

Christopher M. Ruhlen
Attorney
301-841-3834
cmruhlen@lerchearly.com

Vincent G. Biase
Attorney
301-657-0168
vgbiasse@lerchearly.com

January 16, 2026

The Honorable Natali Fani-González, Council President
Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850

RE: Clarksburg Gateway Sector Plan & Sectional Map Amendment

Dear President Fani-González and Members of the Council:

On behalf of our clients, the Housing Opportunities Commission of Montgomery County and Pioneer Hills, LLP and (collectively, the “**Property Owners**”), we respectfully submit this letter for inclusion in the public record for the County Council’s review of the Planning Board Draft Clarksburg Gateway Sector Plan (the “**Draft Sector Plan**”) and the accompanying Sectional Map Amendment (the “**SMA**”). Collectively, the Property Owners own or have interests in certain real property located within the Draft Sector Plan boundary, including (1) the property located 22600 Observation Drive, Clarksburg, MD (the “**Garnkirk Multifamily Parcel**”) and (2) the properties located at 13099 and 13101 Shawnee Lane (the “**Shawnee Lane Parcels**”), (collectively, the “**Garnkirk Properties**”), which are situated generally at the intersection of Shawnee Lane and Observation Drive.



Figure 1 – Aerial Image of the Garnkirk Properties shown outlined in green.

The purpose of this letter is to request a modest amendment to the recommended zoning classification for the Garnkirk Properties. Pursuant to the Planning Board Draft Sector Plan, the Garnkirk Properties are recommended for Commercial/Residential Town zoning with a maximum floor area ratio of 0.75 (CRT-0.75, C-0.25, R-0.75, H-65). For the reasons discussed below, the Property Owners respectfully request that the Garnkirk Properties instead be mapped as Commercial/Residential Town with a maximum floor area ratio of 1.0 and a maximum residential floor area ratio of 1.0. Specifically, the Property Owners request a zoning classification of CRT-1.0, C-0.25, R-1.0, H-65.

This request does not seek to alter the fundamental vision of the Sector Plan, expand the range of permitted land uses, increase maximum building heights, or increase commercial development density for the Garnkirk Properties. Instead, the Property Owners are requesting a modest amendment that is intended to ensure that the zoning applied through the SMA accurately facilitates the Sector Plan's stated land use and housing objectives at this important intersection.

