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Subj: Comments/Recommendations for the TNP version 3/19/2008

## Twinbrook Neighborhood Plan

To the Mayor and Council  
City of Rockville

The Twinbrook Citizens Association watched with concern your three workshops on the Twinbrook Neighborhood Plan. The Plan as written does not adequately represent the neighborhood's issues.

We have prepared a precis of changes that need to be made ONLY to bring the Plan as written in line with neighborhood needs. We continue in our position that this plan does not represent the wishes of the neighborhood, especially with regards to development standards for our commercial areas, and that it is deficient in supporting, improving, and expanding those neighborhood amenities which are necessary for our neighborhood to even attain parity with other neighborhoods in Rockville.

Specifically, we contend that the Twinbrook Neighborhood Plan as written does not support the four goals outlined in the 1982 Twinbrook Neighborhood Plan (see pg 9):

- a. **“Sustaining the existing residential character, (principally single family, owner-occupied detached housing), through continuation of high standards for maintaining and enhancing housing and community facilities;”**
- b. **“Denying external attempts of encroachment; (zoning changes which would impact the character of the neighborhood.)”**
- c. **“Continuing to seek direction from the neighborhood on issues affecting its future;”**
- d. **“Encouraging safe circulation for pedestrians and vehicles.”**

Please note that cited page *numbers* refer to the “Planning Commission Recommended Draft – June 2008” as shown on March 21, 2009 at

<http://www.rockvillemd.gov/government/commissions/pc/2008/reports/0611twinbrook.pdf>.

In order to facilitate navigation of the document as well as others posted on the City web site, the page numbers refer to the page location at the top of the PDF versions, not the page numbers or appendix numbers on the images.

Please note that the cited page *attachments* (A-1, B-1) refer to the version posted by Staff as a component of the Staff report on approximately Thursday evening March 19, 2008.

## CHAPTER 1: INTRODUCTION

**Pg A-3: “*Twinbrook has evolved from a low-density, single-family residential suburban area....*”**

Twinbrook is still a “low-density, single-family residential suburban area” (pg A-3). The Twinbrook population numbers are lower than their historic highs in the 1960s and 1970s, mostly due to a decrease in household size. To characterize Twinbrook as “*increasingly diverse and densely populated neighborhood*” is misleading and feeds the perception that we should be increasing housing density in Twinbrook to accommodate a “*dense population*” that currently does not exist in this area. Furthermore, this

misconception obscures the reality that Twinbrook already has the capacity to house more people (mostly children) should the demographics swing back to earlier levels.

**Pg A-5: table “Neighborhood General Characteristics”**

*Lists 1044 renter occupied units in Planning Area 8, lists 487 renter occupied units in Planning Area 7.*

Please verify and if necessary correct this table. Planning Area 8, according to the table “Property” on pg 25 includes 162 units at the Woods and 168 units at the Forest apartment complexes. On Pg 38 are cited 221 licensed single family rental units in Planning Area 8 as well as 136 licensed rentals in Planning Area 7. Please clarify how Staff arrived at 1044 rental units in Planning Area 8 when other sections of this document specify 551 rental units in Planning Area 8. Please clarify how Staff arrived at 487 rental units in Planning Area 7 when other sections of this document specify 136 rental units in Planning Area 7.

It appears that the table “Neighborhood General Characteristics” is derived from 2000 census data. There have been no significant additions of multifamily rental units. This implies either that the data as presented is wrong either on pg 11 or on pg 25 and pg 38 OR that there are 493 undocumented and unlicensed rentals in Planning Area 8 and 351 undocumented and unlicensed rentals in Planning Area 7.

Specifically, the implication of this table “Neighborhood General Characteristics” is that we are a neighborhood of renters. Is this true or not?

In general, the data presented in all the tables bears examination and verification.

**Pg 14: DELETED: *Housing Types***

~~*Approximately, 91.4% of the housing units are detached and attached single-family units: with 88.1% of the units (3,391) in single homes, 3.3% (127) in townhouse units and 8.6% (330) in multi-family homes. Note 3391+127+330 = 3848 “housing units”*~~

This language was in the draft approved by the Planning Commission and was subsequently removed by Staff without explanation. Please verify, correct if necessary, and reinsert this language. This language documents in clear and plain terms the actual composition of the neighborhood as an area predominantly composed of single family houses, with minor numbers of townhouses and “multifamily” houses (aka apartments). Why can this not be clearly stated?

Furthermore, it is not clear whether this language is deleted because the Staff wish to suppress the information or because it is inconsistent with the data shown in the table “Neighborhood General Characteristics” on Pg A-5 listing 4689 “housing units” in Planning Areas 7 and 8. Please resolve this discrepancy.

