

PHED COMMITTEE #1B  
January 11, 2016

MEMORANDUM

January 7, 2016

TO: Planning, Housing, and Economic Development Committee  
FROM: Glenn Orlin, Deputy Council Administrator   
SUBJECT: Montgomery Village Master Plan—transportation issues and fiscal impact statement

**Councilmembers: Please bring your copy of the Final Draft Plan to this worksession.**

This memorandum addresses the transportation elements in the Planning Board's Final Draft Plan (see pp. 66-79). Some purely technical corrections may be made to the final document. **Council staff concurs with the Final Draft's transportation-related recommendations, except where noted.**

*1. Land use/transportation balance.* Every master plan should have a balance between its proposed land use and its proposed transportation network and services. For more than two decades this "balance" has been defined as what would be needed to meet the current adequate public facilities (APF) requirements as described in the Subdivision Staging Policy (SSP). Achieving this balance in a plan is not an academic exercise: if a plan is not balanced, then at some point in the future a proposed master-planned development will be unable to proceed because it will have no means to meet the APF requirements. If not in balance, the solutions are either: (1) adding more road capacity; (2) adding more transit service so that the non-auto-drive mode share (NADMS); (3) reducing future development; (4) accepting a lesser (i.e., worse) congestion standard; or (5) some combination of the above. Very few plans have been adopted in the last quarter-century have been out of balance; the Council usually finds ways to put them in balance. Balance is measured two ways: a Policy Area Review (TPAR) and a Local Area Review (intersection test) at buildout.

This plan is peculiar, however, because a large part of whether or not it would be in balance depends upon the ultimate decision on the extension of M-83 (Midcounty Highway) from Montgomery Village Avenue to Ridge Road (MD 27) as a 6-lane divided highway, as called for in current master plans. The Department of Transportation (DOT) is currently evaluating the smaller scale Preferred Alternative it put forward in 2013—a 4-lane divided highway and shared-use trail in the master plan alignment—in the context of the subsequently master-planned MD 355 Bus Rapid Transit (BRT) line, and in conjunction with some other roadway improvements to MD 355 encompassed in Alternates 2 and 5 of the Midcounty Corridor Study. This analysis will not be completed until the fall of 2016, and so it

is an issue that will not reach the Council until late in 2016, at the earliest. (More on this below.) In the meantime, the Planning Board has continued to assume the extension of M-83 for the purposes of this plan, since the consequence of retaining, revising, or deleting it would likely have substantial implications not just on Montgomery Village, but on Germantown and Clarksburg as well<sup>1</sup>.

Given the relatively small proposed increases in housing (about 15%) and employment (about 10%) in Montgomery Village, and the larger implications of M-83 and the MD 355 BRT<sup>2</sup> on capacity and mobility, performing a Policy Area Test at buildout for this plan would not be meaningful. The Planning Board staff did perform a Local Area Review test at buildout, using the current LATR standards of 1,425 Critical Lane Volume (CLV) and 1,450 CLV for affected intersections in Montgomery Village and the City of Gaithersburg, respectively. The staff found that most of the intersections would operate within these standards at buildout, and those that did not could achieve the standards with the addition of one or more turning lanes. Therefore, Council staff does not recommend further changes in the proposed zoning, the transportation network, or the standards simply to address the balance issue.

**2. Issues related to M-83.** As noted above, the Planning Board has assumed the extension of M-83 as part of this plan. It has also assumed widenings in the 1985 Gaithersburg Plan that were part of other alternates in the Midcounty Corridor Study: specifically, the widening of Wightman Road to 4 lanes from Brink Road to Goshen Road, and the widening of Goshen Road to 6 lanes.

