



**15931 Frederick Road (CarMax) Annexation Request ANX2015-00145**



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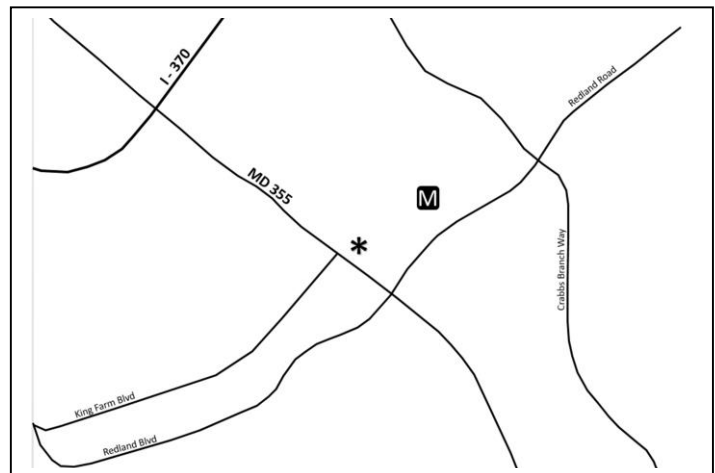


Glenn Kreger, Chief, Area 2 Division, [Glenn.Kreger@montgomeryplanning.org](mailto:Glenn.Kreger@montgomeryplanning.org), 301-495-4653

**Description**

Staff Report Date: 11/4/15

- Request for annexation of a 4.03-acre property into City of Rockville from CRT1.5, C0.5, R1.25, H100 Zone to the City of Rockville's MXTD Zone;
- 15931 Frederick Road, Parcel N, Plat No. 20049;
- Located at the eastern corner of the intersection of Shady Grove Metro Access Road and Frederick Road, in the 2006 *Shady Grove Sector Plan* area;
- Applicant: Frederick Road, LLC c/o Silverwood Investments, LLC;
- Owner: 355 Partners, LLC c/o CarMax Auto Super Stores;
- Request Submitted: April 28, 2015.



**Summary**

- Staff recommends approval of the annexation and transmittal of comments.
- The current use of the Site is a CarMax auto sales lot. CarMax will be relocating to Shady Grove Road.
- The petition proposes new zoning that includes similar uses allowed by the existing zoning and recommended in the 2006 Approved and Adopted Shady Grove Sector Plan. The City's MXTD Zone permits up to 100 percent commercial or residential development, while the existing zoning favors residential uses (up to 1.25 FAR) and permits up to 0.5 FAR of commercial uses. The proposed development is 100 percent residential, and therefore, consistent with the uses permitted by the current zone and recommended in the Sector Plan.
- The maximum density permitted under the proposed zone is unlimited, while the current zone allows up to 1.5 FAR plus bonus density for MPDUs. However, the proposed density is not more than 150% of the density allowed under the County's CRT Zoning.
- This Site lies within the approved Maximum Expansion Limits of the City of Rockville.

## RECOMMENDATIONS

Approve transmittal of the following comments to the Montgomery County Council and City of Rockville regarding City of Rockville Annexation Petition (ANX2015-00145) for 15931 Frederick Road (CarMax Property):

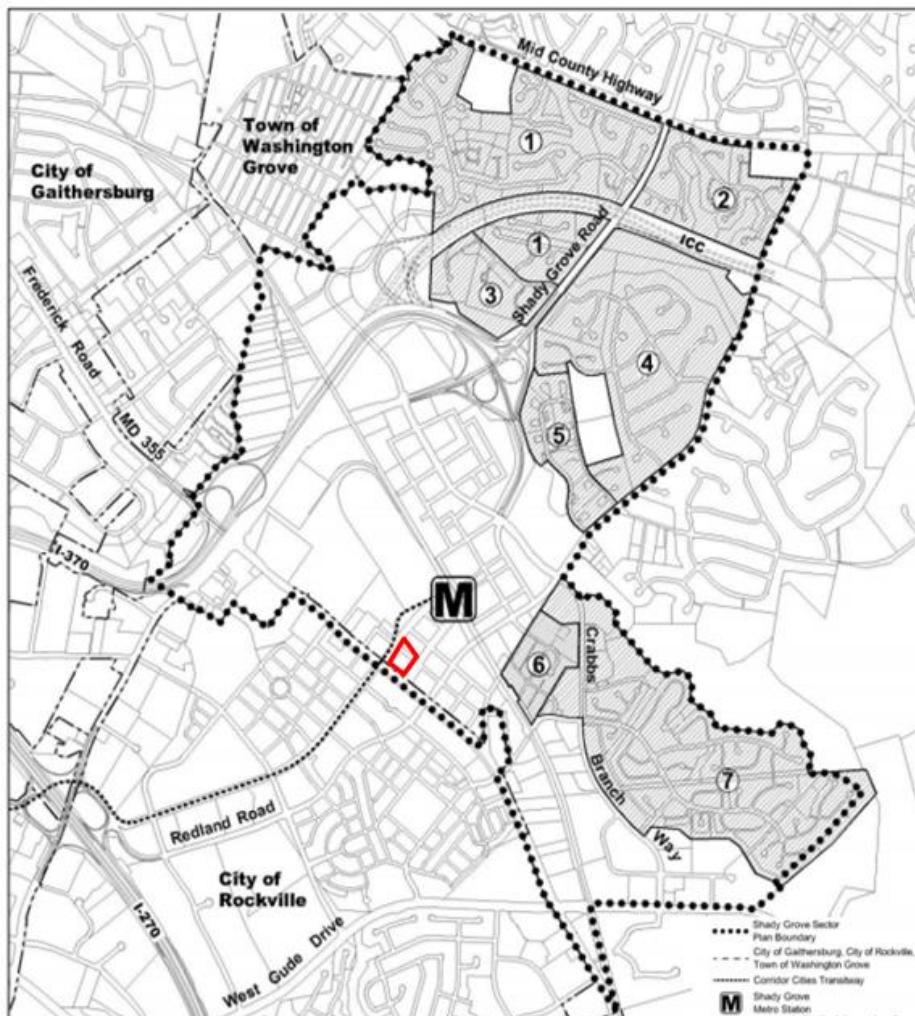
1. Approval of new development plans with uses not permitted in the current CRT Zone and/or density greater than 467,607 square feet should be prohibited for five years.
  2. Commercial uses should be limited to a maximum of 43,907 square feet for five years.
  3. Any annexation petition must provide and participate in the following:
    - a. The minimum right-of-way for the Corridor Cities Transitway (CCT) along King Farm Boulevard Extended/Metro Access Road.
    - b. Streetscape improvements along Rockville Pike and King Farm Boulevard Extended/Metro Access Road.
    - c. Applicant must enter into a Traffic Mitigation Agreement with the City and MCDOT to participate in the Greater Shady Grove Traffic Management District in order to achieve the transit ridership goal of the *Shady Grove Sector Plan*.
-