**Pg A-9: Staff correction: *However, the level of need appears to be leveling off in recent years, both within the Twinbrook neighborhoods, and in the County as a whole.***

This statement is not justified by the data presented in the table *Twinbrook and Meadow Hall Elementary Schools*

*Free and Reduced-price Meal System Rate*

*(As compared with Montgomery County as a whole)*

since only percentages are shown, not actual numbers, it is impossible to determine whether the change in this measurement is caused by a decrease in the numerator (number of recipients) or an increase in the denominator (total number of students). Please verify, correct if necessary, and reinsert appropriate language.

**Pg. A-10: “Regional Context: External Pressures on the Twinbrook Neighborhoods”**

While we enjoyed this digression on the projection population increase for Montgomery County as a whole,

this discussion is inappropriate for inclusion in the Twinbrook Neighborhood Plan unless it includes an estimate of *how many* of the 207,000 people expected to move to Montgomery County will be moving to Twinbrook and *how many* can already be accommodated. Projecting from the data as shown in the table on Pg 12:

	2009	2030	Change
Montgomery County:	938,000	1,145,000	207,000
Twinbrook:	10,847	12807	1960

This shows that AT THE WORST, in a totally equitable case with density increasing proportionate to current levels and no additional development outside of already developed areas in Montgomery County, Twinbrook would be projected to accommodate 1960 additional residents by 2030, which would be close to historic highs for the Twinbrook neighborhood. However this projection does not take into consideration the additional housing capacity already approved in the area surrounding the Twinbrook neighborhood.

Most approximate to this area, the approved 1595 apartments at Twinbrook Station, at a conservative estimate of 2 residents per apartment, could absorb approximately 3190 new residents, or approximately 161% of the projected “share” for Twinbrook of Montgomery County’s population increase by 2030, in an almost immediate time frame.

Furthermore, there are other housing projects outside Twinbrook as well as outside Rockville, for example Clarksburg, that were designed specifically to accommodate Montgomery County’s population increase. Our counts list approvals, plans, or recent actual construction starts for approximately 25,000 apartments/condos along the Red Line corridor from Friendship Heights to upper Rockville, which means that the Red Line is “planned” to absorb a disproportionate share of Montgomery County’s projected population increase as well as a disproportionate share the projected increase on ALL the spokes of the WMATA system. This is in complete disregard of the fact that the WMATA system is at or near capacity and cannot accommodate more users unless significant investments in infrastructure are funded. Where we refer to “designed specifically” we refer to the fact that those projects such as Clarksburg were designed with adequate infrastructure, schools, etc., as per the County’s APFO and impact requirements. These assessments are conspicuously lacking in the Twinbrook Neighborhood Plan, most importantly in regard to proposed upzoning along lower Lewis Avenue and along Veirs Mill Road.

The Staff’s assumption that Twinbrook requires accommodation for a [Pg 9] “*densely populated*” neighborhood (either current or future) does not withstand scrutiny. Referring back to the 1982 Plan’s primary objective of “**sustaining the existing residential character**”, this Neighborhood Plan does not provide defensible data to justify increasing densities on the commercial areas either for commercial or residential uses. Pre-approving such increases without tying them to specific, identifiable benefits to the NEIGHBORHOOD does not fulfill the purpose in general of a Neighborhood Master Plan.

[Additional impacts such as traffic, amenities, schools, etc, as regulated by the APFO will be considered below.]

Furthermore, we doubt that any other neighborhood predominantly consisting of single family homes is expected in ANY Master Plan of the City or the County to absorb a proportionate population increase. The language and assumptions reach far beyond the scope of this Master Plan.

**Pg 17 (A-11):** *“In an effort to manage its future growth, the City is making a major effort to update and revise the Zoning Ordinance. The existing Zoning Ordinance dates from 1975 and reflects standards that were appropriate for the “Greenfield” development in the new, growing suburban community that was the Rockville of thirty years ago. † The City’s code is in the process of being revised in order to incorporate new ideas and new zoning concepts that can help to shape a city which is maturing towards full development. Such code concepts, if approved by the Mayor and Council, may be helpful in carrying out*

*the recommendations of the Twinbrook Neighborhood Plan as well as those of other area plans within the City.”*

Please delete this language as an inappropriate inclusion. The Staff’s comments on the zoning code do not belong in the Twinbrook Neighborhood Plan, and only reinforce our perception that the Twinbrook Neighborhood Plan was designed to benefit the design of zoning ordinance for development interests, not the neighborhood.

