

AGENDA ITEM #7
September 22, 2009

ACTION

MEMORANDUM

September 18, 2009

TO: County Council

FROM: Linda McMillan, Senior Legislative Analyst 

SUBJECT: **ACTION** – Supplemental appropriation and amendments to the FY09-14 Capital Improvements Program of the Montgomery County Government
PSTA and Multi-Agency Service Park, PDF #470907
\$48,316,000 (Source of Funds: Interim Financing)
PSTA Academic Building, PDF #479909 (proposed for close-out)

SUMMARY OF PS and T&E COMMITTEE RECOMMENDATION & WORKSESSION

The Public Safety (PS) and Transportation, Infrastructure, Energy, and Environment (T&E) Committees held a joint worksession on Thursday, September 17th to consider the Executive's recommendation that the Council appropriate \$48.316 million to purchase both the east and west sides of the Webb Tract (Centerpark) and provide funds for master planning of the site for the relocation of the Public Safety Training Academy, Montgomery County Public Schools' food preparation and distribution facility and MCPS and M-NCPPC Parks' Department maintenance facilities.

The joint Committee recommends (5-0) the Council appropriate \$22.794 million to purchase the east side of the Webb Tract and to provide \$1.695 million in planning funds. This will allow the Executive to close on the purchase of the east side of the Webb Tract by September 30, 2009 as required under the current terms of the contract between the Executive and the landowner. The east side is proposed to be the site for relocation of the MCPS food preparation and distribution facility and the MCPS and Parks maintenance facilities (see map © 19). These facilities must be relocated to implement the Shady Grove Sector Plan. Councilmember Floreen, while supporting the Committee recommendation, said she would prefer to move forward with the entire purchase at this time. (The joint Committee recommendation concurs with Council staff Option 2 described at page 7 of this memo.)

A resolution and Project Description Form reflecting the joint Committee recommendation is being circulated to Committee members for their review and should be distributed to the Council and be available to the public on Monday, September 21.

The joint Committee will return to consider the Executive's recommendation to purchase the west side of the Webb Tract in time to allow the Council to consider approving an additional appropriation of \$25.522 million prior to the December 31, 2009 agreed-to closing date. The sale price for the west side of the Webb Tract remains the same whether the county closes in September or December.

The joint Committee received comments from Assistant Chief Administrative Officer Schwartz Jones that urging the Council to look to the future and act now to approve funding for the entire purchase, support the relocation of the PSTA, and not delay any portion of the Executive's proposal. Assistant CAO Schwartz Jones cited testimony the Council received at the first public hearing on the Gaithersburg West Master Plan regarding the county's need to keep its edge in the biotech industry. The Executive believes that the current PSTA site is inadequate for the needs of public safety and that keeping the PSTA at the current site on Darnestown Road does nothing for the long-term overall economic health of the county.

Committee members noted that the Council is just beginning its deliberations on the Gaithersburg West Master Plan and that the public needs to understand that the Council is carefully considering the thoughts, opinions, and input it is getting from the community as a part of the public hearings and worksessions. Some Committee members noted that there are many good ideas in the proposed master plan and that the Council is concerned about bringing good paying jobs to the county. There are many options to consider in the master plan worksessions for the current PSTA site in addition to keeping the PSTA at the location or approving the use and density proposed by the Planning Board and Executive. There may also be options for the timing of the relocation of the PSTA if the decision is made to relocate it.

The joint Committee discussed the financing issues with the Directors of the Office of Management and Budget and Department of Finance who said the county has the flexibility to make this purchase and implement the Smart Growth Initiative and that by using the county's short-term debt/commercial paper program and the proceeds from land sales this Smart Growth Initiative will not displace any other projects in the capital program. Committee members noted comments made by MCPS at the Council's recent lunch with the Board of Education on the school system's need for capital funding and from Park and Planning about whether, given their priorities for additional funding, they would recommend funding a new maintenance facility as a part of their CIP request.

The Committee agreed that it does not want to lose the opportunity to buy the land and that splitting the purchase in two allows county to still have that opportunity. The Committee confirmed with Executive staff that there is no additional cost to the county from splitting the purchase of the Webb Tract into two parcels.

At the session, Executive staff provided an update financing plan and capital cost summary. This information is provided at © 116-117. The joint Committee asked that this information be revised to include the estimated costs for constructing the MCPS and M-NCPPC maintenance facilities.

Background (from September 17, 2009 packet)

On June 25, 2009 the Public Safety (PS) Committee and Transportation, Infrastructure, Energy and Environment (T&E) Committee held a joint worksession on the County Executive's proposal to purchase the Webb Tract in order to relocate the Public Safety Training Academy (PSTA), Montgomery County Public Schools' (MCPS) food production and distribution facility, and maintenance facilities for MCPS and M-NCPPC's Parks Department. The recommendations are a part of the County Executive's Smart Growth Initiative/Property Use Study. Relocation of the MCPS food distribution facility and MCPS and Parks Department maintenance facilities will assist in the implementation of the Shady Grove Sector Plan. Relocation of the PSTA is a part of the County Executive's recommendation for a "science village" to be located near the Johns Hopkins campus.

At the June 25th worksession, the joint Committee was given the County Executive's recommended supplemental appropriation and amendment to the FY09-14 Capital Improvements Program (CIP) for purchasing the Webb Tract (\$46.621 million, which includes \$50,000 for settlement costs) and master planning of the site (\$1.695 million). Complete design and construction costs are not requested at this time. The Executive also recommends a CIP amendment to close-out the existing PSTA Academic Building project.

The supplemental appropriation and CIP amendments were introduced at the Council's July 14th session and a public hearing was held on July 28th.

The recommended supplemental appropriation and CIP amendments are attached at © 1-11.

The briefing document provided at the June 25th session is attached at © 12-19. A September 1st memo from Montgomery County Police Chief Manger and Montgomery County Fire Chief Bowers supporting the relocation of the PSTA to the Webb Tract is attached at © 20-21.

Written testimony submitted at the public hearing is attached at © 60-90.

Purchase of Webb Tract (Centerpark) – Terms and Finance Costs

On February 27, 2009, Assistant Chief Administrative Office Schwartz Jones sent a letter to Miller and Smith, owners of the Webb Tract (also known as Centerpark), stating the county's intent to purchase the property. The letter states that the price will be \$46,571,400. The proposed acquisition was advertised in the July 1, 2009 Montgomery County Register. The

notice states that the county intends to acquire the Webb Tract (excluding lots 10, 14, and 15) and that the county has the option to purchase the 127.38 +/- acres in two separate phases. Lots 14 and 15 will be purchased by the Revenue Authority for the purpose of extending the runway protection zone for the Montgomery County Airpark.

Phase 1 of the proposed purchase is the purchase the **east side** of the site which consists of 57.48 +/- acres at a cost of \$21,048,975. The county is required to close by September 30, 2009. The County Executive proposes locating the MCPS food service facility and MCPS and Parks Department maintenance facilities on this portion of the site.

Phase 2 of the proposed purchase is the purchase of the **west side** of the site which consists of 69.89 +/- acres at a cost of \$25,522,425. The county is required to close by December 31, 2009. The County Executive proposes locating the PSTA on this portion of the site.

The County Executive is proposing interim (short-term) financing as the source of funds for this purchase. The monthly finance cost for Phase 1 (east side) is about \$24,750 per month and the financing cost for Phase 2 (west side) is about \$28,690 per month at current (and very favorable) interest rates. The Executive recommends closing on the entire site by September 30, 2009.

Planning Board Comments – Mandatory Referral

On May 27, 2009, the Director of the Department of General Services sent a letter to the Chairman of the Montgomery County Planning Board requesting an administrative mandatory review. The Planning Board held a worksession on the mandatory review of the site selection at their September 10th session. The staff packet is attached at © 25-57. The Planning Board approved sending the following comments to the Department of General Services:

1. Montgomery County (“the applicant”) is to adhere to the forest conservation requirements under the approved Final Forest Conservation Plan (FFCP) 0120040180 or submit an amendment to the entire FFCP for Airpark North Business Park along with documentation as to why the original forest conservation requirements cannot be met.
2. The applicant should be bound by the existing Adequate Public Facilities (APF) test for the Preliminary Plan No.120040180, including frontage, local intersection, and off-site improvements. Any future land uses not allowed under the existing APF approval or any uses that generate fewer weekday peak-hour vehicular trips may be re-analyzed for a new APF test including submission of an updated traffic study and Policy Area Mobility Review (PAMR) statement. If this occurs, the applicant should provide any necessary intersection improvements required to satisfy Local Area Transportation Review (LATR) and provide non-automobile transportation improvements to satisfy PAMR.
3. The applicant should implement traffic mitigation action to encourage car/vanpooling, transit use, and other trip reduction measures for employees work on the site. The traffic

mitigation program should be developed and approved by the appropriate parties prior to the release of building permits.

4. The applicant should provide inverted-U bike racks in front of the main buildings in weather protected locations and bike lockers within any parking facility. The ultimate number and location should be evaluated during the mandatory referral for the facility to be constructed.
5. The applicant should meet with all the impacted communities in the early stages of facility planning and at regular intervals during design development.
6. The applicant should consult the Shady Grove Implementation Advisory Committee and the Smart Growth Initiative Implementation Advisory Group during facility design.
7. The applicant should respond to the information request transmitted from the Planning Department dated July 13, 2009.

(Note: the July 13, 2009 request is attached at ©57 and requested by July 20, 2009: (1) the hours of operation and types of uses proposed within the structure(s) or on the property under consideration; (2) funding source for the project: county, state, federal, and/or private; (3) list any other points of access on the subject's property that are not shown in the preliminary plan; and (4) provide an explanation for the exclusion of lots 10, 14, and 15.)

The Planning Staff memo notes that this mandatory review is for site selection only and that development standards will be evaluated as a part of the facility design. The memo also includes a summary of community concerns (© 34). The Planning Staff concludes that, "The County's request to acquire the Webb Tract property for the purpose of relocation of the PSTA, MCPS Food Distribution Warehouse, MCPS Maintenance Facility and M-NCPPC Shady Grove Maintenance Facility is consistent with the 2006 Shady Grove Sector Plan and the 1985 Gaithersburg Vicinity Master Plan. In approving the Preliminary Plan for the subject site, the Planning Board imposed conditions of approval for the environmental protection, transportation and compatibility. These conditions, along with a final forest conservation plan, should for the basis form the County's design of facilities for the subject site." (© 35)

Responses to Concerns and Questions from the MidCounty Citizen's Alliance

At the June 25th session, Councilmember Leventhal provided a list of the concerns and questions from the MidCounty Citizen's Alliance. The joint Committee requested the Executive branch provide a written response to these questions for this worksession. Executive branch staff has been meeting every Tuesday with the community to discuss their concerns and develop a response. As information on specific topics becomes available it is posted on the county's website <http://www.montgomerycountymd.gov/putmnl.asp?url=/Content/EXEC/cpus/index.asp>

The questions/concerns are attached at © 22-24. The written response from the Executive branch is provided at © 91-107. Comments from the MidCounty Citizen's Alliance on the responses from the Executive are attached at © 108-115.

Options for Committee Consideration

Council staff provided the following options for the joint Committee's consideration at this session. In presenting these options, Council staff asked the joint Committee to keep in mind the following:

- The county is required to close on the **east side** of the Centerpark property by September 30, 2009 in order to make the purchase under the agreed-to price and terms. Council staff does not know whether the land will still be available to the county after that time.
- The **east side** is proposed as the relocation site for facilities currently located at the County Service Park. The MCPS food preparation and distribution facility must be relocated to complete the clearing of the County Service Park property closest to the Shady Grove Metro Station. While the Shady Grove Sector Plan calls for clearing both sides of Crabbs Branch for residential and mixed use development, a decision on where to relocate the MCPS and Parks Department maintenance facilities does not have to be made until a decision is made on the relocation of the MCPS bus depot.
- The county is not required to close on the **west side** of the Centerpark property until December 31, 2009 under the current terms of the letter of agreement. There is a cost savings of \$28,690 in current revenue (debt service) per month from splitting the closing.
- The **west side** of the Centerpark property is now proposed only for PSTA facilities and uses. The current PSTA site on Darnestown Road is a part of the Gaithersburg West Master Plan. The Council will have held one public hearing on the Gaithersburg West Plan by the time of the Committee session on this appropriation, but neither the Planning, Housing, and Economic Development Committee nor the Council will have held a worksession on the master plan.
- While the Executive has concluded that the PSTA should move to a different site because the current site is inadequate in the long-term, options other than renovating the existing academic building have not been explored. For example, if the Council determines that the Darnestown Road site should remain the long-term site for the PSTA, a new academic building could be built on the current site and the old building demolished. Council staff agrees that there are significant problems with the existing building and that the current cost estimate does not include funding to meet LEED Silver requirements. However, it should also be noted that the site and building no longer need to accommodate the Travilah Fire Station. An analysis of the costs and the differences from the Program of Requirements that would be built at the Webb Tract would need to be completed.

- Additional funding must be provided to the Department of General Services if additional site planning, facility options, and cost estimates are to be completed. Council staff believes that both Council and community questions can only be answered if there are additional resources for planning. (Council staff notes that the original PDFs for a relocated PSTA and MCPS Food Distribution Facility that were introduced on December 9, 2008 requested \$6.2 million in planning and design funds for the Public Safety Training Campus and \$892,000 for the MCPS food distribution facility.)

Option 1 – Appropriate \$21.099 million for the purchase of the east side of the Centerpark property

This is the least amount of appropriation that will ensure that the county continues to have the option of relocating any county facilities to the east side of the Webb Tract. It does not require the Council to decide that this is definitely the place that the MCPS food distribution facility or MCPS and Parks Department maintenance facilities will be located. This option does not provide any additional funding for POR development, planning, traffic studies, and development of cost estimates that are needed to make a final decision about whether this is the best site for these three facilities.

Option 2 – Appropriate \$22.794 million for the purchase of the east side (\$21.099 m) and requested planning funds (\$1.695 m)

This allows the county to purchase the east side and continue the work that needs to be completed for master planning the site and resolving issues like traffic routes and noise mitigation. The joint Committee should confirm with the Department of General Services that these planning funds will allow completion of the PORs for all four proposed facilities and provide the Council with **preliminary total cost estimates** for each. (The PDF notes that final construction costs will be determined during the design development phase. However, Council staff believes the Council needs a better understanding about the expected costs of these buildings, required road improvements, reforestation, etc.) This is Council staff's preferred option -- only with the understanding that the expenditure of these planning funds will provide preliminary total cost estimates.

Any recommendation from the joint Committee that is not approval of the Executive's full request will require that the language in the PDF be amended as the Executive's recommended language concludes that PSTA needs cannot be met at the current site and that the four facilities will definitely be relocated to the Webb Tract. It also states that the existing PSTA site has better economic development, housing, and transportation utility, a topic for discussion in Gaithersburg West Master Plan worksessions.

If the joint Committee wants to have any options explored for retaining the PSTA at the current Darnestown Road site or to continue to look at other site options for the MCPS or Parks' facilities, this should be discussed at this worksession so that funding is available to explore additional options.

Option 3 – Appropriate \$46.621 million to purchase both east and west sides of Centerpark by September 30, 2009.

This would allow the county to close on the entire parcel at one time. As with Option 1 it does not include any additional planning funds. The PDF should be amended to reflect that no final decision has been made about whether facilities will in fact be relocated. As previously noted, debt service for the west side is about \$28,690 per month.

Option 4 – Approve \$48.316 to purchase Centerpark and provide planning funds requested by the County Executive but amend PDF to clarify that a final decision on relocation has not been made.

This secure the land to make sure it is available if the Council decides to eventually relocated facilities to the Webb Tract and provides additional planning monies to complete master planning of the site. Again, if the Council wants to consider any options for retaining the PSTA at the current site, this should be discussed at this worksession to ensure adequate funds are available to provide the desired information. PDF language would need to be amended for this action.

Option 5 – Approve the County Executive’s Recommendation

Under this option, the Council would be agreeing with the Executive that the Webb Tract is the site for relocation of all four facilities and all master planning and design work would be dedicated to this site only. Council staff believes this conclusion is premature until there are preliminary cost estimates and, in the case of the PSTA, until the Council considers the Gaithersburg West Master Plan.

Unless the Committee recommends this Option 5, close-out of the current PSTA Academic Building project should not be approved at this time.

Financing and the CIP Process

While Council staff understands that some opportunities, like the acquisition of the GE Tech Park Building, the Casey 6&7 properties, and the Webb Tract do not fall neatly into the normal CIP calendar, Council staff is concerned that the entirety of these projects appears to be on a path that will fall outside of the normal CIP process. Council staff believes it is important to have cost estimates and preliminary schedules for EMOC, the PSTA, MCPS food distribution facility, and MCPS and Parks’ maintenance facilities as a part of next spring’s discussion of the full CIP. The Committee will recall from the worksessions on the GE Tech Park Building purchase that there are many demands on CIP funding in future years based on projects that are currently in the design stage but do not yet have construction dollars programmed.

While it is true that under the County Executive’s proposal there will be proceeds from land sales (from the sale of the County Service Park and the current PSTA site) that can be applied to the CIP, it is not clear that land proceeds and close-out of existing projects will be adequate to cover the total costs of these capital projects. And, while these efforts are expected to increase the county’s tax base by allowing for higher uses near transit, this economic benefit cannot be directly be applied to the CIP as a funding source. (It is appropriate for an overall economic analysis of cost neutrality.) While Council staff is comfortable with the use of short-term financing for the purchase of the Webb Tract parcels, once better information is available about the capital costs of each facility, Council staff believes each should be clearly programmed into the CIP with an appropriate mix of expected land sale proceeds and G.O. Bonds.

<u>Attached to this packet</u>	<u>Circle</u>
Memo from County Executive	1-2
Supplemental and CIP Amendment – PSTA and Multi-Agency Service Park	3-5
PDF – PSTA and Multi-Agency Service Park	6-7
CIP Amendment – PSTA Academic Building – Close out	8-11
Briefing Document from 6/25/2009 joint PS and T&E mtg	12-19
9/1/2009 memo from Chiefs Manger and Bowers	20-21
June 25, 2009 questions from MidCounty Citizen’s Alliance	22-24
Planning Staff packet – 9/10/2009 mandatory referral	25-57
8/24/2009 letter from Robert Hydorn to Chair Hanson	58-59
Public Hearing Testimony	60-90
Responses from Executive branch to June questions from The MidCounty Citizen’s Alliance	91-107
MidCounty Citizen’s Alliance comments on Executive branch responses	108-115
Smart Growth Initiative Capital Cost Summary and finance plan (September 17, 2009)	116-117

Summary of Actions to Date (additional background information)

The Council has already offered support and approval of many of the Executive’s recommendations to implement the Shady Grove Sector Plan and address deficiencies in certain public safety facilities. Actions to date include:

- Approved \$49.079 million to purchase and renovate the Finmarc Warehouse at the GE Tech Park for use as the county's Liquor Warehouse. This project is funded with Liquor Revenue Bonds. The project addresses identified problems with the existing warehouse and supports the implementation of the Shady Grove Sector Plan.
- Approved \$36.743 million to purchase the parcels known as Casey 6&7 and fund planning and design efforts in order to relocate the county's Equipment Maintenance Operations Center. The project is funded with G.O. Bonds and short-term financing. The project addresses identified problems with the existing EMOC (including lack of space for additional buses) and supports the implementation of the Shady Grove Sector Plan. Total cost of the project is estimated at \$135 million. The short-term debt is to be repaid with proceeds from land sales.
- Approved \$61,000 to provide planning and design funds to relocate the County Radio Shop to Seven Locks Road. This project is funded with G.O. Bonds and supports the implementation of the Shady Grove Sector Plan.
- Approved \$150,000 to provide planning funds for relocation of the Montgomery County Public Schools' bus depot and maintenance facilities. The source of funds is G.O. Bonds. These relocations support the implementation of the Shady Grove Sector Plan.
- Approved \$150,000 to provide planning funds to relocate the M-NCPPC maintenance facility. The source of funds is G.O. Bonds. The relocation supports the implementation of the Shady Grove Sector Plan.
- Approved \$31.1 million for FY09 and FY10 to renovate the GE Tech Park Building as part of a lease-purchase agreement. The building will house the county's Public Safety Headquarters, 1st District Police Station, and county offices. Total cost of the project is \$107.440 million. The source of funds is G.O. Bonds and short-term financing (repaid by G.O Bonds). The project addresses deficiencies in the current police headquarters and 1st District Station, and allows the county to reduce the use of leased space. The Public Safety Memorial will be located at the site.
- Closed-out existing projects for the EMOC, Liquor Warehouse, and 1st District Station which are no longer needed.



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

June 24, 2009

TO: Phil Andrews, President, County Council

FROM: Isiah Leggett, County Executive

SUBJECT: Amendment to the FY09-14 Capital Improvements Program (CIP) and Supplemental Appropriation #36-S09-CMCG-9 to the FY09-Capital Budget
Department of Police,
Montgomery County Fire and Rescue Service,
Montgomery County Public Schools,
Maryland-National Capital Park and Planning Commission,
Smart Growth Initiative – PSTA and Multi-Agency Service Park, PDF #470907,
\$48,316,000

JUN 25 11 21 AM '09

I am recommending an amendment to the FY09-14 Capital Improvements Program for the PSTA and Multi-Agency Service Park (Project # 470907). This amendment and supplemental appropriation will specifically advance the relocation of certain facilities from the County Service Park as called for in the Shady Grove Sector Plan as well as the relocation of the Public Safety Training Academy. This project is important to continue relocations under the Smart Growth Initiative to advance important housing, transit oriented development and economic development programs by leveraging assets and anticipated expenditures for existing or planned projects. This acquisition will enable the County to make enormous strides to implement the County's Shady Grove Sector Plan that capitalizes on the existing investment in mass transit and will enable the County to realize both transit oriented development intended for the area and address unmet needs. It will also enable the County to realize better use of the PSTA site for economic development, housing and transportation in connection with our life sciences investment.

I am also recommending an amendment to close out programmed general obligations bond funds of \$6,078,000 and \$7,527,000 from FY11 and FY12, respectively, from the PSTA Academic Building Complex project (No 479909). This recommendation supersedes my previous request related to these facilities dated November 17, 2008.

The supplemental appropriation will provide for land acquisition, master site planning and studies for the relocation of a number of County facilities to the Webb Tract site on Snouffer School Road. Facilities and programs to be relocated from their current location as part of this project include: the Montgomery County Public Safety Training Academy at the

Phil Andrews, President, Montgomery County Council
June 24, 2009
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intersection of Great Seneca and Darnestown Road; the Montgomery County Public Schools Food Distribution Facility, the Montgomery County Public Schools Facilities Maintenance Depot, and the Maryland-National Capital Park and Planning Commission's Facilities Maintenance Depot, all located at the County Services Park on Crabbs Branch Way.

The County had a planned project for expansion of the PSTA; however, for a number of reasons, the long-term needs of the County would be better served by relocation of the PSTA. This site can better serve the County as a whole by providing a site for housing, the Corridor Cities Transitway (CCT) and other facilities to support the life sciences community over the next few decades. The renovation plans for the existing PSTA location will not adequately provide for the long-term public safety training needs, with little hope of addressing needs without clearing the current site. The renovation will involve spending millions of dollars on an aged facility that does not have long-term sustainability. In fact, under current law, plans would need to be modified to provide for the entire building to meet a LEED Silver standard. Moreover, renovation of the PSTA will significantly disrupt ongoing public safety training activities at the PSTA, while relocation will not disrupt training activities. The County is in need of an expanded, more efficient training facility to enable first responders to be better prepared.

The recommended amendment is consistent with the criteria for amending the CIP because project changes support significant economic development initiatives, which strengthen the fiscal capacity of the County government and offers a significant opportunity which will be lost if not taken at this time.

I recommend that the County Council approve this amendment to the FY09-14 Capital Improvements Program.

I appreciate your prompt consideration of this action.

IL:aa

Attachments: Amendment to the FY09-14 Capital Improvements Program (CIP) and Supplemental Appropriation #36-S09-CMCG-9 to the FY09 Capital Budget
Amendment to the FY09-14 Capital Improvements Program (CIP) #23-A09-CMCG-6

c: Joseph F. Beach, Director, Office of Management and Budget
Jennifer Barrett, Director, Department of Finance
David Dise, Director, Department of General Services
Arthur Holmes, Director, Department of Transportation
Thomas Manger, Chief, Montgomery County Department of Police
Richard Bowers, Chief, Montgomery County Fire and Rescue Service
Jerry Weast, Superintendent, Montgomery County Schools
Royce Hanson, Chairman, Maryland-National Capital Park and Planning Commission
Diane Jones, Assistant Chief Administrative Officer
Kathleen Boucher, Assistant Chief Administrative Officer

Resolution: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Amendment to the FY09-14 Capital Improvements Program (CIP) and Supplemental Appropriation #36-S09-CMCG-9 to the FY09 Capital Budget Department of Police, Montgomery County Fire and Rescue Service, Montgomery County Public Schools, Maryland-National Capital Park and Planning Commission, Smart Growth Initiative – PSTA and Multi-Agency Service Park, PDF #470907, \$48,316,000

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.
3. The County Executive recommends the following capital project appropriation increases:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
PSTA and Multi-Agency Service Park	470907	Land Acquisition Master Planning	\$48,316,000	Interim Financing

4. The supplemental appropriation will provide for land acquisition, master planning and studies for the relocation of a number of County facilities to the Webb Tract site on Snouffer School Road. Facilities and programs to be relocated from their current location as part of this project include: the Montgomery County Public Safety Training Academy at the intersection of Great Seneca and Darnestown Road; the Montgomery County Public Schools Food Distribution Facility, the Montgomery County Public Schools Facilities Maintenance Depot, and the Maryland-National Capital Park and Planning Commission's Facilities Maintenance Depot, all located at the County Services Park on Crabbs Branch Way.

The County had a planned project for expansion of the PSTA; however, for a number of reasons, the long-term needs of the County would be better served by relocation of the PSTA. This site can better serve the County as a whole by providing a site for housing, the Corridor Cities Transitway (CCT) and other facilities to support the life sciences community over the next few decades. The renovation plans for the existing PSTA location will not adequately provide for the long-term public safety training needs, with little hope of addressing needs without clearing the current site. The renovation will involve spending millions of dollars on an aged facility that does not have long term sustainability. Moreover, renovation of the PSTA will significantly disrupt ongoing public safety training activities at the PSTA, while relocation will not disrupt training activities. The County is in need of an expanded, more efficient training facility to enable first responders to be better prepared.

5. The recommended amendment is consistent with the criteria for amending the CIP because project changes support significant economic development initiatives, which strengthen the fiscal capacity of the County government and offers a significant opportunity which will be lost if not taken at this time.
6. The County Executive recommends an amendment to the FY09-14 Capital Improvements Program and a supplemental appropriation in the amount of \$48,316,000 and specifies the source of funds as Interim Financing.
7. Notice of public hearing was given and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

The FY09-14 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description forms and a supplemental appropriation is approved as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
PSTA and Multi-Agency Service Park	470907	Land Acquisition Master Planning	\$48,316,000	Interim Financing

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

PSTA and Multi-Agency Service Park -- No. 470907

Category
Subcategory
Administering Agency
Planning Area

Public Safety
Other Public Safety
General Services
Gaithersburg

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

June 25, 2009
No
None
Preliminary Design Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	1,695	0	0	1,695	0	1,695	0	0	0	0	0
Land	46,621	0	0	46,621	0	46,621	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	48,316	0	0	48,316	0	48,316	0	0	0	0	0

FUNDING SCHEDULE (\$000)

Interim Finance	48,316	0	0	48,316	0	48,316	0	0	0	0	0
Total	48,316	0	0	48,316	0	48,316	0	0	0	0	0

DESCRIPTION

This project is part of the Smart Growth Initiative and provides for land acquisition and master site planning and studies for a site on Snouffer School Road known as the Webb Tract which is separated by a wetland area. Facilities targeted for relocation to Webb Tract are: 1) the Public Safety Training Academy (PSTA) located at the intersection of Great Seneca Highway and Darnestown Road, 2) the Montgomery County Public Schools (MCPS) Food Distribution Facility, 3) the MCPS Facilities Maintenance Depot, and 4) the Maryland-National Capital Park and Planning Commission (M-NCPPC) Facilities Maintenance Depot, all located at the County Services Park on Crabbs Branch Way.

(1) PSTA

The PSTA is the primary training facility for the department of Police and Montgomery County Fire and Rescue Services. Project includes an academic building with various classes and training rooms, EMT paramedics training, a simulation area, a student study center, a gymnasium, an indoor firing skills training range, office spaces, locker rooms, graphics and video development, and canine training and support facilities. The facility will also include an Emergency Vehicle Operation Center (EVOC), driver training classes and simulation rooms, driver training skid pan and skills pad, driving track and fire rescue training building. Staff and visitors' surface parking will be constructed.

The Public Safety Memorial previously planned as described in the PSTA Academic Building Complex project (No. 479909), will be relocated to the new Public Safety Headquarters site at 100 Edison Park Drive in Gaithersburg.

(2) MCPS Food Distribution Facility

The current MCPS Food Distribution Facility is about 58,000 square feet with 150 parking spaces for the staff and 3 loading docks. The facility must be centrally located in the county. The new facility may include expansion space.

(3) MCPS Facilities Maintenance Depot

The MCPS Facilities Maintenance Depot includes an administrative building, vehicle/equipment repair shop, PLAR storage building, outdoor covered storage, uncovered bulk material storage, heavy equipment and vehicle staging areas, staff and visitor's surface parking. The new facility will be designed to accommodate needed growth.

(4) M-NCPPC Facilities Maintenance Depot

The M-NCPPC Facilities Maintenance Depot includes an administrative building, vehicle/equipment repair shop, outdoor covered storage, uncovered bulk material storage, heavy equipment and vehicle staging areas, fuel station, staff and visitor's surface parking, supporting the entire Parks system. The current complex is located on 12 acres of land. The current facility includes 65,000 square feet of building space, with parking for 370 staff and visitors, as well as storage for 220 maintenance vehicles and modernized equipment of various types. The new facility will be designed to accommodate needed growth to include best environmental management practices including sheltering of bulk storage.

JUSTIFICATION

PSTA
There have been no major upgrades or renovations to the PSTA since it was completed in 1973. Since its completion, the training needs of the user agencies have changed significantly. As a result, the PSTA is in need of reconfiguration and expansion to meet current and projected training needs. As approved in the PSTA Academic Building Complex Project No. 479909, it is estimated that an investment of approximately \$33 million is required to overhau the existing facility. This does not include the cost of design and construction to meet LEED Silver requirements. Even with the significant investment of funds at the current location, all of the PSTA needs cannot be satisfied at the existing site, and the site has little expansion capability. The County is in need of expanded training

APPROPRIATION AND EXPENDITURE DATA			COORDINATION	MAP
Date First Appropriation	FY09	(\$000)	Department of General Services Department of Police Montgomery County Fire and Rescue Service Montgomery County Public Schools Maryland-National Capital Park and Planning Commission	
First Cost Estimate			Department of Permitting Services Department of Finance Department of Technology Services Office of Management and Budget Washington Suburban Sanitary Commission	
Current Scope	FY09	48,316		
Last FY's Cost Estimate		0		
Appropriation Request	FY09	0		
Appropriation Request Est.	FY10	0		
Supplemental Appropriation Request		48,316		
Transfer		0		
Cumulative Appropriation		0		
Expenditures / Encumbrances		0		
Unencumbered Balance		0		
Partial Closeout Thru	FY06	0		
New Partial Closeout	FY07	0		
Total Partial Closeout		0		

6

PSTA and Multi-Agency Service Park -- No. 470907 (continued)

facilities to enable first responders to be better prepared. The indoor firing range, including its target mechanism, requires modernization and upgrade to bring it up to current standards. Also, the gymnasium is not adequate to meet the latest required fitness training, and increased public safety personnel utilization of the facility. Given that the PSTA cannot fully support the County's long term needs for public safety training, its aging system and also the site constraints that do not allow for adequate expansion, financial resources could be better spent to create a new PSTA designed to support the County's long-term needs.

The existing PSTA site has better economic development, housing, and transportation utility for the region, in connection with the County's investment in Life Sciences.

M-CPS and M-NCPPC Facilities

In order to implement the County's Shady Grove Sector Plan which capitalizes on the existing investment in mass transit by creating a transit-oriented development community, the County Service Park at Crabbs Branch must be relocated. Relocation of the facilities at the County Service Park will enable the County to realize housing and transit-oriented development while also addressing unmet County facilities needs.

The Parks Department's Shady Grove maintenance facility opened in 1981 and is undersized to serve the needs of the Park system which has nearly doubled over the last 30 years.

The new facilities will be designed to accommodate needed growth.

OTHER

A pedestrian impact analysis will be completed for this project during master site planning.

FISCAL NOTE

The project provides for land acquisition and master site planning. Final construction costs will be determined during the design development phase.

Interim financing will be used for land acquisition in the short term, with permanent funding sources to include G.O. Bonds and Land Sale Proceeds.

The approved PSTA Academic Building Complex project (No. 479909) will be closed out.

Resolution No: _____

Introduced: _____

Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Amendment to the FY09-14 Capital Improvements Program (CIP) #23-A09-CMCG-6
Montgomery County Government
Department of Police
Montgomery County Fire and Rescue Service
PSTA Academic Building Complex (No. 479909)

Background

1. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.
2. The County Executive recommends this amendment to the FY09-14 Capital Improvements Program as shown on the attached project description form.
3. As part of the County's comprehensive Smart Growth Initiative, the existing Public Safety Training Academy (PSTA) must be relocated from its present location at intersection of the Great Seneca Highway and Darnestown Road. This project is important to continue relocations under the Smart Growth Initiative to advance important housing, transit oriented development and economic development programs by leveraging assets and existing or planned projects. Under a separate resolution, a new PSTA is proposed as part of the PSTA and Multi-Agency Service Park project (No. 470907), at a site on Snouffer School Road known as the Webb Tract.

The amendment to the PSTA Academic Building Complex (No.479909), is required to remove funds programmed in the FY09 -14 period and adjust the appropriation requirements. The recommended amendment is consistent with the criteria for amendment of the CIP for technical reasons.

4. The County Executive recommends an amendment to the following project: PSTA Academic Building Complex (No. 479909).

Action

The County Council for Montgomery County, Maryland, approves the following action:

The FY09-14 Capital Improvements Program of the Montgomery County Government is amended as described above and as reflected on the attached project description form.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

PSTA Academic Building Complex -- No. 479909

Category
Subcategory
Administering Agency
Planning Area
Service Area

Public Safety
Police
General Services
Countywide
Countywide

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

June 25, 2009
No
None.
Final Design Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	1,844	1,388	456	0	0	0	0	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	108	8	100	0	0	0	0	0	0	0	0
Construction	9,351	2	9,349	0	0	0	0	0	0	0	0
Other	1	1	0	0	0	0	0	0	0	0	0
Total	11,304	1,399	9,905	0	0	0	0	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	11,304	1,399	9,905	0	0	0	0	0	0	0	0
Total	11,304	1,399	9,905	0							

DESCRIPTION

A new Public Safety Training Academy will be built as proposed in the PSTA and Multi-Agency Service Park project (No. 470907) as part of the implementation of the Smart Growth Initiative program. The project described below will be closed out.

