

From: Thompson, Lennie

Sent: Tuesday, December 11, 2007 12:05 PM

Subject: JLT's Cochise Option for a Comprehensive Rezoning of the Unincorporated Areas in the Vicinity of the Confluence of I-70, U.S. 340, Md. Rts. 180 & 351, Solarex Ct., Himes Ave. & Butterfly Lane

Fellow Commissioners:

Yesterday (Monday, December 10) I distributed paper copies of my "Cochise" Option for a comprehensive rezoning of the unincorporated areas in the vicinity of the confluence of Interstate 70 (Dwight Eisenhower Highway), U.S. 340 (Jefferson National Highway) Maryland Routes 180 (Jefferson Pike) & 351 (Ballenger Creek Pike), Solarex Court, Himes Avenue & Butterfly Lane. The tax map boundaries delineated on the paper version of the proposal are the intellectual property of the Maryland Department of Assessments & Taxation. As I understand it, the paper versions cannot be given away to the public but are available from the Planning & Zoning Office for the same fee we would charge for other regional zoning maps.

The area under study for the Cochise Option lies within the following boundaries: Beginning at the location where Maryland Route 355 (Urbana Pike) intersects the City of Frederick corporate limits; thence

- southeasterly along Maryland Route 355 (Urbana Pike) to the Monocacy River; thence
- southwesterly along the Monocacy River to the area where the confluence of the tributaries known as Clagett Run, Horsehead Run, Rocky Fountain Run, Kiln Run, etc. empty into the Monocacy; thence
- southwesterly to Maryland State Route 880 (Michaels Mill Road); thence
- westerly along Maryland State Route 880 (Michaels Mill Road) to its intersection with Maryland State Route 355 (Buckeystown Pike) and Manor Woods Road; thence
- northwesterly along Manor Woods Road to its terminus at Cap Stine Road; thence
- northerly along Cap Stine Road to Hawker Road; thence
- westerly along Hawker Road to its terminus; thence
- westerly from the terminus of Hawker Road to U.S. 15 (Catoctin Mountain Highway); thence
- northerly along U.S. 15 (Catoctin Mountain Highway) to the point where it intersects with U.S. 340 (Jefferson National Pike); thence
- northerly to Maryland Route 180 (Jefferson Pike); thence
- northeasterly along Maryland Route 180 (Jefferson Pike) to Teen Barnes Road; thence
- northwesterly along Teen Barnes Road to Jefferson Boulevard: thence

- northerly along Jefferson Boulevard to Maryland Avenue; thence
- northerly along Maryland Avenue to U.S. 40 Alternate (Old National Pike); thence
- easterly along U.S. 40 Alternate (Old National Pike) to its intersection with Mount Phillip Road; thence
- along the City of Frederick Corporate limits, southwesterly thence easterly to the place of beginning.

The area under study also includes the nearly enclaved unincorporated area in the vicinity of Grove Hill Road.

The area under study consists of 16,829.1 acres, more or less (\pm).

While the Planning, DPDR & GIS folks provided valuable assistance, the legislative policy recommendations set forth in the map are mine and mine alone.

Set forth below are the following attachments:




- the proposed comprehensive rezoning map;
- a summary of the net changes in acreage within zoning districts;
- a staff report;
- a proposed resolution to initiate the comprehensive rezoning proceeding; and
- a proposed ordinance that would, if enacted, implement the comprehensive rezoning

