

APPENDIX 1

THE GREATER OLNEY CIVIC ASSOCIATION

p.o. Box 212
Olney, Maryland 20830
www.goca.org

Mr. Derick Berlage
Montgomery County Planning Board
Maryland National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Via FAX March 4, 2003

Re: Local Map Amendment G-803: J. Kirby Development, LLC - Rezoning at 18301 Ga. Ave.

Dear Mr. Berlage, Members of the Board and Planning Staff:

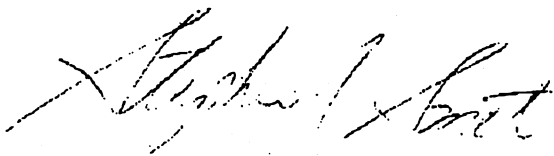
The Greater Olney Civic Association has withdrawn its opposition to the above referenced case and will support this application as shown on the Olney Manor site plan dated February 20, 2003. (concept "M")

The applicant, planning board staff and community has worked to minimize negative impacts this development might have and has reached a reasonable compromise which would be consistent with the upcoming Olney Master Plan and would set the tone for allowing moderate density increase in the Olney Town Center to accommodate expected growth over the next twenty years.

Areas of concern that need to be monitored for this plan are as follows:

- So as not to significantly reduce the visual appeal of the community at the gateway from the north into Olney, reforestation and landscape trees must be as mature as possible with heavy all season tree buffering where the building comes closest to Georgia Avenue and also the Hail's property.
- If Appomattox Avenue is built, it should be designed to hold down traffic speed and maximize tree buffer.
- Sidewalks should be built away from the street with tree buffering/landscaped berm between the street and sidewalk.
- The height of the building is substantial so the roof line would need relief to break up its mass as well as making sure the highest part of the building including roof ridge line does not exceed 50 feet above Georgia Avenue.
- Traffic mitigation, off street parking, shuttle bus service, pedestrian safety and other issues must be addressed during the approval process.

Sincerely,
The Greater Olney Civic Association



Stephen J. Smet, President
Cc; Greater Olney Civic Association, Board and Membership
Kathy Reilly, MNCPPC
Jeff Kirby Development

Mr. & Mrs. R. L. Hails Sr.
18319 Georgia Avenue
Olney Maryland 20832
March 4, 2003

Mr. Stephen J. Smet
Greater Olney Civic Association
via Email

Reference: MNCPP Rezoning Case G-803, Property at 18301 Georgia Avenue, Olney Maryland

Dear Steve:

We appreciate your time and the opportunity to review and comment on the undated conceptual sketch, Revision M (reduced copy enclosed), a revised site plan of the proposed project. We understand that this design is the outgrowth of the comments from last Thursday's meeting with MNCPPC, GOCA, Kirby Development LLC, and myself. I reference and re-request my written comments be delivered to all parties at the meeting, but restrict our comments here to Rev. M.

Conceptually, we concur in general with the design and land use; it is much improved. We need a completed scaled drawing showing our property and improvements relative to this design, but offer these specifics to coordinate and expedite that design development. (They are numbered for reference, not priority):

1.) The Appomattox Way ROW, if needed, should be as narrow as possible and positioned as far south as possible where it runs near our property and intersects Rt. 97. This should be consistent with a layout that minimizes traffic speed. We see no need for curbs or sidewalks on the north side of the ROW.

2.) North of the ROW, we request that the "out lot" concept be maintained. (I may not be employing a legal term correctly) Conceptually, we seek a buffer to road traffic noise, lights, odors, and view, as well as unsightly portions of the project, e.g. trash, maintenance areas, etc. from the private portion of our home. The buffer should provide a high level of opacity in all seasons. Leland Cedars of 6-10 ft height (depending on project /road schedule) or similar evergreens at close spacing, and multiple, staggered rows, along our common property line, should be planted and maintained by the project. The existing natural, mature trees should be retained as much as possible. Mr. Kirby has agreed to do this in concept. We request further traffic abatement study. We are concerned that the realignment of Appomattox Way will create undesirable traffic consequences east of the project, beyond Kirby's property, that must be screened off-site due to the differential elevations. This must be considered in alignment design, and funding of the roadwork.

3.) Somewhere, to be mutually determined by Kirby and ourselves, and consistent with community planning, we request an easement for future driveway(s) from our property to Appomattox Way and/or the project driveway. From prior decisions by SHA, we are certain that if Appomattox Way exists, we would be denied an additional driveway cut in Rt. 97 from our property, albeit it is permissible with our frontage under SHA rules. By policy, SHA strictly minimizes driveway cuts into this highway. The location design of "our new" Appomattox driveway cut should be coordinated with the above buffer landscaping and James Creek crossing buffer and crossing design. Mr. Kirby has agreed to do this in concept. This is presented for information and may be extraneous to this current rezoning process.