This project provides for a major renovation and expansion of the Public Safety Training Academy (PSTA), the primary training facility for the Department of Police and Montgomery County Fire and Rescue Service (including the site for the Travilah Fire Station). The project will involve renovations to, and expansion of, the Academic Building Complex (ABC) and enhancements including a helipad and renovation of the gym and indoor firing range. ABC expansion areas will contain general classrooms, an indoor firing skills training facility, and consolidated office space. Existing space will be renovated and reconfigured to provide general and technical classrooms (such as EMT paramedic, computer, and firearms), a simulations area, a student study center, and expansion and upgrade of the physical training area and locker rooms. A portion of the basement will be renovated as un-programmed space that will provide a future capability for graphics production and video development and broadcast. A new canine support facility of 1,350 gross square feet will be developed adjacent to the existing Emergency Vehicle Operations Center (EVOC) facility and driving course. The project also includes design and construction of a public safety memorial in coordination with the Public Arts Trust. A memorial site is reserved on the PSTA site with an appropriation of \$150,000. Other site considerations include stormwater management, developing centralized reception/security access for the PSTA, providing overall security for the site, increased parking, and resurfacing of existing pavements. The project also includes improvements to the lighting, mechanical systems, and building envelope to meet Executive Regulation 68-91 AM, Building Design Standards. Subsequent phases, not included in the project at this time, will include replacement and expansion of the Montgomery County Fire and Rescue Service outdoor fire training props, including the burn building, as well as the addition of a lecture hall. The Multi-Agency Driver Training Facility project is included under the General Government section.

JUSTIFICATION

There have been no major upgrades or renovations to the PSTA since it was completed in 1973. Since its completion, the training needs of the user agencies have changed significantly. As a result, the PSTA is in need of reconfiguration and expansion to meet current and projected training needs. Although some non-public safety agencies and citizens may use this facility for training, public safety agency training is its primary function. Since the completion of the PSTA Academic Complex project POR, a number of events have taken place that demonstrated the need for first responders to be better prepared for such events. The indoor firing range, including its target mechanism, requires modernization and upgrade to bring it up to current standards. The gym renovation is essential in order to meet the latest required fitness training and the increased number of public safety personnel utilizing the facility. The addition of a helipad allows for one of the most versatile transport vehicles to work from the PSTA.

Planning funds from the Facility Planning: Police and Facility Planning: Fire and Rescue projects have been used to develop needs assessment studies, the associated Program of Requirements, and cost estimates.

OTHER

Special Capital Projects Legislation will be proposed by the County Executive to reauthorize this project.

The location and schedule of this project has been proposed to change by the County Executive as part of his comprehensive Smart Growth Initiative. The project scope, cost estimates, and schedule is being amended with the completion of a detailed implementation and financing plan for the Smart Growth Initiative.

FISCAL NOTE

Expenditures have been shifted from FY09 and FY10 to FY11 and FY12 in recognition of the Council's consideration of the County Executive's Smart Growth Initiative.

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP
Date First Appropriation	Department of Police	
First Cost Estimate	Department of Correction and Rehabilitation	
Current Scope	Montgomery County Fire and Rescue Service	
Last FY's Cost Estimate	Department of General Services	
Appropriation Request	Multi-Agency Driver Training Facility	
Appropriation Request Est.	Office of Management and Budget	
Supplemental Appropriation Request	M-NCPPC	
Transfer	Special Capital Projects Legislation [Bill No. 5-98] was adopted by Council April 21, 1998, and reauthorized May 14, 2003 [Bill 6-03].	
Cumulative Appropriation		
Expenditures / Encumbrances		
Unencumbered Balance		
Partial Closeout Thru		
New Partial Closeout		
Total Partial Closeout		

PSTA Academic Building Complex -- No. 479909 (continued)

OTHER DISCLOSURES

- A pedestrian impact analysis has been completed for this project.

Presented at June 25, 2009
PS & T and E Committee
WORKSESSION



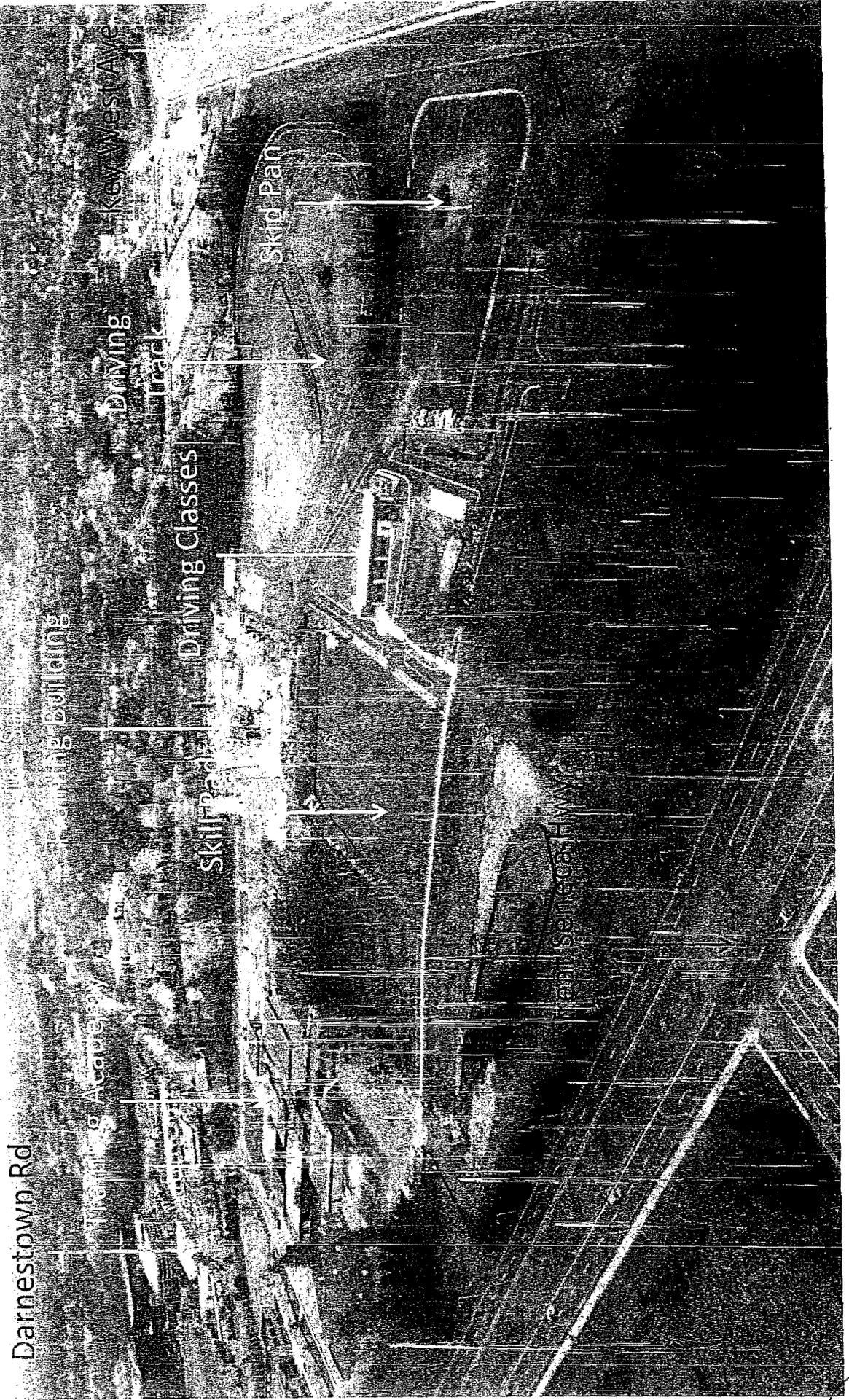
Smart Growth Initiative Program

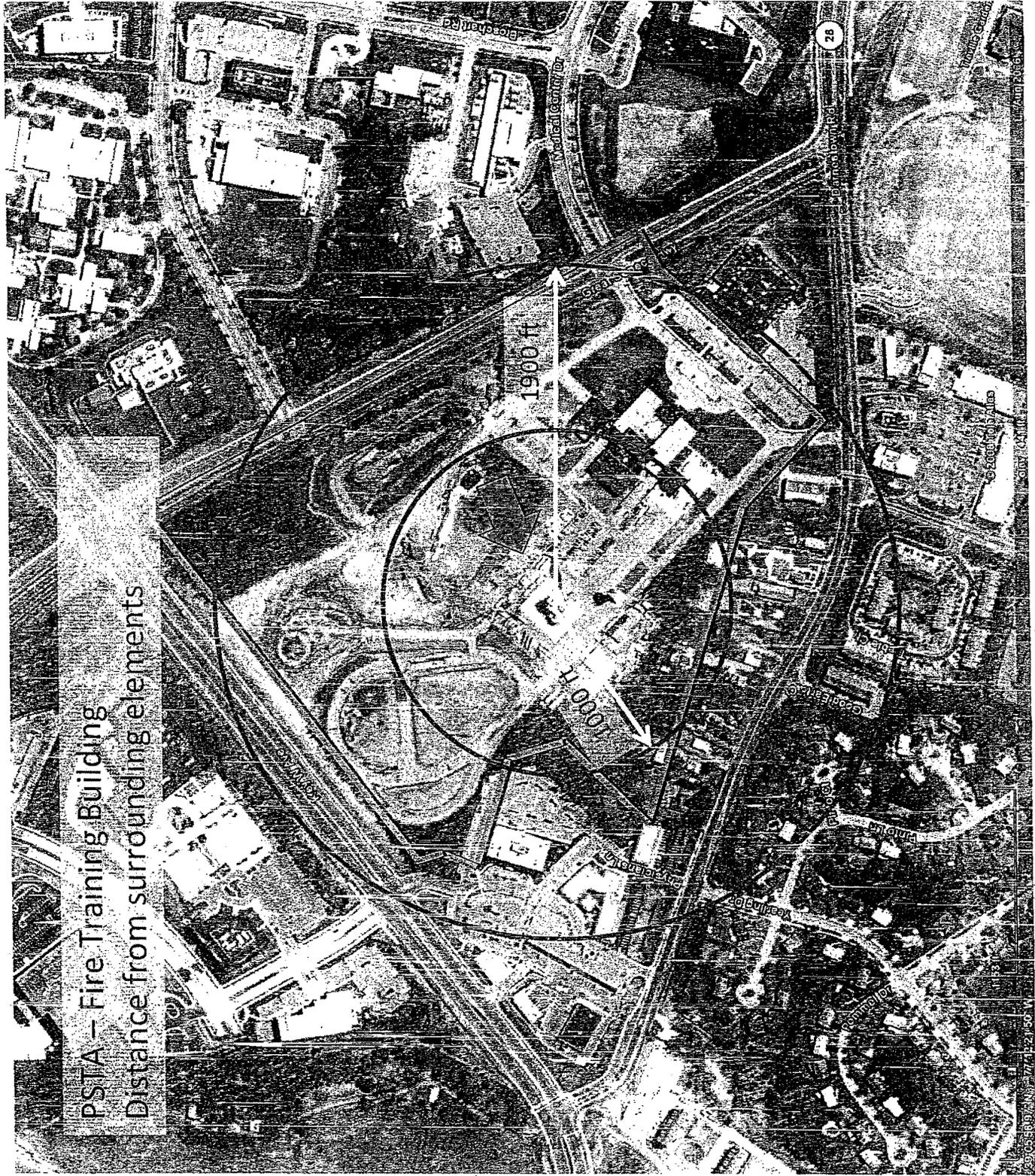
Overview of Program of Requirements

For Exiting and Proposed

Public Safety Training Academy (PSTA)

Public Safety Training Academy – PSTA

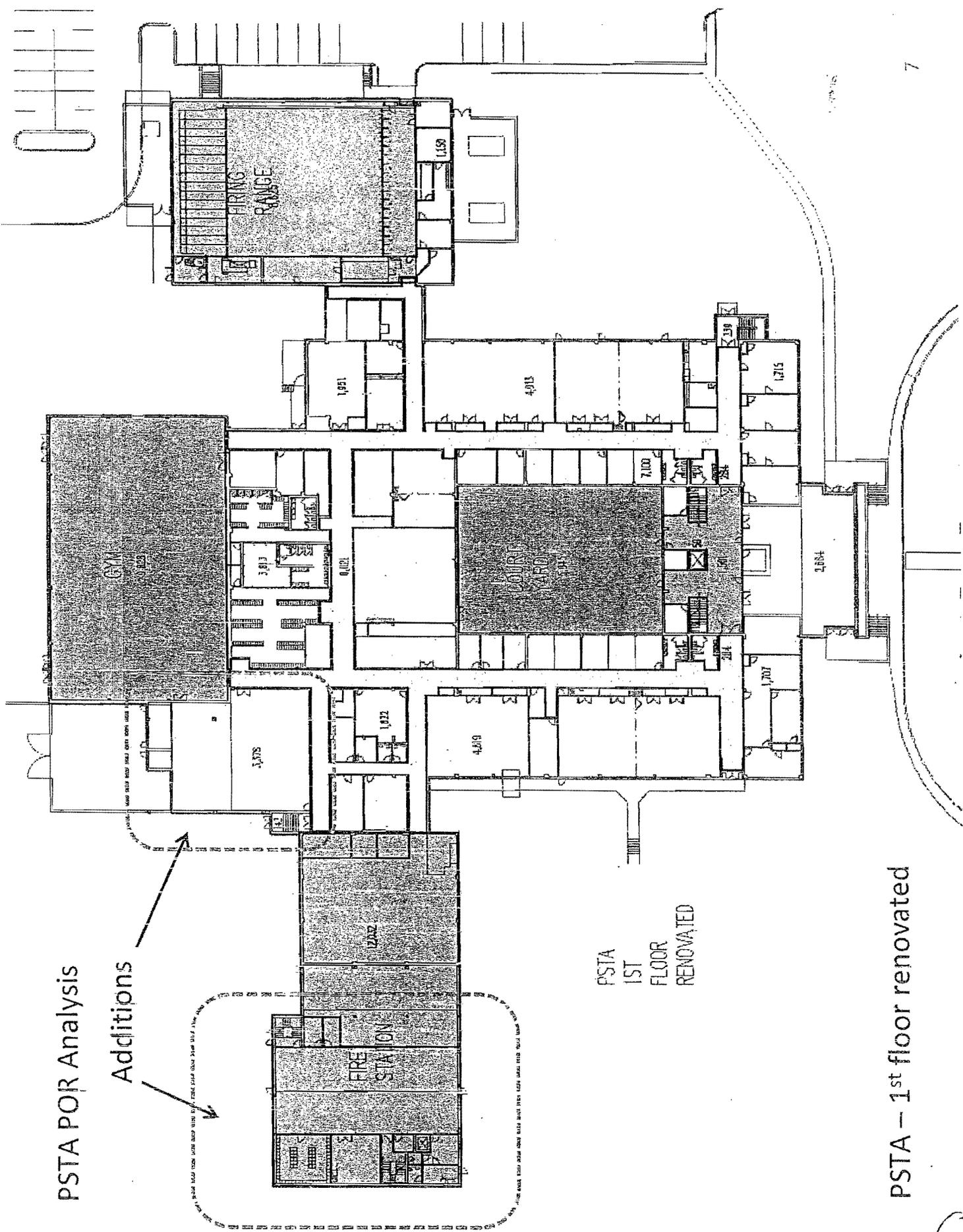




PSTA - Fire Training Building
Distance from surrounding elements

1900 ft

1000 ft



PSTA POR Analysis

Additions

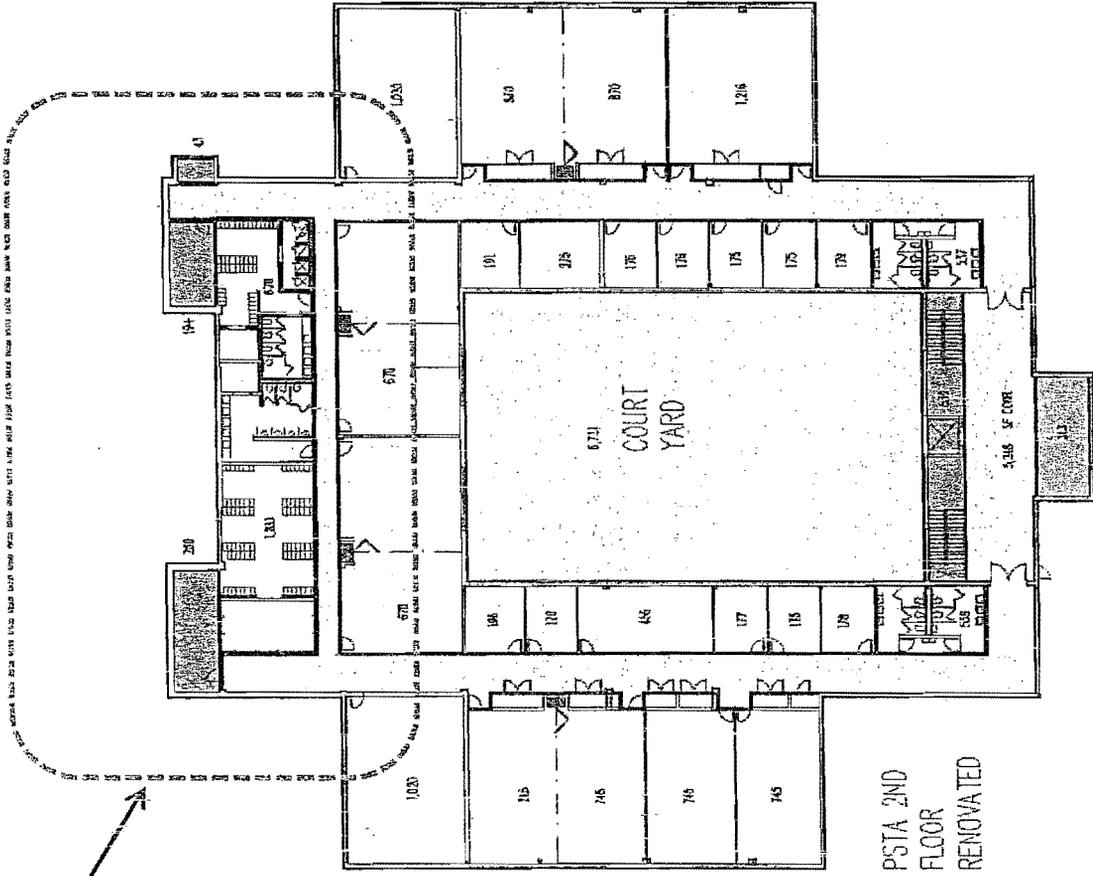
PSTA
1ST
FLOOR
RENOVATED

PSTA - 1st floor renovated

15

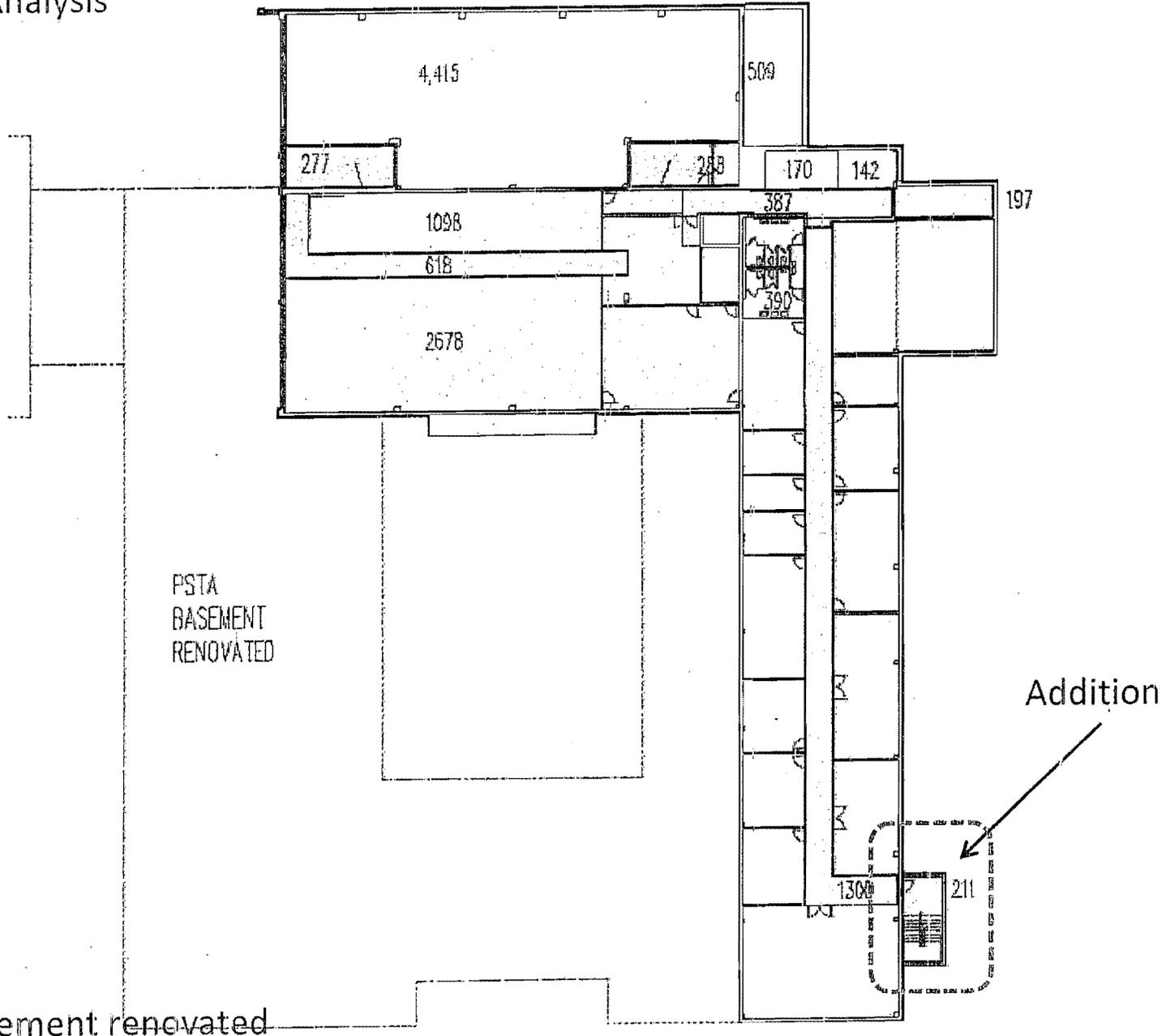
PSTA POR Analysis

Existing



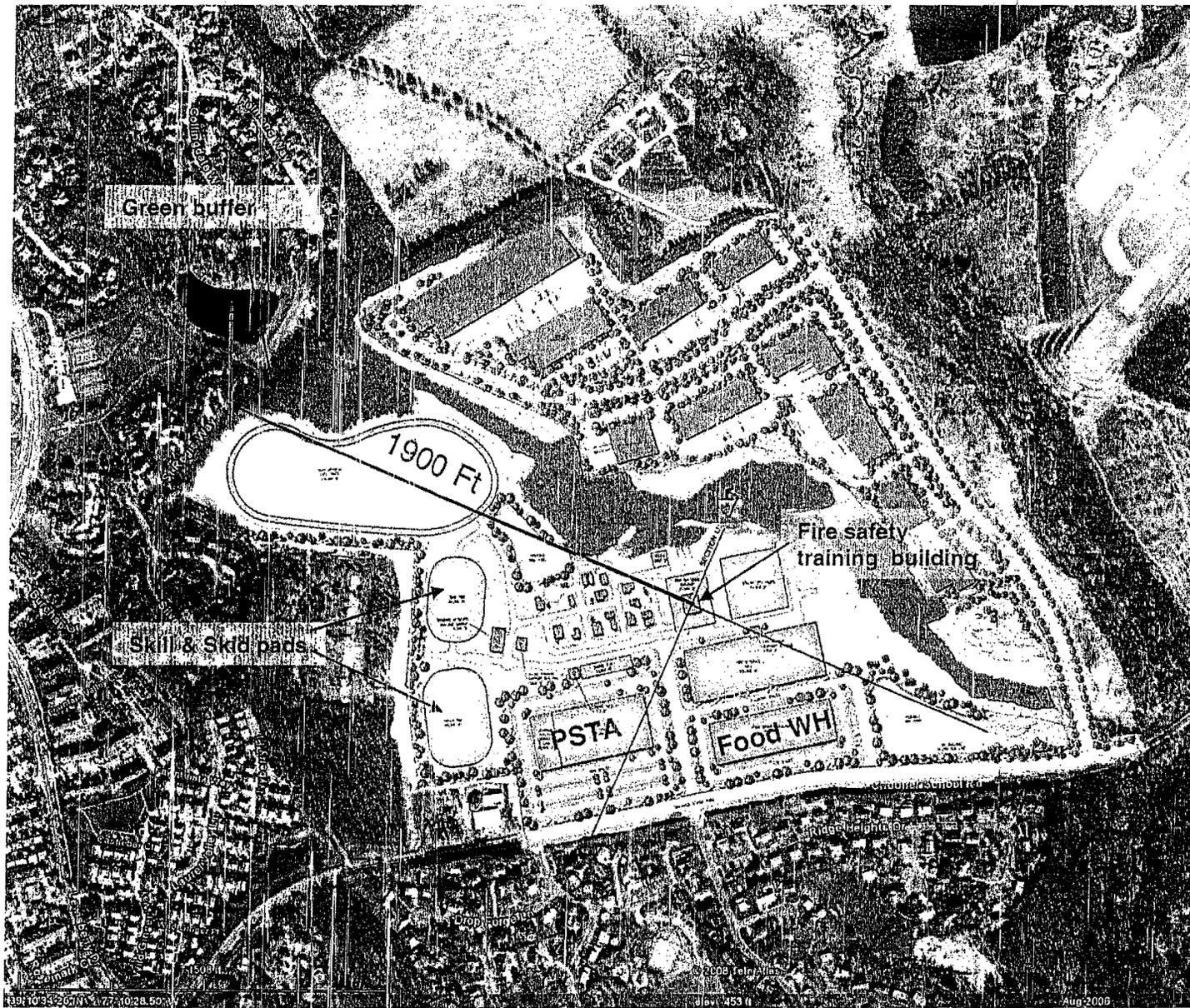
PSTA - 2nd floor renovated

PSTA POR Analysis



PSTA – Basement renovated

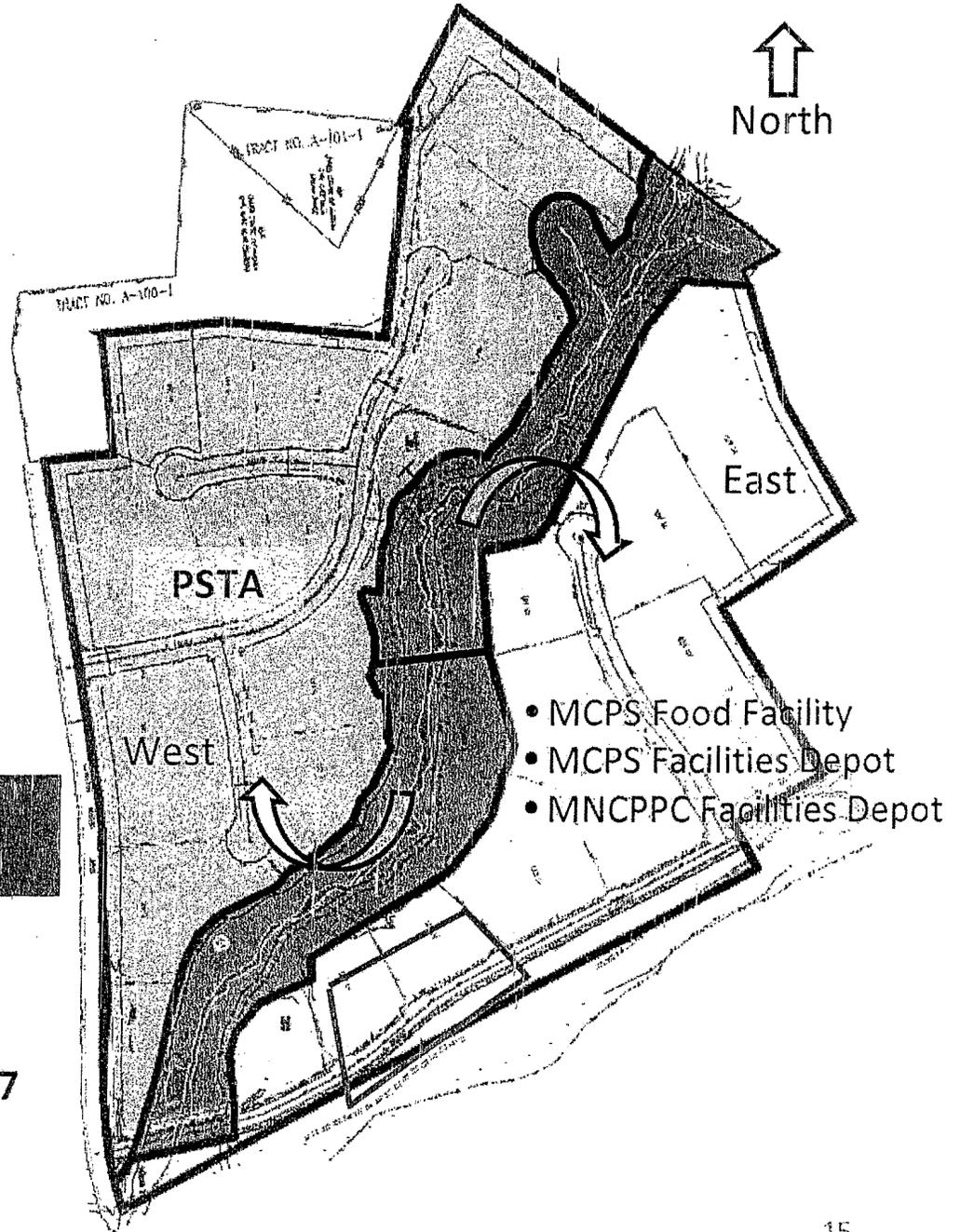
3



- Approximately 57 buildable acres to include:
 - Buffer area and possible hiking trails to nearby park
 - 13 warehouses replaced with a campus setting that includes a classroom and field training structures
 - Food distribution warehouse shown will be located on east side of Webb Tract.

Initially proposed PSTA conceptual site layout

Webb Tract Site Analysis



	Buildable	Wetland	Total
East side	43.47	14.01	57.48
West Side	57.31	12.58	69.89
Total	100.78	26.59	127.37

19

LU & Zoning



LAM
CC
20
F
8
8

MONTGOMERY COUNTY FIRE AND RESCUE SERVICE

Isiah Leggett
County Executive

Richard R. Bowers
Fire Chief

MEMORANDUM

September 1, 2009

2009 SEP 10 PM 2:55

RECEIVED
MONTGOMERY COUNTY
COUNCIL

TO: Mr. Phil Andrews, Council President
Montgomery County Council

FROM: Police Chief J. Thomas Manger
Fire Chief Richard Bowers

SUBJECT: Training Academy – Webb Tract

As the Police Chief and Fire Chief for Montgomery County, we fully support the County Executive's desire to purchase the Webb-Tract land and build a new state-of-the-art Public Safety Training facility on this property. The new training facility will meet the existing and future training and certification needs of the fire and police agencies.

A new facility can be constructed with no interruption to on-going training activities. Significant interruptions will occur with a renovation at the existing facility. Moreover, unless the training facility is essentially demolished and reconstructed, there are elements that simply cannot be achieved at the existing PSTA without constructing structured parking.

A new training facility will incorporate advanced technology and training props that will be state-of-the-art simulation training and educational classes for law enforcement and fire and rescue personnel. A new training facility will provide functional space and capacity with future expansion opportunities.

Because of the staffing increases and the dramatic changes to our operational environments, our training facility must meet the present and future needs. Simply renovating the existing PSTA will leave us with an inadequate space where various training will continue to occur on parking areas and parking will continue to occur on grass areas -- a less than desirable situation.

Office of the Fire Chief

20

Mr. Phil Andrews, Council President
September 1, 2009
Page -2-

We are also concerned because with a renovation tens of millions of dollars will be spent in an old facility that simply will not have the useful life of a new facility. The result will be need for more and more investment and additional interruptions in our training activities as additional renovations are undertaken to keep the facility operating. This money will be far better invested in a new facility as is now proposed.

The transactions to sell the present training facility land, the acquisition of the Webb-Tract land and subsequent construction of a new training facility on this property will move the Public Safety agencies forward in addressing these critical training needs.

We urge the County Council to support moving the Public Safety Training Facility to the Webb-Tract and construct a state-of-the-art Public Safety Training Facility.

Thank you kindly in advance.

RB:TM:ld

MidCounty Citizen's Alliance

Webb Tract Development

Resident's Concerns and Questions

Current plans call for the county to purchase the entire Webb Tract and relocate numerous county facilities on the property. These county facilities include: the Public Safety Training Academy (PSTA), MCPS Food Distribution Warehouse, MCPS Maintenance Facility and the Parks Department Maintenance Facility and Depot. The relocation of these facilities is part of the county's Smart Growth Initiative.

Resident's concerns and questions with these plans are focused on the following areas.

- Maintain lots 6 & 7 as green space, no build for the next hundred years. These lots are in close proximity to residential areas.
- Build a sound wall between the PSTA driving track and residential areas to reduce/eliminate noise from the track.
- Establish "no drive zones" for delivery trucks coming and going from the Webb Tract. This includes county vehicles as well as vehicles making deliveries to the Webb Tract. Streets to avoid using include: East Village Ave., Goshen Rd., Lewisberry Dr. and Centerway Rd. (these are all residential streets).
- PSTA Burn Building – no taller than four stories, how will it operate? We have been told it will be "state-of-the-art" but have yet to have that fully explained or to see an operational facility.
- Hours of operation for: PSTA – driving track, skills driving pads, burn building, deliveries to Webb Tract facilities, county vehicles leaving the Webb Tract.
- Limit use of emergency lights and sirens on the driving track and during fire training exercises.
- What are the county's plans for traffic flow? Snouffer School Rd. will be widened to five lanes, but the road will narrow to two lanes at Goshen Rd. and Route 124. This will create traffic bottlenecks at both these locations.
- Snouffer School Rd. widening will place the road very close to homes in East Village and Hunters Woods. Need sound walls to mitigate noise and provide safety for residents.