The Council heard considerable testimony from residents objecting to the widening of Wightman Road. The widening is included in Alternate 4 Modified, another of the alternatives retained for detailed evaluation in the Midcounty Corridor Study. However, neither DOT nor the Planning Board support these alternates. Alternate 4 Modified would widen a set of roads—Brink, Wightman, and Snouffer School Roads—which are at the edge of the corridor, at the furthest distance from the sources of its traffic demands; thus, it affords the least travel service of the major build alternates. It also would require taking property from twice as many parcels and would produce unsatisfactory levels of highway noise to twice as many residences than the other build alternates. The degree to which there is any significant traffic on Brink and Wightman Roads is due to the absence of M-83 or improvements to MD 355; these are the corridors properly under serious consideration for improvements now. **Council staff recommends showing 2 through lanes for Wightman Road between Brink and Goshen Roads.**

Nearby residents also decry the proposal of a minimum right-of-way width of 80' for Wightman Road. However, Planning staff has pointed out that nearly all the segments along Wightman Road already has 80' dedicated. The broader right-of-way width would also provide flexibility in designing the missing gaps of shared-use trail along the north side and stormwater management and landscaping along both sides of the road. **Council staff recommends retaining the 80' minimum right-of-way width.**

Goshen Road has been in the Capital Improvements Program for many years. Although master-planned to have 6 through lanes in a minimum right-of-way of 120', the Council decided last decade that no more than 4 through lanes would be needed. As designed, the Goshen Road widening will occur in a

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<sup>1</sup> Similarly, in the 1990s the Council directed the Board to assume the Intercounty Connector in the updates to the Fairland, White Oak, and Cloverly Master Plans, even though the ICC's fate was in doubt at that time.

<sup>2</sup> The potential effect of the MD 355 BRT on mode share was not assumed in the analysis of this plan.

minimum right-of-way of 103' in order to minimize impacts on adjacent properties. None of the alternates retained for detailed study in the Midcounty Corridor Study assume that Goshen Road would be beyond 4 lanes. **Council staff recommends showing 4 through lanes for Goshen Road in a 105' minimum right-of-way.** The extra two feet of right-of-way would allow the planned 8'-wide shared-use path to have a more standard 10' width, should that be feasible.

The Department of Fire and Rescue Services (DFRS) indicates its concern about reducing the planned widths of some of the roads in this plan. DFRS is concerned that less roadway will lead to more congestion and thus slower response times (see ©1-2, especially ©2). However, the detailed Local Area Review analysis demonstrates that some reduction in *planned* through-lane capacity will not result in congestion that exceeds current standards.

3. ***Stewartown Road Extended.*** Existing Stewartown Road is a 2-lane road running east-west between Goshen Road and Montgomery Village Avenue. The Planning Board recommends classifying it as a Minor Arterial; there has been no objection to this, and Council staff concurs.

Monument Realty, which owns the land of the former Montgomery Village Golf Course, wishes to build a housing development there; included in its plans is a 2-lane extension of Stewartown Road from Montgomery Village Avenue to Watkins Mill Road. Its recommendation is that it be in a 56'-wide right-of-way and classified as a Secondary Residential Street. The Montgomery Village Foundation and several residents recommend the narrower cross-section and its designation as a local street, effectively the equivalent of a Secondary Residential Street.

The Planning Board, however, recommends that the extension have a minimum right-of-way of 70', except that it could be reduced to 56' "where necessary to accommodate recommended land uses while protecting environmentally sensitive areas and reflecting existing neighborhood character" (see Note 4 on page 71). The Board also recommends that it carry the same Minor Arterial classification as it recommends for existing Stewartown Road east of Montgomery Village Avenue.

*Right-of-way width.* Monument's representatives make the argument that the only way it can fit its planned housing along the extension is if its right-of-way is limited to 56' in most sections. In its December 30 letter it outlines how a 56'-wide right-of-way could work, regardless of its classification (see ©3-9, especially ©9). Essentially, the difference between the standard 70'-wide right-of-way for a Minor Arterial and 56' is the absence of parking lanes. Those homes planned to front on Stewartown Road Extended will have driveways, but the driveways will not be sufficient to accommodate households owning multiple cars, as well as visitors and service vehicles. Monument understands this, and is planning to include in its detailed plans off-street parking reserved for vehicles that cannot fit in driveways.

DOT is concerned that there is currently no cross-section in the Road Code regulations that would allow for less than a minimum 70' right-of-way for a Minor Arterial. DOT is also concerned that 56' would be too tight a stricture, since many details normally addressed in a site plan—such as stormwater management—are yet unknown.

