

MEMORANDUM

February 14, 2023

TO: Government Operations & Fiscal Policy (GO) and Planning, Housing, and Parks (PH) Joint Committee

FROM: Naeem M. Mia, Legislative Analyst
Eunice Jeong, Legislative Analyst

SUBJECT: **Declaration of No Further Need – Disposition via Transfer of a portion of Burtonsville Park and Ride Lot, located in Burtonsville, Maryland, to First Equity Holdings**

PURPOSE: Vote on recommendations for the Council’s consideration

Expected Attendees:

- Greg Ossont, Deputy Director, Department of General Services (DGS)
- Ronnie Warner, Chief, Office of Planning and Development, DGS

Overview

This item was introduced at Council on November 15, 2022, with a public hearing on November 29, 2022 (there were no speakers).¹ On December 13, 2022, the Council approved a resolution extending the time to act on this disposition to February 28, 2023.

At this session, the GO/PH Joint Committee will review and make recommendations to the full Council on the County Executive’s proposed disposition of approximately 6.06 acres of County-owned property (“subject property”) located in Burtonsville to First Equity Holdings. The transfer will be via a sale of the properties at fair market value. Circle 9 contains a concept plan for the site and its adjacent areas, including proximity to U.S. 29, location of the County’s FLASH Bus Rapid Transit (BRT) station, and the existing Burtonsville Crossing shopping center.

The disposition includes the following key terms (the Executive’s transmittal memo is on circles 3-8):

¹ As of the date of this memo, no written testimony has been received for this disposition.

- Sale of a portion of the existing County-owned Burtonsville park-and-ride lot, which will be used to develop 250 units of multi-family housing (approximately five stories in height), including 175 market-rate units and 75 affordable units at varying area median income (AMI) levels;
- A sales price of approximately \$2.1 million (or \$12,000 per market-rate unit), based on a land valuation exercise conducted by JLL determining a range of \$5,000 to \$15,000 per market-rate unit; a General Developer Agreement (GDA) is under development;
- First Equity will construct a 500-space parking garage to replace the approximately 475 surface parking spaces; upon completion, the County will own, operate, and maintain the garage. The total estimated cost of the garage is \$18.0 million, of which \$500,000 of state aid has been previously appropriated by the Council in FY22 for planning/studies and of which the Executive is recommending another \$4.5 million for FY24 for construction (see circles 10-11 for the CE’s recommended FY23-28 amended CIP); and
- The County retains the option to construct a second 500-space garage on the site (land will be set-aside by the developer) if and when transportation conditions require it.

Summary of the Property Disposition Process

The proposed transfer of the two properties is subject to the Property Disposition process as the subject properties are either owned in fee simple (i.e., the abandoned portion of Executive Boulevard) or will be owned (i.e., the Conference Center parking lot) in the near future by the County in fee simple.

The County Executive has complied with the requirements of the Property Disposition process as established under *County Code 11B-45.01 Disposition of Real Property*, including:

- The Executive transmitted to the Council the material terms on October 3, 2022, initiating a 30-day comment period from the Council.
- On September 22, 2022, Executive Order 209-22 was published in the County Register to give notice of the County’s intent to proceed with disposition to First Equity Holdings and that there was no further need for public use.
- The Executive transmitted to the Council Executive Order 209-22, containing a Declaration of No Further Need, on November 8, 2022, triggering a 60-day Council review and action period (which was extended to February 28, 2023 on December 13, 2022 by Council resolution).

Housing Plans

Traffic projections indicate increased traffic on the U.S. 29 corridor due to population growth and it is estimated there will be a need for 1,000 parking spaces by 2040. The Burtonsville Crossroads Neighborhood Plan, of which the site is located within, also “seeks to enhance the community

through pedestrian connectivity, high quality design, investments in business and preservation of the environment.” In addition, FLASH BRT service began in late 2020, operating from its northern terminus on the subject property and serving area commuters. As such, the County sought to improve the land use for the subject property in order to capitalize on existing and planned activities and advance future policy needs.

In June 2021, DGS issued a request for developer proposals to identify opportunities for subject property (see circles 17-30); the main objectives for the proposals are:

- Provision of park and ride spaces at the Site. Preference is to retain the current bus loop operations; however, it may be integrated into a new parking garage. The Flash station must be retained or replaced in-kind. State funding, described above, may be available to assist in the development of a new garage. The County seeks proposals that achieve at least 500 parking spaces immediately and demonstrate the ability to achieve up to 1,000 total spaces as transit service expands. The County encourages shared parking among proposed uses.
- Redevelopment of the Site to create a vibrant single-use or mixed-use development that generates economic and community activity. The County is interested in office, residential or retail, specifically a grocery, or any viable mix of uses.
- Creation of a financially feasible and economically viable project.
- Design that makes the project an asset to the surrounding neighborhood. The design should create a strong image for Burtonsville that serves as a model for thoughtful place-making.

