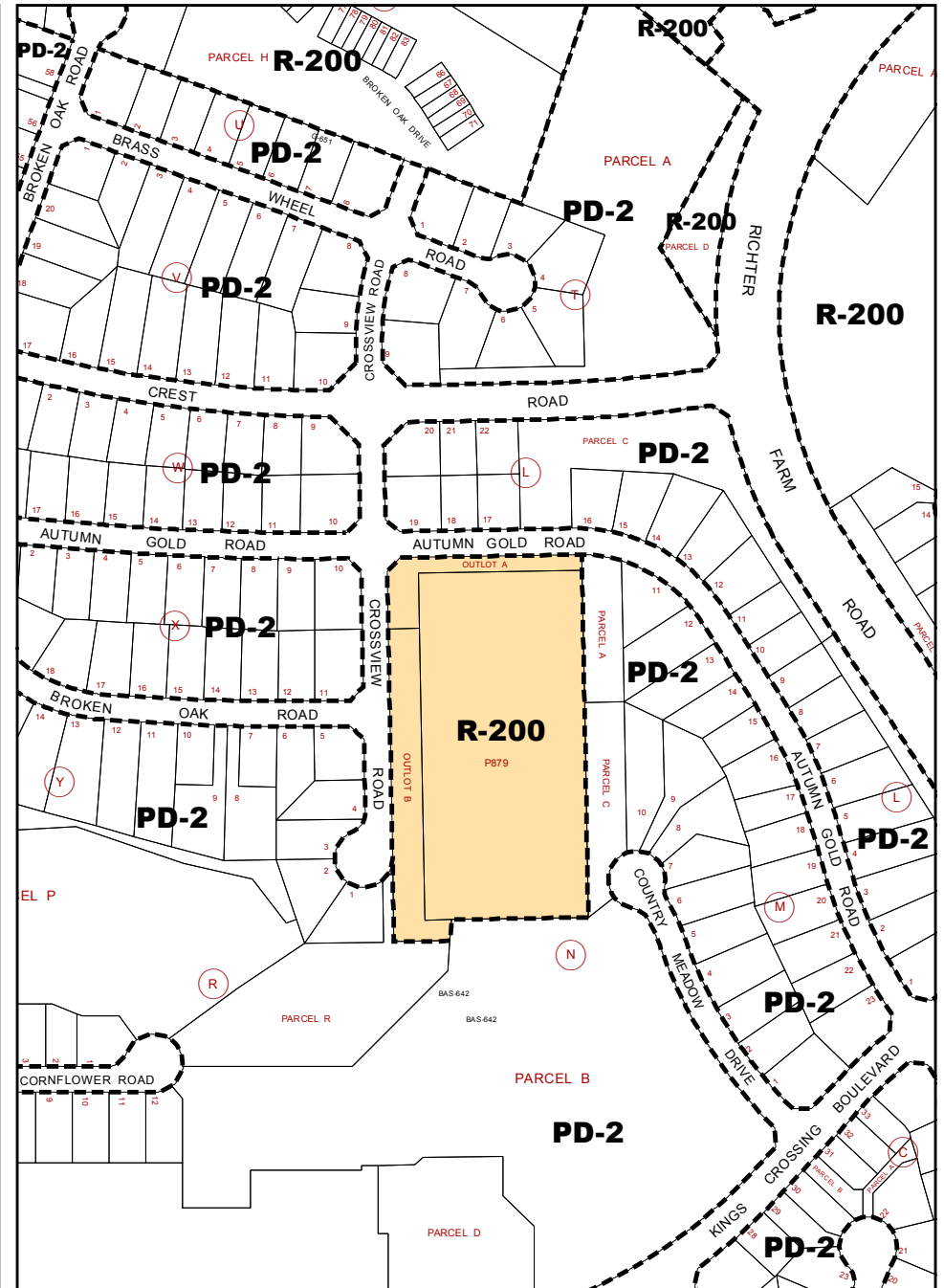
ATTACHMENT #4 (H-121)

Existing Zoning - January 2017



Map Grid: 225 & 226 NW14

Proposed Corrective Map Amendment



1 in = 350 ft

ATTACHMENT 5

Resolution No.: 11-227
Introduced: September 25, 1990
Adopted: September 25, 1990