Council staff concurs with Monument's conclusion that a 56'-wide right-of-way would work, but only under the condition that sufficient off-street parking is provided in the approved site plan. The

plan should state that the extension have a minimum right-of-way of 56', which would leave flexibility during site plan review for any "unknowns" to be accommodated.

*Functional classification.* All County (and State) streets and roads are classified by function. There are two diametrically opposing functions: providing mobility across the road network, and providing access to individual properties. At one end of the spectrum are Freeways, which are meant entirely for mobility and do not allow access to individual properties. At the other end are Tertiary Residential Streets, which are only for access. All other roads fall within this spectrum, proving varying degrees of mobility and property access. The County Code describes each classification according to these functions. For this discussion, four particular classifications are relevant (see Section 49-31, subsections (e), (g), (j) and (m)):

- An Arterial is a road meant primarily for through movement of vehicles at a moderate speed, although some access to abutting property is expected.
- A Minor Arterial is a 2-lane Arterial meant nearly equally for the movement of vehicles and access to abutting property.
- A Primary Residential Street is a road meant primarily for circulation in residential zones, although some through traffic is expected.
- A Secondary Residential Street is a road meant to provide access between a residential development with fewer than 200 dwelling units and one or more higher classification roads.

Through traffic in these instances refers to traffic starting beyond one end of the road and ending beyond the other end; in other words, traffic that neither originates from nor is destined to homes or businesses along a road.

Montgomery Village is a sizable community that requires means of mobility across it. While there are two Arterials (Watkins Mill Road and Montgomery Village Avenue) and one Major Highway (Goshen Road) traversing it north-south, there is not sufficient east-west capacity. The Foundation's and residents' testimonies speak of wanting to prevent "cut-through" traffic on Stewartown Road Extended, even though most of the "cut-through" traffic would be Montgomery Village residents going into or out of the Village or merely going from one section of the Village to another. One piece of testimony complained that Apple Ridge Road—an east-west connection north of the Stewartown Road Extended—was an Arterial and that it shouldn't be replicated. However, Apple Ridge Road is classified as a Primary Residential Street; it is carrying too much through traffic between Montgomery Village Avenue and Watkins Mill Road because there is no reasonable alternative for Village residents making that trip. Stewartown Road Extended would relieve Apple Ridge Road of much of its through traffic.

**Council staff recommends classifying Stewartown Road Extended as a 2-lane Minor Arterial in a 56'-wide minimum right-of-way, with the condition that sufficient off-street parking is provided to serve the new homes. The cross-section shown in the lower left on ©9 should be the cross-section illustrated in the plan.**

**4. Roadway classification table.** Council staff recommends including the following note for "Through Travel Lanes" in Table 1: Roadway Classifications: "These are the number of planned through travel lanes for each segment, not including lanes for turning, parking, acceleration,

**deceleration, or other purposes auxiliary to through travel.”** This is a standard note in all plans to clarify the meaning of “Through Lanes.”

**5. Fiscal impact statement.** On January 4 the Office of Management and Budget transmitted the Executive’s Fiscal Impact Statement for this plan (see ©10-11, especially ©11). Executive staff estimate the cost of new capital improvements associated with this plan to be \$245.6 million. If Wightman Road is not widened to 4 lanes, Council staff estimates this cost would be reduced by about \$50 million.

Executive staff also estimates one-time operating costs of about \$6.2 million and an annual added operating cost (once all facilities are implemented) to be about \$17.5 million.

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MONTGOMERY COUNTY FIRE AND RESCUE SERVICE

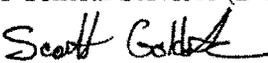
Isiah Leggett  
County Executive

Scott E. Goldstein  
Fire Chief

MEMORANDUM

November 12, 2015

TO: Mr. Greg Ossont  
Deputy Director, Department of General Services (DGS)

FROM: Fire Chief Scott E. Goldstein   
Montgomery County Fire and Rescue Service (MCFRS)

SUBJECT: Montgomery Village Master Plan – Planning Board Draft

Thank you for the opportunity to comment on the Planning Board Draft Montgomery Village Master Plan. Staff from the Planning Section and Office of the Fire Marshal reviewed the draft plan and provided comment.