## **CHAPTER 2: LAND USE**

**Pg B-1:** *“There is very little vacant land available in Rockville, and there is little vacant land immediately adjacent to the city limits that can be annexed in and developed. Future development within the existing corporate limits of Rockville will be either the redevelopment of existing sites, such as Town Square and Twinbrook **Station Commons**, or in-fill on the few remaining vacant or underdeveloped lots.”*

Please delete this language as an inappropriate inclusion. Twinbrook has no remaining “vacant” land because Twinbrook’s “vacant” land, aka the WMATA site, has already been approved for intense development.

Perhaps this paragraph should be replaced with:

“The largest site within or adjoining the Twinbrook neighborhood with the historically lowest density has been the 16 acres owned by WMATA used as a parking lot and service area for the Twinbrook Metro Station. In 2005 this property was annexed into the City of Rockville in order to accommodate a transit oriented development centered around the Metro station. This development is expected to include 1595 new housing units (either condos or rental apartments) as well as 545,000 square feet of commercial and retail space.”

Philosophically, the Staff’s refusal to acknowledge that Twinbrook has already absorbed one of the highest density developments in Rockville does nothing but set the stage for more overdevelopment underserved by adequate public facilities.

The City may consider the Twinbrook Station site as outside this planning area, but we do not consider it outside our neighborhood, and the fact that the developer JBG as well as the property owner WMATA went to considerable effort to pursue outreach with the Twinbrook Citizens Association supports our contention that Twinbrook Station remains in our area of interest. In fact, the neighborhood’s acceptance of this development was contingent upon the undocumented concession from the City that this development fulfilled Twinbrook’s obligation to accept density for the common good. It represents a significant failure of the leadership of the Twinbrook Citizens Association at the time that the Twinbrook Station project was being negotiated to obtain this concession in writing, but nevertheless it remains a fact that the neighborhood feels that it has done its share to accommodate high density development.

We reject the City’s continued efforts to disassociate the Twinbrook neighborhood from the Twinbrook Metro Station and its development, specifically because it creates the impression that Twinbrook has not already absorbed a major development project.

### **Pg B-4: “Non-Residential Zoning”**

“While very little of the Twinbrook area is zoned for non-residential uses, it occupies an important place in the community.”

We wholeheartedly agree with this statement! The importance of configuring the non-residential areas in harmony with the residential areas is critical to maintaining the character of our neighborhood. Unfortunately, the excessive densities and mix of uses proposed in the Plan do not harmonize.

Note the **current** zoning:

For the Veirs Mill areas - C-2, *the City’s general commercial zone, which allows for a wide range of goods*

*and services: a variety of retail and office uses are allowed by right within the C-2 zone*  
For the Burgundy Shopping Center - zoned C-1 Local Commercial, which is intended to allow smallscale, neighborhood oriented, goods and services.

For the Lewis Road Area - zoned I-2 (Light Industrial)  
*the City's light industrial zone and it allows for a general mix of industrial uses including "any light manufacturing, processing or compounding use."*

For the Twinbrook Parkway Area - zoned I-1 (Service Industrial). *Service industrial uses constitute approximately 2% of the city's land base, and there are currently over two million square feet of service industrial space within Rockville. Many of the sites appear to have very little room for expansion, and the 1982 Twinbrook Plan recommended that the light industrial zone should not be permitted to expand in size or height.*

Note also that the zoning changes recommended in this Plan, including those subsumed under the new zoning code map amendments, act effectively as an upzoning in effective density as well as in uses, which is not consistent with the character of the neighborhood as well as with the objectives of the 1982 Twinbrook Neighborhood Plan, specifically **b. "Denying external attempts of encroachment; (zoning changes which would impact the character of the neighborhood.)"**

This will be considered in detail below. The neighborhood has NOT recommended a downzoning in these areas, but we are concerned about an unjustified upzoning that is not congruent with neighborhood character.

**Pg B-5:** *"The **Twinbrook** Metro site falls within the City's Twinbrook Metro Performance Area..."*

See discussion above.

**Pg B-6:** *"This Plan aims to ensure that a transitional area remains between the neighborhood and the Twinbrook Metro Performance Area and recommends that the industrial sites on Lewis Avenue and in the Twinbrook/Ardenes area remain within Twinbrook Neighborhood Planning Area 8."*

We agree that Lewis should remain a transitional area, but we do not agree that the Twinbrook Neighborhood Plan's proposed upzoning for this area accomplishes that goal. See comments regarding Chapter 4.