## BACKGROUND AND LOCATION

The Site, known as the CarMax property, is located at 15931 Frederick Road at the eastern corner of Frederick Road (MD 355) and the Metro Access Road (King Farm Boulevard extended) in Shady Grove. The Site consists of one platted parcel, Parcel N Plat No. 20049, and comprises a total of 4.032 acres (175,634 square feet) in size. A CarMax (automotive sales center) with surface parking is the existing use on the Site. The Site was previously Zoned Transit-Oriented Mixed Use (TOMX-2) as recommended by the 2006 *Shady Grove Sector Plan*, and was subsequently rezoned to CRT1.5, C0.25, R1.25, H100 by District Map Amendment G-956 as part of the Zoning Rewrite.

The property to the immediate northwest of the Site was approved for annexation by the County Council into the City of Rockville in 2012 with a similar development proposal. The Montgomery County Solid Waste and Transfer Station and Washington Metropolitan Area Transit Authority (WMATA) Shady Grove Metro rail yard are located generally north of the Site.

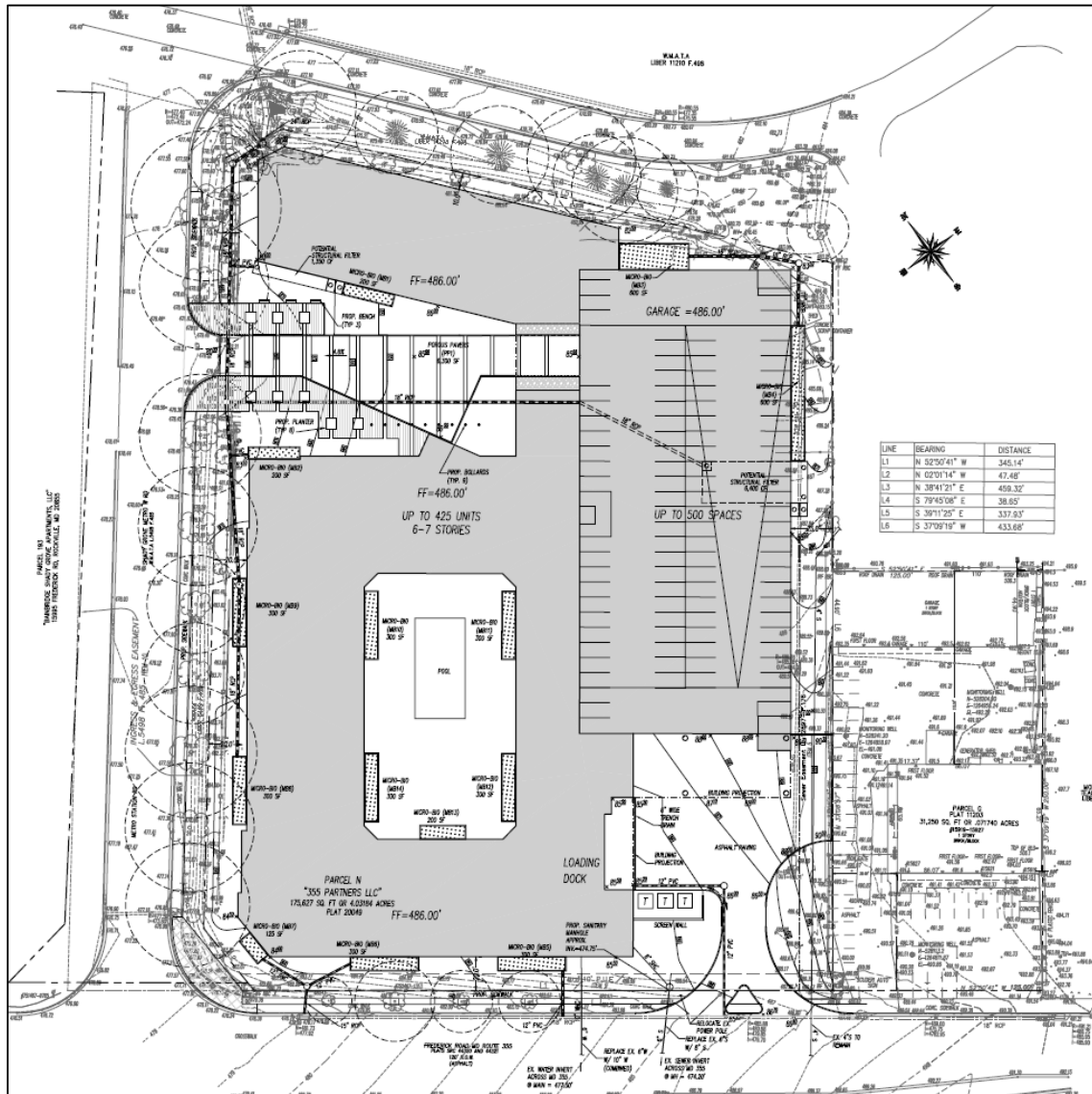
The Shady Grove Metrorail Station is to the east of the Site. The King Farm residential development is west of Frederick Road within the City limits of Rockville. The Site (outlined in red below) is adjacent to other retail and office uses to the east and southeast. Properties between King Farm Boulevard extended and Redland Road are in the CRT 1.5, C 0.5, R 1.25, H100 Zone.