I concur with the “Fire, Rescue, and Emergency Medical Services” narrative on page 31 of the draft plan (Section 3.3.3), including the recommendation for the siting of a new fire station in the vicinity of Goshen Road and Rothbury Drive. Existing fire, rescue, and EMS needs in the planning area, as well as future needs brought about by proposed redevelopment, support the need for this station. Apart from my overall concurrence with the fire/rescue-related narrative in Section 3.3.3, I believe the following edits would be appropriate:

- Page 31, 2<sup>nd</sup> paragraph: Add to the end of the paragraph the following sentence: “This station has also been recommended in the *2016-2022 Fire, Rescue, Emergency Medical Services, and Community Risk Reduction Master Plan*.”
- Page 31, 3<sup>rd</sup> paragraph, 1<sup>st</sup> sentence: Add “Battalion EMS Supervisor” to the listed resources to be deployed at the new fire station. Also in the 1<sup>st</sup> sentence, “future second ambulance” should be replaced with “future additional EMS Unit” as that future unit could be an ambulance or ALS chase unit depending upon future EMS needs in Montgomery Village.
- Page 31, 3<sup>rd</sup> paragraph, last sentence: “..... will be recommended by MCFRS” should be replaced with “will be recommended to the County Executive by the site evaluation committee.”

Office of the Fire Chief

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Mr. Greg Ossont, Deputy Director, Department of General Services (DGS)  
Montgomery Village Master Plan – Planning Board Draft  
November 12, 2015  
Page 2 of 2

I am concerned about the proposed downgrading of the functional classification of Montgomery Village Avenue from six lanes to four and proposed reduction of cross sections of other roadways (pages 67-71, Section 6.1.1) without further technical analysis of existing conditions and anticipated impacts. Reducing the number of through-lanes and narrowing of roadway cross sections will lead to greater traffic congestion; thus negatively affecting response times of fire-rescue vehicles.

If you need further information or have questions, please contact me on 240-777-2468 or Planning Section Manager Scott Gutschick on 240-777-2417.

SEG/sag

cc: Scott Gutschick, MCFRS Planning Section Manager  
Amy Donin, DGS Planning Specialist,

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December 30, 2015

*Via E-mail*

Montgomery County Council  
100 Maryland Avenue  
Rockville, Maryland 20850

Re: Montgomery Village Master Plan  
General Comments from Monument Realty

Dear Chairwoman Floreen and Councilmembers:

On behalf of Monument Realty (“Monument”), the owner of the former Montgomery Village Golf Course property now recommended for residential use, we submit the following comments to the Planning Board Draft of the Montgomery Village Master Plan (the “Master Plan”). Please note that these comments supplement, and are not intended to supersede, the November 25, 2015 comments on behalf of the same party and submitted to the Council.

As demonstrated at the December 1<sup>st</sup> Public Hearing on the Master Plan, there is strong community support for the Master Plan and its recommendations for limited redevelopment in underutilized areas: the Montgomery Village Foundation (“Foundation”), along with more than a dozen Montgomery Village residents, spoke in support of the Master Plan, including, and in particular, the transformation of the former golf course into a mix of parkland, open space and residential housing. There was a consistent theme in all the testimony about a desire for enhanced open space and natural areas; Monument supports this vision and is prepared to rehabilitate the entire golf course and reserve more than half of the entire area as open space, with half of that proposed as land dedicated to the Maryland-National Capital Park and Planning Commission (“MNCPPC”) Parks Department, as recommended in the Master Plan.

In contrast to the specific recommendations made in the previous correspondence, this letter takes a broader look at the planning exercise before the Council. But, first, additional detail on the proposed cross-section for Stewartown Road raised in previous correspondence and at the Public Hearing is provided.

Stewartown Road. The Master Plan proposes Stewartown Road as a Minor Arterial Road with a cross-section of 70 feet, and that a “minimum of 56 feet [for the right-of-way] could be considered, where necessary, to accommodate recommended land uses while protecting environmentally sensitive areas and reflecting the existing neighborhood character.” (Footnote 4, page 71.) It is

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counter-productive and confusing to categorize a proposed road under one classification while making numerous recommendations to waive the standards of such a classification.

