MAYOR AND COUNCIL AGENDA

NO. 21 DEPT.: Community Planning and Development Services DATE: September 28, 2004
Contact: Scott E. Parker, AICP, Planner III

ACTION:

Adoption of resolution to provide for a new public hearing in connection with the annexation of 16.96 acres of land, more or less, of the Washington Metropolitan Area Transit Authority (WMATA).

ACTION STATUS:

FOR THE MEETING OF: 10/04/04

INTRODUCED
PUB. HEARING
INSTRUCTIONS
APPROVED
EFFECTIVE

ROCKVILLE CITY CODE,

CHAPTER
SECTION

☐ CONSENT AGENDA

RECOMMENDATION:

Adopt resolution to establish a new Public Hearing date of December 6, 2004. The originally established date for the Public Hearing was November 1, 2004.

IMPACT: ☐ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

This annexation would increase the area of the City by approximately 16.96 acres and facilitate the development of the Twinbrook Metro Station site, commonly referred to as Twinbrook Commons.

REQUEST:

Due to the ongoing evaluation of the Twinbrook Commons project, and the desire of the applicants to review the project comprehensively, a new resolution to establish an amended Public Hearing date of December 6, 2004 is requested by the applicants and City Staff.

PREPARED BY: 9/28/04
Scott Parker, AICP, Planner III

APPROVE:
Robert A. Spalding, AICP, Chief of Planning — Date 9.28.4

Arthur D. Chambers, AICP, Director, CPDS — Date 9/28/04

Catherine Tuck Parrish, Acting City Manager	9/28/04 Date

LIST OF ATTACHMENTS:

1. New Resolution

Resolution No. _____ RESOLUTION: To provide for a new public hearing date in connection with the annexation of 16.96 acres of land, more or less, of the Washington Metropolitan Area Transit Authority

WHEREAS, a petition has been presented by Washington Metropolitan Area Transit Authority requesting that a parcel of land totaling 16.96 acres of land, more or less, be annexed by the Mayor and Council, which parcel is located east of the Twinbrook Metro Station and west of Twinbrook Parkway adjacent to the boundary of the City; and

WHEREAS, the signatures on said petition have been verified and it has been ascertained that the persons signing said petition represent at least twenty-five percent (25%) of the persons who reside in the area to be annexed, who are registered voters in county elections in the precinct or precincts in which the territory to be annexed is located, and the owners of twenty-five percent (25%) of the assessed valuation of the real property located in the area to be annexed; and

WHEREAS, pursuant to the provisions of Section 19(c) of Article 23A of the Annotated Code of Maryland, a resolution has been introduced which, if adopted, would annex the additional property referenced herein, which property is more particularly described in said resolution; and

WHEREAS, on September 13, 2004, the Mayor and Council adopted Resolution No. 22-04, to provide for a public hearing on November 1, 2004, in connection with the subject annexation; and

WHEREAS, counsel for the applicant and City staff have requested that the public hearing be rescheduled from November 1, 2004 to a later date to allow for additional information on the development proposal for the property to be submitted and evaluated; and

WHEREAS, the purpose of this resolution is to establish a new public hearing date of December 6, 2004.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

1. That the City Clerk is instructed to cause a public notice of the resolution which has been introduced which, if adopted, would annex property of Washington Metropolitan Area Transit Authority to be published not fewer than two times at not less than weekly intervals in a newspaper of general circulation in the City of Rockville and the area to be annexed, said notice to specify that a public hearing will be held on the resolution in the office of the Mayor and Council at 7:00 p.m. or as soon thereafter as it may be held, on the 6th day of December, 2004, in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland 20850.

2. That the City Clerk is instructed to provide an outline for the extension of services and public facilities into the area proposed to be annexed to the County Executive of Montgomery County, Maryland, the Secretary of the State Department of Planning and the Chairman of the Maryland-National Capital Park and Planning Commission at least thirty days prior to the holding of the scheduled public hearing.

3. That immediately upon the first publication of the public notice of said resolution, the City Clerk is instructed to cause said public notice and the Planning Commission's Preliminary Report to be provided to the County Executive of Montgomery County, Maryland, Secretary of the State Department of Planning and the Chairman of the Maryland-National Capital Park and Planning Commission.

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I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Mayor and Council at its meeting of

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Claire F. Funkhouser, CMC, City Clerk