Vicinity Map

# ANNEXATION PROPOSAL

Frederick Road, LLC has filed this annexation petition with the City of Rockville, which will reclassify the Site from the County's CRT Zone to the City's Mixed Use Transit District (MXTD) Zone. The petitioner has proposed mid-rise multi-family development with structured parking for 405 dwelling units. Below is the Preliminary Site Plan and architectural renderings of the proposed development associated with this petition:



Preliminary Site Plan



*Landscape Plan*



*Architectural Rendering*



## **CITY OF ROCKVILLE MAYOR AND COUNCIL**

The City of Rockville Council approved an annexation plan for the subject petition on September 28, 2015 (see Attachment 1 for annexation plan). An annexation plan is required by the Maryland Local Government Article. A public hearing is scheduled for November 16, 2015 with the Mayor and Council.

The City's Planning staff supports the MXTD designation on the Property since it is generally consistent with the County and the City Master Plans and fulfills the purposes and requirements of the zone, although the City zone allows greater density than the County zone. In addition, the proposed development is generally compatible with the surrounding community, the proposed annexation and its related development is in a location anticipated for growth by the MGE (Municipal Growth Element of the City of Rockville), and the impacts on services the City of Rockville will provide to the property owners can be covered by the tax revenue generated by the development.

### **SECTOR PLAN**

The Site is located in the Metro West neighborhood within the 2006 Approved and Adopted Shady Grove Sector Plan area. The Sector Plan contains the following applicable recommendations for the Metro West neighborhood:

- Provide some commercial uses within all development to ensure an adequate mix of uses. Office and retail should be primarily located along MD 355 and Redland Road.
- Locate the Corridor Cities Transitway in the median of King Farm Boulevard Extended, elevated above street level to permit a cross-platform connection to Metro trains.

If the Site were developed in the County, Staff would recommend to the Planning Board that the Applicant be expected to provide ancillary retail along MD 355 as envisioned by the Sector Plan. Residential development is clearly the priority, but the Sector Plan envisions mixed-use development in this area.

At this point in time, Staff recognizes that there is concern over the demand for ground floor retail at this location. However, the Applicant has designed the building to accommodate future ground floor retail at which time such retail uses are supportable. The 6,300 square feet of floor space is located along the Rockville Pike frontage of the building, is accessible from Rockville Pike and has 15' heights suitable for retail uses if there is demand in the future.

### **Staging**

The Sector Plan includes a staging element, and Stage 1 is limited to 2,540 residential dwelling units. Since adoption of the Sector Plan, 2,366 residential units have been approved leaving 174 residential units available in Stage 1. If the site were developed under the County's jurisdiction, absent an amendment to the Sector Plan, a maximum of 174 units could be approved at this time. The staging in the Shady Grove Sector Plan would preclude the full construction of the density in this annexation proposal until the triggers for Stage 2 have been met.

## **Environment**

The Sector Plan notes that excessive noise is a significant issue within the Plan area. It supports “noise-compatible site design along Shady Grove Road, MD 355, Metro and CSX rail lines, the Solid Waste Transfer Station, and Roberts Oxygen” (p.109).

The Plan acknowledges the importance of the Solid Waste Transfer Station and “... the need to maintain its current location due to its use of the rail system for exporting solid waste. Its impacts on existing and proposed residential communities should be mitigated” (p.55). The Plan further recommends to work ... “with the Solid Waste Transfer Station to control odors by eliminating or relocating its yard waste processing area or through other innovative measures” (p.109).

Specifically, the Plan states that “odors emanating from the Solid Waste Transfer Station are an additional air quality concern in the Shady Grove Sector Plan area” (p.109). Future residential development adjacent to the Solid Waste facility could lead to complaints from future residents to either move or reduce functioning aspects of the existing facility.

## **Streetscape**

The Sector Plan’s streetscape plan recommends a new linear park along the Metro Access Road. The Plan recommends to “create an extensively landscaped boulevard that leads to the Metro station. It should reflect the ‘regreening of Shady Grove’ theme by establishing a garden character in the medians. Seating areas and other amenities should be provided within median areas that are over 50 feet wide to create outdoor places” (p.89).

The Plan also notes that “all development shall participate in construction or funding adjacent roadway improvements along their frontage. Provision of new local streets within Metro Neighborhoods are primarily the responsibility of new development” (p.81). The future redevelopment of the Property should provide similar streetscape improvements.