- Environmentally – what is the long range effect of propane gas, diesel fumes, theatrical smoke, etc. on the residents over the next 20 years?
- Public Health Concerns – long term affects of smoke from burn building, combustion of propane for fire training, diesel exhaust, pollutants from heavy vehicle maintenance yard.
- Concerns about storage of large quantities of propane, diesel fuel and gasoline at the end of an active runway for Montgomery County Airpark. In March there was a plane crash at the Airpark, luckily no one was injured. However, flammables stored on the Webb Tract could result in a disaster if there was another plane crash.
- What is the plan – Residents still do not know exactly what the county has planned? Residents want to see concrete plans – not just verbal discussions.
- The economic status of the county is currently not healthy – where will it be a year or two? How will this project be funded in the short term and over the long term? Why not put Science City and Shady Grove on hold due to the county's finances. What important items (schools, infrastructure improvements, public safety, public transportation, health and welfare programs) will be neglected due to lack of funding?
- What will the county due for residents of East Village, Eastgate, the greater Montgomery Village area, Hunters Woods, Hadley Farms and other surrounding communities? The Webb Tract is surrounded on three sides by these residential communities. Property values will decline and the quality of life will be negatively impacted due to noise, light and potentially ground pollution. The only winner in what the county has been presented – is the county. The communities surrounding the Webb Tract will see a decline in the quality of life while the communities surrounding Shady Grove Metro area and the proposed Science City area will be enhanced. What will the county do for residents in the communities surrounding the Webb Tract? At a minimum – no build on lots 6 and 7, sound walls, find another location for heavy equipment storage and maintenance (Park Department facility).
- Location of Parks Department Maintenance Facility. The community does not think the vetting process for these facilities was adequately performed. Three sites were evaluated and turned down for very weak reasons. These sites were:
 - Rock Quarry on Travilah Road
 - 14 acres good for development.
 - Residents did not want trucks on street – but they have trucks already due to the quarry.

- 77 Acre McGowan Property – off Inter State 270 north of 124 in Gaithersburg.
 - New Cities Transitway - New Road, - new access road to main road.
 - 34 Acres in the center are available for development but the owner did not return phone calls from the county regarding purchase.
 - 18 Acre Rock Creek Ridge parcel on the north side of Needwood Road adjacent to planning board's Rock Creek Maintenance yard.
 - Site was used for the Lake Needwood dredging Project.
- Alternative Sites Need to be Reviewed – Existing County Park Facilities ► One Potential Site is Black Hill Regional Park. It offers the following benefits:
- County owns the land – no cost to purchase.
 - Already has a regional storage yard – enlarge to handle maintenance depot.
 - Good road network just off Rt. 355 – west on Old Baltimore Road, south and north on Rt. 355 to I-270



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item # 10
9/10/09

August 27, 2009

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Glenn Kreger, Acting Chief – Vision Division *GK*
Sue Edwards, Team Leader/North Central Transit Corridor Team – Vision Division *SE*

FROM: Vanessa N. Francis, Senior Planner (301-495-4509) *VNF*
North Central Transit Corridor Team
Vision Division

SUBJECT: Mandatory Referral #09303-MCDGS-1: Site selection for acquisition of the Webb Tract, Snouffer School Road, I-4 Zone, Gaithersburg Vicinity Master Plan

RECOMMENDATION: APPROVE transmittal of the following comments to the Montgomery County Department of General Services

1. Montgomery County (“the applicant”) is to adhere to the forest conservation requirements under the approved Final Forest Conservation Plan (FFCP) 0120040180 or submit an amendment to the entire FFCP for Airpark North Business Park along with documentation as to why the original forest conservation requirements cannot be met.
2. The applicant should be bound by the existing Adequate Public Facilities (APF) test for the Preliminary Plan No. 120040180, including frontage, local intersection, and off-site improvements. Any future land uses not allowed under the existing APF approval or any uses that generate fewer weekday peak-hour vehicular trips may be re-analyzed for a new APF test including submission of an updated traffic study and Policy Area Mobility Review (PAMR) statement. If this occurs, the applicant should provide any necessary intersection improvements required to satisfy Local Area Transportation Review (LATR) and provide non-automobile transportation improvements to satisfy PAMR.
3. The applicant should implement traffic mitigation actions to encourage car/vanpooling, transit use, and other trip reduction measures for employees working on the site. The traffic mitigation program should be developed and approved by the appropriate parties prior to release of building permits.
4. The applicant should provide inverted-U bike racks in front of the main buildings in weather protected locations and bike lockers within any parking facility. The ultimate number and location should be evaluated during the mandatory referral for the facility to be constructed.

5. The applicant should meet with the all impacted communities in the early stages of facility planning and at regular intervals during design development.
6. The applicant should consult the Shady Grove Implementation Advisory Committee and the Smart Growth Initiative Implementation Advisory Group during facility design.
7. The applicant should respond to the information request transmitted from the Planning Department dated July 13, 2009.

PROJECT DESCRIPTION

Montgomery County proposes to acquire certain parcels within the boundaries of the 1985 *Approved and Adopted Gaithersburg Vicinity Master Plan*, known as the Webb Tract, with a combined total of 127.38 +/- acres of unimproved land. The County intends to acquire the property in two separate transactions, which are described as:

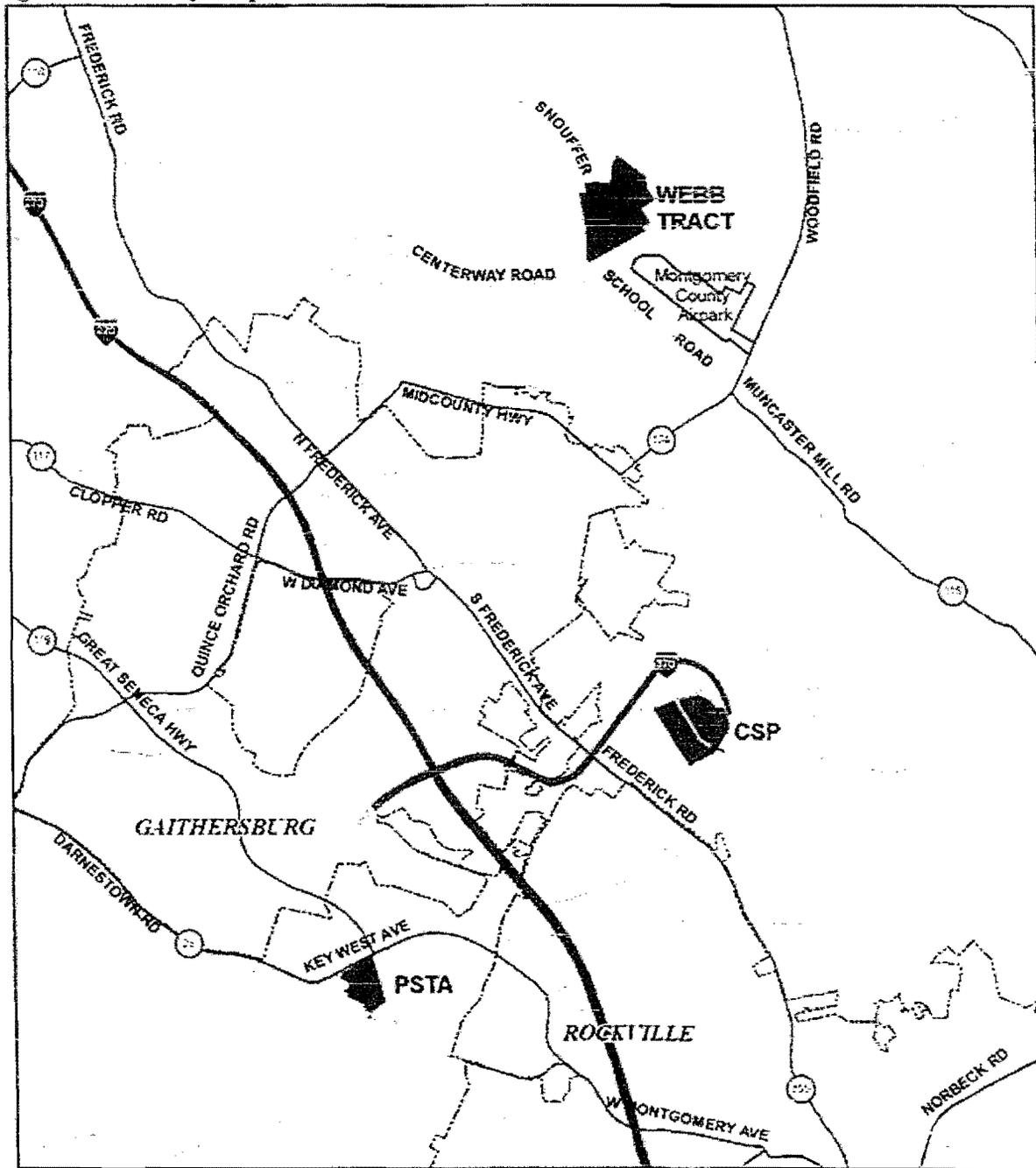
- Phase I – located on the east side of the property containing approximately 57.57 acres of land; and
- Phase II – located on the west side of the property containing approximately 69.81 acres of land.

The first acquisition must take place no later than September 30, 2009 subject to authorization by the County Council. The second acquisition will take place upon County Council approval of the relocation of the Public Safety Training Academy (PSTA) that is recommended in the Planning Board Draft of the Gaithersburg West Master Plan.

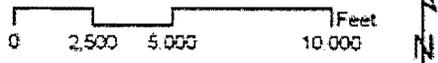
The acquisition excludes the purchase of two lots located within the property's boundaries. Lots 14 & 15 are within Phase I to be used to expand the runway protection zone of the nearby Montgomery County Airpark. A third lot, Lot 10 is also excluded from the County purchase agreement.

The extent of this site selection mandatory referral is to provide guidance to the Department of General Services (DGS) in acquiring these properties for future County Service Park and PSTA use.

Figure 1: Vicinity Map



-  Webb Tract
-  Public Service Training Academy
-  County Service Park
-  Municipalities



Purpose of Action

The purpose of the acquisition is for the relocation of the PSTA (in Gaithersburg West) and several facilities at the County Service Park (CSP) in Shady Grove: the Montgomery County Public Schools Food Distribution Warehouse, Montgomery County Public Schools Maintenance Facility and the Maryland-National Capital Park and Planning Commission's Shady Grove Maintenance Facility. Facilities will be designed and built on the subject site for this purpose; a second mandatory referral review will be submitted for facility design at a later date.

The subject property was selected as part of Montgomery County's Smart Growth Initiative which implements the relocation of the 92-acre County Service Park as recommended in the 2006 Shady Grove Sector Plan. The 2009 Planning Board Draft of the Gaithersburg West Master Plan also discusses the need to relocate the PSTA to a more suitable site (p. 25).

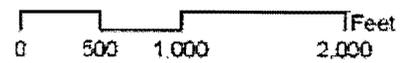
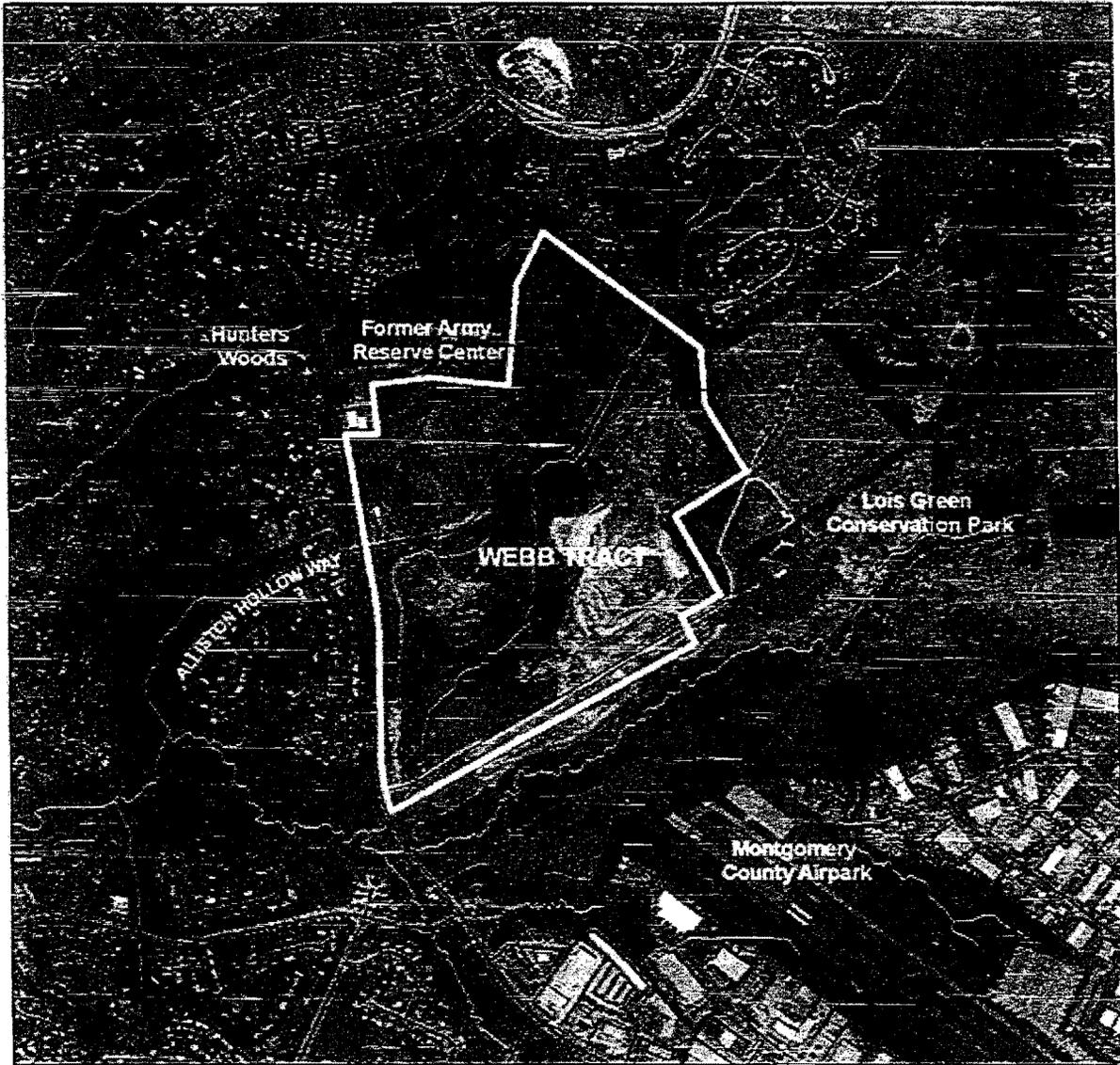
SITE DESCRIPTION

The Webb Tract, also known as the Centerpark Property, is a 127 +/- acre undeveloped property located within the boundaries of the 1985 *Gaithersburg Vicinity Master Plan*. The Webb Tract property is located on the east side of Snouffer School Road, approximately 10,000 feet north of Centerway Road. The property is zoned I-4 (low-intensity, light industrial) in conformance with the recommendations of the 1985 Plan.

Immediately adjacent to the subject site's northern boundary is Montgomery Village and a vacated Army Reserve Center (the Reserve Center is also zoned I-4). To the east and south of the subject site's boundary is the M-NCPPC Lois Green Farm Conservation Park, zoned R-200. The Montgomery County Airpark, zoned I-4, is located to the southeast of the subject property, just beyond the property's boundary. On the west side of Snouffer School Road, across from the subject site is the Hunter's Woods residential development, which is zoned R-200.

A stream running northwest to southeast bisects the property. This stream and associated stream buffers form the boundary between Phase I and Phase II of this site acquisition.

Figure 2: Aerial View of Webb Tract Property



Access and Parking

Development of the Webb Tract will use two access points from Snouffer School Road, as determined in Preliminary Plan #12004018B. These access points are shown as Turkey Thicket Drive and Challenger Court on the approved Preliminary Plan. Internal circulation, parking needs and location will be evaluated as part of the facility design and subsequent mandatory referral review.

Other Sites Considered

Relocating the County Service Park was first discussed in the 2006 *Approved and Adopted Shady Grove Sector Plan*. "The Plan establishes a mixed-use urban village at the Metro station providing housing, employment, and retail uses within walking distance of Metro. Public investment in the Metro system warrants guiding growth to this location. A change from industrial to residential uses will increase transit ridership, ease future traffic congestion, and create an attractive place to live and work in the I-270 Corridor." (page 12)

"The Plan supports the relocation of the County Service Park although the Plan's success is not dependent upon the relocation...It is possible that some, but not all, of the CSP may relocate, providing opportunities for redevelopment." (page 19)

In developing the staff recommendation to relocate the CSP, M-NCPPC staff screened a number of public and privately owned properties of a size and location to satisfy some or all of the CSP uses. The County Council ultimately decided not to identify specific properties in the Shady Grove Sector Plan for certain CSP uses. Resolution 15-1283 stated: "The Shady Grove Sector Plan does not present a preference for one site or another and the Council recommends there be a full exploration of all alternatives including publicly owned land. These facilities may relocate in part or entirety to one or more locations or may not relocate at all. It is the Council's understanding that the Airpark North site (Webb Tract) is not a suitable location for the relocation of the MCPS bus depot." (Resolution, page 44)

The County Executive, through the Smart Growth Initiative project, has evaluated potential locations for consideration of relocated CSP and PSTA uses.

In May 2009, the Montgomery County Planning Board reviewed options for relocating the M-NCPPC Shady Grove Maintenance Facility. In addition to the Webb Tract site, three other sites were evaluated to determine if the sites could meet the needs of the relocation:

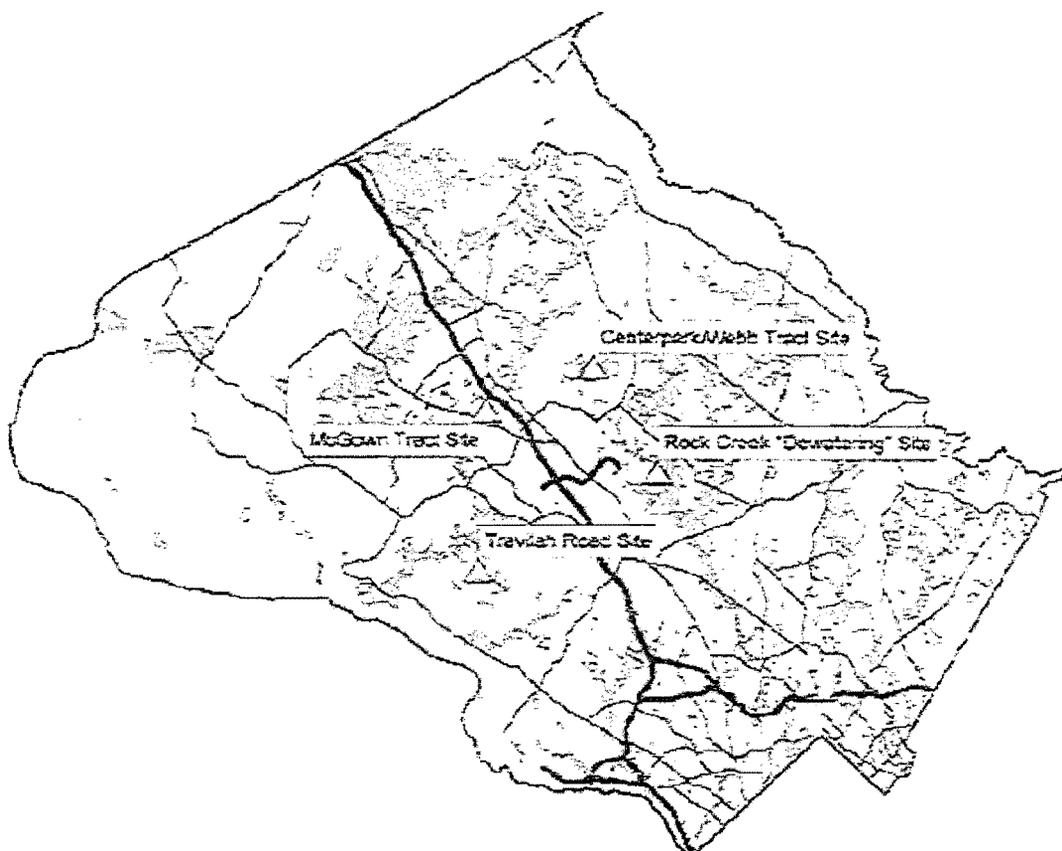
1. Travilah Road Properties (13700 Block of Travilah Road)
2. McGown Property (Game Preserve Road near Seneca Creek State Park)
3. Rock Creek Ridge/ICC (Needwood Road adjacent to the Rock Creek Maintenance Yard) in addition to the Webb Tract

For more information about this report, visit

<http://www.montgomeryplanningboard.org/agenda/2009/agenda20090528e.html>

The site analysis determined that the Webb Tract property was most suitable for relocation of the M-NCPPC Shady Grove Maintenance Facility for a number of reasons including that the site provided adequate developable area, an access road, and water and sewer services. The other properties analyzed either did not have these attributes or were restricted by environmental constraints that would not allow for the uses that are needed to accommodate the facilities that will be relocated from the County Service Park.

Figure 3: Location of Other Sites Considered for the M-NCPPC Maintenance Facility



Source: M-NCPPC Montgomery County Department of Parks

PRIOR REGULATORY ACTIONS ON THE WEBB TRACT

Preliminary Plan Case No. 1-86255: Webb Tract

September 21, 1991 – The Planning Board approved the referenced preliminary plan for 1,205,000 square feet of light industrial use, warehouse use and R&D office use. This preliminary plan was never recorded by plat and has therefore expired.

Special Exception Case No. S-2179: Golf Driving Range

August 5, 1995 – A public hearing was held by the Planning Board to consider the referenced case for a golf driving range on the subject site. The Planning Board recommended approval with conditions of the application. The Board of Appeals approved the use. The golf driving range operated for several years on the site, however, it is no longer in operation.

Preliminary Plan Case No. 120040180: Airpark North Business Park (Webb Tract)

July 15, 2004 – The Planning Board approved with conditions the referenced preliminary plan for up to 247,626 square feet of commercial office space, 461,285 square feet of industrial space and 559,300 square feet of R&D office space.

Preliminary Plan Case No. 12004018A: Centerpark

May 24, 2007 – The Planning Board approved a modification of stormwater management, modification of lot lines and a change of right-of-width of Hubble Court and Turkey Thicket Drive.

Preliminary Plan Case No. 12004018C: Centerpark

June 5, 2008 – The Planning Board approved a minor amendment for the construction of a parking lot and provision of adequate access from Snouffer School Road for the Lois Y. Green Farm Conservation Park.

Preliminary Plan Case No. 12004018B and 12004018D: Airpark North Business Park (Webb Tract)

December 4, 2008 – A public hearing was held by the Planning Board to address the preliminary plan amendment filed by the applicant for Case No. 120040180. The amendments were (1) to delete proposed Chaffee Court; (2) abandon previously dedicated rights-of-way for Turkey Thicket Drive; and (3) to revise lot lines. The Planning Board approved the amendment.

ANALYSIS

Master Plan

While the 1985 *Approved and Adopted Gaithersburg Vicinity Master Plan* does not specifically address the subject site by name, the Plan recommends that the subject property be rezoned from R-200 to I-4 due to its proximity to the Montgomery County Airpark. The subject site is listed as Analysis Area Number 51 in the “Airpark Analysis Areas Summary of Zoning Recommendations” (pp. 46–48). The subject site is also shown in Figures 15 and 16 (pp. 44-45) as a vacant parcel recommended for I-4 zoning (pg. 48).

The Plan's Land Use and Zoning Recommendations section includes a narrative entitled "Airpark Study Area" (pp. 36-42). The narrative lists five land use plan objectives, two of which apply to the area where the subject site is located:

1. ...channel non-residential land uses to areas most affected by Airpark noise; and
2. ...provide additional acreage for incubator industrial uses.

The Plan considers the subject site as part of the "Airpark District" which states:

The Airpark District includes Analysis Areas 44 through 63. This is the area most seriously affected by the overflights of aircraft using the Montgomery County Airpark. A new zoning category was created to guide the development of industrial parcels in this area, the I-4 zone. The Hunter's Woods subdivision is located here, and several other large residential subdivisions are developing in this area. Another significant land use is the Green Farm Conservation Park. (p. 49)

The Plan provides a map of noise contours (Figure 11) which shows that a significant portion of the subject site is impacted by airport noise (p. 38). Figure 12 illustrates the site lying in the path of flight departures from the airport (p. 39). The Plan recommends channeling non-residential uses to properties lying within the 60 Ldn contours (the subject site noise contours falls within the 60-64 Ldn range.). The I-4 zone was developed to specifically address the problems related to industrial land uses in the area adjacent to the airport.

Development Standards

This review addresses site selection only. Development standards will be evaluated as part of the facility design.

Environmental Resources

The Preliminary Plan of Subdivision staff report describes the site as having 27 acres of forest cover and 27.4 acres of stream buffer. The entire site is located within the Great Seneca Creek watershed (a Use I watershed). Located on the site is a stream which bisects the property in a southwest to northeast direction with associated floodplains and wetlands. The stream continues to flow off-site.

There are 27 acres of existing forest on the subject site. The on-site forest is comprised of four (4) separate forests stands. The largest stand is 19.4 acres and is comprised of the stream valley buffer. The three remaining stands total 7.6 acres, with the largest of the three 6.2 acres. This stand is mostly comprised of Tulip Popular and has moderately eroded soils. The remaining two stands are 0.9 acres and 0.5 acres.

Historic Resources

Prior regulatory actions did not provide an analysis of historic resources for the subject site. Therefore, a review of historic resources is not necessary for this case.

Transportation

The County will be bound by all transportation, pedestrian and bikeway conditions of Preliminary Plan #12004018D. The County has agreed to submit a current traffic study to satisfy Local Area Transportation Review (LATR) and a Policy Area Mobility Review (PAMR) statement.

M-NCPPC will evaluate the new uses and traffic generation to determine the appropriate transportation and non-automobile transportation improvements to satisfy LATR and PAMR.

COMMUNITY CONCERNS

Staff circulated the County's application requesting a site selection mandatory referral review to:

- Montgomery Village Foundation
- Shady Grove Implementation Advisory Committee
- Interested/concerned residents meeting regularly with DGS
- Other interested parties including the Mid County Alliance, East Village Homes Corporation, Flower Hill community association, etc.

On July 28, 2009, M-NCPPC staff held a public meeting to discuss the County's mandatory referral review application for the Webb Tract. Attendees were provided with comment cards to express concerns or ask questions regarding the review. Attendees were also requested to transmit comments and concerns to staff. Many of the comments received addressed the mandatory referral process for this particular case. A summary of the concerns is presented below.

Requirements of the Mandatory Referral Review/Process:

- The lack of availability of a layout plan for the subject property;
- The view that the County is not adequately fulfilling the requirements of the mandatory referral process due to the lack of the a layout plan for the subject property;
- Inquiries about the Planning Board using a two-part process for this mandatory referral and should the Planning Board go forward with the mandatory referral process considering a layout plan or concept plan is not currently available.

Specific Concerns:

- Completion of traffic studies for subject property;
- Concerns about protections that are in place for the surrounding communities without having a layout plan of where specific uses will be located;
- Concerns about flashover fire training;
- Concerns that noise from the PSTA driver training track will be heard from residential areas;
- Storage of flammable materials at current and future PSTA site;
- Distance of PSTA high speed training track to residential areas;
- The case for relocation of the PSTA to the Webb Tract was not convincingly made in the proposed Gaithersburg West Master Plan.

OTHER ISSUES

This site selection mandatory referral for the Webb Tract property acquisition is the first of two actions that the Planning Board will consider. As facilities are designed for the two parcels, separate mandatory referral submissions will be made and brought to the Planning Board. At the facility design stage, the Board will consider forest conservation, site design, stormwater management, setbacks, building height and placement, landscape and lighting, and other details.

The Department of General Services has committed to holding community design charrettes during facility design.

CONCLUSION

The County's request to acquire the Webb Tract property for the purpose of relocation of the PSTA, MCPS Food Distribution Warehouse, MCPS Maintenance Facility and M-NPPC Shady Grove Maintenance Facility is consistent with the 2006 Shady Grove Sector Plan and the 1985 Gaithersburg Vicinity Master Plan. In approving the Preliminary Plan for the subject site, the Planning Board imposed conditions of approval for environmental protection, transportation and compatibility. These conditions, along with a final forest conservation plan, should form the basis for the County's design of facilities for the subject site.

The Montgomery Village Foundation, the Shady Grove Implementation Advisory Committee and other persons or groups with direct interest in the compatible development of this property should be included in the County's facility design process.

VF:ha: G:\FRANCIS\MR#09303-MCDGS-1.webb tract site selection.staff report.082409

Attachments:

1. Letter and Site Map Exhibit from David Dise, Department of General Services
2. Planning Department Response to Department of General Services
3. Email from Don O'Neill, Resident of Montgomery Village to the Montgomery County Planning Board
4. Email from Don O'Neill, Resident of Montgomery Village to Montgomery County Executive Representatives, et. al.
5. Letter from Bob Hydorn, Montgomery Village Foundation to Montgomery County Planning Board Chairman Royce Hanson
6. Montgomery County Planning Board Opinion of Preliminary Plan 12004018
7. Memorandum from Ed Axler, Montgomery County Planning Department Transportation Division
8. Letter from Vanessa Francis, M-NCPPC, to Department of General Services -- request for information

ATTACHMENT 1



DEPARTMENT OF GENERAL SERVICES

Isiah Leggett
County Executive

RECEIVED
0525
MAY 29 2009

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

David E. Dise
Director

May 27, 2009

Mr. Royce Hanson, Chairman
Montgomery County Planning Board
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Mandatory Referral for Centerpark Property Acquisition

Dear Mr. Hanson:

The Department of General Services is hereby requesting an administrative mandatory referral review for the acquisition of real property in the Gaithersburg area. The subject consists of certain parcels, known as the Centerpark Property (also known as the Webb Tract) for a combined total of 127.29 acres +/- of unimproved land.

Montgomery County proposes to acquire the subject 127.29 acres +/- of land in fee simple for the relocation of a number of County facilities in connection with Montgomery County's Smart Growth Initiative, currently projected to include the Public Safety Training Academy, the Montgomery County Public School's Food Distribution Warehouse and Facilities Maintenance Facility and Maryland National Capital Park and Planning Commission's Maintenance Facility. New facilities will be designed and built on the subject 127.29 acres +/- of land for this purpose. The subject property was selected as part of the Smart Growth Initiative. One of the goals of the Smart Growth Initiative is to relocate County facilities now occupying the County Service Park (the "CSP"), and upon such relocation, to develop the CSP with a transit-oriented "urban village" development in accordance with the 2006 Shady Grove Sector Plan.

The Centerpark Property is located on the east side of Snouffer School Road, north of Centerway Road in the Gaithersburg area of Montgomery County. The parcels are more particularly identified in approved preliminary plan #1-04018, for North Airpark Business Park, excluding Lots 10, 14 and 15. The subject 127.29 acres +/- of land is inclusive of public streets.

The Revenue Authority of Montgomery County has entered into separate negotiations to acquire Lots 14 and 15 of the Centerpark Property, for the purpose of extending the Runway Protection Zone for the adjacent Montgomery County Airpark, thus assuring a compatible governmental co-location on the site.

Office of the Director

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
www.montgomerycountymd.gov

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Mr. Royce Hanson
May 27, 2009
Page 2

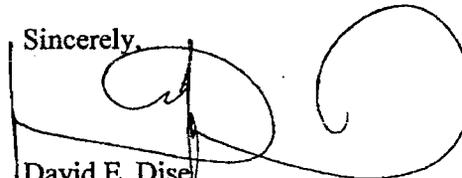
Montgomery County is in the final stages of negotiating a Contract of Sale to purchase the Centerpark Property after many months of discussion with the owner. The County will have the option to acquire the property in two separate acquisitions generally described as: (1) Phase I, east side of the stream valley, containing approximately 57.57 acres; and, (2) Phase II, west side of the stream valley, containing approximately 69.81 acres. An exhibit drawing showing the location of the property is enclosed for your reference.

The first closing must take place no later than September 30, 2009. The second closing will take place upon County Council approval of the relocation of the Public Safety Training Academy.

I understand that the County would later submit the mandatory referral for the development of the property which will be a much more detailed application.

Please feel free to contact Bernard Fitzgerald at 240-777-7151 should you have any questions.

Sincerely,



David E. Dize
Director, Department of General Services

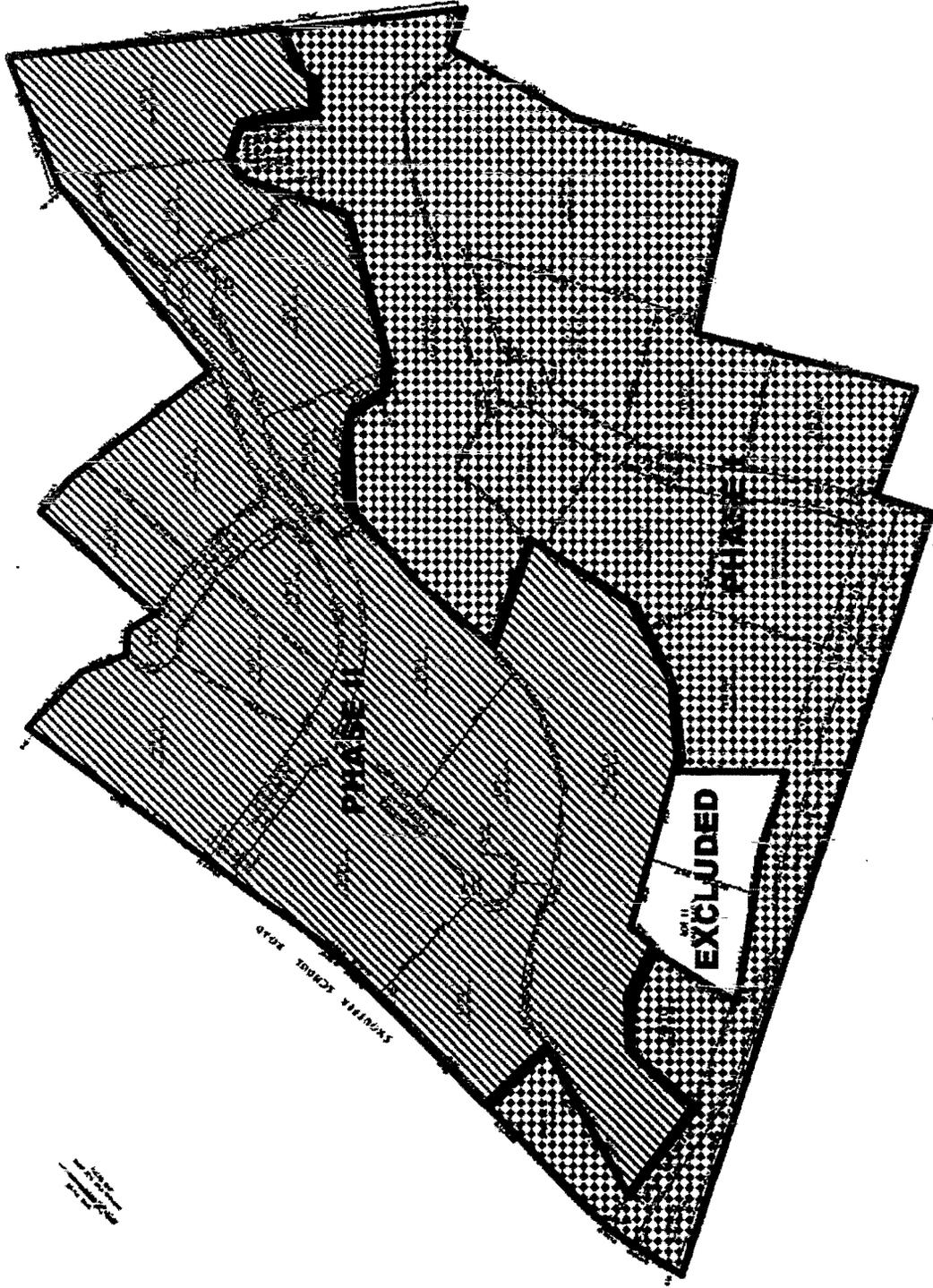
DD:bf
Enclosure

cc: Bernard Fitzgerald, DGS

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EXHIBIT A-1



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ATTACHMENT 2



MONTGOMERY COUNTY PLANNING DEPARTMENT THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

June 3 2009

David E. Dise, Director
Department of General Services
101 Orchard Ridge Drive, 2nd Floor
Gaithersburg, MD 20878

SUBJECT: Acquisition of Centerpark Property

Dear Mr. Dise:

Thank you for your May 27, 2009 letter requesting administrative mandatory referral review for the acquisition of certain parcels known as the Centerpark property (also known as the Webb Tract and North Airpark business park) on the east side of Snouffer School Road, Gaithersburg. The property will be used to relocate a number of County facilities in connection with Montgomery County's Smart Growth Initiative.