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
IN MONTGOMERY COUNTY

By: County Council

Subject: APPLICATION NO. G-651, FOR AMENDMENT TO ZONING ORDINANCE MAP, Stanley D. Abrams, Attorney for Arcola Investment Associates, Contract Purchasers, Applicants, OPINION AND RESOLUTION ON APPLICATION
Tax Account Nos. 00400205, 00400216, 00400193, and 00396603

OPINION

Application No. G-651 requests reclassification from the R-200 and Rural Zones to the PD-2 Zone of 390.1486 acres known as the Property of H. M. Leet, Trustee, located on Hoyles Mill Road, 2,400 feet west of Schaeffer Road, Germantown, in the 6th Election District.

The Hearing Examiner recommended approval of the development plan, approval of waivers from the housing mix requirements of the PD-2 Zone, and approval of the reclassification subject to the specifications and requirements of the development plan. These recommendations are based on conclusions that the waivers are for environmental reasons and master plan conformity; that the PD-2 Zone at the proposed location is a proper use for the comprehensive and systematic development of the county; that the proposed development is capable of accomplishing the purposes of the PD-2 Zone; that the proposed development is in substantial compliance with the applicable master plan; and, that the proposed development satisfies all the technical requirements of the PD-2 Zone. The Technical Staff and the Planning Board provided similar recommendations. The District Council agrees with the findings and conclusions of the Hearing Examiner, Technical Staff and the Planning Board.

The subject property lies at the southwestern corner of the Germantown Planning Area in an area known as Kingsview Village. The irregularly shaped parcel

is bisected by Hoyles Mill Road which extends in an east-west direction through the property for a distance of about 3,650 feet. The site is located adjacent to Little Seneca Creek and lies somewhat west of the intersection of Maryland Route 113 and Clopper Road. The site contains two farms and is largely cleared for agricultural use. Its topography is characterized by gently rolling slopes extending from east to west toward the Little Seneca Creek which flows past the western edge of the property. Only a small portion of the site contains slopes in excess of 15 percent and the majority of these slopes are located near a tributary of the Little Seneca Creek in the northern portion of the site. Woodlands are located in stream valley and floodplain areas. The site contains a mixture of soil groups which reflect moderately fine to moderately coarse textures and are moderately to well drained. The soils can be controlled by normally accepted sediment control practices and do not represent a development constraint.

The Germantown and Vicinity Master Plan, as amended in 1989, recommends PD-2 zoning for the site at a density level of 1.74 dwelling units per acre exclusive of moderately priced dwelling units (MPDUs). The PD recommendation also envisions garden apartments rather than townhouses in order to provide for a more balanced housing mix for the Germantown area. The R-200 zoning was confirmed by comprehensive zoning in 1987, and again on February 13, 1990, the last comprehensive zoning applicable to this area of the county. There have been no previous local map amendment applications filed with respect to this site.

The surrounding area corresponds to the master plan's Kingsview Village Analysis Area II, which contains 1,260 acres and is bordered by Clopper Road, Schaeffer Road and the Greenbelt Park. Portions of the site are located adjacent to Boyds and the Agricultural Preservation planning areas. The land use and zoning pattern of this area includes farm land, wooded areas and widely scattered residential dwellings which are located along the south side of Clopper Road, the west side of Schaeffer Road, and on both sides of Hoyles Mill Road. Farming is

the predominant use and occupies the central portion of this area. There are woodlands located on the south side of Clopper Road, the Little Seneca Creek Valley, and along the southern boundary of the surrounding area. R-200 is the predominant zoning classification except for small portions along the periphery which are classified in the Rural and RDT Zones.