Therefore, Monument proposes that the attached 56-foot Cross-Section be substituted for the 70-foot right-of-way in Figure 18 (page 68 of the Master Plan) as it achieves all the goals outlined in the Footnote without the uncertainty of requesting waivers from other government agencies.<sup>1</sup> In addition, the designation of the road should be changed from Minor Arterial to a Secondary Residential Street (at a minimum, between Montgomery Village Avenue and Watkins Mill Road) to better reflect the character of the neighborhood.

When designing the new neighborhood, Monument's design team spoke to adjacent community members and analyzed their roads to develop a scheme for the new community to blend in seamlessly with the existing community. As a result, the proposed Cross-Section was created to mimic Meadowcroft Lane in the Fairidge community, as the placement of the new homes and lots is meant to mimic the land design within that neighborhood. The Minor Arterial proposed in the Master Plan, with parking on either side is neither in character with the community design nor with the idea of blending the new community into the existing community.<sup>2</sup>

Monument's proposed Cross-Section takes into account the need to provide a vehicular east-west connection to Watkins Mill Road, as well as a trail connection for pedestrians, while respecting the residential character of the neighborhood. In addition, off-street parking is provided for each home accessed via the street through a combination of garage/driveway spaces (up to four per unit) and in designated visitor parking areas; off-street parking is also provided at the new "Central Park" area being created immediately to the west of Montgomery Village Avenue, along the proposed road.<sup>3</sup>

In addition, the classification as Secondary Residential Street rather than Minor Arterial will minimize the impact to the environmental features by allowing reduced dimensional standards such as minimum taper length for "monumental entry" (median transition required at Watkins Mill Road), minimum centerline radius, and minimum tangent between reverse curves. These reduced dimensional standards are standard with the Secondary Residential Street Classification and will also promote traffic calming.

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<sup>1</sup> The attached Cross-Section also outlines the modifications to the traditional Road Code standards that would be needed to accommodate the proposed section under three different road designations.

<sup>2</sup> The nearest Minor Arterial road is Apple Ridge Road, approximately 800 feet to the north.

<sup>3</sup> Although the Central Park has not been programmed, initial suggestions from the Foundation include passive open space to preserve views, community gardens and a dog park. Additional coordination with the Foundation will be needed, but, in any case, some off-street parking is expected to be provided for users of the Central Park.

For these reasons, we request that the 56-foot wide Cross-Section be elevated from a footnote to a full recommendation of the Master Plan and that the road be designated as the more appropriate Secondary Residential Street classification with the design modifications delineated in the attached Cross-Section. The road should be classified under the nearest road standard that fits the desired *use and design of that road* to fulfill the Master Plan's vision when the area is subject to future regulatory review and interpretation.

Re-Evaluation of Montgomery Village. Montgomery Village was created by the Town Sector (TS) Zone in 1966. The TS Zone was a product of the new cities movement – the first of its kind in Montgomery County – designed to create a self-sustaining city along the spoke of the I-270 Corridor. In order to make sure that the city had the opportunity to grow as planned, the TS Zone had a prohibition on any rezoning for 50 years. Now that this time has passed, the Council has an obligation to review the area to examine what has succeeded and what has failed, and to take action to begin the next stage of the community's growth cycle.

Montgomery Village has been a successful residential community from its inception; today, original owners and new generations continue to find an affordable and amenity-rich neighborhood in Montgomery County. However, the commercial elements of the community have failed or are failing – MNCPPC's studies have shown the existing retail is struggling and the office market has collapsed. The golf course, a private business and part of the commercial element of the community, also failed: the former owner declared bankruptcy and the course has been permanently closed. These areas, the commercial areas and the golf course, are the focus of the Master Plan for which the Planning Board has recommended new residential development to revitalize and reinvigorate the area. Specifically, the Master Plan recommends the addition of housing on these underutilized properties to add new housing product where there has been none built in this community for more than 20 years<sup>4</sup> and as a way to start adding households to support the retailers.