## **PUBLIC SCHOOLS**

The property is within the Gaithersburg Cluster. According to the County’s current FY 2016 Subdivision Staging Policy school test, the Elementary and Middle School levels are inadequate in the Gaithersburg Cluster. If the site were developed under the County’s Adequate Public Facilities Ordinance, a school facilities payment would be required at both levels at the time of building permit.

## **ANNOTATED CODE OF MARYLAND**

Section 4-401 of the Maryland Code’s Local Government Article, titled “Power to enlarge municipal boundaries by annexation,” states:

*(a) Subject to subsections (b) and (c) of this section, the legislative body of a municipality may enlarge its boundaries by annexation as provided in this subtitle.*

### ***Land to which power applies***

*(b) The power of annexation applies only to land that:*

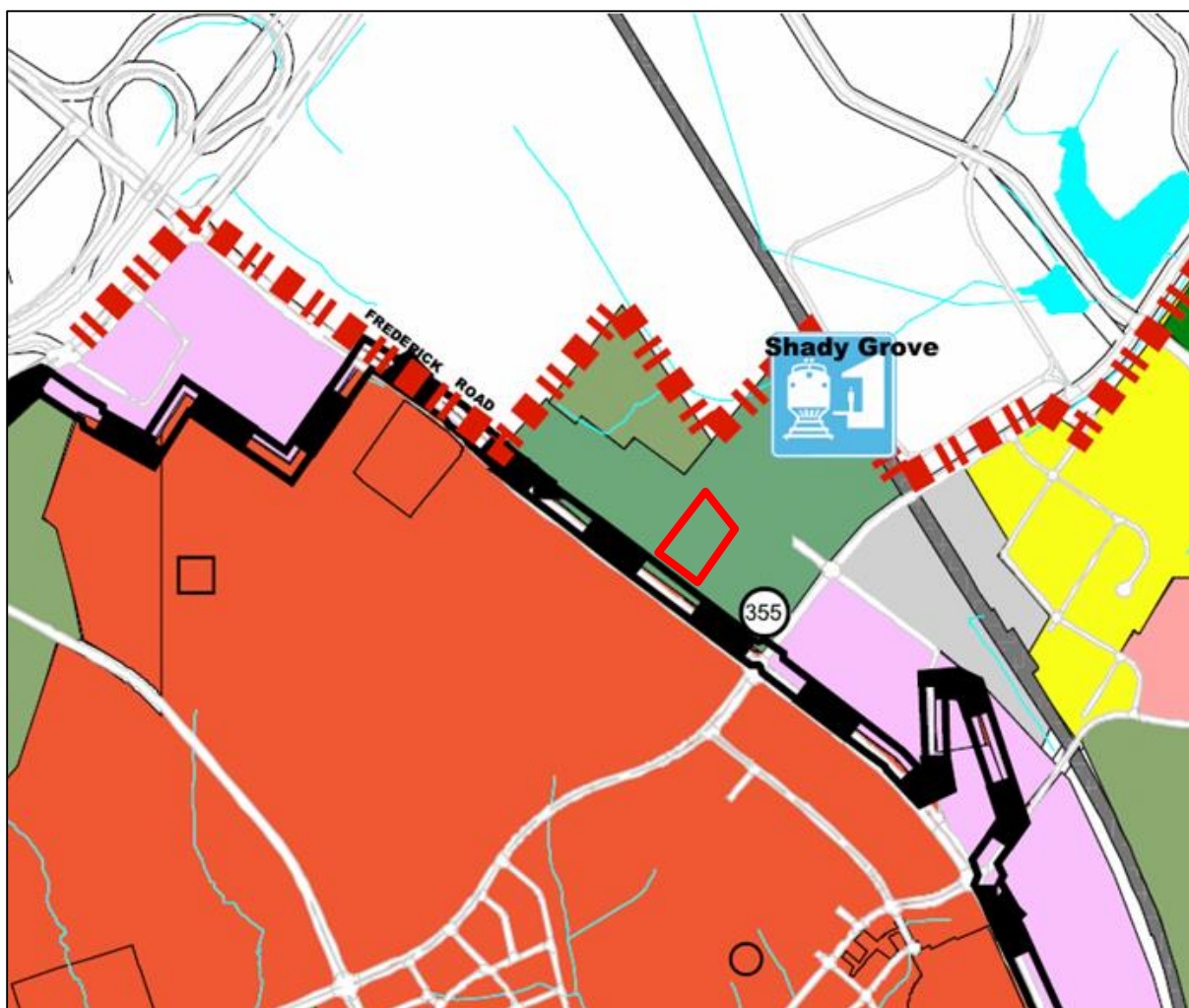
- (1) is contiguous and adjoining to the existing boundaries of the municipality; and*
- (2) does not create an unincorporated area that is bounded on all sides by:*

- (i) real property presently in the boundaries of the municipality;*
- (ii) real property proposed to be in the boundaries of the municipality as a result of the proposed annexation; or*
- (iii) any combination of real property described in item (i) or (ii) of this item.*

**Annexation of land in another municipality prohibited**

*(c) A municipality may not annex land that is in another municipality.*

This annexation petition meets these requirements since (1) the Site is contiguous and adjoining the City's boundary; (2) its annexation will not create an unincorporated area bounded on all sides by real property within the boundaries of the municipality; and (3) the Site is not part of another municipality. Further, the Site is within the City's Maximum Expansion Limits (MEL). The MEL boundary is indicated by red hash marks on the following map.