Your opinions & commentary are welcome,

Lennie

Zoning

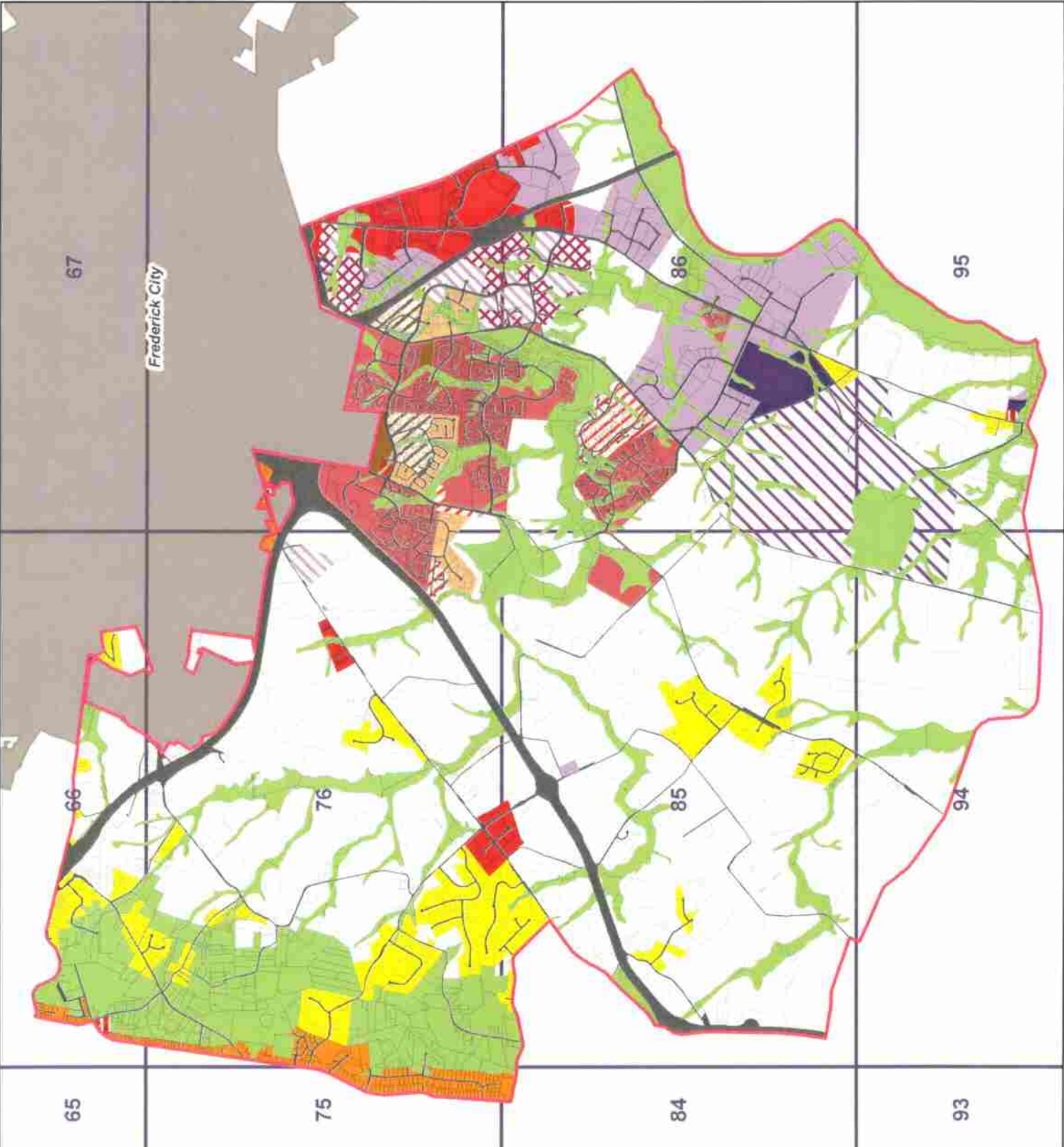
- RC - Resource Conservation
- A - Agricultural
- R1 - Residential
- R3 - Residential
- R5 - Residential
- R8 - Residential
- R12 - Residential
- R16 - Residential
- PUD - Planned Unit Development
- VC - Village Center
- HS - Highway Service
- GC - General Commercial
- MM - Mineral Mining
- LI - Limited Industrial
- GI - General Industrial
- ORI - Office Research Industrial
- MXD - Mixed Use Development
- Municipality
- Cochise Boundary

Cochise Project Current Zoning December 2007

Efforts have been made to ensure the accuracy of this map. Frederick County accepts no responsibility for errors or omissions, or positional inaccuracies in the content of this map. Reliance on this map is at the risk of the user. The parcels are a draft product that may not be current and may contain positional inaccuracies.

