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May 23, 2014

To: Melinda B. Peters  
State Highway Administrator

Subject: 97/28 Rezoning Issue; Zoning Request G-960

Dear Ms. Peters:

The Greater Olney Civic Association (GOCA) represents over 35 homeowner and civic associations in the Olney Master Plan area. For over thirty years, GOCA has promoted the civic, cultural, and economic welfare of the Olney community. I am writing on behalf of GOCA to express my concern about developments related to the future grade-separated interchange for Georgia Avenue and Norbeck Road ("97/28 Interchange") and a zoning request that, if approved, would significantly complicate planning and ultimately considerably raise the cost of the 97/28 Interchange's construction. Accordingly, GOCA is asking for assistance from your office in delaying action on the zoning request and in facilitating the exercise of eminent domain.

The 97/28 Interchange is the highest priority roadway project for design and construction on Montgomery County's transportation priorities list for 2014. In 2001, an alignment for a grade-separated intersection at 97/28 was approved by State and County officials, as well as local community associations, including GOCA.

The existing intersection is failing (Grade F), and the Final Environmental Impact Statement (FEIS) for the ICC (MD-200) assumed the 97/28 Interchange would be completed directly following the ICC's opening. Furthermore, the imminent completion of the Greenbriar at Norbeck Crossing development will add 262 additional dwelling units in the immediate proximity of the already failing 97/28 intersection. Additional development just north of 97/28 on Batchellors Forest Road will also generate significant additional traffic.

Against this backdrop, Zoning Request G-960 is presently under consideration for approval by the Office of Zoning and Administrative Hearings in Rockville. This zoning request, if approved, would raise the development density and thus the land value of a parcel of land that lies within the 97/28 Interchange right-of-way. The implication of approving this zoning request would be a material increase in the cost to the State for purchasing the land required to construct the 97/28 Interchange.

GOCA is aware of these issues and, out of a desire to see the 97/28 Interchange project proceed to development at the best possible cost to the taxpayers, has passed the following resolution:

**Be it firmly resolved that the Greater Olney Civic Association is strongly opposed to any portion of Zoning Request G-960 that infringes on any of the potential rights-of-way for the realignment of the 97/28 grade separated intersection. Furthermore, GOCA strongly urges the State to exercise its option to purchase the properties required for the 97/28 grade separated intersection on an expedited basis. GOCA resolves to make its position known to the appropriate government agencies and elected officials.**

Therefore, GOCA strongly urges your office to take two immediate actions with respect to the 97/28 Interchange project:

- 1) Advise the Office of Zoning and Administrative Hearings to delay approval of Zoning Request G-960 because of the State's intention to purchase subject land as part of the 97/28 Interchange right-of-way.
- 2) Proceed immediately to begin the process of exercising the State's right of eminent domain to acquire the lands required for the 97/28 Interchange right-of-way, thereby locking in the land acquisition costs for the project at today's market values.

We appreciate your immediate attention to this urgent matter and respectfully request a response from your office indicating your intentions regarding our requests.

John Webster  
President

Cc: Ike Leggett  
Nancy Navarro  
George Leventhal  
Nancy Floreen  
Hans Reimer  
Marc Elrich  
Phil Andrews  
Cherri Branson  
Roger Berliner  
Craig Rice  
Sen. Karen Montgomery  
Sen. Roger Manno  
Del. Eric Luedtke  
Del. Craig Zucker

Del. Anne Kaiser  
Del. Sam Arora  
Del. Bonnie Cullison  
Del. Ben Kramer  
Montgomery County Office of Zoning and Administrative Hearings