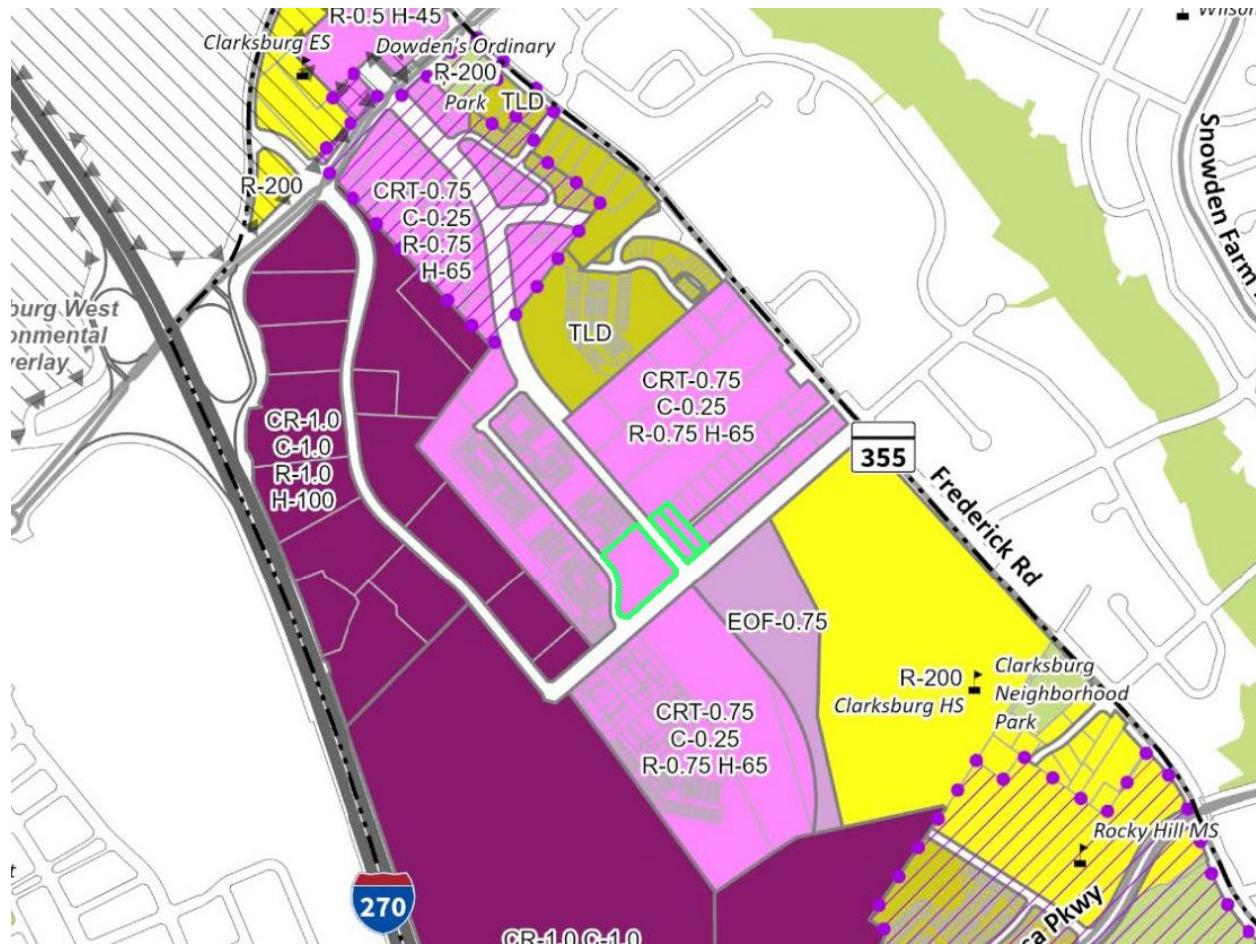


Figure 2 – The Garnkirk Properties are shown outlined in green on the Planning Board Draft's "Recommended Zoning Map (Figure 9)"

The Garnkirk Properties are located within the interior of the Gateway planning area and are not boundary or transitional parcels. As reflected on the Draft Sector Plan boundary map and the Recommended Zoning Map (excerpted above in Figure 2), the Garnkirk Properties are

surrounded by areas planned for comparable or greater residential intensity and are intended to function as part of the Draft Sector Plan's core residential framework. To this end, the Draft Sector Plan expressly directs growth into this area to increase housing supply, promote efficient use of existing and planned infrastructure, and reduce development pressure on less appropriate locations elsewhere in the community. In this context, the zoning applied through the SMA is the principal implementation tool by which the Draft Sector Plan's policy direction is given regulatory effect.

As applied to the Garnkirk Properties, the recommended CRT-0.75 zoning does not take full advantage of potential residential capacity at this location and, as such, does not align with the Draft Sector Plan's objectives and the Garnkirk Properties' established planning context. The Garnkirk Multifamily Parcel has long been planned and entitled for residential development and is subject to a previously approved PD-11 plan permitting up to 184 dwelling units, including affordable housing. While the SMA is not obligated to adhere to the legacy PD zoning at this site, the application of CRT-0.75 to this property has the practical effect of significantly reducing residential capacity without a corresponding policy determination in the Draft Sector Plan itself. Mapping the Garnkirk Multifamily Parcel at CRT-1.0, C-0.25, R-1.0, H-65 would more accurately align the zoning with the existing residential context for this site, while remaining well within the overall scale and intensity contemplated by the Draft Sector Plan.

Similarly, the Shawnee Lane Parcels are small, linear, infill sites located across Observation Drive from the Garnkirk Multifamily Parcel. In this location, CRT-0.75 operates less as a transitional density and more as a limiting condition that does not reflect the parcels' central location within the Sector Plan or their relationship to surrounding zoning. Here, a modestly higher residential density of R-1.0 is necessary to achieve efficient site design and new housing that complies with CRT development standards, without increasing height.

Importantly, mapping the Garnkirk Properties at CRT-1.0 would not introduce a new or incompatible degree of residential intensity within this area of the Draft Sector Plan. The Recommended Zoning Map (Figure 9) demonstrates that parcels in close proximity to the Garnkirk Properties are planned for equal or greater residential intensity, particularly in areas closer to Gateway Center Drive, Shawnee Lane, and the COMSAT Property. In this broader context, CRT-1.0 represents a context-sensitive classification that better integrates the Garnkirk Properties into the Gateway's overall land use pattern and housing framework.

For the foregoing reasons, the Property Owners respectfully request that the County Council amend the Draft Sector Plan's recommended zoning for the Garnkirk Properties from CRT-0.75, C-0.25, R-0.75, H-65 to CRT-1.0, C-0.25, R-1.0, H-65 as part of its consideration of the Clarksburg Gateway Sector Plan and accompanying SMA. This modest amendment will allow for new housing opportunities in an area of the Gateway Secor Plan that has previously been evaluated for increased residential development and is consistent with the Draft Sector Plan's housing element. Moreover, an increase from R-0.75 to R-1.0 will allow for new housing within the recommended height and CRT development standards while also preserving compatibility with surrounding existing and planned development.

Thank you for your consideration of this request and we look forward to participating in the public hearing on January 21st. Please do not hesitate to let us know if you have any additional questions – or if we can provide additional information that would be helpful for the Council's review.

Sincerely,



Christopher M. Ruhlen



Vincent G. Biase

cc: Kayrine Brown
Gio Kaviladze
Tim Kamas
Councilmember Marilyn Balcombe
Councilmember Sherba Evans
Councilmember Andrew Friedson
Councilmember Evan Glass
Councilmember Will Jawando
Councilmember Sidney Katz
Councilmember Dawn Luedtke
Councilmember Kristin Mink
Councilmember Laurie-Anne Sayles
Councilmember Kate Stewart