The Uniform Standards for Mandatory Referral review (http://www.montgomeryplanning.org/viewer.shtml#http://www.montgomeryplanning.org/info/mr_standards.pdf) provide guidance for administrative review by staff of minor projects such as small additions, alterations, or renovations to existing facilities that do not create any significant impact on the surrounding community.

The Mandatory Referral Standards allow for Planning Board review in closed session "if an applicant agency is involved in sensitive negotiations (from a monetary standpoint) for site selection or acquisition, and a full Mandatory Referral with public review and disclosure at that point may put the applicant agency at a disadvantage in its negotiations with the property owner...".

We do not support an administrative review of this land acquisition because it would diminish the ability of community members to comment to the Planning Board regarding a significant public property acquisition. This pending acquisition has been discussed in public sessions with the County Council, the Smart Growth Initiative Advisory Group, and other interested parties.

Understanding that you have a settlement deadline of September 30, 2009, we suggest that the Planning Board consider this mandatory referral application on September 10, 2009. We will commence the 60-day public notification and review period on July 13, 2009. We understand from your staff that this schedule is acceptable to you.

Please call Sue Edwards at 301-495-4518 to discuss this approach to the mandatory referral review.

Sincerely,

A handwritten signature in black ink, appearing to read "Rollin Stanley".

Rollin Stanley
Director

cc: Sue Edwards
Glenn Kreger
Nancy Sturgeon

15

8787 Georgia Avenue, Silver Spring, Maryland 20910 Director's Office: 301.495.4500 Fax: 301.495.1310

www.MontgomeryPlanning.org

100% recycled paper

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ATTACHMENT 3

From: O'NeillDon@aol.com
Sent: Thursday, July 30, 2009 11:38 AM
To: MCP-Chair
Cc: councilmember.Trachtenberg@montgomerycountymd.gov;
Councilmember.Leventhal@montgomerycountymd.gov;
Councilmember.Knapp@MontgomeryCountyMD.gov;
councilmember.Erich@montgomerycountymd.gov;
Councilmember.Floreen@MontgomeryCountyMD.gov;
councilmember.berliner@montgomerycountymd.gov;
Councilmember.Andrews@MontgomeryCountyMD.gov; Togradyterr@aol.com;
Hydornrob@aol.com; themissinglinck@yahoo.com; RobteAnderson@yahoo.com;
bevingtonroy@msn.com; linciv@netzero.net; dhumpton@mvf.org; UNKLBOB2002@aol.com;
friends_of_centerway_park@yahoo.com; jfpjfp@juno.com; stevine@mvf.org
Subject: Webb Tract Site Selection Mandatory Referral 7:30 PM July 28, 2009

To: Royce Hanson, Chairman Montgomery County Planning Board
Re: Webb Tract Site Selection Mandatory Referral 7:30 PM July 28, 2009

At the 1:30 PM 7/28/09 County Council hearing on the Webb Tract, the County Council listened attentively and expectantly as citizens and community leaders from Montgomery Village weighed in with well-vetted facts, heart-felt sentiment, consequences, recommendations, urgings, and even threats on the Webb Tract in all its dimensions. This was democracy at work, and I was proud to be a part of it.

It was shocking to go from this 1:30 PM meeting to the 7:30 PM Webb Tract Selection Mandatory Referral Public Meeting where Maryland-National Capital Park and Planning Commission and County Executive's representatives would not or could not reveal their current plans for the Webb Tract. Instead the presentation focused on earlier plans no longer current in what appears to be a perfunctory effort to comply with the Mandatory Referral milestone.

As a result, this meeting did not meet one of the principal objectives of a Mandatory Referral. The *Resident's Guide to Mandatory Referral Review of Public Land Use* states, "The Planning Board's consideration of a Mandatory Referral is often the last opportunity the public has to comment on a proposal that may affect their neighborhood." How can the public comment on a proposed plan that does not exist? This was not a legitimate Mandatory Referral. This was disingenuous behavior on the part of Montgomery County government. This was not democracy at work.

To better understand just what was lacking consider the range of considerations governed by the Mandatory Referral process outlined in the *Resident's Guide to Mandatory Referral Review of Public Land Use* which states, "The Planning Board considers all relevant land use and planning aspects of the proposal, including:

- o Consistency with the County's General Plan, functional master plans, approved and adopted area master plans or sector plans and other public programs in the area;
- o Consistency with the intent and requirements of the zone;
- o Compatibility in size, shape, height, arrangement and design with the surrounding neighborhood and properties;
- o Adequacy, safety, and efficiency of the location of buildings, structures, open spaces, landscaping, recreation facilities and pedestrian and vehicular circulation systems;
- o Approved Natural Resources Inventory/Forest Stand Delineation and preliminary storm water management concept plan and whether it meets the requirements of the Forest Conservation Law;
- o Preliminary or Final Water Quality Plan review by the Planning Board if the project is located in a Special Protection Area;
- o Whether the site is needed for park use if the proposal is the disposal of a surplus property; and
- o Whether alternatives have been considered for the project if the proposal is not consistent with the General Plan or other plans and policies for the area or has negative effects on the surrounding properties or neighborhood, the transportation network and the environment or other resources."

This range of considerations was not discussed. What citizens have a right to expect and what is required by the Mandatory Referral Review of Public Land Use process were not what was delivered at the 7:30 PM 7/28/09 Webb Tract Mandatory Referral Public meeting. This Mandatory Referral milestone is incomplete and should not be considered closed until a transparent, accountable, and compliant Webb Tract Selection Mandatory Referral Public Meeting is conducted.

In "the last opportunity the public has to comment on a proposal that may affect their neighborhood", citizens have a right to hear the actual proposed plan and the County has an obligation to listen to and consider citizen concerns. This has not yet happened.

Best Regards,

Don O'Neill
Montgomery Village
Whetstone

Hot Deals at Dell on Popular Laptops perfect for Back to School
(<http://pr.atwola.com/promock/100126575x1223105306x1201716871/aol?redir=http:%2F%2Faltfarm.mediaplex.com%2Fad%2Fck%2F12309%2D81939%2D1629%2D9>)

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ATTACHMENT 4

From: O'NeillDon@aol.com
Sent: Wednesday, August 19, 2009 12:50 PM
To: David.Dise@montgomerycountymd.gov; Diane.Jones@montgomerycountymd.gov; themissinglinck@yahoo.com; Togradyterr@aol.com; Hydornrob@aol.com; bevingtonroy@msn.com; gerald.donegan@verizon.net; slevine@mvf.org; dhumpton@mvf.org; robteanderson@yahoo.com; denisesheehan@longandfoster.com; O'NeillDon@aol.com; plyvers@gmail.com; cellison@millerandsmith.com; Joseph.Lavorgna@mcpsmd.org; Catherine.Matthews@montgomerycountymd.gov; Hamid.Omidvar@montgomerycountymd.gov; Rassa.Davoodpour@montgomerycountymd.gov; Nancy.Hislop@montgomerycountymd.gov; Ma, Michael; Riley, Mike; Alexander, Douglas; Astorga, Alvaro; IZadjoo, Parviz; linciv@netzero.net
Subject: Item 6: What is the plan? -Progress Needed

In discussing the question, "What is the plan?", it is necessary to distinguish the plan of record and a revised plan under discussion.

PLAN OF RECORD

In searching for information on the County plan for the Webb Tract, three sources of planning information have been identified including:

1. County Smart Growth Initiative web page
2. Webb Tract Mandatory Referral Public Meeting on July 28, 2009
3. Planning Board's Draft Gaithersburg West Master Plan

The PSTA plan of record can be found on the Montgomery County Smart Growth Initiative web page at <http://www.montgomerycountymd.gov/putmpl.asp?url=/content/exec/cpus/webb.asp>.

Drawing from the Montgomery County Smart Growth Initiative web page, some background information on the plan of record includes the following:

1. 129 acres of which 90 are useable.
2. County plans to put MCPS Food Distribution and the Public Safety Training Academy (PSTA) with a gymnasium and shooting range on 29 acres of the Webb Tract.
3. The current PSTA location is over 40 years old. The planned investment of \$24 million to overhaul the existing, aged facility would be better put to creating a new PSTA at a different location that can be used for decades to come. Even with the significant investment of funds at the current location, all of the PSTA needs cannot be satisfied at the existing site, and the site has little or no expansion capability thereby limiting the ability of the site to fully support the County's long term needs for public safety training.

Again drawing from the Montgomery County Smart Growth Initiative web page, one of the commonly asked questions is the following:

- a. Question: *If the current PSTA occupies 52 acres, how will you fit it on 29 acres?*
- b. Answer: *The present facility has added many additional buildings over the past 30 years which are scattered on the parcel. The future PSTA site will be constructed to accommodate all its necessary functions in a more efficient manner.*

This plan of record was also the basis for the Webb Tract Mandatory Referral Public Meeting on July 28, 2009. Unfortunately for the citizens of Montgomery County, this session was a sham. The County could not or would not present its proposed plan. Instead, obsolete and outdated information was used in an attempt to check-off a planning process milestone. Just consider the range of considerations governed by the Mandatory Referral process outlined in the *Resident's Guide to Mandatory Referral Review of Public Land Use*:

- a. Consistency with the County's General Plan, functional master plans, approved and adopted area master plans or sector plans and other public programs in the area
- b. Consistency with the intent and requirements of the zone
- c. Compatibility in size, shape, height, arrangement and design with the surrounding neighborhood and properties
- d. Adequacy, safety, and efficiency of the location of buildings, structures, open spaces, landscaping, recreation facilities and pedestrian and vehicular circulation systems
- e. Approved Natural Resources Inventory/Forest Stand Delineation and preliminary storm water management concept

plan and whether it meets the requirements of the Forest Conservation Law

f. Preliminary or Final Water Quality Plan review by the Planning Board if the project is located in a Special Protection Area

The Planning Board's Draft Gaithersburg West Master Plan further states on page 31, "*The County recognizes that all PSTA needs cannot be satisfied at this location with its limited expansion capability and has identified a site where the PSTA could be relocated.*"

a. Note that the current PSTA site is situated on 52 acres and served by a superior road system, and the Webb Tract PSTA, on just 29 acres with roads suited to the residential character of the community. How can a site that is 45% smaller support the needs of the PSTA much less provide for an expansion capability even if functions are constructed in a more efficient manner?. These facts disprove this misleading "limited expansion capability" assertion.

b. Renovation of the current PSTA site would substantially meet the expected Program of Requirements specified for fire and police training. In contrast, the Webb Tract cannot meet all the needs of the PSTA, such as, "flashover" training considered necessary and essential by Fire Chief Bowers. [Source: Montes, Sebastian, "*Concessions made in Webb Tract plans*", Gazette, April 15, 2009, http://www.gazette.net/stories/04152009/gaitnew211329_32471.shtml].

c. Furthermore, County concessions unique to the community relating to restricted times of operation, noise abatement measures, and flashing lights may further impact the training efficacy at a Webb Tract PSTA.

In a stretch to establish a basis for relocating the PSTA, the Planning Board's Draft Gaithersburg West Master Plan also states on page 31, "*While the PSTA is an important public facility, it has no relationship to the LSC*".

a. With a forty-year history at the site, the current PSTA does have a relationship with the community and the nearby GE Tech Park since it is the future home to Police Headquarters, Fire and Rescue Headquarters, and Homeland Security Offices.

b. On the other hand, the PSTA has no relationship to Montgomery Village where County planners are determined to send it and where citizens are determined to oppose it.

The Planning Board's Draft Gaithersburg West Master Plan fails to make the case for relocating the PSTA. Furthermore, the County failed to make a case for relocating the PSTA to the Webb Tract at its Webb Tract Selection Mandatory Referral Public Meeting on July 28 when it could not or would not present a proposed plan. In addition, if the PSTA is not relocated, the Proposed CCT station shown at LSC West would prove unnecessary because public safety personnel commute to the PSTA in personal or assigned vehicles not by public transportation.

REVISED PLAN UNDER DISCUSSION

To my knowledge, the *revised plan under discussion* to date has been mainly verbal. To remedy this situation, planning data on each relocated facility needs to be documented including:

- a. Site selection evaluation criteria and assessment of the current site and candidate relocation sites
- b. Program of requirements for the facility
- c. Site plan for the facility
- d. Traffic study for the facility
- e. Environmental impact assessment to include noise, smell, and light for each facility
- f. Note: fully comply with *Residents' Guide to Mandatory Referral* information for each facility

The County Executive representatives insist that they need \$1.6M funding to hire consultants to press forward. Perhaps so, but in the meantime, the County Executive representatives need to prepare a *plan for a plan* by assigning a date for each planning data item a-e for each relocated facility.

At the same time the County Council claims that its agenda is overloaded. [Source: Ford C. Benjamin, "*Some County Council members say plate is too full*", Gazette, August 19, 2009.]

It is clear that the overall strategic planning process for Montgomery County is out of alignment. The County Executive producers of information are behind schedule. The County Council consumers of information are overscheduled. The solution is to move selected strategic planning milestones to the right by six months to better synchronize the capability of producers and the needs of consumers. For example, the County should fully dispose of the complex issues surrounding Gaithersburg West before acting on the purchase of the Webb Tract. What is called for here is management and leadership.

Please incorporate these remarks and suggestions as part of the record of discussion for item 6.

Best Regards,

Don O'Neill



ATTACHMENT 5



MONTGOMERY VILLAGE FOUNDATION, INC.

10120 APPLE RIDGE ROAD
MONTGOMERY VILLAGE, MARYLAND 20886-1000

(301) 948-0110 FAX (301) 990-7071 - www.mvf.org

August 24, 2009

Royce Hanson, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Mr. Hanson:

I am writing on behalf of the Montgomery Village Foundation Board of Directors to express our concern with the plan to conduct a two-part Mandatory Referral for the proposed relocation of County facilities to the Webb Tract as a part of County Executive Ike Leggett's Smart Growth initiatives. We understand that the County Council wants to have a Mandatory Referral recommendation from the Planning Board before appropriating funds to purchase the site. It is our understanding that Part A of the Mandatory Referral, tentatively scheduled to go before the Planning Board on September 10, is for property acquisition and site selection, while Part B, not yet scheduled, will be for facilities' site planning.

This is of concern because once the funds are appropriated by the County Council to buy the property, the proposal becomes a fait accompli. We believe it is inappropriate to move forward even with Part A of the Mandatory Referral until concept planning has been done so that the Planning Board and the community can evaluate how the County's site plan is compatible with this already built out area. The Planning Board should ask the County Council to appropriate adequate funds so that a good concept plan can be developed.

Residential communities are adjacent to the Webb Tract, and the proposed relocation of County facilities to the site poses many concerns. These facilities are not traditional industrial uses and will have significant negative neighborhood and community impact. A number of community groups and individuals have been working cooperatively with the County to resolve a list of outstanding concerns that have been generated as the County presents the various facilities and operations proposed for the site. Although the County has been sharing with the community a plan which was developed by County staff, at the July 28th meeting which your Department of Planning hosted, the County staff reiterated that this was not an official site plan, and that it would not be part of the Mandatory Referral record because the County did not have funding to produce a site plan. How can the Planning Board do an adequate job with the Mandatory Referral, either Part A or B, without a plan that has been fully vetted by your staff and the community?

"Discover Montgomery Village"

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We hope that the Planning Board will encourage the Council to immediately set aside funds for concept planning prior to forwarding any portion of the project to the Planning Board for Mandatory Referral. The people who will be impacted, who live in the Gaithersburg East Master Plan area, need this reassurance.

Sincerely,



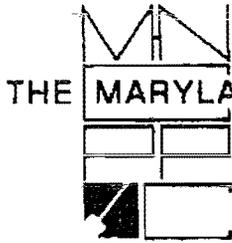
Bob Hydrom, President
MVF Board of Directors

cc: Phil Andrews, County Council President
Montgomery County Council
MVF Board of Directors
Webb Tract Committee
Dave Humpton, MVF Executive Vice President

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ATTACHMENT 6



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Date Mailed: July 26, 2004

Action: Approved Staff Recommendation

**Motion of Comm. Wellington, seconded by
Comm. Bryant with a vote of 4-0;**

**Comms. Berlage, Bryant, Robinson and
Wellington voting in favor; Comm. Perdue
absent**

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-04018

NAME OF PLAN: North Airpark Business Park

On 09/11/03, Airpark North Business Park submitted an application for the approval of a preliminary plan of subdivision of property in the I-4 zone. The application proposed to create 23 lots on 134.07 acres of land. The application was designated Preliminary Plan 1-04018. On 07/15/04, Preliminary Plan 1-04018 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-04018 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-04018.

Approval, Subject to the Following Conditions:

- 1) As outlined in the Transportation Planning memorandum dated July 2, 2004 (Attachment C), limit the preliminary plan to up to 559,300 square feet of research and development office use, up to 247,626 square feet of business park use (i.e., generally light industrial and commercial office uses), and up to 461,285 square feet of warehouse use, or a combination of non-residential development with an equivalent number of weekday morning and evening peak hour trips.
- 2) Satisfy Local Area Transportation Review (LATR) at the intersection of Goshen Road and Centerway Road by constructing separate northbound and southbound Goshen Road right-turn lanes prior to release of building permits for the last 10% of the total approved development (i.e., or up to 1,141,390 square feet of the total 1,268,211 square feet). As an alternative,

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contribute the equivalent cost of the intersection improvement to the anticipated future Montgomery County Department of Public Works and Transportation's (DPWT) Capital Improvements Program (CIP) project to widen Goshen Road between Odendhal Avenue and Warfield Road, if construction funding is readily anticipated prior to release of the initial building permits.

- 3) Satisfy LATR at two intersections along Snouffer School Road at Centerway Road and Alliston Hollow Way/proposed northwestern main site access point at Street "A" by widening Snouffer School Road from two to four through lanes with a fifth lane for a separate left-turn lane at the approaches to these two intersections.
- 4) Satisfy Policy Area Transportation Review (PATR) by widening Snouffer School Road from two to four through lanes from Centerway Road to Goshen Road with a fifth center lane for a separate left-turn lane approaching intersecting streets. Include a five-foot sidewalk with a landscaped street panel on the northeast side. A sidewalk on the southwest side of Snouffer School Road would take or damage existing mature trees and is not recommended.

The contract to reconstruct Snouffer School Road from two through lanes to four through lanes from Centerway Road westerly across the site frontage (including installation of traffic signals at the two site access driveways if determined to be warranted by DPWT) shall be let prior to release of the first building permit. The contract to construct the remainder of the Snouffer School Road widening from the western property line to Goshen Road shall be let at the earlier of either of two occurrences:

- a. Prior to release of building permits for 75% or more of the total approved development.
 - b. Three years after the first building permit is released.
- 5) If determined to be warranted by DPWT, install traffic signals at two intersections along Snouffer School Road:
 - a. Existing Alliston Hollow Way/proposed northwestern main site access point at Street "A".
 - b. Existing access point to Green Farm Conservation Park/proposed southeastern site access point at Street "D".
 - 6) Dedicate approximately eight feet of right of way for 80 feet from the opposite right-of-way line along Snouffer School Road and provide a five-foot sidewalk along the property frontage.
 - 7) Provide a maximum of 30 bike racks with one or two racks at each of the 23 proposed buildings. The specific location of the bike racks is to be determined in coordination with Park and Planning's Bicycle Coordinator and DPWT.
 - 8) Pay the transportation - development impact tax with credits for the cost of the transportation improvement described in Condition No's. 2, 3, 4 and 5 as legally permitted.

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- 9) All road right-of ways shown on the approved preliminary plan shall be dedicated and constructed, by the applicant, to the full width mandated by the Master Plan, and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition.
- 10) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 11) Compliance with the Montgomery County Department of Permitting Services (MCDPS) requirements for complex structures, as determined by MCDPS.
- 12) Record plat to reflect a Category I easement over all areas of forest conservation and stream valley buffers.
- 13) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s).
- 14) Compliance with conditions of MCDPS stormwater management approval letter dated, June 29, 2004.
- 15) On-site lighting plan to be submitted to MNCPPC staff prior to release of individual building permits that show conformance to Illuminating Engineers Society of North America (IESNA) standards. Light fixture to have zero cutoff and no light intrusion into neighboring residential properties.
- 16) Applicant to construct, at Applicant's expense, a paved entrance road to the Lois Green Conservation Park along the south side of the Applicant's property to extend from Snouffer School Road at a location approved by appropriate State, County and M-NCPPC transportation staff, into parkland and ending just past the current driveway entrance to the historic house. Limits of disturbance for the road grading and construction on Park property to be located outside of stream buffers, and applicable engineering plans to be approved by M-NCPPC staff. Both sides of the entrance road and any park areas disturbed by its construction to be planted and landscaped as approved by M-NCPPC staff with the goal of creating an aesthetically pleasing, park like entrance. Applicant's plantings to be maintained and guaranteed by Applicant for at least three (3) years.
- 17) Applicant to engineer, construct and maintain a stormwater management facility sufficient to accommodate stormwater from the constructed park entrance road, the southeast corner of Applicant's property, and the future parking area and improvements to be constructed by M-NCPPC on the portion of Green Conservation Park draining to this facility. M-NCPPC to supply Applicant with concept drawings adequate to determine the needed stormwater control capacity. Applicable engineering plans to be approved by M-NCPPC staff. Necessary easements to allow Applicant to maintain the portions of stormwater facility on parkland to be provided by M-NCPPC.

- 18) The entrance road's stream crossing to be constructed to minimize impacts on the stream and downstream aquatic resources.
- 19) Prior to the end of the validity period for the first stage, (see conditions #27), applicant to dedicate to M-NCPPC, the land that lies on the south side of the newly constructed park entrance road (not to include the stormwater facility proposed at the corner of the new road and Snouffer School Road, or RPZ).
- 20) Prior to the end of the validity period for the first stage, (see conditions #27), Park entrance monument and signage to be provided by Applicant and located at the corner of Snouffer School Road and the new park entrance road. Monumentation and signage to be approved by M-NCPPC staff.
- 21) Prior to the end of the validity period for the first stage, (see conditions #27), applicant to engineer and construct a paved parking lot, and an adequate entrance off of Snouffer School Road for such parking lot, at the Park Master Planned location for the Park Natural Discovery Area, located south of the new park entrance road.
- 22) Prior to the end of the validity period for the first stage, (see conditions #27), applicant to provide engineering and construction of an adequate stormwater management facility for such parking lot and entrance. Parking lot size, configuration and exact location to be determined by M-NCPPC staff but shall not be larger than 44 parking spaces. Design to include adequate turn around area for buses. All designs and engineering plans to be approved by M-NCPPC staff. If Applicant is unable to obtain the needed permits and approvals for such parking lot at this location, Applicant shall construct the parking lot on park property at a location off of the new park entrance road to be determined by M-NCPPC staff.
- 23) A plat of reservation for all lots and property affected by the RPZ for a period not to exceed three years to allow potential purchase by the Montgomery County Revenue Authority and/or Federal Aviation Administration (FAA).
- 24) Prior to recordation of plat(s) for Lots 14 through 17, relocation of Street "D" as shown on the approved preliminary plan, as necessary, to avoid the Montgomery County Airpark's Runway Protection Zone (RPZ), to the extent required by the Federal Aviation Administration or the Montgomery County Revenue Authority.
- 25) Prior to recordation of initial plat, applicant to provide staff with a copy of an executed agreement between the FAA and/or the Montgomery County Revenue Authority and applicant regarding the right to over flight, noise and vibration associated with the Montgomery County Airpark, and to address the other conditions as prescribed in the Revenue Authority's letter dated, July 8, 2004, as applicable.
- 26) Compliance with approved landscape plan for Snouffer School Road frontage
- 27) The Preliminary Plan will remain valid for one hundred forty-five (145) months from the date of mailing of the Planning Board Opinion. Record plats must be recorded in phases based upon the following schedule:

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- Phase I (expires 37 months from the date of mailing of the Planning Board Opinion): 200,000 square feet of the approved density.
- Phase II (expires 73 months from the date of mailing of the Planning Board Opinion): 400,000 square feet of the approved density.
- Phase III (expires 109 months from the date of mailing of the Planning Board Opinion): 300,000 square feet of the approved density.
- Phase IV (expires 145 months from the date of mailing of the Planning Board Opinion): all remaining development.

Prior to the expiration period, the final record plat for all remaining lots within each phase must be recorded, or a request for extension must be filed.

- 28) The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for one hundred forty-five (145) months from the date of mailing of the Planning Board Opinion.
- 29) No plat(s) to be recorded prior to thirteen (13) months from the mailing date of the Planning Board opinion.
- 30) Prior to recordation of initial plat, applicant to resubmit landscape plan for the Snouffer School frontage to MNCPPC technical staff to address long term screening with overstory and understory of the buildings fronting on Snouffer School Road.
- 31) Concurrent with condition ^(#29)~~#30~~, MNCPPC to explore the purchase of, or easement on, Lot #7 to provide access for local neighborhood to Lois Green Farm Conservation Park.
- 32) Other necessary easements shall be shown on the record plats.

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ATTACHMENT 7



MONTGOMERY COUNTY PLANNING DEPARTMENT THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

August 27, 2009

MEMORANDUM

TO: Vanessa Francis, Senior Planner
Community-Based Planning Division

Richard Weaver, Coordinator/Planner
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning

FROM: Ed Axler, Coordinator/Planner
Transportation Planning

SUBJECT: Mandatory Referral No. 09303-MCDGS-1
Site Selection for Acquisition of the Webb Tract
Preliminary Plan No. 12004018E
Airpark North Business Park (or Centerpark or Webb Tract)
Montgomery Village / Airpark Policy Area

This memorandum is Transportation Planning staff's Recommendations for the above-referenced site selection and acquisition of Web Tract.

RECOMMENDATIONS

Transportation Planning staff recommends support of the site selection mandatory referral with the following conditions as part of the APF test for transportation requirements related to the future mandatory referral for the facility planning:

1. The Applicant should be bound by the existing Adequate Public Facilities (APF) test for the Preliminary Plan No. 120040180, including frontage, local intersection, and off-site improvements. Any future land uses not pursued under the existing APF approval or any uses that generate fewer weekday peak-hour vehicular trips may be re-analyzed for a new APF test including submission of an updated traffic study and Policy Area Mobility Review (PAMR) statement. If so, the Applicant should provide any necessary intersection improvements

required to satisfy Local Area Transportation Review (LATR) and provide non-automobile transportation improvements to satisfy PAMR.

2. The Applicant should prepare and implement traffic mitigation actions to encourage car/vanpooling, transit use, and other trip reduction measures for employees working on the site. The traffic mitigation program should be developed and approved by the appropriate agencies prior to release of building permits.
3. The Applicant should provide inverted-U bike racks in front of the main buildings in weather protected locations and bike lockers within any parking facility. The ultimate number and location should be determined at the mandatory referral for the facility planning.

Transportation Planning staff has no recommended conditions as part of the APF test for transportation requirements related to this preliminary plan revision that applies only to the changes of lot lines.

DISCUSSION

Prior Regulatory Actions

The prior regulatory actions were taken:

1. Preliminary Plan No. 1-86255, Webb Tract: The Planning Board approved Webb Tract at its public hearing on September 21, 1991, for 1,205,000 square feet of light industrial use, warehouse use, and R&D office use. This preliminary plan has since expired.
2. Special Exception Case No. S-2179: A public hearing of the Planning Board was held on August 5, 1995, to make their recommendation to the Board of Appeals to permit a temporary golf driving range.
3. Preliminary Plan No. 120040180, Airpark North Business Park: The Planning Board approved the preliminary plan at its public hearing held on July 15, 2004, for up to 559,300 square feet of R&D office use, up to 247,626 square feet of business park use (i.e., generally light industrial and commercial office uses), and up to 461,285 square feet of warehouse use. The conditions of approval included dedication of approximately eight feet of right of way for 80 feet from the opposite right-of-way line along Snouffer School Road along the property frontage.
4. Preliminary Plan No. 12004018A: Centerpark: The Planning Board approved the first revision at its public hearing held on May 24, 2007, to modify stormwater management, change right-of-width of Hubble Court Drive and Turkey Thicket Drive, and modify the lot lines.

5. Preliminary Plan No. 12004018C Centerpark: The Planning Board approved the third revision at its public hearing held on June 5, 2008, to construct of a parking lot and adequate access from Snouffer School Road for the Lois Y. Green Farm Conservation Park.
6. Preliminary Plan No. 12004018B: Centerpark: The Planning Board approved the second revision at its public hearing held on December 4, 2008, to delete proposed Chaffee Court and abandon the dedicated rights-of way of Hubble Court Drive and Turkey Thicket Drive to convert them to private roads.
7. Preliminary Plan No. 12004018D: Centerpark: The Planning Board approved the fourth revision at its public hearing held on December 4, 2008, to modify lot lines.

Site Location and Vehicular Access Points

The site is located on the northeastern side of Snouffer School Road between Centerway Road and Chelsey Knoll Drive-Lewisberry Drive. The two proposed full-movement vehicular access points are from Snouffer School Road at the following locations:

1. Challenger Court is located opposite Alliston Hollow Drive and serves the proposed lots on the northwest section of the stream valley. Under Preliminary plan No. 12004018, a traffic signal warrant study was prepared to consider installing a traffic signal at this intersection with Snouffer School Road.
2. Turkey Thicket Drive is located at the site's southern corner and serves the proposed lots southeast of the stream valley and replaces the current access road leading to the Lois Y. Green Farm Conservation Park.

Pedestrian Facilities

The sidewalks should be provided along Snouffer School Road as required by Preliminary Plan No. 120040180 and in accordance with the new County Road Code. The current condition of approval to widen Snouffer School Road included a five-foot sidewalk with a landscaped panel on the northeast side only. No sidewalk is proposed on the southwest side because it could result in damaging mature trees.

Available Transit Service

Future employees could have the option of traveling to work by using the currently available bus service along the following roadways:

1. Snouffer School Road: Ride-On route 58 has half hour headways between buses and operates between the Shady Grove Metrorail Station and Lakeforest Transit Center.
2. Centerway Road: Ride-On route 60 has 20-minute headways between buses and operates between the Shady Grove Metrorail Station and the Montgomery Village (shopping) Center.

Master Plan Roadways and Bikeway

In accordance with the *Gaithersburg Vicinity Master Plan*, the master-planned roadways and bikeway are designated as follows:

1. Snouffer School Road is designated as a four-lane arterial, A-16, with a center turning lane and a recommended 80-foot right-of-way.
2. Goshen Road is designated as a four-to-six-lane major highway, M-25, with a recommended 120 foot right-of-way between Odendhal Avenue and Warfield Road. Goshen Road is designated as an arterial, A-14, between Warfield Road and Woodfield Road (MD 124). The *Countywide Bikeway Functional Plan* recommends a dual bikeway, DB-29, along Goshen Road between Odendhal Avenue and Warfield Road -- where a dual bikeway consists of a shared use path on the northwest side and bike lanes.
3. Centerway Road is designated as a two-lane arterial, A-275, with a recommended 80-foot right-of-way.
4. Strawberry Knoll Road is designated as a two-lane primary residential street, P-4, with a recommended 70 foot right-of-way.

Relevant Transportation Projects

The relevant transportation projects are as follows:

1. The Montgomery County Department of Transportation's (MCDOT) Capital Improvements Program (CIP) Project No. 509337-6, Facility Planning II, Goshen Road South (Girard Avenue to Warfield Road) is to widen Goshen Road from the existing 2-lane roadway to a 4-lane major divided highway with a 5-foot sidewalk, an 8-foot bike path, and an on-road bike lanes. The preliminary design plans are projected to be completed in Fall 2009.
2. MCDOT is restarting a deferred project to construct a bikepath along Snouffer School Road. As a condition of approval for Preliminary Plan No. 120040180 in 2004, the Applicant was required to widen Snouffer School Road from two to four lanes. Prior to 2004, MCDOT had started a Facility Planning Study to investigate the existing conditions and develop alternatives for the widening of Snouffer School Road as a recommended master-planned four-lane arterial between Woodfield Road (MD 124) and Goshen Road.

Site-Generated Traffic

For the approved non-residential land uses under Preliminary Plan No. 120040180, the table below gives the number of peak-hour vehicular trips projected during the weekday morning peak period (6:30 to 9:30 a.m.) and evening peak period (4:00 to 7:00 p.m.):

Land Use	Square Feet	Weekday Peak-Hour	
		Morning	Evening
Research & Development Office Use	559,300	694	604
Business Park-Light Industrial & Office Uses	247,626	352	339
Warehouse Use	461,285	301	253
Total	1,268,211	1,347	1,196

The Applicant proposes to acquire the property and use the land for the following public facilities:

Proposed Land Use	Weekday Peak-Hour	
	Morning	Evening
Public Safety Training Academy	130	100
MCPS Food & Nutrition Services	22	19
MCPS Building Maintenance	100	10
M--NCCPC Maintenance	37	11
Total Peak-Hour Trips	289	140

The County facilities generate only 21.5% of the morning peak-hour trips and 11.2% of the evening peak-hour trips compared with the previously approved land uses. However, the traffic characteristic by the County facilities would be unique in that some vehicular trips would be generated earlier than the typical weekday morning and evening peak hours and would have a higher percentage of trucks.

The Previously-Approved Adequate Public Facilities Review for Preliminary Plan No. 120040180

To satisfy Local Area Transportation Review (LATR), a traffic study was submitted in 2004 that analyzed 13 intersections and the following improvements were required at three intersections:

1. Goshen Road and Centerway Road: Construct separate right turn lanes on the northbound and southbound Goshen Road.
2. Snouffer School Road and Centerway Road: Widen Snouffer School Road from two to four through lanes with a fifth lane used for left-turns on both directions.
3. Snouffer School Road and Alliston Hollow Way- Challenger Court: The same improvement as described for the intersection of Snouffer School Road and Centerway Road above.