*CarMax Location (Outlined in Red)*

Section 4-406 of the Maryland Code's Local Government Article, titled "Public notice and hearing on resolution," states in relevant part:

*(a) After an annexation resolution is introduced, the chief executive and administrative officer of the municipality shall publish notice in accordance with the requirements of this section that:*



- (1) *briefly and accurately describes the proposed annexation and the applicable conditions and circumstances; and*
- (2) *specifies the date, time, and place that the legislative body sets for the public hearing on the proposed annexation.*

**Notice to county and planning agencies**

*(c) Immediately after the first publication of the public notice, the municipality shall provide a copy of the public notice to:*

- (1) the governing body of the county in which the municipality is located; and*
- (2) any regional or State planning agency with jurisdiction in the county.*

The letter from the City of Rockville, dated July 24, 2015, serves as official notification of the proposed annexation, as required by Section 4-406. It states that the Mayor and City Council will hold a public hearing regarding the proposed annexation on a date to be announced. The City Council approved the annexation plan on September 28, 2015, and scheduled the public hearing for November 16, 2015.

**Different Land Use or Density**

Maryland’s Local Government Article places some restrictions on changes in land use and zoning when a property is annexed into a municipality. Section 4-416(b) states that:

“Without the express approval of the county commissioners or county council of the county in which the municipality is located, for 5 years after an annexation by a municipality, the municipality may not allow development of the annexed land for land uses substantially different than the authorized use, or at a substantially higher density, not exceeding 50%, than could be granted for the proposed development, in accordance with the zoning classification of the county applicable at the time of the annexation.”

**County Approval of Zoning Classification**

Section 4-416(c) further states that:

“... if the county expressly approves, the municipality may place the annexed land in a zoning classification that allows a land use or density different from the land use or density specified in the zoning classification of the county or agency with planning and zoning jurisdiction over the land prior to its annexation applicable at the time of the annexation.”

The land uses permitted in the City’s Mixed Use Transit District (MXTD) are similar to the County’s CRT Zone. Both zones are intended for transit station areas where intense mixed-use development is recommended, with an emphasis/priority on residential development. The MXTD permits buildings up to 120 feet in height, while the building height established by the applicable County zone and Sector Plan is 100 feet.

Without the express approval of the County Council, the proposed development may be delayed for five years under Section 4-416(b) of the Maryland Local Government Article. The County’s CRT 1.5, C 0.5, R 1.25, H100 Zone allows a maximum total density of 1.5 FAR (311,738 square feet or 1.77 FAR with MPDU bonus density), and up to 1.25 FAR (267,831 square feet or 1.52 FAR with MPDU bonus density) for a 100 percent residential development. The annexation petition will permit residential development at 458,225 square feet or 2.61 FAR. The overall development is therefore substantially higher than the

maximum density allowed in the County Zone. However, considering the MPDU bonus density, the proposed density will be under the additional 50 percent permitted under Section 4-416(b) of the Maryland Local Government Article.



*Shady Grove Sector Plan-Metro West Density Recommendation*

## ENVIRONMENT

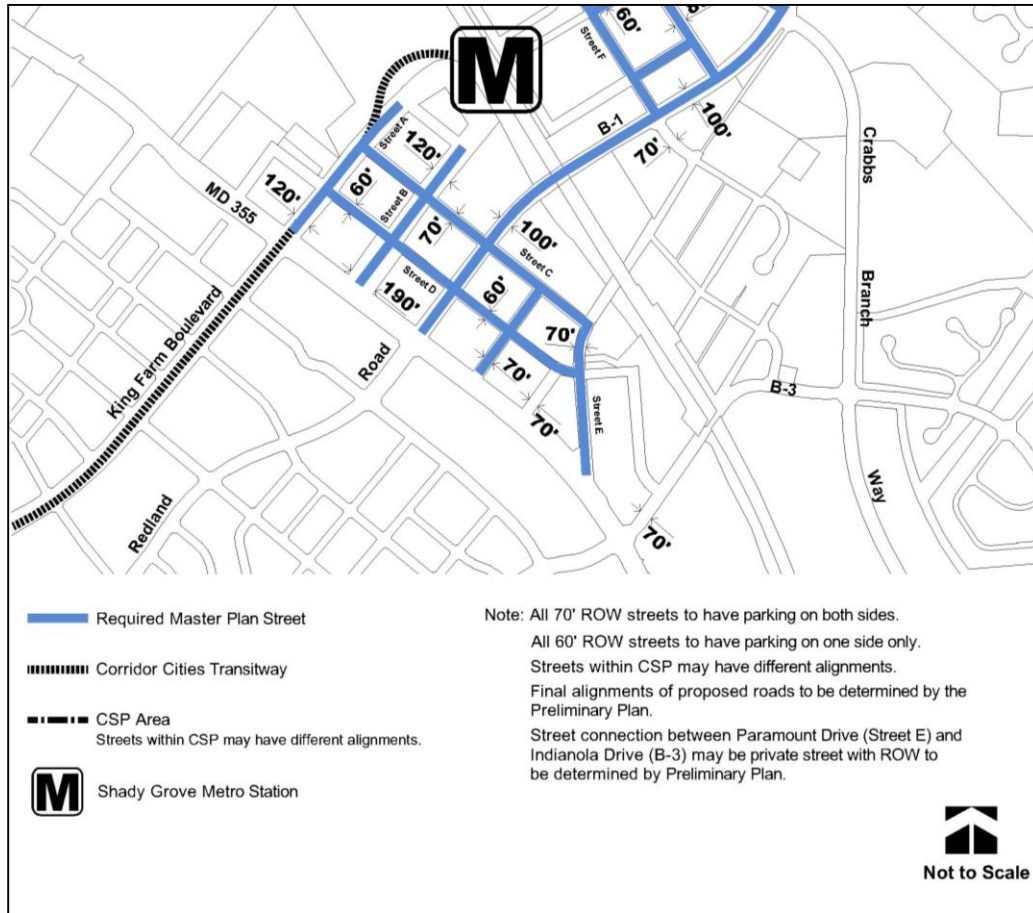
The environmental objectives in the Shady Grove Sector Plan include creating a green network of urban parks and open spaces; retaining existing green infrastructure; mitigating negative environmental impacts, such as noise; and developing strategies to reduce air pollution and odors. There are no streams, wetlands or forest on the subject site.