With respect to the former golf course, the business has failed, as have dozens of other courses in the State and hundreds nationwide and will not be re-opened. The course was always considered a private, commercial business and not Open Space:

1. The original Development Plan, as amended over time, clearly separates the acreage of the golf course from the acreage required for Open Space (see attached; Area and Density Analysis Table, where the golf course is listed with the commercial/employment statistics, not the Open Space).

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<sup>4</sup> Numerous studies have shown that new residential development around or near existing communities raises the property values of all the homes and provides a means for residents to stay in the community as their needs change – for example, an empty nester may want to downsize to an apartment or a couple may want to move out of their starter home when their family expands.

2. The golf course was always in private ownership and management and restricted to paid members only, unlike the pools and other facilities managed by the Foundation and open to all residents of the Village.

3. The golf course was never platted or otherwise encumbered by any of the Montgomery Village regulations; in fact, the golf course is not formally subject to the Declaration of the Foundation (though it may have voluntarily submitted to architectural control in the past).<sup>5</sup>

Consequently, the Planning Board viewed the golf course not for what it was or what it was expected to be 50 years ago, but with the benefit of current conditions, expectations for the future and established planning principles. Looking upon the closed golf course as any other vacant building/land, the Planning Board and Staff evaluated the best way to replace the failed economic enterprise to avoid the potential of blight in the community. Thus, the unanimous consensus of the Staff and the Planning Board (as well as the Foundation and its committee created to study the reuse of the property) was that a combination of residential development and open spaces was in the best interest of the overall community.

As a golf course, any vegetation was tightly controlled and no natural features remain on the property other than the Cabin Branch stream. The proposed development will restore more than approximately 70 acres of the 147 acre property to natural conditions, including foresting the existing stream valley buffer. This forested corridor is planned to provide a link between Lois Green Conservation Park and Great Seneca Stream Valley Park to complete a larger network of trails and environmental buffers that have been desired for years – *this is the definition of Open Space*. In addition, the property provides opportunities for amenities to serve Montgomery Village residents, to be managed by the Foundation and open to all; another example of the transformation of a private property inaccessible to all but a few into open spaces to be used by the entire community. In addition to these benefits, the Master Plan recommends additional housing, at densities below those of the surrounding communities, to add new housing opportunities as discussed above and, in part, to defray the public benefit expense of the new open space and amenities.

Alleged Title Restrictions on the Property. Certain testimony and correspondence in the record allege that there is a covenant on the property restricting its use in perpetuity to a golf course.<sup>6</sup> This is untrue; *there is no such title restriction on the property*. The Planning Board and its legal counsel studied the matter and concluded unequivocally that no such covenant exists. And, even if it did, neither the Planning Board nor the Council is tasked with enforcing a private covenant and, therefore, any such restriction is irrelevant to the planning efforts being undertaken.

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<sup>5</sup> Monument is prepared to submit the property to Foundation control as part of the future regulatory process.

<sup>6</sup> The same parties that claim that a land use restriction exists over the entire golf course also support high-density development on the area of the golf course along Montgomery Village Avenue; the two positions cannot be reconciled.

A detailed memo from Monument's title attorney is attached. In summary, even though a covenant was contemplated in a version of the sales contract from the original developer to the former owner/operator of the course, the contract is not a covenant and one was never recorded in the Land Records, which is the repository for such information.<sup>7</sup> Even if the contract or a marketing letter from the original developer to residents<sup>8</sup> were to constitute a covenant, the bankruptcy proceeding eliminated any unrecorded restrictions on the property.<sup>9</sup>

As described above, there is no land use restriction on the land. The previous recommendation from the last two Master Plans are not recorded land use restrictions, they are recommendations that must, under State law, be revisited and adjusted based on the circumstances in place at the time of Master Plan review.

Finally, when the Council adopted the new Zoning Ordinance, the TS Zone was eliminated. As noted in the Master Plan, the elimination of the TS Zone also leads to the elimination of the original Development Plan that governed Montgomery Village over the last 50 years. With the demise of the Development Plan, the old master plan is exchanged for a new one – as discussed in the Master Plan, the vision and objectives have not changed, rather have adjusted to the circumstances. Therefore, the Master Plan evaluated each site within Montgomery Village as to what it could contribute to the future of Montgomery Village and Montgomery County in the next 50 years.