A Policy Area Transportation Review (PATR) was required under the *FY 2004 Annual Growth Policy*, instead of the current PAMR test. At that time, the Montgomery Village/Airpark Policy Area was in a moratorium for non-residential development. The PATR was satisfied by widening Snouffer School Road from two to four through lanes from Centerway Road to Goshen Road with a fifth center lane for a separate left-turn lane approaching intersecting streets.

New Adequate Public Facilities Test

If the Applicant decides to undergo a new APF review for the relocated County facilities due to their significantly reduced impact, it would be subject to both LATR and PAMR mitigation requirements.

EA:tc

cc: Girum Awoke - MCDOT Goshen Rd Project Manager
Sue Edwards
Jon Hutchings
Matt Storck - STV

mno Francis Weaver Webb Tract 09303-MSCGI-1 & 12004018E.doc

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ATTACHMENT 8



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

July 13, 2009

Bernard Fitzgerald, Real Estate Specialist
Department of General Services
101 Orchard Ridge Drive
Second Floor
Gaithersburg, MD 20878

RE: Mandatory Referral - Centerpark Property Acquisition

Dear Mr. Fitzgerald:

This letter serves as a request for more information in regards to the referenced mandatory referral application. The following information is requested:

1. The hours of operation and types of uses proposed within the structure(s) or on the property under consideration;
2. Funding source for the project: county, state, federal, and/or private;
3. List any other points of access on the subject property that are not shown in the preliminary plan; and
4. Provide an explanation for the exclusion of Lots 10, 14 and 15.

Please reply to this letter by **July 20, 2009**.

Sincerely,

Vanessa N. Francis
Senior Planner
Community-Based Planning Division/Vision Division
vanessa.francis@mncppc-mc.org

cc: Sue Edwards

Vision Division, 301-495-4555, Fax: 301-495-1304
8787 Georgia Avenue, Silver Spring, Maryland 20910
www.MontgomeryPlanning.org

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MONTGOMERY VILLAGE FOUNDATION, INC.

10120 APPLE RIDGE ROAD
MONTGOMERY VILLAGE, MARYLAND 20886-1000

(301) 948-0110 FAX (301) 990-7071 www.mvf.org

August 24, 2009

Royce Hanson, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Mr. Hanson:

I am writing on behalf of the Montgomery Village Foundation Board of Directors to express our concern with the plan to conduct a two-part Mandatory Referral for the proposed relocation of County facilities to the Webb Tract as a part of County Executive Ike Leggett's Smart Growth initiatives. We understand that the County Council wants to have a Mandatory Referral recommendation from the Planning Board before appropriating funds to purchase the site. It is our understanding that Part A of the Mandatory Referral, tentatively scheduled to go before the Planning Board on September 10, is for property acquisition and site selection, while Part B, not yet scheduled, will be for facilities' site planning.

This is of concern because once the funds are appropriated by the County Council to buy the property, the proposal becomes a fait accompli. We believe it is inappropriate to move forward even with Part A of the Mandatory Referral until concept planning has been done so that the Planning Board and the community can evaluate how the County's site plan is compatible with this already built out area. The Planning Board should ask the County Council to appropriate adequate funds so that a good concept plan can be developed.

Residential communities are adjacent to the Webb Tract, and the proposed relocation of County facilities to the site poses many concerns. These facilities are not traditional industrial uses and will have significant negative neighborhood and community impact. A number of community groups and individuals have been working cooperatively with the County to resolve a list of outstanding concerns that have been generated as the County presents the various facilities and operations proposed for the site. Although the County has been sharing with the community a plan which was developed by County staff, at the July 28th meeting which your Department of Planning hosted, the County staff reiterated that this was not an official site plan, and that it would not be part of the Mandatory Referral record because the County did not have funding to produce a site plan. How can the Planning Board do an adequate job with the Mandatory Referral, either Part A or B, without a plan that has been fully vetted by your staff and the community?

"Discover Montgomery Village"

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We hope that the Planning Board will encourage the Council to immediately set aside funds for concept planning prior to forwarding any portion of the project to the Planning Board for Mandatory Referral. The people who will be impacted, who live in the Gaithersburg East Master Plan area, need this reassurance.

Sincerely,



Bob Hydorn, President
MVF Board of Directors

cc: Phil Andrews, County Council President
Montgomery County Council
MVF Board of Directors
Webb Tract Committee
Dave Humpton, MVF Executive Vice President

#1 14

Montgomery County Council Public hearing on a supplemental appropriation and amendments to the FY09-14 Capital Improvements Program of the Montgomery County Government PSTA and Multi-Agency Service Park

Testimony of David Dise, Director, Montgomery County Department of General Service

July 28, 2009

Good afternoon. I am David Dise, Director of Montgomery County's Department of General Services and I am pleased to present testimony on behalf of County Executive Isiah Leggett in support of the County Executive's request for a supplemental appropriation and ~~Capital Improvements Program~~ Amendment for the Public Safety Training Academy and the Multi-agency Service Park.

This request, in the amount of \$48,316,000, is to purchase the 129 acre industrially zoned Webb tract and for master site planning. This purchase is a key step in the implementation of the Smart Growth Initiative – an initiative that puts in place important public policies for future jobs and housing at locations that rely on mass transit.

The Smart Growth Initiative recognizes that we must decide now how and where we will grow over the next 20 to 30 years and we must make our capital investments with forethought so that we do not frustrate the ability of future residents and elected officials of Montgomery County to meet their needs for quality jobs and housing. And, both for quality of life and quality of the environment, we need to ensure now that these locations will be oriented to mass transit.

The current PSTA is a facility in need of major renovation. We have an existing project under which an estimated \$33 Million will be spent to perform renovations to only the academic building. It must be noted that in performing this work and any other facility improvements at PSTA we will be foreclosing opportunities for the next 20-30 years at that site. To expend any significant funds on this site and then move from it sooner is fiscally irresponsible. Therefore, we seek to close out the renovation project and use the funds that would have gone into renovation towards acquiring and developing a new PSTA at the Webb tract that will provide best practices in public safety training.

The Universities at Shady Grove currently serves more than 3,000 students and is expected to grow to more than 5,000 students by 2015. They have already developed a significant health sciences presence with the establishment of the University of Maryland's PharmD program offered by its School of Pharmacy, the doubling of the size of the University of Maryland's Nursing program and the addition of Salisbury University's Respiratory Therapy program. USG's long term vision for the Shady Grove Life Sciences Center is to expand the University System of Maryland presence and to be a destination location in the health sciences and bio-medical sciences, adding more facilities, capabilities and academic presence. In Fall 2009, the University of Maryland College Park School of Public Health is offering an undergraduate degree in Public Health Sciences to USG. The School's Masters in Public Health will also be offered at USG in the near future. Plans are underway to bring additional graduate programs, specifically in health sciences, biosciences and bio-medical engineering in connection with the expanded research programs at the USM Center for Advanced Research in Biotechnology on the campus. These facilities will now support faculty research from the University of Maryland College Park and the University of Maryland School of Medicine and will house technology transfer

capabilities. Both the UM School of Public Health and School of Medicine will establish clinical trials relationships with regional hospitals and health organizations. These research ventures will support full-time graduate students, post-docs, and clinical and research faculty at USG working in the SGLSC.

The Johns Hopkins University has 60 graduate programs at its Montgomery County campus and 11 initiatives with Hopkins' scientists, federal installations and private researchers. Hopkins is actively growing its research partnerships. With its recent alliance with Suburban Hospital and the extensive NIH research funds its activities at the Life Sciences Center will continue to grow. The uses planned by the Universities at Shady Grove and Johns Hopkins cry out for a mix of housing types and market points. This need will be increasingly necessary and important. However, both the Shady Grove Life Sciences Center and Hopkins' Belward campus contain chain of title restrictions that will preclude any meaningful housing on those sites. That leaves the 52 acre PSTA site which must be cleared for both the housing and the Corridor Cities Transitway.

The County was visionary nearly 40 years ago and has enjoyed much success with our Shady Grove Life Sciences Center. While we still have a significant position in the biosciences industry, others such as Massachusetts, North Carolina, Florida, and San Diego are surpassing us. And competition continues to mount both within the State and internationally in this high paying industry. Standing still is not progress. It quickly becomes moving backwards. For our residents and our businesses we cannot allow that to happen.

Acquiring the Webb tract will also enable us to implement the vast majority of the Shady Grove Sector Plan vision for the County Service Park. We have made great strides by acquiring replacement sites for the Equipment Maintenance Operations Center, Highway Maintenance Services, and the Department of Liquor Control Warehouse. With the purchase of the Webb Tract we can relocate the MCPS Food Distribution Warehouse, the MCPS Schools Maintenance Facility and the Park and Planning Maintenance Facility. That leaves the school buses and related maintenance operation to address and we are working with MCPS to find a suitable solution for the buses.

The Webb tract has approval to build 23 warehouse buildings. We will place four government facilities on this site. This will be a significant reduction of the planned impervious area and a dramatic reduction in the traffic that would otherwise be generated from the Webb tract. We are actively engaged with the communities in the surrounding area and will continue to do so to ensure that our uses are well-designed and that our occupants are good neighbors.

This purchase is cost effective. The land price is reasonable and the costs of acquisition and development will have offsets through reallocation of funds for renovation of the PSTA, and significant land proceeds from the PSTA site and the County Service Park sites plus the net revenues that will be generated from the redevelopment of the sites.

With only 4% of the county remaining for development, we cannot afford to make our needed investments in the wrong place thus foreclosing the ability to do great things in the future. We must focus on planning and accomplishing our growth smartly – we will need good and varied housing and quality jobs, next to mass transit. The County Executive urges the County Council to approve full funding for the acquisition of this property without delay.



UPCOUNTY CITIZENS ADVISORY BOARD

July 27, 2009

The Honorable Philip Andrews
President
Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850

Re: July 28th, 2009 Public Hearing Supplemental Appropriation to the FY09 Capital Budget for the Smart Growth Initiative

Dear Mr. Andrews:

The Upcounty Citizens Advisory Board (UCAB) has continued to monitor activities related to the County's Smart Growth Initiative to relocate County facilities and functions from the Shady Grove Metro area to other sites central in the county. UCAB representatives will continue to participate on the Shady Grove Sector Plan Implementation Group and on the Smart Growth Initiative Implementation Advisory Group (SGIAG) in order to help identify issues and solutions. The Board has previously testified before the County Council stating its support for the Executive's Smart Growth Initiative that will meet the present and future needs of our County government to clear the Shady Grove Metro area for approved development and to house daily government functions in updated and safer facilities. The benefits reaped from this initiative will support our: a) growing and changing workforce; b) economic development goals; c) housing needs; and d) clean-up and redevelopment of old industrial sites as well as protecting our investment in technology and life sciences while leveraging our assets.

We are writing this specific letter today in support of the County Executive's supplemental appropriation request to add \$48,316,000 to the County's FY09 Capital Budget to relocate the Public Safety Training Academy (PSTA) from the Shady Grove Life Science Center to the new County Multi-Agency Service Park. Redevelopment of the PSTA for high value investment and usage is an important component and building block to the creation of the dynamic, mixed-use life sciences oriented community envisioned in the Gaithersburg West Master Plan. Relocating the PSTA is an important step towards moving our Smart Growth vision forward.

Sincerely,

Robert C. Thompson
Chairman

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Gaithersburg-Germantown Chamber of Commerce, Inc.

Marilyn Balcombe, Executive Director
4 Professional Drive, Suite 132, Gaithersburg, MD 20879
301-840-1400

Montgomery County Council Public Hearing
Supplemental Appropriation
July 28, 2009

SUPPORT Purchase of the Webb Tract

The Gaithersburg-Germantown Chamber of Commerce supports the County's efforts to implement the Shady Grove Sector Plan and to further develop the Shady Grove-Life Sciences Center. In order to implement these important economic development initiatives, the GGCC supports the relocation of County services from the impacted geographic areas.

To that end, the Chamber supports the supplemental appropriate request of \$48M to the County's FY09 Capital Budget and to amend the FY09-14 Capital Improvements Program to purchased the Webb Tract. These funds will be used in support of the County's Smart Growth Initiative, specifically for the relocation of the Public Safety Training Academy (PSTA) from the Shady Grove Life Sciences Center to a new multi-agency service park.

The Chamber strongly supports the vision for the Gaithersburg-West Master Plan area as an important addition to the I-270 technology corridor. This Plan will foster the creation of new employment in close proximity to a range of housing opportunities, mass transit, shopping and recreation, and create a lively, walkable community that is people-oriented rather than automobile-oriented.

We also strongly support the implementation of the Shady Grove Sector Plan and the need to transition the Shady Grove Metro Station from warehouses to residential with safe pedestrian accessibility. The Metro is a great asset to our transportation infrastructure. When the Shady Grove Station was built it was clearly the "end-of-the-line", stopping in the outer suburbs of the region. Today it is right smack in middle of the County, both geographically and by population. We must use this transportation resource to our best advantage and we should start that process now.

As a Chamber of Commerce, we fully understand that we are in tough economic times, but we must continue to shape our County for the future. The County Executive's Smart Growth Initiative helps move us in that direction.

Thank you for your consideration.

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Testimony before the Montgomery County Council
Smart Growth – PSTA and Multi-Agency Service Park (Webb Tract)
July 28, 2009

“Apprehensive “- “Lack of Trust” are words that describe the feeling of the communities regarding the purchase the Webb Tract. The county has been unable to present a concrete plan.

Communities have been told it will be the state of the art – We still do not have any idea what”is” the state of art? – It’s like buying a car not knowing –“color” or if it has a steering wheel. The salesperson tells you – “you have to take my word- you’ll like it.”

The county has ambitious plans for Science City and Shady Grove Metro, focusing on developing an outstanding vibrant community, the show case of Montgomery County and the State; great for those folks who will live in Science City and Shady Grove Metro areas.

To achieve these goals the county needs to relocate the undesirable facilities at Shady Grove and the PSTA. At what price –disrupting established communities’ quality of life, and in the long run, financial burden for the residents of Montgomery County.

How will communities surrounding the Webb Tract benefit from the relocation of these facilities.

Answer:

“Less traffic” This is an assumption – no one really knows what will go on the Webb Tract. Zoned I4 for over 25 years the land is still vacant – “Why” - no major access roads, low flying aircraft from the airport and surrounded on three sides by residential communities.

Widening Snouffer School road - will not levitate traffic congestion but will increase congestion. Snouffer School Road narrows to two lanes at Woodfield (124) and Weightman Road.

The County facilities are currently located to major access roads.

If the council approves the purchase of the Webb Tract – we are requesting the county agree– to implement concession that will maintain and enrich the quality of life for the residents surrounding the Webb Tract.

**Attached- Resident Concerns & Question #1

Major Concessions -

Lot 7 (7 Acres) & Lot 6 (2.40 Acres)– which abuts the East Village Community

Deed **all** of Lot 7 and a **part** of Lot 6 d) to the communities to be maintained as a park.
(Not the 370 feet the county purposed)

** Attached – Natural History Survey – Lot 7 – Dr. Russell Auito
Administrator for Operation of the Whitehouse Nature Center. #2

Move the race track further from the community and build a sound wall.
(Not trees the county purposed)

** ATTACHED: PICTURES FROM DECK #3
OF RESIDENT ALONG LOT 7
VIEW: 100 FT AND 370 FT. (64)

Facilities starting operation at 3:30 AM do not belong next to a resident community.

Residents do not want to hear these concessions cost too much” or sound walls don’t work –
Concessions to the communities – should be top priority - considering the negative impact.

Concession costs are just a drop in the bucket – considering the millions the council has been asked to approve for the development of Science City and Shady Grove Metro - “purchase of properties- going green – facilities to be state of the art – new roads, etc.”
“Millions of dollars” - honestly what is the bottom line?

Mid County Citizens Alliance is and has been working and listening to the county for almost a year.

We have been hearing a lot but nothing concrete - now is time for the county if the purchase of the Webb is approved – to agree to concessions and give back to the communities’ not just take their quality of life. And tell them “this is Smart Growth”

Remember – one of your former colleagues said “Why destroy one community to make another community look good.

Thanks You.

Terry O’Grady
Mid County Citizen Alliance

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MidCounty Citizen's Alliance

Webb Tract Development

Resident's Concerns and Questions

Current plans call for the county to purchase the entire Webb Tract and relocate numerous county facilities on the property. These county facilities include: the Public Safety Training Academy (PSTA), MCPS Food Distribution Warehouse, MCPS Maintenance Facility and the Parks Department Maintenance Facility and Depot. The relocation of these facilities is part of the county's Smart Growth Initiative.

Resident's concerns and questions with these plans are focused on the following areas.

- Maintain lots 6 & 7 as green space, no build for the next hundred years. These lots are in close proximity to residential areas.
- Build a sound wall between the PSTA driving track and residential areas to reduce/eliminate noise from the track.
- Establish "no drive zones" for delivery trucks coming and going from the Webb Tract. This includes county vehicles as well as vehicles making deliveries to the Webb Tract. Streets to avoid using include: East Village Ave., Goshen Rd., Lewisberry Dr. and Centerway Rd. (these are all residential streets).
- PSTA Burn Building – no taller than four stories, how will it operate? We have been told it will be "state-of-the-art" but have yet to have that fully explained or to see an operational facility.
- Hours of operation for: PSTA – driving track, skills driving pads, burn building, deliveries to Webb Tract facilities, county vehicles leaving the Webb Tract.
- Limit use of emergency lights and sirens on the driving track and during fire training exercises.
- What are the county's plans for traffic flow? Snouffer School Rd. will be widened to five lanes, but the road will narrow to two lanes at Goshen Rd. and Route 124. This will create traffic bottlenecks at both these locations.
- Snouffer School Rd. widening will place the road very close to homes in East Village and Hunters Woods. Need sound walls to mitigate noise and provide safety for residents.

(66)

#1

- Environmentally – what is the long range effect of propane gas, diesel fumes, theatrical smoke, etc. on the residents over the next 20 years?
- Public Health Concerns – long term affects of smoke from burn building, combustion of propane for fire training, diesel exhaust, pollutants from heavy vehicle maintenance yard.
- Concerns about storage of large quantities of propane, diesel fuel and gasoline at the end of an active runway for Montgomery County Airpark. In March there was a plane crash at the Airpark, luckily no one was injured. However, flammables stored on the Webb Tract could result in a disaster if there was another plane crash.
- What is the plan – Residents still do not know exactly what the county has planned? Residents want to see concrete plans – not just verbal discussions.
- The economic status of the county is currently not healthy – where will it be a year or two? How will this project be funded in the short term and over the long term? Why not put Science City and Shady Grove on hold due to the county's finances. What important items (schools, infrastructure improvements, public safety, public transportation, health and welfare programs) will be neglected due to lack of funding?
- What will the county do for residents of East Village, Eastgate, the greater Montgomery Village area, Hunters Woods, Hadley Farms and other surrounding communities? The Webb Tract is surrounded on three sides by these residential communities. Property values will decline and the quality of life will be negatively impacted due to noise, light and potentially ground pollution. The only winner in what the county has been presented – is the county. The communities surrounding the Webb Tract will see a decline in the quality of life while the communities surrounding Shady Grove Metro area and the proposed Science City area will be enhanced. What will the county do for residents in the communities surrounding the Webb Tract? At a minimum – no build on lots 6 and 7, sound walls, find another location for heavy equipment storage and maintenance (Park Department facility).
- Location of Parks Department Maintenance Facility. The community does not think the vetting process for these facilities was adequately performed. Three sites were evaluated and turned down for very weak reasons. These sites were:
 - Rock Quarry on Travilah Road
 - 14 acres good for development.
 - Residents did not want trucks on street – but they have trucks already due to the quarry.

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#1

- 77 Acre McGowan Property – off Inter State 270 north of 124 in Gaithersburg.
 - New Cities Transitway - New Road, - new access road to main road.
 - 34 Acres in the center are available for development but the owner ~~did not return~~ phone calls from the county regarding purchase.
- 18 Acre Rock Creek Ridge parcel on the north side of Needwood Road adjacent to planning board's Rock Creek Maintenance yard.
 - Site was used for the Lake Needwood dredging Project.
- Alternative Sites Need to be Reviewed – Existing County Park Facilities ▶ One Potential Site is Black Hill Regional Park. It offers the following benefits:
 - County owns the land – no cost to purchase.
 - Already has a regional storage yard – enlarge to handle maintenance depot.
 - Good road network just off Rt. 355—west on Old Baltimore Road, south and north on Rt. 355 to I-270

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2

Natural History Survey, Tract 7, Miller Property

Conducted by Russell Aiuto, Ph.D., on July 12, 2004

Introduction:

The five to eight-acre tract adjacent to East Village is a mature, mesophytic wood lot, with relatively little disturbance or incursions by human activity. While it is generally a moist area, it does not appear to accumulate standing water. Some paths occur within the area, apparently the result well-established visits to the wood lot by area residents. Only in one small area is there evidence of vehicle intrusion, but this is congruent with an established path and does not constitute an ecological blemish in the area.

As one would expect in a mature, mesophytic secondary climax forested area, there is a great deal of plant species diversity with respect to trees and shrubs. The dominant species is Tulip Poplar (*Liriodendron tulipifera*), many over one foot in diameter, a number reaching two feet in diameter, and several very large trees exceeding three feet in diameter. The oldest trees are very likely in excess of one hundred and fifty years old. There are a few dead trees which provide nesting sites for some species of birds, as well as squirrels.

While Tulip Poplar dominates, there are at least a half dozen other moisture-loving tree species, such as Maples, Dogwood, and native nut trees (Table 1). In some of the less moist areas, at least two species of Oaks can be found. At the margin of this area and the proposed building site, a stand of young White Pines has been planted, but, because of the shade imposed by the more mature deciduous trees, they are relatively restricted in their growth.

The wood lot forest floor, with the exception of the narrow path areas, has a considerable number of herbaceous plants and vines. Particularly lush beds of wild Impatiens (*Impatiens pallida*), sometimes called "Touch-me-not," are present, as well as wild Geranium (*Geranium virginiana*) and Wood Fern (*Adiantum* sp.). Much of the understory is enveloped with Green Briar (*Smilax* sp.) and Honeysuckle (*Lonicera virginiana*). A list of identified herbs and vines is given in Table 2.

One can find the usual Mid-Atlantic song birds within the area (Table 3). A cursory examination resulted in the identification in some ten species. The environment is particularly suitable for temporary habitat of warblers that migrate through Maryland in the spring and fall.

Sightings or evidence of a half dozen species of mammals occurred (Table 4). As one would expect, the presence of hickory nuts, acorns, and walnuts encourage the

#2

presence of several of them, and the existence of numerous areas for dens and burrows encourage habitation.

Recommendation:

While the area is by no means unique, it is in good natural condition, and it is an uncommon tract in heavily residential Montgomery Village. It is self-perpetuating, in that it is a climax forest with the predominant tree species replacing itself. It is, in a word, a *refreshing* area adjacent to the manicured and well kept dwellings of East Village.

Therefore, not only does it serve as a buffer between residential and proposed commercial areas, but it is an area, if not developed, that can serve as a recreational and educational facility. In my judgment, the current paths should be covered with hardwood mulch, replaced annually, and the area itself allowed to grow as it has. The coverings of the paths would encourage visitors to the area not to disturb the well established understory.

Further, at very little cost, simple brochures describing in simple terms the plant and animal life present in the area could be available at strategically placed boxes at the entry point into the area. A few placards with numbers at key points along the paths could be used for reference in the brochures. Such a modest investment would enhance the experience of visitors to the area.

Besides the brochures and the annual application of compacted mulch to the paths, the area should be relatively maintenance free.

If at all possible, I recommend that this area be preserved for its aesthetic, recreational, environmental, and educational potential. Further, it is imperative that government and citizens seize any opportunities to maintain rapidly disappearing natural areas. This area represents, in its preservation, the best combined investment of county government and local residents.

Table 1: Tree Species

Species	abundant	common	occasional
Tulip Poplar	x		
Sugar Maple		x	
Red Maple		x	
Dogwood		x	
Basswood			x
Hickory		x	
Black Walnut		x	
Black Oak		x	
White Oak			x
White Pine		x*	

- confined to a marginal grove

Table 2: Herbs, Shrubs, and Vines

Species	abundant	common	occasional
Touch-me-not	x		
Knotweed	x		
Greenbriar	x		
Wild Rose		x	
Wild Geranium		x	
Wood Fern	x		
Wild Licorice			x
Wood Violet		x	
Skunk Cabbage		x	
Virginia Creeper	x		
Poison Ivy	x		
Button Bush		x	
Wild Morning Glory	x		
Wild Grape	x		
Honeysuckle	x		
Jack-in-the-Pulpit			x
Star Aster		x	

Table 3: List of Birds Identified

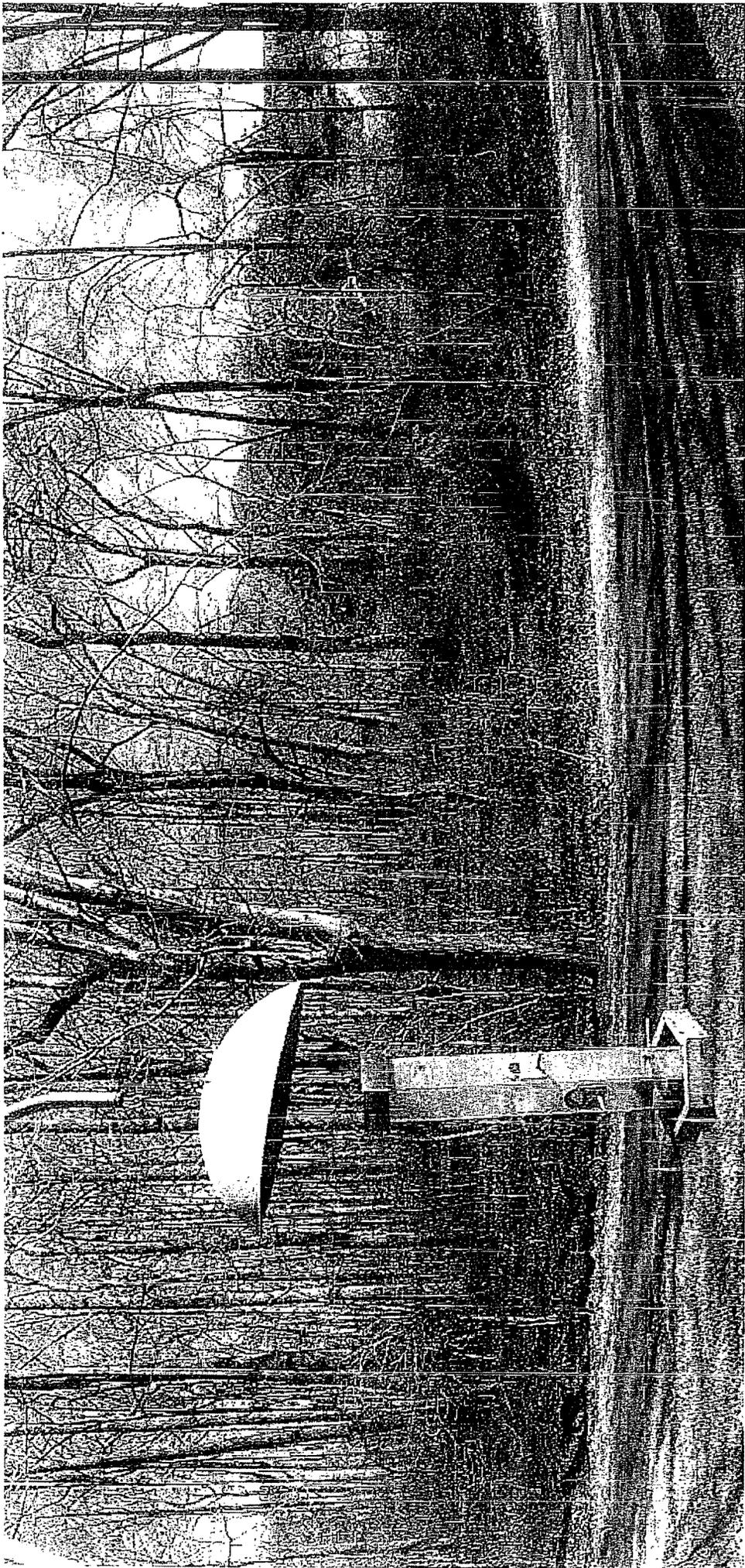
Cardinal
Catbird
Chickadee
Crow
Downy Woodpecker
Flicker
Purple Grackle
Robin
White-Breasted Nuthatch

Table 4: List of Animals Identified

Five-lined Chipmunk
Fox
Gray Squirrel
White-tailed Deer
White-tailed Rabbit
Woodchuck

Note: Russell Aiuto has an M.A. and Ph.D. in Botany from the University of North Carolina, Chapel Hill. He was a professor of biology at Albion College and Hiram College. As Provost of Albion College, he was the responsible administrator for the operation of the Whitehouse Nature Center, an 180-acre natural area used for education and recreation.

#3



73

#3



74

#3

370 Feet

15

SUPPORT

Peter Fosselman, Supplemental appropriation to the FY09 Capital Budget and amendment to the FY09-14 Capital Improvements Program \$48,316,000 for Smart Growth Initiative, PSTA and Multi-Agency Service Park (Webb Tract)
7-28-09

PSTA and Webb Tract are part of overall strategy for the Smart Growth Initiative. **This is good for the economy; this is good for Montgomery County.**

Guiding Principle: Meet the needs of the present without compromising the ability of future generations to meet their own needs.

This Initiative leverages planned projects, land values and increased revenues to relocate aged/obsolete facilities to sites that are not transit-oriented. These moves then free up opportunities for the best use of these County properties that are in close proximity or abutting high technology, biotechnology and academic facilities.

Benefits:

- ❖ Provide jobs for our children and our children's children
 - Capacity to train tomorrow's workforce for quality, higher paying jobs
- ❖ Promotes economic development - a healthy economy to sustain quality of life, services and opportunities
 - Drawing businesses with the lure of a well-trained workforce
 - Generating revenue so that financial burdens for public services are better distributed
- ❖ Sufficient amounts and mixes of housing with an adequate amount of affordable housing; near mass transit, thus Transit Oriented Planning
 - Use existing and planned mass transit
 - Housing placed to reduce reliance on automobiles
 - Creating live/work/play communities - reduces trips

- This is good for the economy; this is good for Montgomery County. Good for science and research opportunities, good for education, good for the environment and is important to the success of other communities such as Clarksburg and Germantown; as it helps to support the implementation of the Corridor Cities Transitway. The relocation of the PSTA is critical.

- The County has begun implementation of the vision in the Shady Grove Sector Plan approved by the County Council. The purchase of the Webb tract allows for the Parks Maintenance Facility, the Schools Maintenance Facility and the Schools Food Distribution Warehouse to be relocated so that the Sector Plan vision may be implemented. This is good for the economy; this is good for Montgomery County.





MONTGOMERY VILLAGE FOUNDATION, INC.

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#6¹⁴

Testimony by Bob Hydorn

Montgomery County Council Public Hearing, July 28, 2009

Supplemental Appropriation – FY'09 Capital Budget and Amendment to FY'09-'14 CIP
\$48,316,000 for Smart Growth Initiative
PSTA and Multi-Agency Service Park (Webb Tract)

Good afternoon. My name is Bob Hydorn. I am president of the Montgomery Village Foundation (MVF) Board of Directors and chair of the MVF Webb Tract Committee. I am pleased to have the opportunity, as a representative of the 40,000 residents of Montgomery Village, to comment about the proposed County development on the Webb Tract.

County Executive Ike Leggett has been working diligently to bring Smart Growth around the Shady Grove Metro Station and to plan, in partnership with Johns Hopkins University, an expansion of the Life Sciences Center, commonly called the "Science City". We understand the Smart Growth vision and that this will bring jobs, new housing and will bolster Montgomery County's reputation as a leader in the fields of biotechnology and science.

To facilitate the Smart Growth vision, the County Executive's staff has pulled together a group of agencies, all vying for more expansive facilities to house their operations and train their employees. The police and fire chiefs clearly have been behind the effort to relocate the recently modernized Public Safety Training Academy (PSTA) from North Potomac to the Webb Tract, adjacent to Montgomery Village, an already built-out area. The PSTA facility, with a burn tower, driving track and skills pad, clearly should not be planned at this new location. Nor do the County School Food Warehouse and two maintenance yards for M-NCPPC and MCPS belong adjacent to our communities.

What we do not understand is why those of us who live in Montgomery Village and surrounding communities in the area of east Gaithersburg should take on the burden of County facilities that will be detrimental to the quality of our lives, while those in the area of west Gaithersburg will reap all the benefits. We want to know what the County plans to do for our communities. More consideration needs to be given to those who have called this area home for many years.

Moreover, during these tough economic times, is this the best use of County funds when there are so many other priorities? I remain concerned that Gaithersburg High School, whose modernization has been put off for years, will once again be put off in the CIP for who knows how long. I went to Gaithersburg High School, and not much has changed since I graduated in 1968. The County Council needs to keep its promises with the PTSA's and school community. This is not the only school renovation that has been postponed. Is it not more important to tend to educating our young citizens than it is to relocate the PSTA? The County should be putting more of its resources into education, public safety and transportation.

One more thought: The County Executive continues to say that this project will be revenue neutral. How is this possible, especially during this period when developers' projects

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are going bankrupt, and there is no housing market to speak of? Has the County Council truly examined the financial data to understand the real costs of this project?

The Montgomery County Council still has an opportunity to stop this divisive plan from becoming a reality. We believe the concerns of the citizens who will be so negatively impacted by the County's plans deserve as much consideration as those who would benefit from the County Executive's plans to implement his Smart Growth vision.



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Testimony by John Driscoll
Montgomery County Council Public Hearing, July 28, 2009
Supplemental Appropriation – FY'09 Capital Budget and Amendment to FY'09-'14 CIP
\$48,316,000 for Smart Growth Initiative
PSTA and Multi-Agency Service Park (Webb Tract)

Good afternoon. My name is John Driscoll, and I am a member of the Montgomery Village Webb Tract Committee and the Montgomery Village Foundation Board of Directors. It is good to have this chance to share with you the concerns many of us have about the County's proposal to relocate four County facilities to the Webb Tract as a part of the County Executive's Smart Growth Initiative.

During these tough economic times, when the County's property tax and income tax revenues are declining, we can't believe that the County Council would jeopardize important school and public safety projects, such as the modernization of Gaithersburg High School and the Sixth District Police Station. All of these facilities will be costly to relocate, costing millions of dollars and stressing the County's bond capacity. There is no way that the County can utilize the same assumptions for developing its future bond sales because of the trend of decreasing property tax assessments and income tax revenues. Again, this means that funds are going to be drained from long-standing County priorities, such as education, public safety, and transportation. Is this County Council going to be the one to jeopardize the County's AAA bond rating?

