

## **Testimony of Steven McKay (3810 Shakespeare Way, Monrovia, MD) in Opposition to Amended Bill 17-21 on Permitted Uses in MXDs**

Council President Otis, Vice President Keegan-Ayer and Council members, I wish to continue my opposition to amended Bill 17-21. I think you made a major improvement to the original bill when you dropped the section on DRRAs. As I've stated previously, this section was very concerning to me and probably violated State law. So that was a major improvement.

So now here you are back again with another amendment. This time, you're dropping the one-mile exclusion radius at the insistence of a major developer (Mattan). I believe that one-mile zone was put in place at the encouragement of another major developer (St John's Properties). So in summary, you have a bill brought forth to support one developer, that has been amended twice now at the insistence of two other major developers who you might hurt in the process.

I have two observations on this point. First, this is what happens when you try to make global changes to the County's zoning ordinance to support a single person or business. Second, what about the residents?

You've heard directly from residents of Jefferson Tech Park that don't want this change. You haven't heard from any residents in favor of this change – only the assurances from the developer's representative that they are ok with it. I know that Councilman Jerry Donald was hoping to attend one of the community meetings on the subject. I hope that he has been able to do so and can bring back his observations on the community's thoughts on the subject. When you are considering changing the terms of an existing development, one which already has residents who have bought into one concept and are now facing the prospect of a new and different concept, you really ought to hear what they say. In fact, their voices should be given far greater weight than you appear to be giving to the other two developers.

Unfortunately, I don't see you doing that and it starts with the fact that you're holding this hearing at 4:30 pm, rather than at 7 pm. Most folks can't attend a 4:30 public hearing – not the developers or their lawyers mind you – I'm sure they'll be there. But the residents and other concerned citizens probably won't be, because let's face it – we have jobs. So I'm not very happy that you're holding this hearing at 4:30 and appear to be only concerned about how the other big developers think about this bill.

I'm also concerned that you appear to be only viewing this bill from the optic of Jefferson Tech Park. The bill appears to be tailored to that particular situation, ignoring the fact that any MXD in the County could also adopt these provisions, with less than optimal results for those developments. In that spirit, I want to reiterate my previously suggested changes to this bill.

- 1) The new industrial uses should not share any roadways with the residential portions of the MXD. These developments have been billed as “walkable communities” and that is incompatible with increased truck traffic from these new industrial uses.

- 2) The new industrial uses should not be contiguous with the residential portions of the MXD. Instead, you should mandate green space and commercial development as buffers between the new industrial uses and the residential portions of the developments.
- 3) You should mandate a maximum percentage of the MXD use table for these new industrial uses. This is a central aspect of the MXD zone with the zoning ordinance and you have ignored it. I think a 10% maximum is a good starting point.

If I were a resident of one of these MXDs, this is the minimum set of changes that I would argue. This is not a perfect situation, nor is this a perfect compromise, but these are reasonable limitations that should be added to this bill to ensure that your legislation doesn't just work for Jefferson Tech Park, but also works for all of the MXDs in the County.