**Pg B-7:** table **"Potential density increases: Dwelling Unit, Retail and Office Yield"**

**Here's the hidden number in this table that should cause you concern:**

**1635 additional dwelling units added by right!!!! Plus office and retail density!!!**

Referring to the discussion above about the proposed proportionate increase in population for the Twinbrook neighborhood, along with the 1595 apartments/condos proposed at Twinbrook Station, this represents a capacity of **329%** for what would be needed to accommodate our "share" of the projected increase in Montgomery County population. Add in the MNCPPC Twinbrook sector plan proposals for 1000 – 4000 multifamily units, and the capacity jumps to **431% - 738%** of the worst case projected scenario for Twinbrook.

Can this be justified? The answer is no, especially since this upzoning is not accompanied by recommendations for adequate public facilities. We contend that this WILL irreparably change the character of the neighborhood.

Furthermore, although Ms. Wallas et al. still seem to be confused about the difference between size represented as *height* and size represented as *volume*, this table should put to rest any notions that the new zoning code is a “downsizing” by lowering heights. This table specifies uncompromisingly that 1635 additional dwelling units, as well as the increases in commercial and retail square footage, are an *increase on the Veirs Mill Road Shopping Centers sites and on all other commercial sites within this Plan.*

The fact that Staff are still arguing that the new zones ratified in December represent a downsizing is troubling in the extreme. The comparative maps prepared for the Woodley Gardens Shopping Center clearly showed a twofold increase in overall density between the old zoning and the new. The TCA has always contended that the zones as proposed by Staff were never clearly presented in an understandable format to the Advisory Group. The TCA has never accepted that this upzoning is necessary, desirable, or sustainable for the neighborhood. No documentation of any kind (either traffic studies, economic studies, school capacity studies, etc) have ever been presented to justify this upzoning.

**Pg 26/B-8: “*to implement new mixed-use zones as floating zones....*” Was deleted per M&C**

We will be glad to see that this reference as well as all other references to floating zones have been deleted as directed by Mayor and Council.

**Pg 26/B-8: “*The floating zone mechanism would also offer time for site assembly...*” Was deleted per M&C**

Note as above that we do not support site assembly of residential properties, although site assembly may be necessary for the redevelopment of commercial properties. Wherever site assembly is cited or referenced, it should be changed to read “site assembly of commercial properties” so there is no confusion in the future that site assembly of residential properties (R60 or R90) is permitted or encouraged.

Pg C-1: “Maintain the current residential R-60 zone within Planning Area 8 (south of Veirs Mill Road)  
Maintain the current residential zoning for the single family and townhome areas within Planning Area 7 (north of Veirs Mill Road)”

Please specify for both areas including Area 7 what the current zoning is under the new zoning code.

Pg C-1: “In order to retain the single-family home nature of the Twinbrook neighborhoods site assembly is not recommended in the R-60 zoned areas.”

Please specify for ALL single family residential zones as specified under the new zoning code within Twinbrook that site assembly is not permitted.

Pg C-1: “Monitor implementation of the newly proposed R-60 zone development standards and consider allowing reasonable exceptions to the impervious surface limits if, due to the nature of construction, adding additional stories to a home is not technically feasible.”

Please amend this to include all single family residential zones as specified under the new zoning code.

Pg C-1: “Should individual neighborhoods choose, Neighborhood Conservation Districts could be created to carry out the goals of conserving neighborhood elements that contribute to neighborhood character and identity.”

**We continue to request that all references to a Neighborhood Conservation District be deleted from this Plan.**

**Pg C-3: “For Affordable Housing:**

- Review the City’s Housing Policy to determine whether the current MPDU program is meeting current and future housing needs.”

Please delete this language as an inappropriate inclusion. This is a policy matter that is in the purview of the Mayor and Council and is not appropriate for inclusion in this Neighborhood Master Plan.

However, for the record, the Twinbrook Citizens Association applauds the City’s record of creating MPDUs in all City housing projects and refusing to accept in lieu payments as the County does. TCA supports continuing this policy, and as well TCA supports amending the policy to provide MPDUs of *the same size and same quality and in the same proportions* as market rate properties. The general practice of using PLQs, studios and one bedroom apartments to satisfy this requirement is deplorable and should be stopped.

**Pg C-3: “For Residential Maintenance and Code Enforcement:” entire section**

Please delete this language as an inappropriate inclusion. This is a policy matter that is in the purview of the Mayor and Council and is not appropriate for inclusion in this Neighborhood Master Plan.

**Pg C-5/C-6 “Critical Issues” vs “Critical Issues – A Maturing Neighborhood”**

Editing note: Two sections with the same title – please either change one title or meld the sections.

**Pg C-5: “Critical Issues...Additional residential capacity may also be gained”**

Again, why is Twinbrook being treated as if all 200,000 new residents of Montgomery County are coming to live in Twinbrook? Proportionately in the worst case scenario, we should only be the “receiver” for 1960 additional residents, in the best case scenario those 1960 residents can easily be accommodated by the Twinbrook Station development.