The applicant proposes to develop "King's Crossing" as a residential community of 724 single-family detached units and 104 multi-family dwellings. The single-family lots are proposed at a range from 8,000 to 28,000 square feet and the larger lots are proposed along the edge of the site to insure compatibility with adjacent development. The multi-family units would be developed in a garden apartment style, some of which would be targeted for the elderly to the extent feasible under the MPDU requirements. A major feature of the proposal contemplates the abandonment of existing Hoyles Mill Road, a narrow 16 foot wide road within a 30 foot right-of-way, and its replacement with a pedestrian trail and bikeway. Access to the site is proposed at three points connecting to the master planned road A-297. A new dual lane arterial road within a 100 foot right-of-way would be connected to the nonabandoned portions of Hoyles Mill Road at each end of the site so that existing through traffic patterns will not be disturbed. Streets designated as public primary residential streets will be located within a 70 foot right-of-way. Streets located in the multi-family area will be retained as private streets. All other streets shown on the development plan are proposed as public tertiary streets within 50 foot right-of-ways. Vehicular and pedestrian circulation systems will interconnect all portions of the site. The development plan includes a number of recreational and environmental amenities. Community recreational facilities include tennis courts, tot lots, ballfields, a swimming pool, and a community center with a day care component. A 10-acre local park will be dedicated at subdivision. Stream valley buffers are proposed at several locations and about 77 percent of the gross area will be devoted to green space. A

staging element, which is intended to coincide with the approved Capital Improvement Program and the Annual Growth Policy, proposes to construct 181 detached single-family units and 26 multi-family units each year for a four-year period.

The District Council agrees with the determination of the Hearing Examiner that the development plan satisfies the requirements of §59-D-1.6. In this respect, the District Council finds that the PD-2 Zone at the proposed location is in compliance with the recommendations of the master plan and does not conflict with the General Plan, the CIP or other applicable county plans or policies. Also, the proposed zoning is in compliance with the requirements of the PD Zone and will provide for the maximum safety, convenience and amenities of residents of the development, as well as being compatible with adjacent developments. In this respect the design layout is particularly sensitive to the adjacent outlot by its location of active recreational facilities for the local park and the Planning Board is encouraged to follow these design objectives as closely as possible when the final park design is approved. The evidence of record also demonstrates that the proposed vehicular and pedestrian circulation systems are safe, adequate and efficient. The development plan, by its site design, will minimize grading of the site; and by the most desirable use of building location, will prevent soil erosion and preserve natural vegetation and other natural features of the site. Finally, the development plan proposes an adequate and sufficient method of assuring perpetual maintenance of recreational, common or quasi-public areas.

The District Council also agrees with the determination of the Hearing Examiner that the application satisfies the requirements of the PD-2 Zone. In this respect, the PD-2 Zone at the proposed location constitutes proper use for the comprehensive and systematic development of the county, is capable of accomplishing the purposes of the zone, and is in substantial compliance with the applicable master plan. Moreover, the proposed development satisfies the minimum area and

density requirements of the zone. There is sufficient evidence to authorize waivers under §59-C-7.13.1, footnote 1, to eliminate any townhouses and allow a minimum of 12 percent multi-family units based on environmental reasons and master plan conformity. The rezoning is also compatible with the surrounding area and satisfies the green space, dedication, and parking requirements of the zone.

For these reasons and because to grant the instant application would aid in the accomplishment of a coordinated, comprehensive, adjusted, and systematic development of the Maryland-Washington Regional District, the application will be granted in the manner set forth below.

ACTION

The County Council for Montgomery County, Maryland, sitting as a District Council for that portion of the Maryland-Washington Regional District located in Montgomery County, approves the following resolution.

The revised development plan, submitted as Exhibit 65(a) is hereby APPROVED. The requested waivers for §59-C-7.13.1, footnote 1, to eliminate any townhouses and to allow a minimum of 12% multi-family units for environmental reasons and to implement the master plan recommendations are APPROVED.


Zoning Application No. G-651, for the reclassification from the R-200 and Rural Zones to the PD-2 Zone of 390.1486 acres known as the Property of H. M. Leet, Trustee, located on Hoyles Mill Road, 2,400 feet west of Schaeffer Road, Germantown, in the 6th Election District is GRANTED in the amount requested and subject to the specifications of the requirements of the revised development plan approved above; and the Planning Board is encouraged to follow the design objectives contained in the development plan for the location of the local park and the active recreation facilities and their location as closely as possible when the final park design is approved, and the approved housing density, dwelling unit

Page 6.

Resolution No. 11-2230

yield and open space configuration be maintained to implement the goals and objectives of the master plan and dwelling unit yield not be diminished by reservation made for environmental reasons.

This is a correct copy of Council action.


Kathleen A. Freedman, CMC
Secretary of the Council