## TRANSPORTATION

The Site fronts onto Frederick Road (MD-355) and the Metro Access Road/King Farm Boulevard Extended. This segment of Frederick Road is classified as a major highway with a 120-foot right-of-way. The Sector Plan envisions this segment of MD 355 between Indianola Drive and the Solid Waste Transfer Station to be transformed into an urban boulevard. This entails “a median, requiring slower speeds, enhanced with streetscape and emphasizing pedestrian safety and access” (p.79).

A series of new commercial business streets are recommended in the Metro West neighborhood. King Farm Boulevard Extended/Metro Access Road (B-4) is identified as “Street A” and recommended for a 120-foot right-of-way. The recommended right-of-way for King Farm Boulevard extended/Metro Access Road (B-4) is 120 feet, and should be implemented via the annexation petition. “Street D” is also

recommended on the Property as part of the proposed public street network (illustrated below), and is recommended as a 60-foot right-of-way. The proposal shows a pedestrian and vehicular entrance to the proposed development terminating at the proposed parking garage. If the Site were developed in the County, Staff would recommend to the Planning Board that the Applicant be expected to provide the master-planned connection as envisioned by the Sector Plan.



*Sector Plan Street Network*

### Corridor Cities Transitway

The right-of-way for the Corridor Cities Transitway (CCT) is along King Farm Boulevard Extended/Metro Access Road. The CCT is proposed as either a light-rail transit or bus rapid transit system that will connect Shady Grove to Clarksburg. The annexation petition must reserve the recommended right-of-way along King Farm Boulevard Extended/Metro Access Road.

### Bike Network

Two Class I Shared Use Paths (SP-64) and (SP-66) are recommended for the entire length of Frederick Road in the Plan area, and the Metro Access Road, respectively.

## **CONCLUSION**

The petition proposes a use that is in substantial conformance with uses authorized in both the CRT Zone and the Approved and Adopted Shady Grove Sector Plan. Further, while the achievable density by the proposed zone is substantially higher than the current zone and Sector Plan's recommendation, the proposed development is within the 50% additional density permitted under Section 4-416 of the Maryland Local Government Article. Staff believes the proposed development/annexation request is in substantial conformance with the Sector Plan and the established development pattern of the surrounding area; Staff, therefore, recommends that the Montgomery County Council grant the zoning request.

## **Attachment**

1. City of Rockville Annexation Plan

# ATTACHMENT 1

## Annexation Plan

Annexation Case No: ANX2015-00145

This Annexation Plan is prepared as a result of an applicant initiated request to annex land into the City of Rockville. Pursuant to Local Government Code 4-415 of the Annotated Code of Maryland (Exhibit 9), the Annexation Plan shall include a description of the land use pattern proposed for the area to be annexed, demonstrate the available land for public facilities, and describe the schedule for extending the public services and the anticipated means of financing the extension of services. The following description fulfills the requirement. The area proposed for annexation is within the City's Maximum Expansion Limits, as established in the City's Master Plan and the Municipal Growth Element, adopted in December 2010.

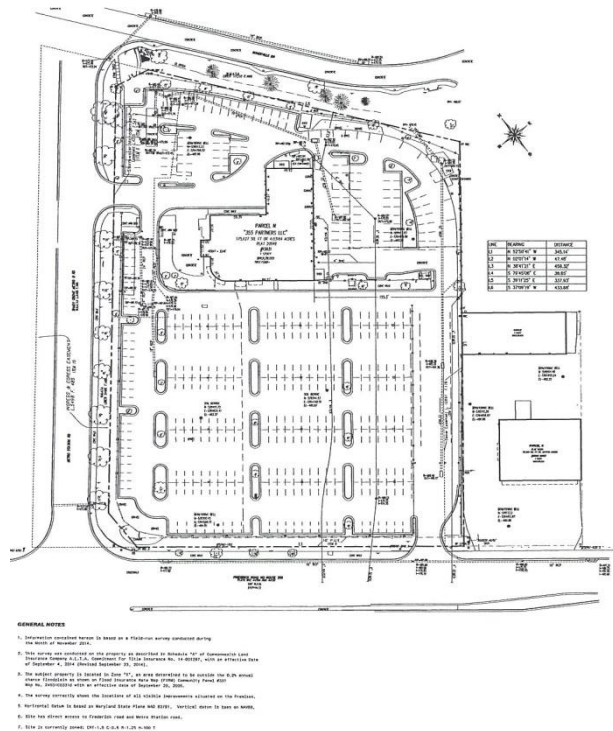
## General Information and Description

### Petitioners:

Frederick Road, LLC  
c/o Silverwood Investments  
1925 Isaac Newton Square East, Suite 110  
Reston, VA 20190

### Location:

The parcel of land proposed for annexation is located at the southeast corner of the intersection of Shady Grove Metro Access Road and Frederick Road. Also described as 15931 Frederick Road or Parcel N, Derwood, recorded in Plat Book 179, Plat 20049. Exhibit A shows the parcel to be annexed. The area proposed for annexation is approximately 4.032 acres or 175,634 square feet. The metes and bounds description of the proposed annexation is included as Attachment A.