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<sup>7</sup> Any discussion of the unrecorded contract is speculative and irrelevant to the Master Plan. However, in order to respond to the allegation, we note that neither Monument nor the Council can be sure that this version of the contract was not amended at a later date to eliminate the subject clause; it is likely that the buyer balked at the restriction and would not buy the property without such an amendment. Similarly, the clause at issue is a "may" not a "shall," which is an important distinction. The sellers were sophisticated real estate developers and would understand the difference; the parties demonstrated their understanding of the various requirements in the contract by recording certain covenants and not others so there can be no reasonable argument that the covenant was lost or otherwise not properly recorded.

<sup>8</sup> The letter being relied upon was a marketing letter sent to reassure skittish buyers, not a perpetual pledge. As with the contract discussed above, no party has been able to demonstrate that they were aware of the letter when purchasing their homes and made any decisions based upon its content.

<sup>9</sup> The Bankruptcy Order specifically transferred the property to Monument free of any encumbrances. To the extent a party believes an encumbrance exists that was not referenced in the Bankruptcy Order, in any action, the State Court must defer to the federal Bankruptcy Order pursuant to the Supremacy Clause of the Constitution.

Montgomery County Council  
December 30, 2015  
Page 6

Thank you for your consideration.

Very truly yours,



Erica A. Leatham

EAL/akm  
Enclosures

cc: Yovi Sever  
Pam Frentzel-Beyme  
Russell Russell Hines  
David B. Humpton  
Christopher Hitchens  
Josh Sloan  
Laurence J. Brady AICP, LEED-AP  
Erik Aulestia  
Chanda Beaufort





OFFICE OF MANAGEMENT AND BUDGET

Isiah Leggett  
County Executive

Jennifer A. Hughes  
Director

**MEMORANDUM**

January 4, 2016

TO: Nancy M. Floreen, President, County Council

FROM: Jennifer A. Hughes, Director, Office of Management and Budget

SUBJECT: Fiscal Impact of the Montgomery Village Master Plan

Please find attached the fiscal impact statement for the Montgomery Village Master Plan.

JAH:nm

c: Bonnie Kirkland, Assistant Chief Administrative Officer  
Lisa Austin, Offices of the County Executive  
Ramona Bell-Pearson, Special Assistant to the County Executive  
Joseph F. Beach, Director, Department of Finance  
Robert Hagedoorn, Department of Finance  
Alison Dollar, Department of Finance  
Glenn Orlin, Deputy Council Administrator  
Naeem Mia, Office of Management and Budget  
Felicia Zhang, Office of Management and Budget

Office of the Director

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**County Capital and Operating Cost Estimates  
Assumed to be Incurred as a Result of the  
Montgomery Village Master Plan  
1/4/2018**

Project	Description	Cost Estimate (\$)
Road Construction and Improvements	<ul style="list-style-type: none"> <li>• Wightman Road - widen to four lanes (\$82 million)</li> <li>• Montgomery Village Avenue and Wightman Road - intersection (\$8 million)</li> <li>• Christopher Avenue (from City of Gaithersburg Line to Montgomery Village Avenue) - construct separated bicycle lanes (\$12 million)</li> <li>• Lost Kille Road (from Montgomery Village Avenue to Odendahl Avenue) - construct separated bicycle lanes (\$28 million)</li> <li>• Starvation Road (from Montgomery Village Avenue to Goshen Road) - construct shared-use path on south side (\$3 million)</li> <li>• Montgomery Village Avenue (from Midcounty Highway to Wightman Road) - construct shared-use path on east side (\$6 million)</li> <li>• Apple Ridge Road (from Apple Ridge Recreation Area to Montgomery Village Avenue) - provide bicycle lane markings (\$16 million)</li> <li>• Apple Ridge Road (from Apple Ridge Recreation Area driveway to Walkins Mill Road) - construct bicycle lanes (\$6 million)</li> <li>• Midcounty Highway (from Montgomery Village Avenue to plan boundary) - construct a shared-use path on the north side (\$4 million)</li> <li>• Walkins Mill Road (from Steadwick Road to Apple Ridge Road) - construct a shared-use path and upgrade existing paths on the west side (\$1 million)</li> <li>• Warfield Road (from Woodfield Road to Wightman Road) - construct missing segments of the shared-use path on the south side (\$9 million)</li> <li>• East Village Avenue (from Goshen Road to Woodfield Road) - construct a shared-use path on the north side (\$7 million)</li> <li>• Centerway Road (from Goshen Road to Montgomery Village Avenue) - construct a shared-use path on the north side (\$2 million)</li> <li>• Wightman Road (from Goshen Road to Brink Road) - construct a shared-use path on the north side (included as part of Wightman Rd widening)</li> </ul>	167,000,000
New Fire Station	Montgomery Village Fire Station #39: 4-bay fire-rescue station to house a Paramedic Engine, 2 EMS transport units, Battalion EMS Supervisor, reserve apparatus, and equipment. Station may include a community room. Location TBD.	21,600,000
New Sixth District Police Station	Currently, the Sixth District police station operates in leased space on Walkins Mill Road in Gaithersburg. A new permanent Sixth District police station has been planned and designed and will be located near the Walkins Mill Road Interchange and MD 305 in the City of Gaithersburg.	33,600,000
New Public Elementary School	Plan reserves site for a new elementary school site. If all of the potential new residential development contemplated by the Plan is actually built, there may be enough additional elementary school students in the area to justify a new school.	33,600,000
<b>Subtotal Capital Improvement Projects:</b>		<b>245,600,000</b>