As well, what is being proposed for Twinbrook (as well as for all of Rockville) cannot even be considered “Smart Growth” according to the general standards as embraced by Montgomery County, *since no TDR’s or other tradeoff mechanisms have been tied to this agenda of runaway, unjustified density increase.* Where is our Agricultural Reserve?

**Pg C-6: “Because of the neighborhood’s close proximity to the Town Center, and both the Twinbrook and Rockville Metro Stations, a number of Twinbrook homes have land values higher than the improvements value, making them a target for teardowns or additions that threaten the look and feel of the neighborhood.”**

The fact is that the land values are actually assessed by SDAT at a value much lower than in comparable situations near other Metro stations. The value of the improvements is minimal (\$70,000 for a Rockcrest house, \$150,000 for a Twinbrook Forest house in the last assessment cycle) not because our neighborhood is next to a Metro station, but because in most of Twinbrook the “improvements”, aka houses, are *substandard* compared both to modern building codes as well as to modern buyer expectations. This makes it virtually certain that any rebuilding must require a de facto teardown in order to obtain financing.

Nearness to the Metro station and *its perceived issues* may actually be depressing our home values. Geeraert built identical model houses in Hungerford. These houses according to SDAT are assessed at higher values for both the improvements and the land.

It is our intention that the RESIDENTS and OWNERS of individual residential properties in Twinbrook be able to maximize the economic potential of their properties as long as that conforms with the objective of keeping Twinbrook a neighborhood of single family homes.

**Pg C-7:** *“The City has recently recommended revisions to the R-60 zone that would limit the height of homes to 35 feet...”*

Note that one of the most contentious issues for us as a neighborhood was the combined effect of the pervious surface and the previously proposed height restrictions resulting in substandard buildout envelopes, and most troublesome, the inability to attain a even a modest 2000 sf house by building upward on an original Twinbrook foundation of 875 to 1100 square feet.

**Pg C-7/Pg 34:** *“The recently proposed limits on impervious surfaces may prove quite restrictive for the smaller lots in Twinbrook: some of the single-story homes may not have foundations, or exterior walls, that are sufficiently robust to support a second story, making rear and side additions the only feasible expansion option. It may be appropriate to consider allowing reasonable exceptions to the impervious surface limits if, due to the nature of construction, adding additional stories to a home is not technically feasible.” Deleted by Staff without explanation.*

We concur with this paragraph as an accurate representation of the current conditions. See above. We request that this paragraph be re-inserted.

**Pg C-8:** *“Neighborhood Conservation Districts...may have varying implications for property values”*

Neighborhood Conservation Districts represent a limitation of the economic potential of private property WITHOUT the economic benefits (such as tax incentives or tax rebates) of historic designation.

Given that there exists a protocol in the new zoning ordinance for the initiation of a Neighborhood Conservation District, we would like to have all references to Neighborhood Conservation Districts removed from this document.

Should a set of property owners wish to limit the economic potential of their properties by applying for a Neighborhood Conservation District as per the new zoning ordinance, we would not oppose their wishes. We WOULD oppose the inclusion of any property owner against their wishes.

**Pg C-11:** *“It is important that the City maintains its infrastructure and continues funding replacement programs.”*

We concur with this sentence! Recommendations to the CITY to maintain and improve the infrastructure of the neighborhood are appropriate inclusions in this plan and are necessary for the neighborhood to maintain economic and social parity with other sections of the City.

## **CHAPTER 4: COMMERCIAL AND INDUSTRIAL AREAS**

### **GENERAL COMMENT ON THE RELATIONSHIP OF MASTER PLANS TO ZONING:**

We do not agree that the upzoning accomplished through the Map Amendment constitutes a legitimate application of the City’s zoning powers when the areas to be upzoned are currently under a Master Plan Process.

The Master Plan Process is specifically designed to supersede and limit the applications of the general zoning where the community wishes. Zoning MUST conform to the Master Plans – if the Master Plan specifies an increase in density then the zoning must be changed to conform. If the Master Plan specifies a decrease in density (or any other limitations such as uses) that is within the legal parameters of the Master Plan.

Note that the Twinbrook Citizens Association has never asked for a downzoning of the “current” zoning – that is the “old” zoning code that applied when this process was started in 2005 and was superseded by the new zoning code adopted in December 2008.

It is our contention that even though all of the properties in Twinbrook were “rezoned” as part of the adoption of the new zoning ordinance in December 2008 and its concurrent Map Amendment, the Twinbrook Master Plan still supersedes the “new” zoning and retains the ability to limit the application of the new zoning. This property is unique to Twinbrook as Twinbrook is the only section of the City undergoing a Neighborhood Master Plan at this time.