## Background

Pursuant to the Local Government Article, Division II, Title 4, Subtitle 4 Annexation, of the Annotated Code of Maryland, an annexation plan shall be adopted by the legislative body for the area to be annexed. The annexation plan shall demonstrate that the proposed annexation is consistent with the Municipal Growth element of the Comprehensive Plan of the municipality.



## **Land Use Patterns of area proposed to be annexed**

The area of annexation is approximately 4.032 acres (or 175,634 square feet).

### Existing Conditions:

The project site is a developed site with an existing building that houses a car dealership, constructed prior to the current zoning. The land is adjacent to properties with the County's CRT zoning designation. The Metro Station parking lot abuts this property at the rear of the site. A day care facility and retail/auto repair facility also abuts this property to south. To the west across MD 355 is the King Farm development and a number of multi-family buildings. The proposed residential use is consistent with the existing residential development across MD 355 and the County's Shady Grove Sector Plan's vision of a mixed use transit oriented development surrounding the metro station. The sector plan specifically anticipates high density residential development on this property.

The property is governed by the County's Shady Grove Sector Plan, which plans for a mix of uses with a residential density of 25-30 dwelling units per acre. The property on the opposite side of Shady Grove Metro Access Road was annexed into the City in 2012 and a multi-family residential development similar to what has been proposed for this site has been constructed. This recently annexed property located within the City is zoned MXTD-Mixed Use Transit District, which is the same district the applicant has requested.

### Current Zoning:

The zoning is CRT1.5, C 0.25, R1.25, H100 (Commercial Residential Town) within Montgomery County. The County zoning allows for a mixture of uses and regulates these uses based on a prescribed Floor-to-Area (FAR) ratio. In addition, the maximum height permitted in this district is 100 feet. Bonus density is permitted based on the provision of affordable dwelling units.

### Proposed Zoning:

The applicant has requested a zoning of MXTD-Mixed Use Transit District upon annexation, which allows for a similar use structure as the current County zoning district of the Commercial Residential Town (CRT). For that reason, the proposed MXTD zoning is generally consistent with the County Master Plan and the Shady Grove Sector Plan, as adopted by the Maryland National Park and Planning Commission.

The MXTD zoning designation provides for a similar transit oriented mixture of uses. However, the Shady Grove plan anticipates ground floor retail in this area, which is not proposed by the applicant but is permitted in the MXTD zoning district. The MXTD zoning does not have a FAR requirement that would cap density on the site in the same manner as the County's CRT designation. While the County Plan anticipates a density of 25-30 dwelling units per acre, the County's recently adopted zoning ordinance would allow for approximately 70 units per acre with additional commercial square footage. In addition, the MXTD zoning allows for a building height of up to 120 feet, with the potential of 150 feet if approved. The applicant is proposing a building height of 85 feet.

A comparison of the County CRT district and the City’s MXTD district is provided in the following chart. This chart also details the specific statistics of the applicant’s proposed development.

	<b>Proposed Frederick Road LLC Development</b>	<b>MXTD Maximum</b>	<b>CRT Maximum (Per County Staff)</b>
<b>Height</b>	85' (6 or 7 stories)	120'	100'
<b>Residential FAR</b>	2.61	No FAR Maximum	1.525 (with 22% Density Bonus for Providing 15% MPDU)
<b>Commercial FAR</b>	N/A	No FAR Maximum	0.25 in addition to Residential FAR
<b>Open Space</b>	21%	15%	10%
<b>Residential Square Footage</b>	458,225 square feet (7 stories)	Based on 65,000 per floor (per applicant estimate of 7 stories and 458,225 sq.ft.), the applicant could construct 3 additional stories and be within the 120' height requirement:  Total square footage permitted 653,225	267,831 square feet maximum
<b>Commercial Square Footage</b>	No Commercial Use Proposed	Commercial Use Permitted	43,907 square feet maximum (Required)
<b>Total Achievable Under Zoning</b>		653,225 residential square feet with a 10 story building	311,738 residential and commercial square feet in an 8 story building

Compliance with Municipal Growth Element of City of Rockville Plan:

The subject property is consistent with the Municipal Growth Element of the City of Rockville Plan and is within the boundaries of the City’s urban growth boundary. The property in question is next to property that was annexed into the City in 2012. The MGE anticipates that the areas available for growth in Rockville are infill locations in the I-270 and MD 355 corridors. These areas are developed with single use commercial uses that will be redeveloped into mixed-use properties where supported by zoning and market forces. The MGE anticipates new residential development to be multi-family. The 2010 MGE expanded the City’s Maximum Expansion Limits (MELs) in the Shady Grove metro station area in order to achieve positive fiscal benefits and allow for control over development in areas that already affect the City (MGE p.68).

## **Adequacy of Public Facilities**

### Water and Sewer:

The Washington Suburban Sanitary Commission (WSSC) currently provides public water and sewer services to the property within the annexation area. No changes in service will occur as a result of the annexation, although the specifics of the sewer and water service will be evaluated as part of a site plan application. WSSC has the capacity to provide service to the property in question.