Prepared by Frederick County Division of Planning
December 2007



Zoning Acreage of Current and Cochise Zoning

	Current Zoning	Cochise Alternative	Change Alternative - Curent
A	7,447.9	7,624.6	176.7
GC	377.4	347.4	-30.0
GI	377.5	111.0	-266.5
LI	906.7	740.5	-166.2
MM	857.9	663.7	-194.2
ROW	1,220.8	1,220.8	0.0
MXD	737.8	164.7	-573.1
ORI	168.5	143.0	-25.5
PUD	1,252.6	667.4	-585.2
R1	2,041.1	853.8	-1,187.3
R3	323.1	215.0	-108.1
R5	135.9	95.3	-40.6
R8	152.6	112.1	-40.5
R12	85.0	72.7	-12.3
R16	28.1	26.7	-1.4
RC	702.9	3,762.6	3,059.7
VC	13.3	7.8	-5.5
	<hr/> <hr/> 16,829.1	<hr/> <hr/> 16,829.1	<hr/> <hr/> 0.0



TO: Board of County Commissioners ("BOCC")

FROM: Commissioner Lennie Thompson

RE: Proposed "Cochise" Plan for a Comprehensive Rezoning of the Unincorporated Areas in the vicinity of the confluence of Interstate 70, U.S. 340, Maryland State Routes 180 (Jefferson Pike) & 351 (Ballenger Creek Pike), Himes Avenue, Butterfly Lane & Solarex Court

ISSUE: Should the BOCC adopt the proposed Resolution that would, if adopted, initiate a comprehensive rezoning of the unincorporated areas in the vicinity of the confluence Interstate 70, U.S. 340, Maryland State Routes 180 (Jefferson Pike) & 351 (Ballenger Creek Pike), Himes Avenue, Butterfly Lane & Solarex Court?

BACKGROUND:

My "Cochise Option" proposal for a comprehensive rezoning of the unincorporated area around the confluence of Interstate 70, U.S. 340, Maryland State Routes 180 (Jefferson Pike) & 351 (Ballenger Creek Pike), Himes Avenue, Butterfly Land & Solarex Court accompanies this memorandum. The paper version of Cochise includes tax map boundaries, which are the intellectual property of the Maryland Department of Assessments & Taxation. As I understand it, the paper copies cannot be given away to the public but are available from the Planning & Zoning Office for the same fee we would charge for other region zoning maps.

While our Planning & GIS folks helped me in the preparation of Cochise, the recommended policy choices set forth in the map are mine and mine alone.

The purposes of my Cochise Plan include:

- to control and direct the use of land and buildings according to present and planned future conditions, to accomplish as far as possible the most appropriate uses of land consistent with the public interest and the safeguarding of the interests of the individual property owners; and
- to make sure that further development in the area:

- is supported by adequate infrastructure (particularly transportation infrastructure) that is already in place or planned and funded to be in place prior to further development; or
- does not occur.

Traffic Congestion

The recent presentation by the State Highway Administration (“SHA”) concerning the network of interstate, federal & state highways around the confluence of Interstate 70, U.S. 340, Maryland 180, Maryland 351, Solarex Court, Himes Avenue & Butterfly Lane is incorporated herein. The network will not support the amount of traffic that will be generated under the existing zoning classifications in the area. The SHA estimates that if present trends continue, it will take upwards of \$250 billion dollars to alleviate traffic congestion at that location. No funding is in place. The amount of money needed to alleviate projected traffic congestion “would place a burden on the taxpayers that the County legislative body thinks is unwarranted and beyond its present reasonable capabilities.”¹

I believe the following to be true with respect to the network of interstate, federal and state highways in the vicinity of the confluence Interstate 70, U.S. 340, Maryland State Routes 180 (Jefferson Pike) & 351 (Ballenger Creek Pike), Himes Avenue, Butterfly Lane & Solarex Court:

- Most were designed and built in the decades of the 1940s, 1950s & 1960s;
- Most were never designed to handle the congestion created current levels of traffic;
- The federal and Maryland gas taxes are barely enough to maintain existing roadways and, even if they are raised, gas taxes are not a realistic source of revenue to expand our local road network;
- The cost to make improvements to the County's road network to solve traffic congestion problems will be in the billions of dollars and would constitute a considerable portion of the County's assessable tax base;
- Our elected officials at the national and state level have been unable to obtain the funding necessary to make major improvements to the network needed to solve the traffic congestion problem; and
- Solving traffic congestion problems does not appear to be a priority for our national and state elected officials.

¹ *Norbeck Village Joint Venture v. Montgomery County Council*, 254 Md. 59, 68, 254 A.2d 700, 706 (1969).