4.) We concur with Mr. Kirby that a slight stream bed encroachment of the southeast corner of the

building footprint into the 125 ft. stream buffer, moving the footprint slightly further southeast, even more than shown in Revision M, would site the structure in a much more desirable posture. It would improve vehicular and traffic problems, minimize the "canyon" effect of the tall structure view from Georgia Avenue and provide quite close viewing of the wildlife by the elderly occupants. For example: Today, a deer lay down in 12 A snow and slept for four hours curled beneath our family room window. We treasure such experiences. The existing forested corridor between the project and our land is home to raccoon, fox, rabbit, squirrel, red-tail hawk, pheasant, dove, and several herd of whitetail deer. The enjoyment of their continued presence by the elderly residents next door cannot be over-emphasized and is an environmental resource in great danger of being lost. The very small encroachment we recommend is trivial compared to the decision to site Appomattox Way from an environmental viewpoint. Maintaining a unified green space that is organic and continuous on the north border of the project is far more desirable than rigid adherence to the 125 ft. setback on the south, undetectable except by a surveyor. The road will cause road-kills and chop the forest into segments.

We have experienced road-killed deer once a year in our small front lawn since 1994. These are traumatic and dangerous to pedestrians and motorists. Appomattox Way will increase this kill rate and degrade wildlife habitat to a far greater degree than the suggested slight mathematical encroachment. The rich wildlife fauna benefiting all of Olney will be jeopardized by proposed road, not by the building. This is a major decision on our community's future.

5.) To the degree possible, we would prefer the building height be minimized, particularly at the northern end to preclude the canyon look. We concur with what has been discussed for the elevations, and agree the site plan improves this concern. A flat roof with sloped trusses and modest parapets would offer a visual transition from the residential scene to the town center visualization in this important location. A flat roof is a highly cost effective design that offers advanced thermal (energy) efficiencies unavailable to sloped roof designs. It can significantly lower air conditioning costs, save peak electric power generation/consumption, and prolong roof life. (Refer to U. S. Department of Energy, and Department of Defense reports on this technology.)

6.) We share the voiced concerns of parking and traffic but leave this design resolution to experts.

We would appreciate the opportunity to review the developed design considering the above comments. Thank you for your interest in this matter.

Sincerely,

R. L. Hails Sr.

B. G. Hails

CC:

Ms. Kathy Reilly, MNCPPC w/1, via mail

R. Kirby, w/0, via Email

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THE GREATER OLNEY CIVIC ASSOCIATION

p.o. Box 212
Olney, Maryland 20830
www.goca.org

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Mr. Derrick Berlage
Montgomery County Planning Board
Maryland National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Via FAX

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Re: Local Map Amendment G-803: J. Kirby Development, LLC - Rezoning at 18301 Ga. Ave.

Dear Mr. Berlage, Members of the Board and Planning Staff:

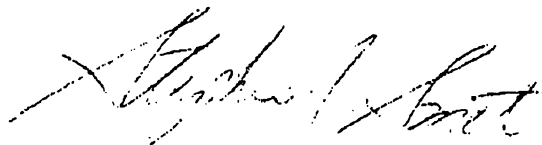
The Greater Olney Civic Association requests that the Board disapproves this application because the applicant has never shown this plan to the community. The plan as shown has created significant negative impacts to the community.

In fact, starting in March 2002 and as late as December 2002, the applicant came before the Greater Olney Civic Association several times requesting our support and showed plans that were significantly different than the one dated 1/23/03. The Greater Olney Civic Association vehemently opposes and rejects the plan as shown, dated 1/23/03 submitted by the applicant because of problems associated with this plan.

Some of the problems with the plan dated 1/23/03 are as follows:

- The community at large has not had the opportunity to see this plan or provide the applicant with comments.
- The plan as shown significantly reduces the visual appeal of the community at the gateway from the north into Olney.
- The plan shows ingress and egress onto a road that currently does not exist.
- The plan has an illogical parking layout where residents would have to cross a road at a mid-block location (if built) to reach their cars.
- If the road Appomattox Ave. was built as shown the parking plan would show eleven spaces being built effectively off-site in relation to the rest of the project.
- The plan shows that in order to accommodate a bad building layout that instead of having parking close to the elderly residents, the residents of the southernmost building would have to walk even further to get to their cars. What sense is this?
- The plan shows the southernmost building drawn to protrude out grossly into an area which was to have a vista or long visual sight line along Georgia Avenue.
- The plan shown is too high with the building protruding out towards Georgia Avenue.
- The plan shown increases the number of units in the project.