Department	Description	Cost Estimate (\$)
Fire and Rescue	Staffing for new fire station: 10 captains, 5 masters, 30 firefighters: \$4.2 million (annual) for 45 positions; supplies, fuel, insurance: \$240,000 (annual); vehicles: \$1.7 million (one-time); ALS equipment: \$110,000 (one-time); recruit class: \$3.0 million (one-time)	One time costs: 4,810,000
		Ongoing Costs: (year one and beyond) 4,440,000
Police	Staffing for new permanent police station: 2 sergeants, 10 police officer III, 2 corporals, 2 investigators, and 2 motor traffic officers: \$1.72M (annual) for 18 positions; operating expenses: \$30,600 (annual); personnel equipment (uniforms, sidearms, accessories) and other items: \$302,740 (one-time); vehicles and associated equipment: \$1.05M (one-time)	One time costs: 1,348,740
		Ongoing Costs: (year one and beyond) 1,768,883
MCPS	Elementary: 425 add'l students x \$14,372 per student	One time costs: N/A
	Middle: 156 add'l students x \$13,786 per student High: 216 add'l students x \$14,068 per student	Ongoing Costs: (year one and beyond) 11,268,905
<b>Subtotal Operating Budget Impacts (One time costs):</b>		<b>6,158,740</b>
<b>Subtotal Operating Budget Impacts (Ongoing costs):</b>		<b>17,468,798</b>
<b>Subtotal Potential Future Fiscal Impacts:</b>		<b>23,627,538</b>

- Notes and Assumptions:**
- The following departments reported no fiscal impacts associated with the Montgomery Village Master Plan: Housing and Community Affairs (DHCA), Environmental Protection (DEP), Permitting Services (DPS), Recreation (REC), Economic Development (DED)
  - Transportation fiscal impacts do not include currently programmed/funded County CIP projects (e.g., Goshen Road South - \$128M), State Highway Administration (SHA) projects that are funded or identified in the Master Plan, City of Gaithersburg projects, and developer contributions/projects that are identified in the Master Plan.
  - The widening of Shouffer School Road from two to four lanes is funded for construction (CIP projects #601109 - \$27M and #601110 - \$13M). Goshen Road is also funded to be widened from two to four lanes (CIP project #601107 - \$128M).
  - The Master Plan does not address the unbuilt portions of Midcounty Highway (M-53) since decisions about this road will not be resolved within the time frame of this Master Plan. MCDOT is studying transit and roadway alternatives to Midcounty Highway and implications to Montgomery Village and other areas of the County. None of the recommendations in this Plan restrict the outcome of that study.
  - MCPS cost-per-pupil based on estimates for White Oak Master Plan FIS.
  - The Master Plan calls for developers to preserve and maintain open and park spaces.