

Good Afternoon,

I understand that any comments must have been submitted by 12 pm today but this email was sent back in March of 2023 and I am hoping that it will also be included in the hearing tomorrow.

Thank you.

Alicia C. Taylor

Realtor and Notary Public

Oh by the way, I'm never too busy for any of your referrals!

eXp Realty, LLC



301-580-6698 (cell)

888-860-7369 (office)

alicia.taylor@exprealty.com

<https://aliciataylor.exprealty.com/>

8115 Maple Lawn Blvd

Ste 350

Fulton, MD 20759

31
cu 24-07

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On Thu, Mar 2, 2023 at 10:54 AM <kosaryc@gmail.com> wrote:

Mr. Butler,

On April 26, 2022, representatives of Craftmark Homes presented a Concept Plan (520220280) exploring a rezoning of 7100 and 7106 Muncaster Mill Road in Derwood from their current R-200 zone (Residential-Detached, 20,000 SF minimum lot area) to the CRN zone (Commercial Residential Neighborhood). When Upcounty Planning Staff indicated that they were less than amenable to supporting such a rezoning, Craftmark Homes' representatives indicated that they were also considering moving forward as a Townhouse Living – Design for Life Conditional Use.

On February 16, 2023, representatives of Craftmark Homes met with residents and management of the Shady Grove Square community which adjoins this site. At this meeting Craftmark Homes indicated that they are in the early stages of moving forward with an application to build 43 luxury elevator townhomes under the Townhouse Living – Design for Life Conditional Use.

As you are aware, the Townhouse Living – Design for Life Conditional Use is covered under Section

59.3.3.1.D.2.b of the Montgomery County Zoning Ordinance. In case you are not aware, this location (7100/7106 Muncaster Mill Road) does not meet several of the standards established for this use.

Section 59.3.3.1.D.2.b.iii states that a Metro Station must be within 2 miles of the site. No guidance is given as to how this distance is to be measured, however, an attempt in 2020/2021 to revise this distance standard to a 2-mile radius through ZTA 20-03 failed due to strong opposition. It is therefore evident that this distance must be measured as the distance a person would have to walk, roll, drive, or bike. According to Google Maps the distance from this location to the Shady Grove Metro Station is 3 miles by car or bike and 2.5 miles by foot due to shortcuts through several parking lots.

Section 59.3.3.1.D.2.b.iv states that a public recreation or park facility must be within 1,000 feet of the site. Again, no guidance is given as to how this distance is to be measured, however, ZTA 20-03 also failed to modify this standard to a distance measured as a radius as well as an increase to 1,500 feet. According to Google Maps the distance from this location to Redland Local Park is 0.7 miles by car or bike, and 0.6 miles by foot, well over 1,000 feet.

It is evident that Craftmark Homes will require a Zoning Text Amendment before they can apply under the Townhouse Living – Design for Life Conditional Use. Such a Zoning Text Amendment will receive even stronger opposition than did ZTA 20-03, not just by my community but by others who advocate for affordable housing in Montgomery County.

This Conditional Use was created through ZTA 15-02 at the behest of one developer, Garrett Gateway Partners, LLC, also doing business as Universal Communities, LLC, so they could develop what became Parc Redland, located at 17215 Redland Road in Derwood, and described in advertising as “Montgomery County’s newest luxury elevator townhome.” All 19 townhomes at Parc Redland have been sold or are currently under a pending contract. The median sale price was slightly under \$900,000. To top it off, buyers receive a \$10,000 property tax abatement! To date Parc Redland is the only development approved as a Townhouse Living – Design for Life Conditional Use.

Craftmark Homes has already stated during their February meeting that their proposed townhomes will also be targeted at a price of at least \$900,000 which is probably an underestimate given that Craftmark’s recently completed luxury elevator townhomes at Crown, many of which can easily be brought into compliance with Design for Life Level 2 requirements, sold in the \$900,000 to \$1.1M range.

So, let’s be perfectly honest and call the Townhouse Living – Design for Life Conditional Use what it is; a giveaway to home builders allowing them to build luxury elevator townhouses far out of the financial reach of the average Montgomery County resident in Residential Detached Zones on less land and with far greater densities than would be allowable under optional method MPDU development. For example, in the RE-1 zone optional method MPDU development requires 17 acres of useable area and has a maximum density of 1.22 dwelling units per acre of useable area. The Townhouse Living – Design for Life Conditional Use requires 2 acres, with no mention of how much must be useable area and has a maximum density of 15.25 dwelling units per acre of useable area.

Parc Redland has provided no MDPUs either onsite or through payment of fees towards development elsewhere. Of Parc Redland's 2-acre site, only 1.74 acres were useable, and its density is 10.9 dwelling units per acre of useable area compared to the 1.09 dwelling units per acre of useable area allowable under standard method RE-1 development, its underlying zone, or 1.22 dwelling units per acre of useable area allowable under optional method MPDU development. In hindsight the Townhouse Living – Design for Life Conditional Use is bad zoning.

When this Conditional Use was under discussion didn't anyone stop for a moment to do three minutes of research to find out what a luxury elevator townhouse were going for in Montgomery County! Our next steps will be taking our concerns to the County Council in order to not only ensure that there is no support for any additional ZTAs which would modify this Conditional Use for the benefit of a luxury home builder but to also try to get this Conditional Use removed from the Zoning Ordinance completely.

Sincerely,

Dr. Carol Kosary
Derwood, MD
301-512-5537