

Resolution No.:	<u>15-1630</u>
Introduced:	<u>October 3, 2006</u>
Adopted:	<u>October 3, 2006</u>

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

By: District Council

SUBJECT: Application No. G-852 for Amendment to the Zoning Map, County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District located within Montgomery County, Opinion and Resolution on Application

OPINION

Sectional Map Amendment G-852 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 Shady Grove Sector Plan. The SMA application covers approximately 2,000 acres. The area proposed for reclassification consists of approximately 320 acres proposed for new zoning classifications. The remaining acreage is to be reconfirmed as currently zoned.

The District Council approved the Shady Grove Sector Plan on January 17, 2006. The Master Plan sets forth the specific land use and zoning objectives for the development of the Shady Grove plan area and was subject to extensive and detailed review by the District Council. Following the transmittal of the fiscal impact analysis of the Shady Grove Sector Plan by the County Executive, the District Council held a public hearing on November 4, 2004 wherein testimony was received from interested parties.

Sectional Map Amendment G-852 was filed on May 3, 2006 by the Montgomery County Planning Board to implement the specific zoning recommendations of the Shady Grove Sector Plan. The Council held a public hearing on June 13, 2006. The Planning, Housing and Economic Development Committee held a worksession on July 10, 2006, found the SMA to be consistent with the Sector Plan, and discussed two issues raised in connection with Sectional Map Amendment G-852.

The Council reviewed a request by the owner of the Casey 2 and Casey 3 properties to include in Sectional Map Amendment G-852 a rezoning to the I-3 zone. Casey 2 is currently zoned R-20 and Casey 3 is currently zoned I-1. The Shady Grove Sector Plan recommended these properties be zoned R&D/I-3. The Council decided to grant the property owner's request and place the I-3 zone on these properties.

The Council discussed the request from a County resident to rezone the VEIP and Somerville properties in Old Derwood to PD-13 or lower. These properties are currently zoned I-1 and are recommended for R-90/PD-35 in the Sector Plan. The Sector Plan recommends these properties be zoned PD-35 via a local map amendment. The Council supported the R-90 zoning proposed in the SMA. At the time of local map amendment, the Hearing Examiner can consider the comments regarding density.

The Council considered the Sectional Map Amendment at a worksession held on October 3, 2006. The Council supported the Sectional Map Amendment as submitted by the Planning Board. The Council finds that Sectional Map Amendment Application G-852 is necessary to implement the land use and development policies expressed in the Approved and Adopted Shady Grove Sector Plan.

The Council supports the technical changes highlighted in the Technical Staff Report, including adjustments to zoning boundaries indicated by the transition from hand-drawn zoning maps to digital map. The Council finds that all other zoning changes are consistent with the recommendations of the Approved and Adopted Shady Grove Sector Plan.

The evidence of record for Sectional Map Amendment G-852 consists of all record materials compiled in connection with the County Council public hearing on the Planning Board Draft of the Shady Grove Sector Plan, dated July 2004, and all record materials compiled in connection with the public hearing held by the Council on June 13, 2006 on Sectional Map Amendment G-852.

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

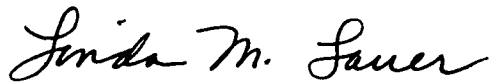
The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland approves the following resolution:

1. Application No. G-852, Maryland-National Capital Park and Planning Commission, Applicants for the Sectional Map Amendment covering the area of the Shady Grove Sector Plan, consisting of approximately 2,000 acres, more or less, is GRANTED. Approximately 320 acres are rezoned as a result of this action. The remaining acreage is to be reaffirmed as currently zoned.

2. The following parcels are reclassified as part of this action as recommended in the Sector Plan.

<u>Parcel</u>	<u>Land Area</u> <u>(acres)</u>	<u>Reclassification</u>
1	37.9	I-1 to I-3
2	17	I-1 to I-3
3	21	C-1 to RMX-2C/TDR
4	5	R-20 to [R&D] <u>I-3</u>
5	13.5	I-1 to [R&D] <u>I-3</u>
6	27	I-1 to R&D
7	45.5	R-200 to TOMX-2/TDR
8	86.5	I-1, R-90 & R-200 to TOMX-2/TDR
9	14.25	I-1 to TOMX-2/TDR
10	4.86	I-1 to TOMX-2/TDR
11	14.25	I-1 to TOMX-2
12	11.69	I-1 & C-3 to TOMX-2
13	1.75	I-1 to TOMX-2
14	3	I-1 to R-90
15	4	R-200 to R-90/TDR
16	4	I-1 to R-90
17	<u>6.1</u>	R-90 to R-200

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council