### Roads:

The existing public roads are adequate to serve the property's current use within the annexation area. The site is currently improved and occupied by an auto dealership building. Additional development is proposed for the site and traffic impact will be analyzed as part of any proposed future Site Plan application.

### Transit:

The site is immediately adjacent to the Shady Grove Metro Station. Bus service is also available through Ride On and WMATA. In addition to these current transit options, the 355 corridor is on the route of the planned Corridor Cities Transitway (CCT) bus rapid transit (BRT) project.

### Police Services:

Police protection will primarily be provided by the Rockville Police Department in conjunction with the Montgomery County Police Department. County Police District 1 serves Rockville, though the resources of the entire County Department are available if needed.

### Fire, EMS and Rescue Services:

No significant impacts on emergency services and public schools are anticipated as a result of this annexation since there are no proposed changes to existing uses. The Montgomery County Fire and Emergency Services (MCFRS) provides fire and disaster protection. Rockville does not provide this service as a part of its municipal government. There are two fire stations in Rockville. Station 3, at 380 Hungerford Drive, serves this area, although other stations are available to supplement service (Station 28 on Muncaster Mill Rd. in Rockville, Station 8 on Russell Avenue in Gaithersburg and Station 32 at 9615 Darnestown Road). The property meets the APF standard of response by two stations within ten minutes.

### School Services:

No significant impacts on Montgomery County public schools system are anticipated as a result of this annexation. Concurrent with the Level 2 site plan review, required for any proposed residential development of the site, an analysis of the school capacity will be made and any impacts will be identified. The City estimates a maximum total of 62 students, distributed through the three school levels will be generated from a development on this property. Even at this level, the Gaithersburg cluster (Washington Grove ES, Forest Oak MS, Gaithersburg HS) can adequately support the additional increase in students at each school.

Parks and Recreation/Public Libraries:

Parks and recreation facility expansions are not proposed for this annexation. Currently, the closest park facilities are located in the King Farm development and include the Farmstead, Stepanek Park and King Farm Park. The County sector plan proposes a town square near the metro to be developed as part of a public/private redevelopment of the WMATA property. The current and proposed zones have open space requirements for public use space that must be met with redevelopment. The County CRT designation requires 10% of the site be maintained as open space, while the MXTD district requires 15%. The concept currently proposed by the applicant provides for 21% open space. The closet library to the project is the Rockville Memorial Library.

Stormwater Management:

If annexed, all properties shall be required to pay an annual Stormwater Management Utility Fee in accordance with Section 19-36 of the City Code. The City Stormwater Management Utility Fee will replace the Water Quality Protection Charge, an annual fee assessed by the Montgomery County Department of Environmental Protection. Additionally, a review of stormwater management will be conducted as part of the site plan process required for future development or redevelopment of the site.

Impact on sensitive environmental areas:

Since the site is currently developed with a car dealership, and the site mostly paved, there are no impacts to environmental resources on or immediately adjacent to the site.

Cost to the City on having to provide such services:

The 2012 Development Fiscal Impact Analysis conducted for the City concluded that a multiple family dwelling unit valued at approximately \$190,000 (based on 2012/2013FY dollars) would result in a break even fiscal impact to the City. While there will be fiscal impacts to the City due to the proposed development, it is expected that the additional tax revenue generated on an annual basis would outweigh those costs. By comparing similarly situated developments in the City, the City's fiscal impact model concludes that the proposed development would result in a net benefit of between \$2,505 and \$14,633 per year over the next 20 years.

Conclusion

In summary, the proposed area to be annexed is generally consistent with the County and the City Master Plans and fulfills the purposes and requirements of the zone, although the City zone allows greater density than the County zone. In addition, the proposed development is generally compatible with the surrounding community, the proposed annexation and its related development is in a location anticipated for growth by the MGE, and the impacts on services the City of Rockville will provide to the property owners can be covered by the tax revenue generated by the development.

# Attachment A

## DESCRIPTION OF PARCEL N, DERWOOD, PLAT BOOK 179 AT PLAT 20049 MONTGOMERY COUNTY, MARYLAND

Beginning for the same at a rebar with plastic cap found on the southwest corner of the Parcel N herein described, recorded as Plat number 20049 among the Land Records of Montgomery County, Maryland. Also being the northerly right of way line of Frederick Road, Maryland Route 355, (120' wide) recorded as S.R.C. Plat numbers 44320 and 44321 among the aforementioned Land Records; thence departing said right of way line along Parcel N herein described

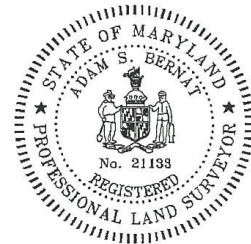
1. North 02°01'14" West, 47.48' to a point; thence
2. North 38°41'21" East, 459.32' to a rebar and cap found; thence
3. South 79°45'08" East, 38.65' to a rebar and cap found; thence
4. South 39°11'25" East, 337.93' to a rebar and cap found; thence
5. South 37°09'19" West, 433.68 to an iron rod found on the aforementioned northerly line of Frederick Avenue; thence along said right of way
6. North 52°50'41" West, 345.14' to the point of beginning containing 175,627 square feet or 4.03184 acres of land.

### Surveyors Certification

I hereby certify that I was in responsible charge over the preparation of this metes and bounds description and the surveying work reflected in it, all in compliance with requirements set forth in 09.13.06.12 of the COMAR Regulations.

**Johnson ♦ Bernat ♦ Associates, Inc.**

 4/23/2015  
Adam S. Bernat, L.S. Date:



Exp. 6/20/2016