Sincerely,
The Greater Olney Civic Association



Stephen J. Smet, Vice President
Cc: Greater Olney Civic Association, Board and Membership
Kathy Reilly, MNCPPC

Thomas Maddox
406 Green Pasture Drive
Rockville, Maryland 20852

December 13, 2002

Mr. Derick Berlage
Chairman
Montgomery County Planning Board
MNCP&PC
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

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Subj: Appomattox Way
Olney, MD

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Dear Chairman Berlage:

As representative of the Finneyfrock Family, life long residents and property owners of Olney, I wish to express my strong opposition to the planned extension of Appomattox Way to Georgia Avenue. My elderly aunt lives on the property located at 18301 Georgia Avenue and has for over 70 years. Her age and health have necessitated that we consider a sale of the property. The property is zoned R-200 and C-1. The planned extension of Appomattox Way would bisect our property and make it essentially worthless for future sale or development. In fact there is an existing contract for the purchase of the property for the development of affordable senior housing which, in the event the extension of Appomattox Way is approved, would terminate because the property would be unusable as a result. This would be disastrous for my family and in particular my aunt Cornella. Note that our property contains a significant amount of floodplain associated with the major stream running along its eastern boundary, the result being that less than half the property is currently usable. The extension of Appomattox Way would severely reduce this even further making the property worthless.

Major environmental issues would be encountered in attempting any crossing of the existing stream. This is a large perennial stream which would be significantly impacted by the major crossing needed to extend Appomattox Way. In addition the existing Olney Masterplan states that Appomattox Way is not needed if Prince Phillip Drive is built, which it has been and is open to traffic. Extending Appomattox Way will not solve any existing traffic problems, to the contrary it will make travel on Georgia Avenue more dangerous. Georgia Avenue is a two lane road at this location and Prince Phillip Drive currently provides alternate access to Georgia Avenue. State Highway surely will not look favorably on more left turns onto Georgia Avenue or another traffic signal so close to Prince Phillip Drive. In 1995 the Planning Board voted to remove the extension of Appomattox Way from the masterplan due to the above noted items. These facts have not changed! Why is staff again looking at this possibility?

In view of the above we respectfully request that the planned extension of Appomattox Way to Georgia Avenue be removed from consideration and eliminated from the Olney Masterplan. Your attention to this request is greatly appreciated.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Tom Maddox', with a long horizontal flourish extending to the left.

Tom Maddox

**Cc: Corneila Maddox
Dudley Finneyfrock
Khalid Afzul - P&P
John Carter - P&P**

Cornelia Maddox
Dudley Finneyfrock
18301 Georgia Avenue
Olney, Maryland 20832

RECEIVED
1956
DEC 18 2002

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

December 11, 2002

Mr. Derick Berlage
Chairman
Montgomery County Planning Board
MNCP&PC
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Re: Appomattox Way Extension

Dear Chairman Berlage:

We are life long residents of Olney and have lived on our property located at 18301 Georgia Avenue for over 70 years. We wish to express our strong opposition to the planned extension of Appomattox Way through our property. Due to our age and poor health we have to consider a sale of the property. The planned extension of Appomattox Way would bisect our property and make it essentially worthless for future sale or development. There is a contract for the purchase of the property for the development of affordable senior housing which will not go ahead if the extension of Appomattox Way is approved. This would be a personal financial disaster for us. Less than half the property is usable because of the stream along its boundary. The extension of Appomattox Way would reduce the use of the property even further and make it worthless, not to mention the environmental problems which would be encountered to cross the existing stream.

Please recall that the existing Olney Masterplan states that Appomattox Way is not needed if Prince Phillip Drive is built, which it has been. The extension of Appomattox Way will not solve the traffic problems it will make travel on Georgia Avenue more dangerous. Georgia Avenue is a two lane road at this location and Prince Phillip Drive currently provides alternate access to Georgia Avenue. We don't feel State Highway will like more left turns onto Georgia Avenue or another traffic signal so close to Prince Phillip Drive. In 1995 the Planning Board voted to eliminate the extension of Appomattox Way from the Masterplan. Why then would the County even consider looking at the extension of Appomattox Way again?

We are very much opposed to the extension of Appomattox Way. For our sake and that of Olney we respectfully request that the planned extension of Appomattox Way to Georgia Avenue be removed from consideration and eliminated from the Olney Masterplan. Thank you so much for your cooperation.

Sincerely,

Corneila Maddox

Corneila Maddox

Dudley Finneyfrock

Dudley Finneyfrock

cc: Khalid Afzul - P&P
John Carter - P&P