Please note that City Staff has acknowledged de facto the first facet of this problem, as in the Staff report of February 9<sup>th</sup> includes a Staff recommendation to amend the new zoning code at the request of ONE property owner. This amendment would then apply to ALL properties throughout the City with the same zoning.

However, by acknowledging this principle, the Staff also acknowledges the converse principle that the Master Plans have the legal power to also impose limits and conditions on future development. As ONLY Twinbrook is currently under a Master Plan process, only Twinbrook is in the position of imposing additional limitations.

It is doubtful that any other Master Plans opened after the adoption of the new zoning and Map Amendment retain the right to impose limitations or conditions.

The Twinbrook Master Plan can super-impose on the new zoning as specified by the Map Amendment additional limitations in excess of those specified in the new zoning. This is especially cogent in the matter of the commercial properties.

Listed in this section following are the changes we think are necessary to implement the neighborhood’s vision for the neighborhood in accordance with the new zoning and Map Amendment.

Pg D-1: “*For the properties on Veirs Mill Road:*”

Add these bullet points:

- No development shall occur without apportioning traffic capacity proportionately between the properties on both sides of Veirs Mill. [Note: In plain English, the traffic capacity SHALL NOT BE SEVERED. One side may not develop before the other and absorb all of the traffic capacity, leaving the other commercial properties “stranded” by APFO restrictions. We would support *moderate* development on *both* sides of Veirs Mill, not *superdevelopment* on only one side of Veirs Mill.]
- Recommend that redevelopment facing McAuliffe Avenue consist of townhouse-like structures no higher than 35 feet (three story) congruent with the single family homes on the other side of McAuliffe [Note: We do not expect/require that these be true townhouses – rental units are acceptable.]

Modify these bullet points:

- Recommended zoning, Mixed Use Neighborhood Commercial (MXNC) – with a maximum height of 35 feet, ground floor retail and two upper stories of office or commercial. [NOTE: This is congruent with what the NEIGHBORHOOD thinks is appropriate development for this site and still represents approximately a twofold increase in density over the former C-2 zoning, which should be an ample return for the property owners. It is unjustified to permit 65 feet by right.]
- Connect Atlantic Avenue .... [Note: This needs further discussion since both the property owner and the neighborhood are not in disagreement about this point, albeit for different reasons. We would support creating two developable blocks in order to break the building mass. We suggest a pedestrian zone with limited commercial vehicle access but no access to McAuliffe.]

Pg D-1: ***For the properties on Lewis Avenue:***

Add these bullet points:

- No development (either on a single property or on an assembled site should that occur) shall be approved on the Lewis Avenue industrial properties that increases traffic beyond that level which is permitted under the former zoning on Lewis and specifically at the intersection of Lewis Avenue and Halpine Road.
- No access road for general usage shall be opened between the Twinbrook Station development and the Twinbrook Neighborhood, specifically at the intersection of Lewis Avenue and Halpine Road. This intersection should retain its current usage as pedestrian and emergency vehicle access.

Modify these bullet points:

- ***Recommended zone I-L. PERIOD FULL STOP! We do not support amending the zoning code for the addition of apartment buildings in the I-L zones.***

**Pg D-2: “*For the properties at Twinbrook Parkway/Ardennes Avenue*”**

12720 Twinbrook Parkway

Review this bullet point:

- Recommend zoning MXB...  
WHY? The development proposal under consideration does not necessarily request commercial or office uses at MXB densities. We request that the Mayor and Council review the possibility that MXT zoning would be more applicable.

Pg D-3: “*5946 Halpine Road*”

The recent sale of this property extinguishes the Taylor’s grandfathered business. We continue to recommend that this property be acquired if possible to provide *publicly controlled* public space, an amenity sadly lacking in the Twinbrook Station development. The property is amply provided with parking capacity in the public garage immediately behind the property on the Twinbrook Station site, at a distance less than that between the public parking garages in Town Center and the front entrance of the Rockville Public Library.

A multipurpose structure similar to these iconic structures could easily be erected and provide space for art classes, exhibitions, or small events. (See also page G-6 “Some members of the community feel that there is a lack of “neutral” unprogrammed enclosed space within the community...”).

1949: International Style glass house in New Canaan, Connecticut, USA. Designed by Philip Johnson, a Pritzker Architecture Prize Laureate.

1946 to 1950: Glass-walled International Style home in Plano, Illinois, USA. Ludwig Mies van der Rohe, architect.