The relocation of the PSTA is the facility that will break the County's back. To renovate the current facility is the way to go. This will save millions of dollars and allow for the training facilities to be up and running more quickly. To put the training facility smack dab next to residential homes in Montgomery Village is going to effectively hamstring and limit the real training that needs to be done. Isn't this the same thinking that brought us the Transfer Station at the Metro Station next to Shady Grove?

We hope that you will consider the questions that we have raised and report back to the community on your findings. Rushing this project through, we think, is a big mistake, for the community and for the County.

Thank you for your careful consideration of our concerns.



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Testimony by Kevin Linck
Montgomery County Council Public Hearing, July 28, 2009
Supplemental Appropriation- FY'09 Capital Budget and Amendment to FY'09-'14 CIP
\$48,316,000 for Smart Growth Initiative
PSTA and Multi-Agency Service Park (Webb Tract)

Good afternoon. My name is Kevin Linck. I am president of the East Village Homes Corporation and also serve on the Montgomery Village Foundation (MVF) Webb Tract Committee. Thank you for the opportunity to share our concerns about the proposed relocation of County facilities to the Webb Tract.

Our community is adjacent to the Webb Tract, and although there have been a lot of meetings with County staff, we remain concerned about what the County has planned, and we want to see concrete plans. In fact, the plans have changed frequently and we still do not feel that we can address a firm proposal from the County.

The Webb Tract is surrounded on three sides by these residential communities. Property values will decline and the quality of life will be negatively impacted.

What we do know is that the PSTA will include a burn building, driving track and skills pad. These facilities will have many negative impacts on the residential communities that surround Webb Tract that include long term effects of smoke from a burn building, combustion of propane for fire training, diesel, exhaust, and pollutants from a heavy vehicle maintenance yard, the screeching of brakes as the training vehicles practice on the driving training track and skills pad, the sound of backup beepers and traffic. We do not want the invasiveness of sound, noise, light and traffic pollution in our neighborhoods.

But we are realistic enough to know that if the relocation of County facilities comes to fruition, the serious concerns of the nearby residents must be addressed. Concessions are going to have to be made in order to lessen the seriously negative impacts to our community.

Here is a list of concessions and questions that are important to us. You should be aware of most of these items because they were included on the list that you received from the Mid-County Citizens' Alliance, which was endorsed by the Webb Tract Committee.

- Lots 6 and 7 to be maintained as greenspace in perpetuity.
- Sound wall to be constructed between the PSTA driving track and residential areas to reduce/eliminate noise from the track.
- Establish "no drive zones" for delivery trucks coming and going from Webb Tract. Streets to avoid: East Village Avenue, Goshen Road, Lewisberry Drive, Centerway Road – all residential streets.
- PSTA burn building – no taller than four stories. We need to see the state-of-the-art plan now.
- Operate PSTA's driving track, skills driving pads, burn buildings only during normal

business hours.

- Limit use of emergency lights and sirens on the driving track and during fire training exercises.
- Define plans for traffic flow, including plans to safely widen Snouffer School Road.
- Provide data about long range effect of propane gas, diesel fumes, theatrical smoke.
- Provide data on the long term effects of smoke from the burn building, combustion of propane for fire training, diesel exhaust, pollutants from the M-NCPPC heavy maintenance vehicle yard.
- Address our concerns about storage of large quantities of propane, diesel fuel and gasoline at the end of an active runway at Montgomery County Airpark.

And, finally, we want to know what the County will do for residents of East Village, Eastgate, the greater Montgomery Village area, Hunters Woods, Hadley Farms and other surrounding communities.

The County Council is supposed to be fair to all County residents, and we do not believe that the current proposal meets that standard for those of us who will see our property values decline and the quality of life negatively impacted. One community must not be enhanced at the expense of another. We need answers.

Thank you for your consideration.

Montgomery County Council Meeting, July 28, 2009*Testimony on Webb Tract Funding Proposal**CIP Project #470907*

Don O'Neill, Montgomery Village Resident

(301) 990-0377, ONeillDon@aol.com

I am Don O'Neill, a resident of Montgomery Village. Citizens are opposed to the relocation of County facilities to the Webb Tract. Inspired by these aroused citizens, HOA boards across Montgomery Village have voted unanimously in opposition to the Webb Tract in its entirety. The attention of the community is now riveted on your decision.

The County Executive has too eagerly traded away the quality of life of its citizens for easily promised yet uncertain economic development. Well times are bad, and the Smart Growth Initiative is not looking very smart and is even described as "lacking elements of perfection" by the Planning Board Chairman¹. Grandiose visions and political legacies must be set aside. You must reject this "buy now, pay later" credit card thinking which has destroyed our economy.

I urge you not to be an enabler for this imperfect project and not to approve the funding request for the purchase of the Webb Tract. In the business climate we find ourselves in, companies are pleased when they find ways to drop pennies to the bottom line. Yet we find ourselves in a County where the County Executive's vision would drop hundreds of millions of dollars to the deficit line for a Science City seen by one Planning Commissioner as a "Science blob".

The Webb Tract has been divided into two acquisitions, a Phase I purchase no later than September 30 and a Phase II subject to approval of the relocation of the PSTA².

1. I urge you to postpone the Phase I purchase option until the design and planning of the Multi-Agency Service Park are further along so that there is an in-depth and conclusive basis for decision-making. This should begin with an objective site selection evaluation study for each facility.
2. The tilt towards Rapid Bus away from Light Rail for the CCT reduces the basis and impetus for relocating the PSTA to the Webb Tract³. So I urge you to set aside any consideration of the Phase II purchase involving the PSTA until the macro issues weighing on the Gaithersburg West decision are fully unraveled and sorted out.

We are depending on you to put an end to this shell game. Relieve both the political pressure you are feeling and the anxiety Montgomery Village residents are feeling. Reject the funding request for the Webb Tract purchase, both Phase I and Phase II.

¹ Montes, Sebastian, "Less than perfect blueprint approved for Science City", Gazette, July 22, 2009

² "Mandatory Referral for Centerpark Property Acquisition", May 27, 2009 letter from David Dise, Department of General Services to Royce Hanson, Montgomery County Planning Board Chairman

³ Montes, Sebastian, "Planners choose rapid bus for CCT", Gazette, July 1, 2009



ATTORNEYS

STEVEN A. ROBINS
DIRECT 301.657.0747
SAROBINS@LERCHEARLY.COM

**Public Hearing Statement on
Supplemental Appropriations and Amendments to the FY 09-14 CIP
Purchase of Webb Tract/PDF No. 479909
Steven A. Robins
July 28, 2009**

Good afternoon President Andrews and Members of the Council. My name is Steven Robins and I am a partner with the law firm of Lerch, Early & Brewer. I am here as an individual to comment on the County Executive's request for supplemental appropriation and amendments to the FY09-14 CIP: PSTA and Multi-Agency Service Park, PDF No. 479909. As all of you probably know, I have a long and rather extensive history with Montgomery County public safety and have testified at virtually every hearing related to the County Executive's Smart Growth Initiative – mostly about the Public Safety Memorial.

I am here to support the County Executive's efforts to purchase the Webb tract in order to help achieve this Smart Growth Initiative. There are many good ideas associated with this proposal that will benefit the County and its citizenry. Purchasing the Webb tract will allow the County to relocate the Public Safety Training Academy, the Montgomery County Public School's food production and distribution facility, and maintenance facilities for MCPS and M-NCPPC's Parks Department. Relocation of the MCPS food facility and MCPS and Parks Department maintenance facilities will assist in the implementation of the Shady Grove Sector Plan – freeing up valuable space for more appropriate uses near the Metro. Relocation of the PSTA will help achieve the "science city" vision of the Gaithersburg West Sector Plan that you will see





ATTORNEYS

in short order, particularly as it relates to a major housing resource for workers in the area. These relocations will advance important housing, transit oriented development, transit and economic development programs in the County. This appropriation certainly is an important piece of the entire project.

I was selected to serve on the County Executive's task force on the Smart Growth Initiative. I am very supportive of this effort and think that it will take the County in the right direction, particularly in the face of an increasingly competitive regional market. I also have seen, first hand, the County Executive's efforts to reach out to communities that will be impacted by the implementation of the Smart Growth Initiative. I am confident that the County will reach out and do its very best to address community concerns in a meaningful way.

I am pleased to support the County Executive's Smart Growth Initiative and the supplemental appropriation that is before you today. Thank you for considering my comments.

ROBERT E. ANDERSON
CANDLE RIDGE
13 Finda Springs Court
Montgomery Village, Maryland 20886
Phone: 301-948-3939
E-mail: robteanderson@yahoo.com

July 28, 2009

Subject: Public Meeting "Smart Growth Initiative" this date.

To begin, I should disclose that I am currently Chairman of the East Montgomery Village Airport Relations Committee (EVARC) as well as Chairman of the Montgomery Village Foundation's Transportation Development and Public Facilities Committee (TD&PF). However, today I am speaking for myself.

Regarding the Smart Growth Initiative I have come here in support of those who oppose the placement of the Public Service Training Academy on the Webb Tract. I have walked the Tract numerous times and observed its close proximity to adjacent residential neighborhoods. Additionally, the effect the Administration's current PSTA plan will have on our residential streets from increased vehicle traffic, the negative environmental effects, including increased noise levels, and the probable negative effect on the property values of our homes have brought me to this conclusion. I also align myself with those that believe the County Government would be an excellent neighbor if more compatible facilities were placed on the subject property.

I understand the Midcounty Citizens Alliance (MCCA), chaired by Ms. Terry O'Grady, has furnished the Council with a constructive list of questions and issues that they request be satisfactorily answered prior to any final decision by the Council. This list has also been endorsed by the Webb Tract Committee (WTC) whose Chairman is Mr. Robert Hydorn, representing several communities in the immediate area most directly affected by this Administration's current plans. Having worked for over a year with the MCCA, and for a time with the WTC and having reviewed the list, I strongly endorse their request.

Lastly, I wish to personally thank the members of the Council for their careful evaluation regarding the appropriateness of the current Administration's planned use for the Webb Tract.

Further, I wish to thank the Council for their continued consideration in assuring that the Smart Growth Initiative does not come at the sacrifice of the Master Plan East residential communities and the quiet enjoyment of our homes.

Sincerely,



Robert E. Anderson

July 28, 2009

Webb Tract Public Meeting

Submitted By

Robert E. Anderson

Candle Ridge

13 Tindal Springs Court

Montgomery Village, Maryland 20886

Phone: (301)-948-3939

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-----Orange indicates location of Webb Tract.-----

+++++Pink indicates the location of the following:+++++

-The National Guard Armory.

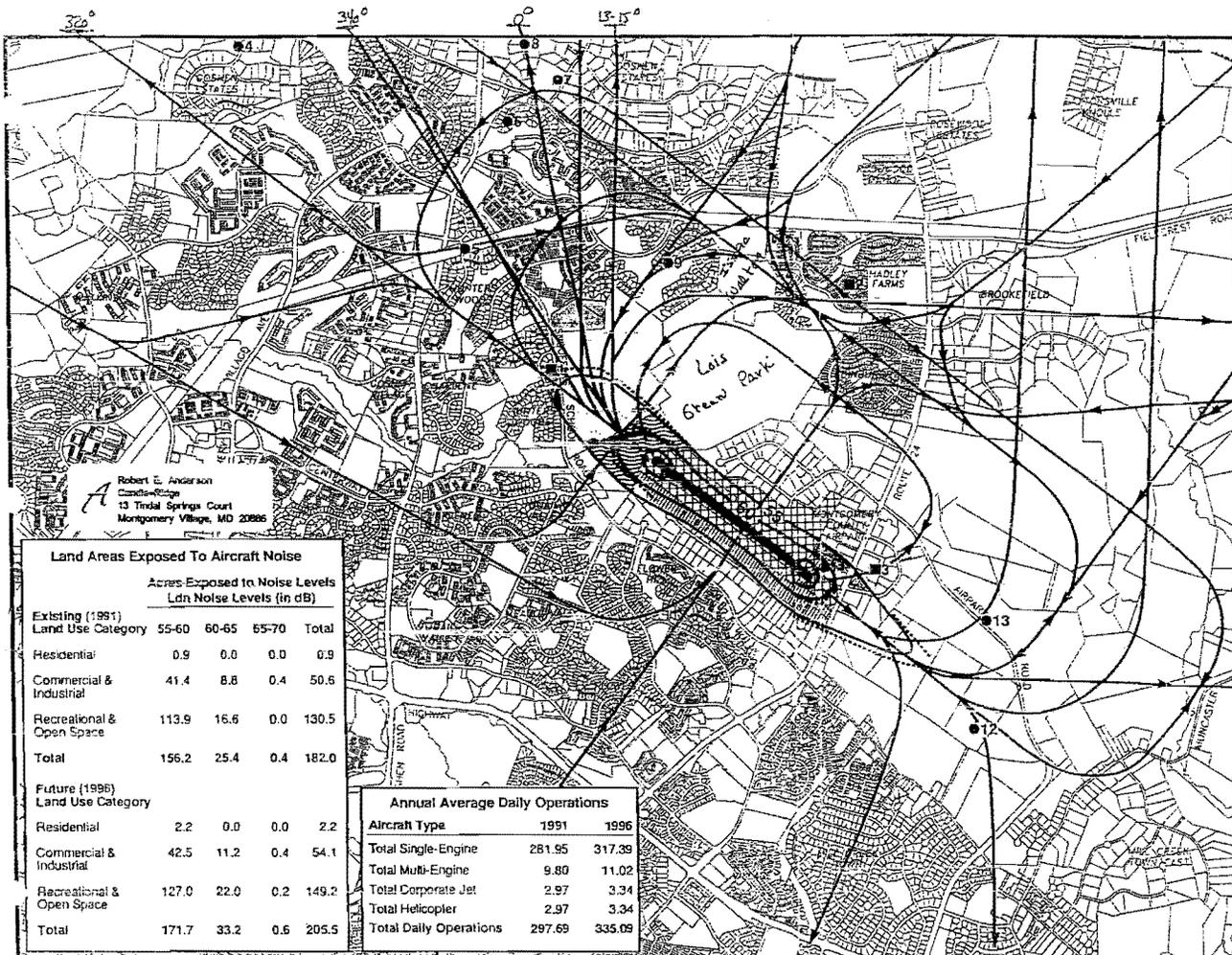
-The Nike Site.

-A Plot owner by a private developer.

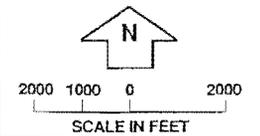
Scale: 1/2" = 1000'

MONTGOMERY COUNTY AIRPARK
 FAR PART 150 STUDY
 MONTGOMERY COUNTY REVENUE AUTHORITY

FIGURE 1.1
 NOISE EXPOSURE MAP SUMMARY



- 1991 CONTOURS
 - 1996 CONTOURS
 - FLIGHT TRACKS
- OFF AIRPORT LAND USE
- RESIDENTIAL
 - ▨ COMMERCIAL
 - ▩ RECREATIONAL
 - ▧ INDUSTRIAL
 - ▤ AIRPORT PROPERTY LINE
- NOISE MEASUREMENT LOCATIONS
- LONG-TERM LOCATION
 - SHORT-TERM LOCATION



HARRIS MILLER MILLER & HANSON INC.

THE LPA GROUP INCORPORATED
 HANFIN ASSOCIATES, INC.

Robert E. Anderson
 Grants-Ridge
 13 Tindal Springs Court
 Montgomery Village, MD 20886

Existing (1991) Land Use Category	Acres Exposed to Noise Levels Ldn Noise Levels (in dB)			Total
	55-60	60-65	65-70	
Residential	0.9	0.0	0.0	0.9
Commercial & Industrial	41.4	8.8	0.4	50.6
Recreational & Open Space	113.9	16.6	0.0	130.5
Total	156.2	25.4	0.4	182.0

Future (1996) Land Use Category	Acres Exposed to Noise Levels Ldn Noise Levels (in dB)			Total
	55-60	60-65	65-70	
Residential	2.2	0.0	0.0	2.2
Commercial & Industrial	42.5	11.2	0.4	54.1
Recreational & Open Space	127.0	22.0	0.2	149.2
Total	171.7	33.2	0.6	205.5

Annual Average Daily Operations		
Aircraft Type	1991	1996
Total Single-Engine	281.95	317.39
Total Multi-Engine	9.80	11.02
Total Corporate Jet	2.97	3.34
Total Helicopter	2.97	3.34
Total Daily Operations	297.69	335.09

Testimony before the Montgomery County Council
Smart Growth – PSTA and Multi-Agency Service Park (Webb Tract)
July 28, 2009

Mr. President, Mr. Vice President, Ladies and Gentlemen of the Montgomery County Council. My name is Roy Bevington and I live in the East Village area of Montgomery Village. I am here as a member of the Mid County Citizens Alliance, a group of citizens in the mid-county area concerned about responsible growth and the maintenance of our area's quality of life and property values.

The County's Smart Growth Initiative plans currently call for the relocation of the Public Safety Training Academy (PSTA), currently located on Great Seneca Highway, to be moved to the Webb Tract. This facility includes academic buildings, canine training facilities, driver training skid and skill pads, a driver training speed track and a fire training building – commonly known as a burn building. We question the logic of relocating some of these facilities to the Webb Tract since the property is in close proximity, on three sides, to long established residential communities. As currently envisioned the driver training speed track will come within 370 feet of a residential area in East Village and the facility will be directly across Snouffer School Road from Hunters Woods, another residential area. A residential area also doesn't seem like an appropriate location for a burn building. The current PSTA site should be upgraded and modernized. It is not located in the midst of a residential area, has a much better road network for access by users and would save the County a significant amount of money. The money saved by upgrading, rather than relocating, could be used for other more pressing County fiscal needs.

Of the other three facilities proposed for relocation to the Webb Tract: School Food Warehouse, School Maintenance Facility and the Parks Department Maintenance Depot, the Parks Department facility appears to be a rush to judgment. This facility houses vehicle storage space (for approximately 220 vehicles), a fuel depot, offices and maintenance shops for everything from lawn mowers to large heavy duty dump trucks. Three other sites were evaluated by the Planning Board but were rejected for, what appear to be, questionable reasons. It does not appear that the decision to relocate this facility to the Webb Tract received a proper and robust vetting process. What about locating this facility on existing park property? One site that comes to mind is Black Hill Regional Park. Land acquisition cost would be zero and the road network offers better access than the roads around the Webb Tract. I'm sure there are also other county owned lands that could serve as the location for this facility and we would ask that they also be reviewed.

Residents living around the Webb Tract are concerned about the effects of development on our communities – our quality of life and property values. We thank you for hearing our concerns.

Thank you.

Roy Bevington
8209 Rainbowview Pl.
Montgomery Village, MD 20886



OFFICE OF THE COUNTY EXECUTIVE

Isiah Leggett
County Executive

Timothy L. Firestine
Chief Administrative Officer

MEMORANDUM

September 16, 2009

To: Phil Andrews, Council President
From: Diane R. Schwartz Jones, Assistant CAO
Subject: Response to Community Questions

2009 SEP 16 PM 3:16
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MONTGOMERY COUNTY
COUNCIL

At an earlier worksession on the Smart Growth Initiative, Councilmember George Leventhal indicated that he had received a list of questions regarding the County's proposed plan to locate government facilities on the 129 acre, industrially zoned tract of land on Snouffer School Road, commonly referred to as the "Webb Tract" or "Centrepark" (Centrepark being the name of the approved plan for development of 23 industrial/warehouse buildings on this site). As indicated in earlier worksessions, County Executive staff has been working with representatives of numerous community interests in connection with the relocation of certain facilities, to include the Public Safety Training Academy (PSTA), MCPS Food Distribution Warehouse, MCPS Schools Maintenance Facility and MNCPPC Parks Maintenance Facility.

Early on these meetings were on a monthly basis for the most part and involved only the County government and community representatives, but in early April following an offer from Miller and Smith to sell the County the entire site and the County's interest in the site for two additional County Service Park uses, the County and representatives from several communities agreed to increase the frequency of our meetings to bi-weekly.

The Mid-county Citizen's Alliance, which is an active participant in these discussions, submitted a list of the issues it has been discussing with the County to Councilmember Leventhal. Executive staff and community represents increased the frequency of meetings from bi-weekly to weekly. The group that has been meeting on Tuesday evenings at the MNCPPC Parks Maintenance Facility on Crabbs Branch Way has been an inclusive group. Staff's approach has been to keep the meetings open to any who wished to participate in these meetings. With the determination to move the Parks and MCPS maintenance facilities on the Webb Tract government participation has included MCPS, the County Executive's Office, the Department of General Services, the Upcounty Regional Services Center, MCPS and MNCPPC Department of Parks, and community representation has included residents from the East Village Association, Mid-county Citizen's Alliance, Montgomery Village Foundation, Montgomery Village, Flower Hill, Hunters Woods, and others.

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This memorandum is provided to the County Council as a summary of the discussions and the County Executive's position on many of the issues raised. Executive staff responses are also included for some matters that have not yet been fully discussed. This is not intended as a consensus document. It is also not intended to reflect the position of residents. For clarity the summary of discussions and positions is stated after each item from the MICCA paper.

Resident's Concerns and Questions

Resident's concerns and questions with these plans are focused on the following areas.

1. *Maintain lots 6 & 7 as green space, no build for the next hundred years. These lots are in close proximity to residential areas.*

In our discussions residents expressed concern that the 300-foot "no-build area" and 70-foot limited build area previously proposed by the County would be an inadequate visual buffer. The community expressed concern about appearance and that, given the scope of the pending Gaithersburg West Master Plan, it should be treated as well as any other community and not be short changed. A desire not to see the public facilities was clearly expressed. A request was made that the County, after purchasing the tract, maintain green space by deeding lots 6 and 7 to the community.

Response: Executive staff, in previous discussions has committed to creation of certain setback areas to include a 300-foot no build area plus a 70-foot limited build area closest to some homes in the Meadowgate neighborhood, along with a 150-foot triangular buffer near a group of residences on the northwest corner of the site. The County will plant more vegetation in the areas to enhance the buffer provided by these areas. It is premature to determine the vegetation to be used to enhance the buffer area, but once funding is in place and a conceptual plan selected, the County can proceed with the landscape plan for this area which will be coordinated with the neighborhood.

Purchasing land to then convey to private interests in this situation is not a good precedent, particularly when there are other tools that we can use to accomplish the objective of maintaining the buffer areas as green spaces. Given that the Lois Green Park is nearby, the County Executive has agreed that the 300-foot buffer area should be treated as public park land so that confronting homes will be next to park land. The exact mechanism needs to be sorted out with Park and Planning. It could be done through dedication or conveyance to Park and Planning or through the existing 1972 agreement that governs the transfer of maintenance of County land for parks to Park and Planning. We contemplate that the County Executive will sign an Executive Order to make clear the Executive action being undertaken.

2. *Build a sound wall between the PSTA driving track and residential areas to reduce/eliminate noise from the track.*

The community representatives expressed concern that with the distance involved, the residents will see, hear and smell activities, which they don't want to do. They suggested the

placement of sound walls like the ones being used in connection with the ICC. The community would like the decibel level to be lower than that allowed by law because the sound will travel to the neighboring residential community. There was also concern about single events of exceeding a stated decibel level rather than an averaged sustained decibel level. The community is very concerned that if a noise wall is not built as part of the original project, it will not be built later.

Response: The County is willing to install a sound wall if, upon study, a sound wall is established as an effective and necessary means of reducing sounds from the PSTA. The County will also review the effectiveness of other design elements as necessary, such as site layout and orientation, berms, additional vegetation, grade cuts or other yet unidentified design elements to reduce sounds. MCG will perform noise surveys and sound generation to determine mitigation method. The Department of General Services believes that the best way to address noise is at the source. The Site plan will affect the need for a wall. The County will have a noise study of the entire Webb Tract and if a noise wall is called for it will be part of the published report.

3. *Establish "no drive zones" for delivery trucks coming and going from the Webb Tract. This includes county vehicles as well as vehicles making deliveries to the Webb Tract. Streets to avoid using include: East Village Ave., Goshen Rd., Lewisberry Dr. and Centerway Rd. (these are all residential streets).*

Response: Participants in the meeting are concerned about additional traffic on residential streets and asked that Montgomery County commit to a preferred traffic routing plan for employees and visitors and provide routing instructions to all contractors and shippers delivering items to the site. The County agrees to develop a route protocol that will address county vehicles making deliveries to and leaving the Webb Tract with certain exceptions. This protocol will also address emergency service vehicles (whether operated by career or volunteer personnel) arriving at and leaving the site other than in emergency circumstances. Patrol vehicles will not be part of the route protocol as there is sound policy and public welfare reasons for patrol vehicles to have a presence on all streets within the County. Likewise, in situations where any of the emergency services vehicles are called to respond to an emergency, no route protocol will apply.

MNCPPC's Department of Parks agreed that it would participate in the route protocol except for work that is to be performed in areas covered by the protocol. Likewise, MCPS agreed that it would participate in the route protocol except for facilities that it will serve within the areas covered by the route protocol. The County Executive agreed that the route protocol will be established by an Executive Order. Additionally, the route protocol will be required of MCPS and MNCPPC in a memorandum of understanding with the County governing co-location at the site.

The County agrees that the Executive Order establishing the route protocol will include certain explanatory background information and express the intent of the protocol to protect the community from effects of traffic impacts from delivery trucks and EMS vehicles accessing and leaving the Webb Tract. The community expressed particular concerns about Centerway Road, Goshen Road, Montgomery Village Avenue, Wightman road, Lewisberry

Road and East Village Avenue. County staff will discuss these roads with both the traffic consultant and the Department of Transportation. The County agrees that the route protocol will include a requirement that the government agencies provide explicit shipping and receiving instructions including route instructions for arrivals and departures at the Webb Tract. There was general discussion about enforcement and the County indicated that it would not expect to take enforcement actions against contractors but would include an education element and active efforts to promote, encourage and ask for cooperation from vendors and users of the site. The route protocol could be shared at bid conferences as well.

The County will need to confirm the route protocol with its consultant and the Department of Transportation, but the discussion with the community was that the route protocol for arrivals would instruct trucks destined for the Webb Tract to take I-270 or Route 355 to Shady Grove Road and then to Snouffer School Road. The protocol for departures would instruct the driver to exit left onto Snouffer School Road, proceed past Centerway Road to Route 124 and then to Shady Grove Road.

There was discussion about whether or not a route protocol would apply to employees. The government agencies, understood, as indicated by the initial statement of the issue, that this pertained to deliveries and EMS vehicles. The government agencies would not be able to enforce such a protocol against employees and there are employment issues with attempting to impose such a restriction. The route protocol will include construction vehicles.

4. *PSTA Burn Building – no taller than four stories, how will it operate? We have been told it will be “state-of-the-art” but have yet to have that fully explained or to see an operational facility.*

Response: Members of the community expressed concerns about line-of-site, visual impact and theatrical smoke (fog). The PSTA Fire Activity Building will be within the allowable height (in terms of elevation) as determined by the FAA. The County referred participants to the Howard County Public Safety Training Center in Marriottsville, Maryland as a current model of the design anticipated at the Webb Tract. However, the County made clear that the Fire Activity Building in Howard County is too low and does not permit adequate training for ladder apparatus, where 5-6 floors are necessary for adequate ladder training. The height limitation for the building will be determined by elevation and site line once site topography is determined.

The community has asked for a second tour of the County's PSTA. A morning tour had been set up, but at the request of the community that the tour be in the evening, the tour has been rescheduled to an evening time. At that tour operation of the Fire Activity Building will be demonstrated.

5. *Snouffer School Rd. widening will place the road very close to homes in East Village and Hunters Woods. Need sound walls to mitigate noise and provide safety for residents.*

Response: The County is committed to improve Snouffer School Road as may be dictated by a full traffic report recommendation. The parties discussed Miller and Smith's

preliminary noise analysis which indicated that the road as it exists today does have noise issues in some areas that would require some mitigation, but that Miller and Smith had not yet identified what the mitigation would be for the road. Miller and Smith's budget estimates for the improvements necessary to Snouffer School Road due to existing conditions and the proposed Centrepark did include limited noise wall areas.

The County is reviewing the plans prepared by Miller and Smith which were approximately 70% complete. The County prior to concluding its traffic analysis will observe school bus stops to ensure that the analysis addresses these areas as well.

In addition to the above stated consideration, a concern was raised that Clubhouse Road will be used as an alternative route if Snouffer School Road is backed up. This concern was brought to the attention of the County's traffic consultant.

6. *What is the plan – Residents still do not know exactly what the county has planned? Residents want to see concrete plans – not just verbal discussions.*

Response: To see concrete plans, the Department of General Services needs funding. Following Miller and Smith's offer to the County to purchase the entire Webb Tract, the County advised the community of its intent to place four uses on the entirety of the Webb Tract. These uses are the PSTA, the MCPS Food Distribution Warehouse, the MCPS maintenance facilities and the MNCPPC Parks maintenance facilities. In order to develop conceptual layouts for these facilities the County requires funding for the work. The County Executive asked for funding for planning and preliminary design for the Smart Growth Initiative by way of an omnibus Smart Growth Initiative PDF last November. The Council did not act on that specific request, and the County Executive has again asked for funding for planning and preliminary design. That decision is now pending before the Council. It is imperative that the funding be authorized so that the County can work with the community to develop conceptual layouts that will address many of the questions raised about the site.

7. *Alternative Sites Need to be Reviewed – Existing County Park Facilities*
- a. *One Potential Site is Black Hill Regional Park. It offers the following benefits:*
 - i. *County owns the land – no cost to purchase.*
 - ii. *Already has a regional storage yard – enlarge to handle maintenance depot.*
 - iii. *Good road network just off Rt. 355 – west on Old Baltimore Road, south and north on Rt. 355 to I-2.*

Response: The Council Packet for the June 25, 2009 worksession on this subject included a memorandum from the Department of Parks explaining its site review process for the relocation of the Parks Maintenance Facility. At a regular meeting with the community this summer, Parks explained the process that it followed. The matter was discussed by the Planning Board on two occasions. Last February discussion was noticed on the Planning Board's agenda and at that time the Department of Parks was focusing on existing Park sites for relocation of the maintenance facility. Staff looked at sites on a GIS basis, road accessibility, geographic location,

infrastructure availability, size (20-25 acres), environmental constraints, and developable footprint basis.

Staff determined and reported to the Planning Board that there was not a suitable site in the Parks inventory. Staff identified the Webb Tract as a possibility and a site on Travilah Road (Johnson's Hydroseeding and others). Parks staff explained that seller willingness to sell was also a consideration.

There was general discussion about the significance of road classification as well. Access to an arterial road was an access consideration. Roads that are not arterial would require a process for reclassification. The Webb Tract is located on Snouffer School Road which is classified as an arterial road.

Parks indicated that it looked at its facility being vacated as it is and its service needs out into the future. Parks developed a program of requirements and looked at the above mentioned criteria to find a suitable site. The following sites were not recommended:

- Travilah Rd – a large portion of the site was not available due to streams, buffers and slopes. Additionally, access would not be onto an arterial road.
 - McGowan Property by Game Preserve Road – Staff advised the Planning Board that the CCT was a factor but that there were other factors for not pursuing this parcel. The site has steep slopes and without Watkins Mill the site is inaccessible. Parks could not contact the owner and the Planning Board concluded that the site is not available. The community expressed interest in this site if the CCT is BR; however this site has already been rejected by the Planning Board.
 - 18 Acre Rock Creek Ridge – between Rock Creek Park and ICC owned by the State. This is identified as a dredge spoil site for dredging Lake Needwood. It is also on a primary residential road.
 - Blackwell Park – This site, as a high quality rated forest has environmental constraints, is not considered geographically well suited to Parks' needs and does not have an adequate developable footprint.
 - The community asked about whether Parks should break up uses. Parks indicated that it would not be cost effective to decentralize its central parks maintenance operations. A study was undertaken years ago about the cost effectiveness of moving from a decentralized to a centralized approach and it was determined that there were significant savings and efficiencies from centralization relating to staffing, assignment and dispatch of staff.
8. *Hours of operation for: PSTA – driving track, skills driving pads, burn building, deliveries to Webb Tract facilities, county vehicles leaving the Webb Tract.*

Response: The County provided a detailed statement of the hours of operation and activities at the PSTA. As this concern relates to noise and scheduling for activities, the County will need to know where the activity is expected to happen. The community is concerned about noise, which, as indicated above, if studies indicate that noise mitigation is

required, it will be provided. The County has repeatedly pointed out that proper site design and configuration is important to this issue.

The County cannot contract away its police powers nor frustrate its purpose by committing to restricted hours of operation, but we can establish a liaison committee as an ongoing process to share information in advance of new recruit schedules or on some type of a regular schedule. Information was also provided relative to the peak hours for traffic study purposes. The County will provide a comparative table showing current conditions at site, proposed private traffic generation and proposed government agencies traffic generation. For purposes of the traffic study, the County will include the intersections about which the community has expressed concerns. The scope of the traffic study was provided to the community participants and the County brought its traffic consultant to a meeting to discuss any concerns that the community may have about the scope of the study and traffic in general. The traffic study will be conducted now that school is back in session.

9. *Do not use emergency lights and sirens on the driving track and during fire training exercises.*

Response: Fire does not have sirens during training. The Police Department however does have very limited siren training. There is no internal siren for training purposes that would meet the needs of the Police Department. The siren demonstration is important for recruits to realize that they are unable to hear the siren when the police car is immediately behind their vehicle. The demonstration is part of entry level driver's training which takes place only two times per year, 2-4 weeks in the Spring and 2-4 weeks in the Fall. The siren demonstration takes place on the last day of each week of training – usually in the late morning or early afternoon. The total demonstration is 15-30 minutes with the siren being used in 3-5 minute intervals as recruits are switched out of vehicles. Captain Faas and Chief Clemens attended a meeting with the community as well to answer questions relative to training activities.

10. *What are the county's plans for traffic flow? Snouffer School Rd. will be widened to five lanes, but the road will narrow to two lanes at Goshen Rd. and Route 124. This will create traffic bottlenecks at both these locations.*

Response: The County is in the process of having a traffic study conducted. The scope of work for the traffic study was provided to the working group and the County's traffic consultant was brought in to discuss both the traffic study and traffic concerns.

Park and Planning has indicated that the County need not perform a full traffic impact study because the site is already approved for a certain maximum number of trips and the County's use is lower than that which is already approved. Park and Planning requires a Tier 2 review looking out to the second signal away from the site. However, the County has asked the traffic consultant to look at additional intersections.

The residents shared concerns specifically about traffic cutting over to East Village Avenue to circumvent traffic on Snouffer School Road and about Club House Road being a cut-through. The discussions on traffic went beyond just the impacts from the use of the

Webb Tract. Some members of the group felt that the County must address the larger issue of Montgomery Village traffic and traffic flow resulting from all of the Smart Growth projects, the County master plans and development plans.

In connection with the project, the County will improve Snouffer School Road per recommendations of the full Traffic Study.