We suggest that the City use the \$477,241.25 (at 2005 rates, possibly more) due per the Publicly Accessible Art in Private Development ordinance for the Twinbrook Station development, especially since the anticipated use for those funds (per the document titled “Re: Use Permit Amendment Approval Letter USE2005-00685A, Use Permit application approval for a portion of the Twinbrook Commons development located on the West Side known as Phase 1C consisting of a 4200-space WMATA parking garage.” Received May 15, 2006 by Rockville’s Community Planning and Development Services) is a) now in abeyance since the Musical Theatre Company (the former designated recipient per the document) has made alternate

arrangements and b) NO PUBLIC INPUT WAS SOLICITED regarding the use of these funds for the Musical Theatre Company, to acquire 5946 Halpine Road for the purpose of providing publicly controlled facilities.

Limited infrastructure for parking/access would be necessary since the public parking garage immediately adjacent in Twinbrook Station would serve for parking AND this serves the objective of providing more park facilities for Twinbrook.

**Page D-3: “*For the Burgundy Center on Baltimore Road*”**

Review this bullet points:

- Recommended zone MXC... *PERIOD FULL STOP! We do not support amending the zoning code for the addition of apartment buildings in the MXC zones.* ...with no dwelling units of any type permitted, height limited to 35 feet.

Furthermore, we request that the Twinbrook Neighborhood Plan honor the Burgundy Estates neighborhood’s wishes that NO residential uses be permitted at the Burgundy Center.

**Pg D-3: “*For On-going Maintenance and Management of the Commercial and Industrial Areas:*”**

Delete all references to REDI’s involvement as an “agent” or “facilitator” for the businesses.

***Pg D-4 and D-5:***

In general, ALL of the proposed increases in density are being postulated WITHOUT ANY EXAMINATION of the sites’ traffic capacity. There is no data to support the Staff’s recommendations. This is a contravention of the APFO.

***Pg D-5: “Burgundy Center...access into and out of the center is difficult”***

We concur, and we request that a traffic capacity study be done before an upzoning is applied. This is especially critical since Burgundy Center is a very small site.

***Pg D-6: “The residential nature...can make access difficult...”***

We concur, and we specifically request that on the Lewis Avenue sites, *that no increase in traffic impacts be permitted.*

***Pg. D-6: “this area offers the potential to absorb some of the population growth...”***

We do not agree that this is an appropriate area for this to occur.

***Pg. D-7: “5946 Halpine Road”***

This paragraph needs to be amended to reflect the current situation. Furthermore, we do not support the Planning Commission’s insertion that “the Mayor and Council should explore ways to eliminate the existing non-conforming use...” This issue may be moot since the sale of the Taylor property extinguishes the grandfathered business, but this is a “zoning tool” that we do not wish to create to be used in other parts of the City.

***Pg D-8: “12720 Twinbrook Parkway”***

See our notes above – why is MXB being recommended for what is essentially a residential application?

## CHAPTER 5: TRANSPORTATION

General Note: In general, a sadly deficient chapter with no substantiating documentation to justify the recommendations in other chapters to increase density. Much of this chapter confirms existing policy direction.

### **Pg E-1: “*Soft-wheel circulator trolley*”**

The neighborhood can have no opinion of this proposal since the Staff inserted it AFTER the Twinbrook Neighborhood Plan Advisory Group had concluded its meetings. So while in general we support increased local public transit, we have never seen any information on Staff’s suggestion that justifies the soft-wheel trolley option or validates its inclusion as superior to any other form of mass transit.

Pg E-1:

Since specific recommendations are listed – why are the traffic mitigations already recommended for Twinbrook Station NOT listed?

### **Pg. E-2: “*Successful apron program*”**

Please note – for individual householders, using an apron to increase parking implies a increase in impervious surface and therefore a decrease in available building footprint. Refer above to **Pg C-7/Pg 34: “*The recently proposed limits on impervious surfaces may prove quite restrictive for the smaller lots in Twinbrook: some of the single-story homes may not have foundations, or exterior walls, that are sufficiently robust to support a second story, making rear and side additions the only feasible expansion option. It may be appropriate to consider allowing reasonable exceptions to the impervious surface limits if, due to the nature of construction, adding additional stories to a home is not technically feasible.*” Deleted by Staff without explanation**

### **Pg. E-3: “*Support interchange improvements at Gude Drive/MD 355...*”**

Please delete – this is not within the scope of this neighborhood plan.

### **Pg. E3: “*Support improvement of intersection of Veirs Mill Road and First Street....*”**

This paragraph should include language specifying that an overpass/underpass is NOT a community supported option at this intersection.

### **Pg. E3: “*Study feasibility of reducing speed limit on Norbeck Road.*”**

Please delete – this is not within the scope of this neighborhood plan.