As a part of the budget process, the Department of Transportation has recommended inclusion of a project for improvements to Snouffer School Road to include widening from Woodfield Road (Md124) to Centerway Road. The roadway typical section consists of two through lanes in each direction, a continuous center lane, 5' bike lanes in each direction and 8' bikepath on the north side with a 5' sidewalk on the southside within a 90' right-of-way. This typical section was previously approved by the County Council T&E Committee.

The Department of Transportation indicates that the traffic volume north of Goshen is lower than south of Goshen and that is why Snouffer School Road is not being proposed for widening beyond Goshen at this time. On the south end, at Md 124, the Department of Transportation advises that the widening of Md 124 from Snouffer School Road to Mid County Highway is included in the County Executive – County Council joint priority letter to the State as the number 3 priority for state implementation. To that effect, the County has committed to allocate \$5,000,000 in FY 12 and FY 13 for the State to advance the final engineering design of the project. This allocation is already included in the County's CIP, under the State Transportation Participation, CIP Number 500722.

A concern was raised about the need for a noise wall along Snouffer School Road in the general area of Lewisberry and Snouffer School. The noise study will indicate what attenuation will be required. See also Response #5.

11. Environmental – what are the long range effect of burning propane gas, diesel fumes, theatrical smoke, etc. on the residents over the next 20 years?

Response: The County is bringing in a consultant familiar with theatrical fog and experience with air modeling to do a theatrical fog dispersion modeling and health risk evaluation.

12. Public Health Concerns – long term affects of smoke from burn building, combustion of propane for fire training, diesel exhaust, and pollutants from heavy vehicle maintenance yard.

Response: The above referenced consultant will also look at the effects from combustion of propane used in fire safety training.

13. Concerns about storage of large quantities of propane, diesel fuel and gasoline at the end of an active runway for Montgomery County Airpark. In March there was a plane crash at the Airpark, luckily no one was injured. However, flammables stored on the Webb Tract could result in a disaster if there was another plane crash.

Response: A suggestion has been made that fuel storage tanks should be underground. All gasoline fuel tanks will be below ground. Propane tanks cannot be below ground but will be appropriately shielded.

14. *The economic status of the county is currently not healthy – where will it be a year or two? How will this project be funded in the short term and over the long term? Why not put Science City and Shady Grove on hold due to the county's finances. What important items (schools, infrastructure improvements, public safety, public transportation, health and welfare programs) will be neglected due to lack of funding?*

Response: The Smart Growth Initiative has been structured to leverage land values, lease offsets, budgeted and planned projects, and net revenues so that the new facilities at new locations can be paid for without competing against other budget needs. Most of the individual projects within the Smart Growth Initiative will be funded using interim financing and not GO debt because of the availability of the referenced offsets. The County can also adjust the timing of when the interim financing is paid off to address budget needs and revenues in any given year. No important items will be neglected due to the Smart Growth Initiative.

15. *What will the county do for residents of East Village, Eastgate, the greater Montgomery Village area, Hunters Woods, Hadley Farms and other surrounding communities? The Webb Tract is surrounded on three sides by these residential communities. Property values will decline and the quality of life will be negatively impacted due to noise, light and potentially ground pollution. The only winner in what the county has been presented – is the county. The communities surrounding the Webb Tract will see a decline in the quality of life while the communities surrounding Shady Grove Metro area and the proposed Science City area will be enhanced. What will the county do for residents in the communities surrounding the Webb Tract? At a minimum – no build on lots 6 and 7, sound walls, find another location for heavy equipment storage and maintenance (Park Department facility).*

Response: The Webb Tract has housing on two sides (one w/Snouffer School Road between the site and the housing), the Izaak Walton League and the Airpark with accompanying industrial uses on another side and Lois Green Park on a fourth side. The County does not believe that the proposed government uses of this industrially zoned land will result in a diminution of property values. The approved preliminary plan for the site allows for 23 warehouse/industrial buildings. The County's proposed uses will be much less intense than what is currently authorized. Moreover, the County is working with and will continue to work with members of the community to address concerns and to come up with a sensitive site layout and appealing design. The County has agreed to provide a large buffer area that will be treated as park land (the details of which will be worked out with Park and Planning) which is more than the community would receive if the site is privately developed and which will provide the adjoining community with additional park adjacency. It is also worth noting that the existing Public Safety Training Academy is located 15/100ths of a mile from a residential community where a modest 3 bedroom home is priced at in excess of Six Hundred Thousand Dollars.

16. *Location of Parks Department Maintenance Facility. The community does not think the vetting process for these facilities was adequately performed. Three sites were evaluated and turned down for very weak reasons. These sites were:*

- a. Rock Quarry on Travilah Road*
 - i. 14 acres good for development.*
 - ii. Residents did not want trucks on street – but they have trucks already due to the quarry.*
- b. 77 Acre McGowan Property – off Inter State 270 north of 124 in Gaithersburg.*
 - i. New Cities Transitway – New Road, - new access road to main road*
 - ii. 34 Acres in the center are available for development but the owner did not return phone calls from the county regarding purchase.*
- c. 18 Acre Rock Creek Ridge parcel on the north side of Needwood Road adjacent to planning board's Rock Creek Maintenance yard.*
 - i. Site was used for the Lake Needwood dredging Project.*

Response: See response to question 7.

17. *A concern was raised regarding pedestrian safety.*

Response: A bike path and sidewalk were included in the plans provided by the private developer. This feature will be expected to be included in the County's plans as well.

18. *What was the site selection process that arrived at Webb as the best site.*

Response: See response to question 7. The County likewise looks at sites on a GIS basis, road accessibility, geographic location, infrastructure availability, size (20-25 acres), environmental constraints, and developable footprint basis. Another important consideration is zoning and a willing seller.

Residents and County staff have been very dedicated to discussing the issues raised in this paper and to understanding expectations, concerns and commitments. Both the community and County staff have spent many hours of their personal time this summer and spring working on the items listed in this sheet. While we may not be able to address every concern that is raised, this approach and the understandings that are being forged are important for the welfare of the community and to ensure that the County and its sister agencies, provide, operate and manage these facilities in a manner that is sensitive to neighboring communities. Documents that were created and provided in connection with these discussions are attached to this memorandum. Executive staff is available to answer any questions that the Council may have.

DSJ

cc: Webb Tract Work Group

Montgomery County Smart Growth Initiative Comparison with
Centerpark Approvals

County statistics are preliminary and subject to change

3/10/09	Montgomery County (excluding Lot 10)	Approved Preliminary Plan (excluding Lot 10)
BUILDINGS		
1 Maximum On-Site Building Area	595,700 SF footprint	1,236,211 SF
2		
3 Building Height	42' max for all buildings 80' max for Fire Safety Training Building only	42' max on Lots 1-5 and 8-23 35' max on Lots 6 & 7
4		
5 LEED Certification	LEED Silver for buildings over 10,000 s.f.	LEED certified for buildings over 10,000 s.f.
6		
SITE		
7 Impervious Area (total)	48 acres (36%)	86 acres (66%)
8 Building Coverage (footprint)	14 acres (10.4%) - 595,700 SF	21 acres (16%) - 918,000 s.f.
9 Impervious Paved Surfaces	34 acres (25.4%)	65 acres (50%)
10 Green Area (total)	66 acres (64%)	45 acres (34%)
11 Forested Area (part of Green Area)	28 acres (21%)	20 acres (21%)
12 Lot 7	81% of area in tree preservation 300-foot setback from residential	36% of Lot 7 in tree preservation 100-foot minimum setback from residential
13		
TRAFFIC		
15 AM Peak Hour Vehicle Trips	660-750	1,313 maximum
16 PM Peak Hour Vehicle Trips	590-680	1,166 maximum
17		
USES		
Potential Uses	Proposed County Uses Matched to Permitted Uses:	Permitted and Special Exception Uses Similar to County Uses:
18	Fire and Rescue Training.....	Ambulance, Fire Stations, or Rescue Squads
19	Fleet Maintenance.....	Animal Boarding Places Auto Repair
20		Building Materials & Supplies Dry Cleaning & Laundry Plant Eating & Drinking Establishments (no drive-thru) Food Production, Packaging, Packing & Canning
21	MCPS Food Service Warehouse.....	Gas Station
22	On-site Fleet Fueling.....	Helports/Helistsops Hospitals Industrial, Light
23	Maintenance Facilities.....	Laboratories Lumberyards Manufacturing Manufacturing of Light Sheet Metal Products
24	M-NCPPC Metal Shop.....	Manufacturing/Assembly - Previously Prepared Materials
25	M-NCPPC Exhibit Shop.....	Offloading & Transfer for storage of Sand, Gravel or Rocks
26	M-NCPPC Sand & Gravel Storage.....	Offices Outdoor Storage
27	PSTA and M-NCPPC Offices.....	Parking of Motor Vehicles for Permitted Uses of Zone
28	M-NCPPC Outdoor Storage.....	Place of Religious Worship
29	Parking.....	Printing & Publishing Publicly Owned & Operated Uses Recreation Establishments
30	Publicly Owned & Operated Uses.....	Retail/Personal Services
31	Exercise Facilities for Staff & Training.....	Rifle or Pistol Ranges, Indoor Sign Shop
32	Indoor Rifle/Pistol Range.....	Trade or Technical School
33	M-NCPPC Sign Shop.....	Trucking Terminals
34	PSTA and M-NCPPC Training.....	Warehouse Welding Shops
35	MCPS & M-NCPPC Warehousing.....	Wholesale Trades
36	M-NCPPC Welding Shop.....	
37	Public Access/Uses	Constructing Access Road to Lois Green Farm Conservation Park
38	Lois Green Conservation Farm Park Parking Lot (completed)	Lois Green Conservation Farm Park Parking Lot (completed)
39	Bike Path along Snouffer School Road	Bike Path along Snouffer School Road
40	Snouffer School Road Widening	Snouffer School Road Widening
41	Community Facilities/Uses	Multi Purpose and Conference facilities
42		None
OPERATIONS		
43 Jobs (on-site)	TBD	3,201 (calculated by M-NCPPC during approval process)
44 Hours	4:30 AM to 11:30 PM (varies among buildings)	Uncontrolled - potentially 24 hrs/day
45 Long Term Control	Owned by Montgomery County with Citizen Input	Lots to be owned by Individuals, Property Owners Association to manage common area.
46		

Centapark West only

DIURNAL DISTRIBUTION FOR INDUSTRIAL PARK

Driveway "A"
Volumes

Hour End	IN	OUT	TOTAL	
06:00	50	16	66	71
07:00	209	38	247	267
08:00	691	75	766	827
09:00	463	77	540	583
10:00	131	71	202	218
11:00	108	106	214	231
12:00	118	204	322	493
01:00	269	270	539	562
02:00	215	129	344	359
03:00	130	118	248	249
04:00	126	186	312	314
05:00	98	612	710	714
06:00	55	357	412	414
07:00	46	210	256	257
08:00	25	54	79	79
09:00	30	44	74	74

B 3

ARR-13-1-995 02:34 FROM

10

1000000000

F. 2. 4

102

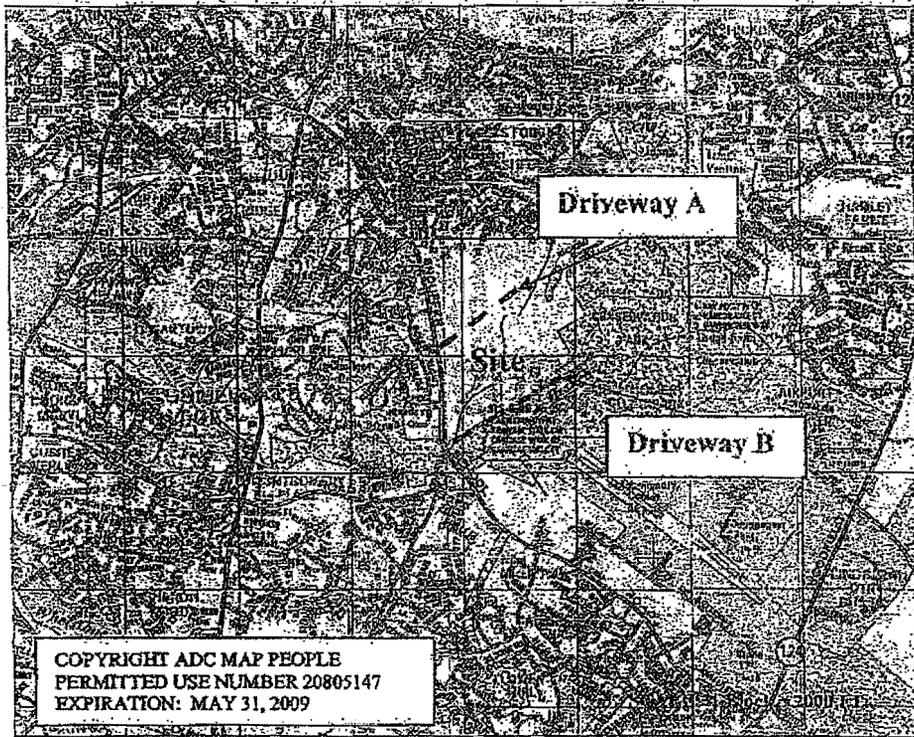


Figure 1 – Site Location Map

Table 1 – Previously Approved Peak Hour Trips*

Density/Use	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
559,300 SF R&D (ITE Code 760)	577	117	694	89	515	604
192,720 SF Warehouse (ITE Code 150)	109	24	133	27	83	110
Subtotal Driveway A	686	141	827	116	598	714
247,626 SF Business Park (ITE Code 770)	295	57	352	78	261	339
268,565 SF Warehouse (ITE Code 150)	137	31	168	36	107	143
Subtotal Driveway B	432	88	520	114	368	482
Total Site Trips	1,118	229	1,347	230	966	1,196

*Airpark North Traffic Study Addendum, dated June 16, 2004.

The Montgomery County Property Use Study provides for the acquisition of the entire northwest portion of the property as part of their efforts to upgrade, consolidate and relocate several County facilities. These include the Public Safety Training Academy (PSTA) and the Montgomery

SCOPE OF WORK

Property Use Initiative Program, Webb Tract Traffic Impact Study
August 28, 2009

Based on discussions with the Maryland-National Capital Park & Planning Commission (M-NCPPC), the following represents the Scope of Work associated with the Webb Tract Traffic Impact Study in Gaithersburg, Maryland.

1. Conduct a preliminary site review to confirm roadway/intersection geometry and traffic control, observe peak period observations, and perform an AM and PM peak period turning movement counts at each intersection to be evaluated.
 - Snouffer School Road at Centerway Road
 - Snouffer School Road at Lewisberry Drive
 - Snouffer School Road at Goshen Road
 - Snouffer School Road at Alliston Hollow Way
 - Snouffer School Road at Mooney Drive
 - Centerway Road at Goshen Road
 - Snouffer School Road at Woodfield Road (MD 124)
 - Centerway Road at Montgomery Village Avenue
2. Create a Synchro file for the above referenced network and run a capacity analysis of "Existing" Conditions.
3. Confirm background development with Montgomery County and M-NCPPC. Generate, distribute and assign trips for any proposed development in the area. Run a capacity analysis of Background Conditions.
4. Confirm trip generation for the uses to be located at the Webb Tract and assign trips to the roadway network. These uses include the Public Safety Training Academy (Fire & Police), the Montgomery County Public School's Food & Nutrition Services, Montgomery County Public School's Building Maintenance, and M-NCPPC Maintenance.
5. Prepare a Preliminary Traffic Impact Study report for County review and comment. Meet with the County to discuss our findings and receive comments. Address comments and prepare a Final report.
6. Attend up to two additional meetings/presentations as required.

Montgomery County Traffic Flow in Webb Tract

Time	3:00	3:30	4:00	4:30	5:00	5:30	6:00	6:30	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30	12:00	12:30	13:00	13:30	14:00	14:30	15:00	15:30	16:00	16:30	17:00	17:30	18:00	18:30	19:00	19:30	20:00	20:30	21:00	21:30	22:00	22:30	23:00	23:30	Total
Traffic Flow For Webb Tract West	7	0	0	0	9	65	242	163	161	137	33	83	25	15	23	42	48	32	190	37	179	68	128	159	204	79	156	6	65	30	80	10	210	0	0	0	0	44	218	42	30	3	2980

105

Montgomery County Public Safety Training Academy Traffic Flow in Webb Tract West

Traffic Flow For PSTA		3:00	3:30	4:00	4:30	5:00	5:30	6:00	6:30	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30	12:00	12:30	13:00	13:30	14:00	14:30	15:00	15:30	16:00	16:30	17:00	17:30	18:00	18:30	19:00	19:30	20:00	20:30	21:00	21:30	22:00	22:30	23:00	23:30	Total					
Employee					5	44	6	41		10									10		10					8	30	42	10		16		10								7		3	253					
Visitor/Student						20	30	40	102			30	1						1		53	70	130			20			130			42	50	40		210					40	220		30		1326			
Delivery Trucks													5	2		2	3		2			4	4																							18			
Fire Trucks													2													2																				42			
School Bus																14	14				4	4	1		14	14																				56			
Ride On Bus						5																				5																					10		
Total		0	0	0	0	5	0	69	56	81	102	14	30	8	2	2	17	17	14	174	15	144	14	0	35	30	42	140	0	63	50	50	10	210	0	0	0	0	40	220	17	30	3	1704					
Delivery Trucks = 28 feet																																																	
Fire Trucks = 34 feet																																																	
School Bus = 40 feet																																																	
Ride On Bus = 40 feet																																																	
Yellow highlight defines departure																																																	
Orange highlight defines arrival and departure																																																	
Traffic Flow For Webb Tract West		0	0	0	0	5	0	69	56	81	102	14	30	8	2	2	17	17	14	174	15	144	14	0	35	30	42	140	0	63	50	50	10	210	0	0	0	0	40	220	17	30	3	1704					

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Montgomery County Public School and Montgomery County National Park and Planning Commission Traffic Flow in Webb Tract East

MCP's Division of Maintenance -- Daily Traffic Flow Estimates (Mon-Fri)
 (Prepared by: Roy Higgins, Director, Division of Maintenance, 301-840-0107)

TIME	3:00	3:30	4:00	4:30	5:00	5:30	6:00	6:30	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30	12:00	12:30	13:00	13:30	14:00	14:30	15:00	15:30	16:00	16:30	17:00	17:30	18:00	18:30	19:00	19:30	20:00	20:30	21:00	21:30	22:00	22:30	23:00	23:30	Total			
Employee Vehs					4	40	15	40	6								2		3					25	45	20	30	5															25		260	
MCPS Maint Vehs					2	25	15	4	2	4			3	5		2	3	2	1	2	4	20	14	7	5																	4	8			132
Vendor Vehs												1	2		1	2		1			1																									6
Visitors											1	1	1	2	2	2	2				1																								12	
Total	0	0	0	0	4	42	40	55	10	3	5	5	9	2	5	5	5	1	5	6	20	39	52	25	30	5	0	0	0	0	0	0	0	0	0	0	0	0	0	4	8	25	0	0	410	

NOTES:
 Employee Vehicles = Typically Less than 1-Ton Capacity
 MCPS Maint Vehs = 70-85% 1-Ton Capacity or Less; 15-30% Larger than 1-Ton Capacity (Typically up to 2-1/2-Ton)
 Vendor Vehs = Typically 1/2-Ton to 5-Ton Capacity
 Visitors = Typically Less than 1-Ton Capacity

Traffic Flow for MCPS Food Nutrition Services

TIME	3:00	3:30	4:00	4:30	5:00	5:30	6:00	6:30	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30	12:00	12:30	13:00	13:30	14:00	14:30	15:00	15:30	16:00	16:30	17:00	17:30	18:00	18:30	19:00	19:30	20:00	20:30	21:00	21:30	22:00	22:30	23:00	23:30	Total		
Employee	7			4	34	10	31	7	11	6	2	3					7					4	1	45	40	11	7	6	8	2														264	
MCPS FS Trucks					1		17					1										8	8																					36	
Vendor Trucks						1	1		2	2	1	1	1	1	1	1	1	1	1	1	1	1																							18
Service Trucks												1																																7	
Visitors																																													0
Total	7	0	0	0	4	56	11	48	9	13	7	5	4	1	1	2	8	1	1	2	5	9	54	40	11	7	6	6	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	320

NOTES:
 MCPS Trucks = 28 feet
 Vendor Trucks = 28 feet or semi-trailers
 Service Trucks = Maintenance vehicles
 Vendor trucks arrive at the facility, are offloaded (we allow 1 hour) and then leave. Receiving is scheduled between the hours of 7:00 a.m. and 1:30 p.m. On average, there are 10 vendor trucks a day. This number fluctuates depending on the time of year, with more trucks in August and September. The departure of the vendor trucks is identified in yellow.

MNCPPC Shady Grove Central Maintenance Division
 (Prepared by: Al Astorga-Central Maintenance Division Chief)

TIME	3:00	3:30	4:00	4:30	5:00	5:30	6:00	6:30	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30	12:00	12:30	13:00	13:30	14:00	14:30	15:00	15:30	16:00	16:30	17:00	17:30	18:00	18:30	19:00	19:30	20:00	20:30	21:00	21:30	22:00	22:30	23:00	23:30	Total		
Emp. Vehs					5	120																				120		5																	280
MNCPPC Maint. Vehs							19	16	12	7	9	8	3	13	17	13	11	10			14	22	14	28	31	18																		267	
Vendor Vehs											2	4	0		3		3	1	4		1	2	1	4	1																			28	
Visitors																																													1
Total	0	0	0	0	5	120	19	16	12	9	13	8	3	18	18	18	12	14		15	24	15	32	32	138	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	546

NOTES:
 Employee Vehicles = Typically Less than 1-Ton Capacity
 MNCPPC Maint Vehs = 50 - 60% 1-Ton Capacity or Less; 30-40% Larger than 1-Ton Capacity (Typically up to 2-1/2-Ton)
 Vendor Vehs = Typically 1/2 - Ton to 5 - Ton Capacity
 Visitors = Typically Less than 1 - Ton Capacity

Traffic Flow For Webb Tract East

TIME	3:00	3:30	4:00	4:30	5:00	5:30	6:00	6:30	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30	12:00	12:30	13:00	13:30	14:00	14:30	15:00	15:30	16:00	16:30	17:00	17:30	18:00	18:30	19:00	19:30	20:00	20:30	21:00	21:30	22:00	22:30	23:00	23:30	Total	
Total	7	0	0	0	4	65	173	107	80	35	19	23	17	13	21	25	31	18	16	22	33	44	125	124	174	37	16	6	2	0	0	0	0	0	0	0	0	0	4	8	25	0	0	1276

107

LAM
CC
GO

Brogden, Karen

From: Roy Bevington [bevingtonroy@msn.com]
Sent: Wednesday, September 16, 2009 1:48 PM
To: Jones, Diane (CEX); Dise, David E.; Montgomery County Council; Bob Hincke; Denise Sheehan (office); Jerry Donegan; Roy Bevington; Terry O'Grady
Subject: MCCA Comments on Webb Tract Summary

Hello Everyone,

Attached please find MidCounty Citizen's Alliance (MCCA) comments on the summary report issued by Diane Schwartz-Jones concerning meetings between county government and community leadership. These meetings were held to provide answers to resident's concerns regarding the development of county facilities on the Webb Tract. MCCA thanks Montgomery County representatives for their time and effort in working toward resolution of the concerns raised. Meetings were conducted in an atmosphere of mutual respect and understanding by all parties involved.

While these meetings were very useful and did result in resolution of a number of issues, MCCA is not in total agreement with everything discussed. Therefore, the attached report is submitted which identifies areas of agreement, disagreement and those needing additional discussion. MCCA seeks to minimize the impact on communities surrounding the Webb Tract while working in good faith with county government to accomplish that goal.

Thank you all for your involvement in the many issues surrounding development on the Webb Tract.

Sincerely,

MCCA Leadership
Bob Hincke
Denise Sheehan
Jerry Donegan
Roy Bevington
Terry O'Grady

RECEIVED
MONTGOMERY COUNTY
COUNCIL
2009 SEP 16 PM 3:19

MidCounty Citizen's Alliance
Webb Tract Development
Resident's Concerns and Questions

The following represents MCCA's comments on the summary report issued by Diane Schwartz-Jones (dated August 31, 2009). Her summary concerns the discussions held over the last several months regarding MCCA's concerns and question about development on the Webb Tract.

The meetings have been very useful in clarifying county intentions to resolve concerns expressed by MCCA and we thank the county representatives, Diane Schwartz-Jones and David Dise, plus numerous other county people, for their time and effort in this endeavor. The meetings have been held in an atmosphere of mutual understanding and negotiations have resulted in the development of mutual respect by all involved. MCCA and the communities surrounding the Webb Tract recognize that development will take place on the property and we are in agreement that the county will be a better neighbor than others who could build there.

We also thank David Dise for his commitment to meet with community leaders, on an on going basis, to discuss issues with the construction and operation of County facilities on the Webb Tract.

Comments on MCCA's Concerns and Questions:

Please note that MCCA's original concerns are numbered with county answers identified in italics. MCCA's responses to the county are indicated by the arrowhead symbol.

1. Maintain lots 6 & 7 as green space, no build for the next hundred years. These lots are in close proximity to residential areas.

Montgomery County Government (MCG) is willing to include the 300' no build buffer area in Lois Green Park so that the area will be preserved as public park land and confronting homes will be next to the park. This has been confirmed by the County Executive and discussed with Dr. Hansen, Chairman of the MCPB. The mechanism to do it will either be via an Executive Order or an addendum to an existing agreement between the County and MNCPPC pursuant to which County owned land becomes part of the MNCPPC park system. This may require a presentation to MCPB.

➤ MCCA appreciates MCG commitment on this matter. However, the community has requested all of lot 7 and a part of lot 6 to remain as parkland - the 300 feet still does not provide a comfortable buffer between homes and the driving track. The county has the future of a residential community in their hands. Will they add or diminish the quality of life that has been established for over 20 years? Smart Growth is to benefit everyone not just a certain few. The Executive Order or existing agreement addendum must indicate this is for the benefit of all communities around the Webb Tract, not just Montgomery Village.

2. Build a sound wall between the PSTA driving track and residential areas to reduce/eliminate noise from the track.

MCG is willing to install a sound wall if, upon study, a sound wall is established as an effective and necessary means of reducing sounds from the PSTA. MCG will also review the effectiveness of other design elements as necessary, such as berms, additional vegetation, grade cuts or other yet unidentified design elements to reduce sounds. MCG will perform noise surveys and sound generation to determine mitigation method. . . best way to address is at the source. Site plan will affect need for a wall. Requirement for noise study of entire Webb tract site and publishing of that report is committed to.

- ~~MCCA wants~~ a sound wall identified on the site plan. If this is not on the site plan it will never happen. If sound testing proves the wall is not needed, then it needs not be built.

3. Establish “no drive zones” (also known as Route Protocol) for delivery trucks coming and going from the Webb Tract. This includes county vehicles as well as vehicles making deliveries to the Webb Tract. Streets to avoid using include: East Village Ave., Goshen Rd., Lewisberry Dr. and Centerway Rd. (these are all residential streets).

MNCPPC agrees except for work to be performed in MV.

MCPS is also willing to direct suppliers.

The CE will sign an Executive Order adopting a route protocol to be agreed upon with a couple of caveats: won't apply to the private vehicles or emergency vehicles responding from the PSTA; we will have some type of MOU with MCPS and MNCPPC requiring adherence to route protocol.

- MCCA agrees with this approach to the no drive zones/route protocol. The Executive Order must indicate this is for the benefit of all communities around the Webb Tract, not just Montgomery Village.

4. PSTA Burn Building – no taller than four stories, how will it operate? We have been told it will be “state-of-the-art” but have yet to have that fully explained or to see an operational facility.

Would like to see propane fires vs. theatrical smoke; Could it be operated to give a representation of when it is operating – during the day will work, but they would want advance notice. Keep the group to a group of 10 community representatives. Need to follow up on this.

- This issue has not yet been fully resolved. There is a ~~tour~~ of the current PSTA scheduled for September 22. MCCA hopes to get further information then. MCCA still does not have an adequate explanation of what state-of-the-art means.

5. Snouffer School Rd. widening will place the road very close to homes in East Village and Hunters Woods. Need sound walls to mitigate noise and provide safety for residents.

Per Chuck Ellison and their preliminary noise analysis, the road as it exists today exceeds guidelines and some mitigation would be required that had not yet been identified.

- MCCA considers this to still be an outstanding issue that needs resolution.

6. What is the plan – Residents still do not know exactly what the county has planned. Residents want to see concrete plans – not just verbal discussions.

MCG is awaiting budget approval by CC to start a Site Master Planning efforts to address the community concerns for new plats. Community knows what we are intending to put out there and we need the funds to do a conceptual plan.

➤ MCCA considers this to still be an outstanding issue that needs resolution.

7. Location of Parks Department Maintenance Facility. The community does not think the vetting process for these facilities was adequately performed. Three sites were evaluated and turned down for very weak reasons. These sites were:

- a. Rock Quarry on Travilah Road
 - 14 acres good for development.
 - Residents did not want trucks on street – but they have trucks already due to the quarry.
- b. 77 Acre McGowan Property – off Inter State 270 north of 124 in Gaithersburg.
 - New Cities Transitway - New Road, - new access road to main road.
 - 34 Acres in the center are available for development but the owner did not return phone calls from the county regarding purchase.
- c. 18 Acre Rock Creek Ridge parcel on the north side of Needwood Road adjacent to planning board's Rock Creek Maintenance yard.
 - Site was used for the Lake Needwood dredging Project.

Alternative Sites Need to be Reviewed – Existing County Park Facilities

One Potential Site is Black Hill Regional Park.

Mike Riley indicated that staff took discussion 2 x to MCPB. Last February discussion was noticed on MCPB agenda and they were looking at Park sites. Looked at on a GIS basis, road accessibility, geographic location, infrastructure, size (20-25 acres), environmental constraints. Reported to MCPB that they did not have a suitable site in their inventory and identified Webb tract and a site on Travilah Road (Johnson's hydroseeding and others). In February County was only looking at Webb West side. Per Roy Bevington three sites were referenced in a Gazette article. Per MR, some of the sites were turned down because they were in private ownership and they could not get responses. There were road access issues, and one site was already identified for other purposes such as dredging Needwood Road. Don asked about citizen sentiment – Mike Maa – adjacent road was not classified as arterial and there would need to be a process for road to be reclassified and therefore the sentiment would not support the reclassification of roads. MR – citizen sentiment is not a criteria; they look to compatibility.

- Site selection – facility to vacate; look at facility as it is; service needs out into the future; develop a program of requirements; look at criteria for suitable site; developable footprint, road access, connection to utilities.
- Sites not recommended:

- *Travilah Rd* – some of the parcels were not available for purchase and a large portion of the site was not available (streams, buffers and slopes – site was chopped up) – community opposition to road reclassification.
 - *McGowan Property by Game Preserve Road* – could not even contact the owner; DO asked about the CCT concern and what if it became rapid bus? The PB concluded that the site is not available. Staff advised the Planning Board that the CCT was an additional factor but that there were other factors for not pursuing this parcel. 77 acres – 2 portions 10 and 67, steep slopes and w/o Watkins Mill the site is inaccessible. East Village and MVF may want to look at this site again if the CCT is BRT.
 - *18 Acre Rock Creek Ridge* – between Rock Creek Park and ICC and is owned by the State. This is identified as a dredge spoil site for dredging Lake Needwood. It is also on a primary residential road. DO – can't the dredge material go anywhere? MR – thousands and thousands of trucks and trucking it would be at great cost. Believes that the dredging will be done by way of pumping. MR – comparing four sites and you are looking at different factors and weigh the sites on that basis under the different criteria
 - *Blackwell Park is isolated* – Roy B said it is near some major roads from which you can go in a variety of areas. MR – did not start with road access on that site, but on developable footprint. Forested area of park has a high quality rating and there is not a footprint within that park that does not have access issues associated with it. MR showed that it is not centrally located, but the primary reason for dismissing it is environmental. Roy B – any consideration given to breaking up the uses? MR – no and does not believe it is cost effective to decentralize that which Parks has centralized. Al said that there was a study many years ago about the cost effectiveness of moving from decentralized to centralized approach and that there were significant savings from that relating to staffing, assignment and dispatch of staff.
 - *Question about whether or not a study was done to compare Black Hills to Snuffer School Road.* MR said no such study was done.
- MCCA still is of the opinion that site selection for this facility was a rush to judgment. Mr. Riley stated in his comments that they were under pressure to find a location for this facility and we don't think adequate evaluation of other sites was performed.

8. Hours of operation for: PSTA – driving track, skills driving pads, burn building, deliveries to Webb Tract facilities, county vehicles leaving the Webb Tract.

MCG did provide information regarding traffic flow into and out of the Webb Tract so all could see the traffic volume at peak hours. MCG would not commit to restricted hours but that they would commit to an ongoing process to share information in advance of new recruit schedules.

- MCCA appreciates the traffic analysis done by MCG. We understand a more formal study will be done to look at Snouffer School Rd. and area intersections due to Webb Tract development. This study will be done in the near future now that school has begun. We will look forward to seeing the results of that study and to additional discussions. We still have concerns about hours of operation – they need to be compatible with a residential community. Captain Tina Faass of the MCPD attended a meeting and discussed the outdoor activities for police training and in-service training. This was very helpful in understanding the impact these activities would have on the community. It would be good to have similar discussions with the other occupants of the Webb Tract.

9. Do not use emergency lights and sirens on the driving track and during fire training exercises.

Fire does not have sirens during training. MCG provided information from MCPD that there is no internal siren for training purposes that would meet the needs of the Police Department. The siren demonstration is for the officers to understand the limitations. That recruits are in a car and a police car is immediately behind the recruit's vehicle when the siren is activated. MCG explained that the point is for the recruits to realize that they are unable to hear the siren when the police car is immediately behind their vehicle. MCG provided the protocol given by police for use of siren. The demonstration is part of entry level driver's training which takes place 2x per year, 2-4 weeks in the Spring and 2-4 weeks in the fall with the siren demonstration taking place on the last day of each week of training – usually in the late morning or early afternoon. The total demonstration is 15-30 minutes with the siren being used in 3-5 minute intervals as recruits are switched out of vehicles.

- MCCA is OK with this as long as the number of times this is done and the duration of training is as stated. MCCA wants to see a training protocol that identifies and confirms the stated times and duration of siren use.

10. What are the county's plans for traffic flow? Snouffer School Rd. will be widened to five lanes, but the road will narrow to two lanes at Goshen Rd. and Route 124. This will create traffic bottlenecks at both these locations.

MCG is committed to improve the Snouffer School Road per recommendation of the full Traffic Study. The study has not been performed and awaiting the CC approval of the proposed budget. A budget source has been identified for the study and as soon as the scope is finalized contract and task order can be completed and notice to proceed with the study can be issued.

- MCCA considers this to still be an issue of major concern. Snouffer School Road is heavily trafficked and must be widened the entire length from Goshen Rd. to at least Centerway.

11. Environmental – what are the long range effect of burning propane gas, diesel fumes, theatrical smoke, etc. on the residents over the next 20 years?

MCG to look into bringing in Dr. Ramana Rao to address this question.

12. Public Health Concerns – long term affects of smoke from burn building, combustion of propane for fire training, diesel exhaust, and pollutants from heavy vehicle maintenance yard.

MCG is committed to comply with all federal and state laws regarding clean air, environmental and health impact.

13. Concerns about storage of large quantities of propane, diesel fuel and gasoline at the end of an active runway for Montgomery County Airpark. In March there was a plane crash at the Airpark, luckily no one was injured. However, flammables stored on the Webb Tract could result in a disaster if there was another plane crash.

The Air Park authority has raised no concern regarding the propane gas usage and storage for the PSTA (N.B. fuel is both used and stored at the Airpark). MCG is committed to comply with all local jurisdictions regarding storing flammable gases.

- MCCA still has concerns about the three items above (numbers 11, 12 and 13) and await Dr. Ramana Rao's discussion regarding number 11. We would look for number 12 to be discussed at the same time. Number 13 will remain a concern for residents, even if the Airpark has no concerns. Fuel is used and stored at the Airpark but the Webb Tract is directly below the take off and landing patterns for aircraft using runway 32.

14. The economic status of the county is currently not healthy – where will it be a year or two? How will this project be funded in the short term and over the long term? Why not put Science City and Shady Grove on hold due to the county's finances. What important items (schools, infrastructure improvements, public safety, public transportation, health and welfare programs) will be neglected due to lack of funding?

MCG has committed to having county finance people respond to this issue.

- MCCA will wait for a discussion of this issue with the county finance people. We are concerned that many items, as originally expressed, will go unfunded in order to provide funding for Smart Growth. This will affect all county residents and lower the quality of life of everyone, county wide. We also want to know about the status of funding to proceed with the development around the Shady Grove Metro station. If funding for that isn't available there is no need to move facilities off the County Service Park on Crabbs Branch.

15. What will the county do for residents of East Village, Eastgate, the greater Montgomery Village area, Hunters Woods, Hadley Farms and other surrounding communities? The Webb Tract is surrounded on three sides by these residential communities. Property values will decline and the quality of life will be negatively impacted due to noise, light and potentially ground pollution. The only winner in what the county has been presented – is the county. The communities surrounding the Webb Tract will see a decline in the quality of life while the communities surrounding Shady Grove Metro area and the proposed Science City area will be enhanced. What will the county do for residents in the communities surrounding the Webb Tract? At a minimum –

no build on lots 6 and 7, sound walls, find another location for heavy equipment storage and maintenance (Park Department facility).

- This issue has not been fully discussed during the meetings with MCG. Gaithersburg West Master Plan envisions campus like business parks, housing developments, transportation (CCT), streets that improve local circulation and connectivity among districts, open space, opportunities for recreation and many more features that will provide neighborhoods with an excellent quality of life and enhanced property values over the years. The area around the Webb Tract will suffer due to increased traffic, noise, congestion and declining property values. MCCA stands ready to discuss this issue in detail with MCG. A few things to consider – widen Snouffer School Rd. in its entirety from Centerway to Goshen Rd., design a sound wall for the PSTA driving track, have vehicles enter and leave the Webb Tract via a route around the northeast side of the Montgomery County Airpark so as to keep this traffic off residential streets, provide all of lot 7 and part of lot 6 as parkland. (This is a partial list and is not intended to be all inclusive).

Submitted by MCCA

Bob Hincke
Denise Sheehan
Jerry Donegan
Roy Bevington
Terry O'Grady

SMART GROWTH INITIATIVE - CAPITAL COST SUMMARY

		Already Programmed/ Planned	Current Proposed		
1	Land Acquisition		156,161		
2	Planning, Design, Construction		256,414		
3	Offset - Land Sale Proceeds		(240,127)		
4					
5	Offset - Existing Program				
6	(a) PSTA - renovation at current site	(33,000)			
7	(b)EMOC	(36,014)			
8	(c) Public Safety Headquarters - Approved CIP	(107,440)			
9	(d) County Radio Shop - Approved CIP	(61)			
10	Subtotal		(176,515)		
11					
12	Net Additional Costs/(Savings)		(4,067)		
13					
14					
15	Notes:				
16	Includes acquisition of entire Webb Tract, incl Snouffer School Rd improvements				
17	Delays sale of current PSTA site until CCT Approved, realize higher value approx. \$22 million				
18					
19					
20	(a) Project No. 479909 approved at \$24.909 million, renovation at existing site would cost approximately \$33 million based on old POR				
21	(b) Project No. 500933 approved at \$6.743 million GO bonds, prior estimated cost was \$36.014 million				
22	(c) Project No. 470906 approved at \$107.440 million GO bonds; \$79 million beyond six years				
23	(d) Project No. 360902 approved at \$61,000 GO bonds				

116

ADDENDUM

MEMORANDUM

September 21, 2009

TO: County Council

FROM: Linda McMillan, Senior Legislative Analyst

SUBJECT: **ACTION** – Supplemental appropriation and amendments to the FY09-14 Capital Improvements Program of the Montgomery County Government
PSTA and Multi-Agency Service Park, PDF #470907
\$48,316,000 (Source of Funds: Interim Financing)
PSTA Academic Building, PDF #479909 (proposed for close-out)

This addendum contains the following:

Circle

September 21, 2009 memo from County Executive describing new terms for the purchase of the Webb Tract.	1
September 18, 2009 letter from Miller and Smith proposing new terms for the purchase of the Webb Tract	2-3
September 21, 2009 comments from MidCounty Citizen's Alliance supporting purchase of entire Webb Tract and suggesting purchase of additional 13 acre former Nike site.	4-5
Council staff draft approval resolution for appropriation to purchase east side of Webb Tract and fund site planning for entire site (Sept. 17 joint PS and T&E Committee).	6-8
Council staff draft PDF for purchase of east side of Webb Tract and site planning for entire site (Sept. 17 joint PS and T&E Committee).	9-10
Council staff draft approval resolution for appropriation to purchase entire Webb Tract and fund site planning for entire site (CE revised price).	11-13
Council staff draft PDF for purchase of entire Webb Tract and site planning for entire site (CE revised price).	14-15
Executive's revised Smart Growth Initiative Finance Plan (9/18/2009)	16

West Zoning



Have
LAM
CC
SEP
13

Isiah Leggett
County Executive

OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

RECEIVED
MONTGOMERY COUNTY
COUNCIL
2009 SEP 21 PM 12:13

MEMORANDUM

September 21, 2009

TO: The Honorable Phil Andrews, President
Montgomery County Council

FROM: Isiah Leggett, Montgomery County Executive

SUBJECT: Purchase of the Webb Tract

Following the joint work session held by the Public Safety and Transportation, Infrastructure, Energy and Environment Committees on Thursday, September 17, 2009, Miller and Smith, the owner of the Webb Tract, sent the attached offer to the County. Specifically, Miller and Smith has offered the County to share in its savings on carrying and closing costs if the County purchases both the East and West sides of the Webb Tract by September 30, 2009. The County's share of the savings would be reflected by reducing the purchase price for the Webb tract by \$75,000 for a total purchase price of \$46,496,400. Additionally, at closing Miller and Smith will provide the County with an early closing incentive of \$150,000. As indicated in the attached letter from Miller and Smith, this \$150,000 represents approximately one half of Miller and Smith savings on carrying costs by closing on the west side of the Webb Tract part by September 30, 2009. Likewise, the reduction of the purchase price by \$75,000 approximates the County's carrying costs for acquiring the west side of the Webb Tract by September 30, rather than the end of the year.

In order to be able to close by September 30 the full funding for this acquisition will need to be appropriated by Tuesday, September 22, 2009.

If you have any questions on this matter, please feel free to contact me. I hope that the County Council will favorably consider the County moving forward with the entire acquisition of the Webb Tract. Acquiring the entire Webb Tract by September 30 will provide clarity of direction without dictating how the Council will act on the Gaithersburg West Master Plan, while also realizing and financial savings for the County.

DSJ:jw

Attachment: September 18, 2009 Letter from Miller and Smith

1

Miller & Smith.

ONE VISIT CAN CHANGE EVERYTHING

Friday, September 18, 2009

Ms Diane R. Schwartz-Jones, Esq., Assistant CAO
Office of the County Executive, Montgomery County, Maryland
101 Monroe Street, 2nd Floor
Rockville, Maryland 20850

RE: Centerpark (aka Webb Tract)

Dear Ms Schwartz-Jones:

After attending and listening carefully to the discussion that took place at the joint work session of the Public Safety and T&E Committees yesterday, I have decided to offer an alternative to the County Executive for Montgomery County's purchase of all of Centerpark by September 30, 2009. While I understand and appreciate the concerns with the Gaithersburg West Master Plan expressed by some of the Council members, I strongly feel proceeding with the acquisition of all of Centerpark by September 30 is truly in the best interests of Montgomery County, the surrounding communities (some of whom contacted me and encouraged me to take some action), and Miller and Smith. Making a decision on the total acquisition now will bring finality for many dedicated and concerned people to something that has been under discussion for a very long time. I hope this offer helps us all to achieve that goal.

If the Montgomery County Council approves the funding for the purchase of all of Centerpark by September 30, 2009 and assuming closing takes place, Miller and Smith is committing to do the following:

1. Reduce the purchase price by \$75,000.00. This represents the approximate interest costs the County would incur by closing on the Phase 2 or western portion of Centerpark by September 30 instead of closing in mid-December.
2. At closing, Miller and Smith will give Montgomery County \$150,000.00 to use for whatever purposes deemed appropriate. This represents approximately half of the savings on carrying and closing costs Miller and Smith realizes with a single closing on the entire property on or before September 30, 2009.

Thank you for your consideration of this offer. I truly hope it allows us to complete this transaction by September 30, 2009. If it meets with The Executive's and the Council's approval, I would suggest Mr. Eric Willis in the County Attorney's offer prepare an

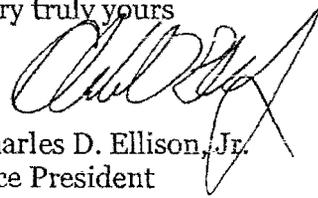
8401 Greensboro Drive, Suite 300 ■ McLean, VA 22102
703.821.2500 ■ 703.821.2040 FAX
www.millerandsmith.com

2

amendment for signature as soon as possible. I will certainly assist in whatever way necessary.

Please contact me at your earliest convenience if you have any questions.

Very truly yours



Charles D. Ellison, Jr.
Vice President

see 7/20/09

LAM

cc

McMillan, Linda

From: Roy Bevington [bevingtonroy@msn.com]
Sent: Monday, September 21, 2009 10:39 AM
To: Montgomery County Council; Jones, Diane (CEX); Dise, David E.; McMillan, Linda
Cc: Chuck Ellison; Bob Hincke; Denise Sheehan (office); Jerry Donegan; Roy Bevington; Terry O'Grady
Subject: Council Committee Action - Webb Tract

Hello Everyone,

Last week Montgomery County Council committee action recommended purchase of the Eastern portion of the Webb Tract, but not the western portion. In light of that recommendation, the MidCounty Citizen's Alliance (MCCA) submits the attached information.

Sincerely,

MCCA Leadership
Bob Hincke
Denise Sheehan
Jerry Donegan
Roy Bevington
Terry O'Grady

2009 SEP 21 PM 12:08
RECEIVED
MONTGOMERY COUNTY
COUNCIL

4

MidCounty Citizen's Alliance

Webb Tract Development

Montgomery County Council committee action recently recommended approval of the purchase of the eastern portion of the Webb Tract for relocation of county facilities. Facilities to be relocated include the MCPS Food Warehouse, MCPS Maintenance Facility and the Parks Department Maintenance Facility.

The Council committee did not recommend purchase of the western portion of the Webb Tract. This portion was to be the site for the Public Safety Training Academy (PSTA).

The MidCounty Citizen's Alliance (MCCA) understands that the reason for the above action is to wait for the Gaithersburg West Master Plan to be finalized and see how that impacts the current PSTA. Therefore, MCCA submits the following statement concerning development on the Webb Tract.

MCCA, while not in total agreement with Montgomery County Government (MCG) concerning all aspects of development on the Webb Tract, believes the County would be a better neighbor than other possible tenants. We have been meeting with MCG during the last year to discuss ways to minimize the impact of county facilities on the Webb Tract, including the PSTA. These meetings have resulted in a mutual understanding of the issues facing the communities surrounding the Webb Tract and those facing the County as it moves toward implementation of the Smart Growth Initiative. This type of cooperative effort would not exist between the communities and a private contractor developing the property. Therefore, MCCA asks the County Council to reevaluate the committee recommendations regarding the purchase of the western portion of the Webb Tract. There is also a 13 acre parcel, the former Nike site, which could be purchased to increase the available space for the PSTA.

Thank you for your consideration of the matter.

Sincerely,

MCCA Leadership

Bob Hincke

Denise Sheehan

Jerry Donegan

Roy Bevington

Terry O'Grady

Staff Draft based
on Sept 17, 2009 PS and T+E
Committee session

Resolution: _____
Introduced: July 14, 2009
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council at the Request of the County Executive

SUBJECT: Supplemental Appropriation to the FY10 Capital Budget and
Amendment to the FY09-14 Capital Improvements Program
Montgomery County Government
Department of Police, Montgomery County Fire and Rescue Service, Department of
General Services
Smart Growth Initiative – PSTA and Multi-Agency Service Park (No. 470907)
\$22,794,000; Source of Funds; and Interim Financing

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.

3. On June 25, 2009, the County Executive recommended the following capital project appropriation.

<u>Name</u>	<u>Project</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
PSTA and Multi-Agency Service Park	470907	Land Acquisition	\$46,621,000	Interim Financing
		Master Planning	\$1,695,000	Interim Financing

4. The Executive’s recommended supplemental appropriation will provide for land acquisition, master planning, and studies for the relocation of a number of County facilities to the Webb Tract site on Snouffer School Road. Facilities and programs to be relocated as a part of the Executive’s recommendation include: The Montgomery County Public Safety Training Academy (PSTA) at the intersection of Great Seneca Highway and Darnestown Road; and the Montgomery County Public Schools (MCPS) Food Distribution Facility, The MCPS Facilities Maintenance Depot, and the Maryland-National Capital Park and Planning Commission’s Facilities Maintenance Depot, all located at the County Service Park on Crabbs Branch Way. The County Executive has concluded that for a number of reasons, the long-term needs of the County would be better served by relocation of the PSTA so that the current PSTA site can better serve the County as a whole by providing a site for housing, the Corridor Cities Transitway (CCT) and other facilities to support the life sciences community over the next few decades. The Executive says that renovation plans for the existing PSTA will not adequately provide for the long-term public safety training needs, with little hope of addressing needs without clearing the current site. The renovation will involve spending million of dollars on an aged facility that does not have long-term sustainability. Moreover, renovation of the PSTA will significantly disrupt ongoing public safety training activities at the PSTA, while relocation will not disrupt training activities. The County is in need of an expanded, more efficient training facility to enable first responders to be better prepared.
5. The County Executive has stated that the recommended amendment is consistent with the criteria for amending the CIP because project changes support significant economic development initiatives, which strengthen the fiscal capacity of the County government and offers a significant opportunity which will be lost if not taken at this time.
6. Council’s Public Safety (PS) and Transportation, Infrastructure, Energy, and Environment (T&E) Committees held a joint worksession on September 17, 2009 to review the County Executive’s recommendation. The joint Committee recommends approval of \$22.794 million to purchase the east side of the Webb Tract and fund master planning of the entire site. The east side of the Webb Tract is proposed as the site for the MCPS Food Distribution Facility, MCPS Facilities Maintenance Depot, and M-NCCPC Facilities Maintenance Depot. These facilities must be relocated to implement the approved Shady Grove Sector Plan. The

Supplemental Appropriation and Amendment to the FY09-14 Capital Improvements Program
PSTA and Multi-Agency Service Park

Page 3

Council will consider the future use of the current PSTA site on Darnestown Road as a part of the Gaithersburg West Master Plan. The PS and T&E Committees will consider the purchase of the west side of the Webb Tract in time to make a recommendation to the Council before the December 31, 2009 closing date agreed to by the County Executive and the landowner. The sales agreement allows the County to purchase the Webb Tract as two separate parcels (east and west sides) at no additional cost. There is no additional cost to the County from deferring a decision on the purchase of the west side of the Webb Tract until December 2009.

7. Notice of public hearing was given and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

The FY09-14 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and supplemental appropriations are approved as follows:

<u>Name</u>	<u>Project</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
PSTA and Multi-Agency Service Park	470907	Land Acquisition	\$21,099,000	Interim Financing
		Master Planning	\$ 1,695,000	Interim Financing

This is a correct copy of Council action.

Linda M. Lauer
Clerk of the Council

PSTA and Multi-Agency Service Park -- No. 470907



Category: Public Safety
 Subcategory: Other Public Safety
 Administering Agency: General Services
 Planning Area: Gaithersburg

Date last modified: September 17, 2009 (STAFF DRAFT)
 Required Adequate Public Facilities: No
 Relocation Impact: None
 Status:

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est FY08	Total 6 Yrs	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 yrs
PDS	1,695	0	0	1,695	0	1,695	0	0	0	0	0
Land	21,099	0	0	21,099	0	21,099	0	0	0	0	0
Site Improvement/ Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	22,794	0	0	22,794	0	22,794	0	0	0	0	0

FUNDING SCHEDULE (\$000)

	Total	Thru FY07	Est FY08	Total 6 Yrs	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 yrs
Interim Financing	22,794	0	0	22,794	0	22,794	0	0	0	0	0
Total	22,974	0	0	22,794	0	22,794	0	0	0	0	0

DESCRIPTION

This project is part of the Smart Growth Initiative and provides for land acquisition and master site planning and studies for a site on Snouffer School Road known as the Webb Tract or Centerpark. The Webb Tract is separated by wetlands into an east and west section. Facilities targeted for relocation to the east section of the Webb Tract are the (1) Montgomery County Public Schools (MCPS) food distribution facilities, (2) MCPS Facilities Maintenance Depot, and (3) Maryland-National Capital Park and Planning Commission (M-NCPPC) Facilities Maintenance Depot. These three facilities are currently located at the County Service Park on Crabbs Branch Way. These facilities must be relocated in order to implement the Shady Grove Sector Plan that creates a transit-oriented community at the Shady Grove Metro Station. The County Executive is recommending that the Public Safety Training Academy on Darnestown Road be relocated to the west side of the Webb Tract in order to provide housing at the current PSTA site in support of the Life Sciences Center recommended in the Planning Board Draft of the Gaithersburg West Master Plan.

MCPS Food Distribution Facility – The current MCPS Food Distribution Facility is about 58,000 square feet with 150 parking spaces for staff and loading docks. The new facility may include expansion space.

MCPS Facilities Maintenance Depot – includes an administrative building, vehicle/equipment repair shop, PLAR storage building, outdoor covered storage, uncovered bulk material storage, heavy equipment and vehicle staging areas, and staff and visitor parking. The new facility will be designed to accommodate growth.

M-NCPPC Facilities Maintenance Depot – includes an administrative building, vehicle/equipment repair shop, outdoor covered storage, uncovered bulk material storage, heavy equipment and vehicle staging areas, fuel station, staff and visitor parking. The current facility includes 65,000 square feet of building space, 370 staff and visitor parking spaces, and storage for 220 maintenance vehicles and pieces of equipment. The new facility will be designed to accommodate needed growth and will include best environmental management practices.

Public Safety Training Academy – is the primary training facility for the department of Police and Fire and Rescue. The proposed facility includes an academic building including a simulation area, gymnasium, indoor firing range, graphics and video development capabilities, and canine training and support facilities. An emergency vehicle operations center, driver training classrooms and simulation room, driver training track, driver training skills pad and skid pan, and fire and rescue training building will also be at the site. Staff and visitor surface parking will be constructed.

JUSTIFICATION

MCPS and M-NCCPC Facilities – Relocation is required in order to implement the Shady Grove Sector Plan that creates a transit oriented community next to the Shady Grove Metro station. The Parks Department's Shady Grove maintenance facility opened in 1981 and is undersized to serve the needs of the Park System which has nearly doubled over the last 30

years. A 2005 study by Delmar Architects concluded that the MCPS food distribution facility should be expanded to 71,000 square feet to meet current and future needs.

PSTA – There have been no major upgrades or renovations to the PSTA since it was completed in 1973. The PSTA needs reconfiguration and expansion to meet current and projected training needs. The PSTA Academic Building Complex Project No. 479909 does not include the cost of design and construction to meet LEED Silver requirements.

OTHER

A pedestrian impact analysis will be completed for this project during master site planning.

The Public Safety Memorial is being constructed at the Public Safety Headquarters located at the GE Tech Park.

FISCAL NOTE

This appropriation of \$22.794 million provides for acquisition of the east side of the Webb Tract (Centerpark), settlement costs estimated for the east and west side of the Webb Tract (Centerpark), and master site planning for the east and west sides. The Council will consider the County Executive’s request for \$25.522 to purchase the west side of the Webb Tract (Centerpark) prior to December 31, 2009, which is the agreed to closing date by the County Executive and the landowner.

Final construction costs will be determined during the design development phase.

Interim financing is being used for the land acquisition and master planning. Permanent funding sources will include G.O. Bonds and Land Sale Proceeds.

APPROPRIATION and EXPENDITURE DATA	COORDINATION	MAP
Date First Appropriation	Department of General Services Department of Police Montgomery County Fire and Rescue Service	
First Cost Estimate FY09 \$48,316 Current Scope	Montgomery County Public Schools Maryland-National Park and Planning Commission	
Appropriation Request FY09	Department of Permitting Services	
Appropriation Request FY10	Department of Finance	
Supplemental Appropriation Request (FY10) \$48,316	Department of Technology Services Office of Management and Budget Washington Suburban Sanitary Commission	
Cumulative Appropriation		
Expenditures/Encumbrances		
Unencumbered Balance		

Staff Draft based
on County Executive's
revised purchased price
for Webb Tract.

Resolution: _____
Introduced: July 14, 2009
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council at the Request of the County Executive

SUBJECT: Supplemental Appropriation to the FY10 Capital Budget and
Amendment to the FY09-14 Capital Improvements Program
Montgomery County Government
Department of Police, Montgomery County Fire and Rescue Service, Department of
General Services
Smart Growth Initiative – PSTA and Multi-Agency Service Park (No. 470907)
\$48,241,400; Source of Funds; and Interim Financing

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PSTA and	470907	Land Acquisition	\$46,621,000	Interim Financing
Multi-Agency Service Park		Master Planning	\$1,695,000	Interim Financing

4. The Executive’s recommended supplemental appropriation will provide for land acquisition, master planning, and studies for the relocation of a number of County facilities to the Webb Tract site on Snouffer School Road. Facilities and programs to be relocated as a part of the Executive’s recommendation include: The Montgomery County Public Safety Training Academy (PSTA) at the intersection of Great Seneca Highway and Darnestown Road; and the Montgomery County Public Schools (MCPS) Food Distribution Facility, The MCPS Facilities Maintenance Depot, and the Maryland-National Capital Park and Planning Commission’s Facilities Maintenance Depot, all located at the County Service Park on Crabbs Branch Way. The County Executive has concluded that for a number of reasons, the long-term needs of the County would be better served by relocation of the PSTA so that the current PSTA site can better serve the County as a whole by providing a site for housing, the Corridor Cities Transitway (CCT) and other facilities to support the life sciences community over the next few decades. The Executive says that renovation plans for the existing PSTA will not adequately provide for the long-term public safety training needs, with little hope of addressing needs without clearing the current site. The renovation will involve spending million of dollars on an aged facility that does not have long-term sustainability. Moreover, renovation of the PSTA will significantly disrupt ongoing public safety training activities at the PSTA, while relocation will not disrupt training activities. The County is in need of an expanded, more efficient training facility to enable first responders to be better prepared.
5. The County Executive has stated that the recommended amendment is consistent with the criteria for amending the CIP because project changes support significant economic development initiatives, which strengthen the fiscal capacity of the County government and offers a significant opportunity which will be lost if not taken at this time.
6. Council’s Public Safety (PS) and Transportation, Infrastructure, Energy, and Environment (T&E) Committees held a joint worksession on September 17, 2009 to review the County Executive’s recommendation. The joint Committee recommended approval of \$22.794 million to purchase the east side of the Webb Tract and fund master planning of the entire site. The east side of the Webb Tract is proposed as the site for the MCPS Food Distribution Facility, MCPS Facilities Maintenance Depot, and M-NCCPC Facilities Maintenance Depot. These facilities must be relocated to implement the approved Shady Grove Sector Plan. The

Supplemental Appropriation and Amendment to the FY09-14 Capital Improvements Program
PSTA and Multi-Agency Service Park

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Council will determine the future use of the current PSTA site on Darnestown Road as a part of the Gaithersburg West Master Plan. The PS and T&E Committees agreed they would consider the purchase of the west side of the Webb Tract in time to make a recommendation to the Council before the December 31, 2009 closing date agreed to by the County Executive and the landowner. At the September 17, 2009 session, the Committee was told that there was no additional cost to the County from deferring a decision on the purchase of the west side of the Webb Tract until December 2009.

7. On September 21, 2009, the Executive sent a memo to the Council saying that Miller and Smith, the landowner, had agreed to lower the sales price by \$75,000 and pay the County \$150,000 cash at closing as an early closing incentive if the Council appropriates funds so that the closing on the entire Webb Tract will be completed by September 30, 2009.
8. Notice of public hearing was given and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

The FY09-14 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and supplemental appropriations are approved as follows:

<u>Name</u>	<u>Project</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
PSTA and Multi-Agency Service Park	470907	Land Acquisition	\$46,546,400	Interim Financing
		Master Planning	\$ 1,695,000	Interim Financing

This is a correct copy of Council action.

Linda M. Lauer
Clerk of the Council

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PSTA and Multi-Agency Service Park -- No. 470907



Category: Public Safety
 Subcategory: Other Public Safety
 Administering Agency: General Services
 Planning Area: Gaithersburg

Date last modified: September 21, 2009 (STAFF DRAFT)
 Required Adequate Public Facilities: No
 Relocation Impact: None
 Status:

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est FY08	Total 6 Yrs	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 yrs
PDS	1,695	0	0	1,695	0	1,695	0	0	0	0	0
Land	46,546	0	0	46,546	0	46,546	0	0	0	0	0
Site Improvement/ Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	48,241	0	0	48,241	0	48,241	0	0	0	0	0

FUNDING SCHEDULE (\$000)

	Total	Thru FY07	Est FY08	Total 6 Yrs	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 yrs
Interim Financing	48,241	0	0	48,241	0	48,241	0	0	0	0	0
Total	48,241	0	0	48,241	0	48,241	0	0	0	0	0

DESCRIPTION

This project is part of the Smart Growth Initiative and provides for land acquisition and master site planning and studies for a site on Snuffer School Road known as the Webb Tract or Centerpark. The Webb Tract is separated by wetlands into an east and west section. Facilities targeted for relocation to the east section of the Webb Tract are the (1) Montgomery County Public Schools (MCPS) food distribution facility, (2) MCPS Facilities Maintenance Depot, and (3) Maryland-National Capital Park and Planning Commission (M-NCPPC) Facilities Maintenance Depot. These three facilities are currently located at the County Service Park on Crabbs Branch Way. These facilities must be relocated in order to implement the Shady Grove Sector Plan that creates a transit-oriented community at the Shady Grove Metro Station. The County Executive is recommending that the Public Safety Training Academy on Darnestown Road be relocated to the west side of the Webb Tract in order to provide housing at the current PSTA site in support of the Life Sciences Center recommended in the Planning Board Draft of the Gaithersburg West Master Plan.

MCPS Food Distribution Facility – The current MCPS Food Distribution Facility is about 58,000 square feet with 150 parking spaces for staff and loading docks. The new facility may include expansion space.

MCPS Facilities Maintenance Depot – includes an administrative building, vehicle/equipment repair shop, PLAR storage building, outdoor covered storage, uncovered bulk material storage, heavy equipment and vehicle staging areas, and staff and visitor parking. The new facility will be designed to accommodate growth.

M-NCPPC Facilities Maintenance Depot – includes an administrative building, vehicle/equipment repair shop, outdoor covered storage, uncovered bulk material storage, heavy equipment and vehicle staging areas, fuel station, staff and visitor parking. The current facility includes 65,000 square feet of building space, 370 staff and visitor parking spaces, and storage for 220 maintenance vehicles and pieces of equipment. The new facility will be designed to accommodate needed growth and will include best environmental management practices.

Public Safety Training Academy – is the primary training facility for the department of Police and Fire and Rescue. The proposed facility includes an academic building including a simulation area, gymnasium, indoor firing range, graphics and video development capabilities, and canine training and support facilities. An emergency vehicle operations center, driver training classrooms and simulation room, driver training track, driver training skills pad and skid pan, and fire and rescue training building will also be at the site. Staff and visitor surface parking will be constructed.

JUSTIFICATION

MCPS and M-NCCPC Facilities – Relocation is required in order to implement the Shady Grove Sector Plan that creates a transit oriented community next to the Shady Grove Metro station. The Parks Department's Shady Grove maintenance facility opened in 1981 and is undersized to serve the needs of the Park System which has nearly doubled over the last 30

years. A 2005 study by Delmar Architects concluded that the MCPS food distribution facility should be expanded to 71,000 square feet to meet current and future needs.

PSTA – There have been no major upgrades or renovations to the PSTA since it was completed in 1973. The PSTA needs reconfiguration and expansion to meet current and projected training needs. The PSTA Academic Building Complex Project No. 479909 does not include the cost of design and construction to meet LEED Silver requirements.

OTHER

A pedestrian impact analysis will be completed for this project during master site planning.

The County Council will determine the future use of the current PSTA site on Darnestown Road as a part of its deliberations and actions on the Gaithersburg West Master Plan.

The Public Safety Memorial is being constructed at the Public Safety Headquarters located at the GE Tech Park.

FISCAL NOTE

This appropriation of \$48.241 million provides for acquisition of the east and west sides of the Webb Tract (Centerpark), settlement costs, and master site planning for the east and west sides. The sales price is \$75,000 less than the price originally agreed to by the County Executive and Miller and Smith, the property owner. Miller and Smith has agreed to pay the County \$150,000 cash at closing as an early closing incentive. This \$150,000 is not used as a source of funding for this project.

Final construction costs will be determined during the design development phase.

Interim financing is being used for the land acquisition and master planning. Permanent funding sources will include G.O. Bonds and Land Sale Proceeds.

APPROPRIATION and EXPENDITURE DATA	COORDINATION	MAP
Date First Appropriation FY10	Department of General Services	
First Cost Estimate FY09 \$48,316	Department of Police	
Current Scope	Montgomery County Fire and Rescue Service	
Appropriation Request FY09	Montgomery County Public Schools	
Appropriation Request FY10	Maryland-National Park and Planning Commission	
Supplemental Appropriation Request (FY10) \$48,241	Department of Permitting Services	
Cumulative Appropriation	Department of Finance	
Expenditures/Encumbrances	Department of Technology Services	
Unencumbered Balance	Office of Management and Budget	
	Washington Suburban Sanitary Commission	

SMART GROWTH INITIATIVE											
COSTS, OFFSETS, AND FINANCING		FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	Beyond Six Years	Totals
09/18/09		\$000's									
ACQUISITION											
1	GE Tech Park						76,340				76,340
2	Webb Tract		46,621								46,621
3	Casey 6 & 7		30,000								30,000
4	Roberts Oxygen		3,200								3,200
5	MCPS Bus Dept - location tbd									tbd	0
6	Subtotal	0	79,821	0	0	0	76,340	0	0	0	156,161
PLANNING, DESIGN, CONSTRUCTION											
9	SGL - Facility Relocation	651	0								651
10	PSTA and Multi Agency Service Park		1,695								1,695
11	Public Safety Training Campus	0	0	4,224	22,678	57,630	555				85,095
12	Snouffer School Road Improvements			6,000	6,000						12,000
13	Public Safety Headquarters @ GE Tech Park	0	14,294	16,689	137						31,109
14	MCPS Food Dist Facility @ Webb Tract	0	0	3,781	18,826	6,571					29,178
15	EMOC at Casey 6 and 7	279	5,814	52,995	43,222						102,410
16	Radio Shop Relocation	61		503	2,063	5,353					7,980
17											
18	Subtotal	930	20,209	78,172	86,926	69,562	555				256,414
DISPOSITION											
21	Research Blvd			(9,215)							(9,215)
22	1st District Police Station				(6,532)						(6,532)
23	PSTA site			0	(81,000)						(81,000)
24	County Service Park - West Side	0		0		(41,962)		(33,004)	(46,414)		(121,380)
25											
26	Subtotal	0	0	(9,215)	(87,532)	(41,962)	0	(33,004)	(46,414)		(218,127)
CIP GO BONDS PROGRAMMED OR PLANNED											
29	PSTA - renovation at current site	(1,304)	0	(6,078)	(7,527)	(8,091)					(33,000)
30	EMOC	(1,195)	(5,548)	(29,277)							(36,014)
31	Public Safety Headquarters - approved CIP	(974)	(1,043)	0	0	0	(26,340)	(40,000)	(39,083)		(107,440)
32	County Radio Shop Relocation	(61)									(61)
33											
34	Subtotal	(13,534)	(6,591)	(35,349)	(7,527)	(8,091)	(26,340)	(40,000)	(39,083)		(176,515)
COST RECAP											
38	Acquisition	0	79,821	0	0	0	76,340				156,161
39	Planning, Design and Construction	930	20,208	78,172	86,926	69,562	555				256,353
40	Offset: Land Dispositions	0	0	(9,215)	(87,532)	(41,962)		(33,004)	(46,414)		(218,127)
41	Offset: Already programmed or planned	(13,534)	(6,591)	(35,349)	(7,527)	(8,091)	(26,340)	(40,000)	(39,083)		(176,515)
42											
43											
										Net Additional GO Funds Required	17,872
FINANCING PLAN											
47	Expenditures	930	100,029	78,172	86,926	69,562	76,895				412,514
48	Less: Land Sale Proceeds Applied			(9,215)	(87,532)	(41,962)	0	(31,004)	(45,414)		(218,127)
49	Less: Bonds already programmed	(13,534)	(6,591)	(6,078)	(7,527)	0	(26,340)	(40,000)	(39,083)		(139,153)
50	Net Cost/Offset	(12,604)	93,438	62,879	(8,133)	27,600	50,555	(73,004)	(84,497)		
51											
52	Final GO take-outs (illustrative timing)							(45,000)	(22,838)		(67,838)
53	Interim Financing - CP Balance		93,438	156,317	148,184	175,784	226,339	108,335	0		
54											
55											
56											
57											
COUNTY SERVICE PARK - EAST SIDE - NOT INCLUDED ABOVE											
59	MCPS Maintenance Facility									34,086	34,086
60	M-NCPPC Maintenance Facility									32,379	32,379
61	MCPS Bus Depot Relocation									58,012	58,012
62	Acquisition - MCPS Bus Depot									tbd	tbd
63	Disposition of County Service Park - East Side									(68,919)	(68,919)
64											

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