### **Pg E-7 and following: “*BRT...*”**

Data recently presented by WMATA at two public meetings for the Q2 Metrobus lines shows that transit times are deformed mostly at the “major” transit nodes such as Shady Grove Station and the Randolph Road/Veirs Mill intersection. In plain English, the buses don’t leave the stations on time. Transit times through many areas, including the section of Veirs Mill between First Street and Twinbrook Parkway, MATCH the expected transit times. This confounds the need to install additional infrastructure for the benefit of buses on this section of Veirs Mill.

We do not see how either Alternative 1 or Alternative 2 could be implemented without causing significant harm to our residents. Further discussion is necessary, especially since the BRT proposal has not been reviewed by the City's Planning Commission or the Mayor and Council.

***Pg. E9: "Twinbrook Parkway"***

***This is the most defective section of the Plan!***

Given that this plan proposes adding 1635 housing units to the neighborhood, why is there no substantive discussion of the impact of this recommendation? Where are the traffic mitigations tied to Twinbrook Station? Where is the discussion for the impacts of the 1000-4000 housing units folded into the Twinbrook Sector Plan?

## CHAPTER 6: THE ENVIRONMENT

General Note: A reasonably good chapter that does not go far enough, especially in considering the environmental impacts of increasing density in the commercial areas. Specifically, it does not reserve the storm water capacity for the benefit of the existing residential neighborhood, nor does it mandate total on-site storm water management for the commercial areas. This gives an advantage to the large property owners at the expense of the individual homeowners.

***Pg F-4 and F-5: "Stormwater Management"***

We recommend that the City review the possibility of mandating City-owned, state of the art, underground SWM facilities at Broome as part of any possible re-development of Broome (not storm water ponds as was proposed in an early version of this Plan). This would qualify as a neighborhood retrofit.

***Pg F-5: "The Twinbrook Neighborhood has historically had a higher incidence of complaints of illicit discharge of pollutants..."***

Is this true? Please review and correct this statement. Two major discharge incidents were caused not by homeowners but by businesses on Rockville Pike, whose SWM ties directly into Twinbrook's system.

***Pg F-6: "implementation of LID"***

We support rebating the entire ERU fee for those homeowners who follow the same LID practices as commercial property owners, including but not limited to rainwater catchments, rain gardens, green roofs and planted buffer zones.

***Pg. F-7: "Tree Maintenance and Replacement"***

General notes:

- a) - It is time for another survey of the state of the trees in Twinbrook.
- b) – The Street Tree Master Plan should be reviewed and updated.

## CHAPTER 7: Community Facilities

General Note: There are numerous inclusions in this chapter relating to the general management of the Parks and Recreation Department but not the specific management of the parks and recreation areas in Twinbrook.

In general, we note the disproportionately small area of recreational space and we support actively seeking remediations for this defect.

***Page G-1: “Develop and implement...”***

We support this, but it is not appropriate for inclusion in this Plan.

***Page G-1: “Explore the feasibility of expanding the Twinbrook Recreation Center...”***

The Twinbrook Recreation Center is the only publicly owned recreation facility within walking distance of the Twinbrook Station – it MUST be expanded.

***Page G-4: “Open Space Zone”***

Please review this paragraph and delete references to “Open Space Zone”. Why is the creation of another zone recommended here? This was superseded in the new zoning ordinance by the Park Zone.

***Page G-9 and following: “Montgomery County Owned and Operated Facilities”***

The outreach process for public comment on these facilities (especially schools) was significantly defective in eliciting community input. This section lists what is currently available – it is deficient in visioning a future for these facilities.

With regard to Broome Middle School, this is the largest re-developable parcel in Twinbrook and the Plan states NOTHING with regard to its future should the Broome Middle School building be demolished.

## **CHAPTER 8: IMPLEMENTATION**

General Comment:

This chapter needs to be congruent with the recommendations above.

Specific Comment:

The “stakeholder” groups for each catalyst should be reviewed.

### **Some Additional General Notes on the Twinbrook Neighborhood Plan:**

- a. Since the Staff continues to recommend amendments to the zoning code at the request of stakeholders, is it incumbent upon the City to hold public hearings on those amendments?
- b. IN GENERAL, we do not support using the Twinbrook Plan as a premise for amending the new zoning code. Zoning code amendments (ie. to MXC or MXNC, etc) will affect all of those zones throughout the City. This deprives residents of other planning areas of due process.
- c. IN GENERAL, no traffic studies have been done to support the upzoning on commercial properties throughout Twinbrook. We find this to be inappropriate.
- d. The Plan did not resolve many areas of concern.

Sincerely,

Christina Y. Ginsberg  
President, Twinbrook Citizens Association