After the proposal closing date of October 2021, the County selected First Equity Holdings’ proposal to build a five-story multi-family residential with 250 apartment housing units, as well as a separate residential parking garage and the County’s 500-space structured parking garage, on the site. The County anticipates all major elements of the project to be completed within five years after a GDA is executed.

Although the exact number of housing units and mix of types (studios, 1 bedroom, 2 bedrooms, etc.) will be fully determined during the design and entitlement process, the developer is proposing the following:

<u>Number of Units</u>	<u>Affordability Levels</u>
175 (70%)	market-rate (> 120% AMI)
12 (5%)	100 to 120% AMI
12 (5%)	80 to 100% AMI
12 (5%)	60 to 80% AMI
12 (5%)	50 to 60% AMI
12 (5%)	40 to 50% AMI
12 (5%)	30 to 40% AMI
<u>~250</u>	<u>Totals</u>

Burtonsville Park and Ride Improvements CIP

The Burtonsville Park and Ride Improvements CIP project (P502203) was approved and first appropriated by the Council in FY22 in the amount of \$500,000 of state aid to fund studies and initial planning work to construct a parking garage to replace surface parking. A 2021 Bond Initiative (see circles 12-16) was approved by the Maryland General Assembly allocating those funds, as well as setting aside an additional \$4.5 million of state funding to be used towards construction as the project developed. Given the subject property's proximity to high-traffic state roads (U.S. 29 and MD 198), as well as serving both Montgomery County and Howard County commuters, the state has a strong interest in redeveloping the park-and-ride lot.

The County Executive is recommending a total of \$4.5 million of state aid in his recommended CIP (released on January 17, 2023); with an estimated total cost of \$18.0 million, state aid represents 25% of the total cost.

The County is envisioning the current CIP project to be a reimbursement mechanism; the developer would construct the garage and would seek reimbursements from the project after County review and approval of costs. The County will retain full approval of plans, budget, architect/engineer, and general contractor.

Key Issues for the Committee to Consider:

The Committee is making recommendations on the disposition itself and not on any funding decisions at this time. However, the cost and schedule for the construction of the garage is closely tied to the developer's private development schedule *after* a GDA is executed.

Assuming the GDA is executed in late calendar 2023 and specifies completion of the housing units and County garage within five years (or by late calendar 2028), the County would need to appropriate the remaining \$13 million (either through additional state aid or through another source of funds) sometime within the FY24 through FY29 timeframe.

This packet contains:

	<u>Circle Page #</u>
1. Draft Resolution Approving Executive Order 209-22	1-2
2. Transmittal Memo from County Executive dated November 8, 2022	3-8
3. Concept Plans for Site	9
4. Burtonsville Park and Ride Improvements – Recommended CIP	10-11
5. 2021 Bond Initiative Fact Sheet – Burtonsville Garage	12-16
6. June 2021 – Request for Developer Proposals	17-30

Resolution No: _____
Introduced: November 15, 2022
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President at the request of the County Executive

SUBJECT: Approval of Disposition via Transfer of a portion of Burtonsville Park and Ride Lot, located in Burtonsville, Maryland, to First Equity Holdings

Background

1. Montgomery County Code §11B-45 requires the Council to approve a Declaration of No Further Need before the Executive can dispose of real property that has more than nominal value. Prior to seeking Council approval of a Declaration of No Further Need, the Executive must:
 - (a) submit all material terms of the proposed disposition and any appraisal the Executive relied on in setting the property's market value to the Council; and
 - (b) publish a declaration in the County Register and post a notice on the County website that the County has no further need for the property.If the Council, by resolution, approves the Executive's Declaration of No Further Need, the Executive may dispose of the property for fair market value.
2. On October 3, 2022, the Executive transmitted the material terms of the proposed disposition. The Executive recommended the transfer and sale of a portion (totaling 6.06 acres) of the Burtonsville Park-and-Ride lot to First Equity Holdings ("First Equity") to develop approximately 250 multi-family housing units. At least 30 percent (or 75) of the housing units will be made affordable to households earning less than 120 percent of the Area Median Income (AMI). The final number of apartments will be determined through the design and entitlement process.
3. The County will retain ownership of the remaining portions to develop a 500-space garage to replace the current 475-space surface lot. The County retains the ability to construct 500 additional garage spaces in the future as transit service expands.
4. The sales price is based on \$12,000 per market-rate unit, or approximately \$2.1M based on 175 market-rate units (at 70% of 250 total units). An appraisal was not conducted due to a lack of comparable multi-family sales in Burtonsville; the County relied on a land valuation exercise, conducted by JLL, to determine a value of \$5,000 to \$15,000 per unit.

1. On September 22, 2022 Executive Order 209-22 was published in the County Register to give notice of the County's intent to proceed with disposition to First Equity Holdings and that there was no further need for public use.
2. The Council is scheduled for a public hearing on this recommended disposition on November 29, 2022. A joint GO/PHED Committee worksession was held on XXXX.

Action

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

The Declaration of No Further Need for the Transfer of a portion of the County-owned park-and-ride lot located on National Drive in Burtonsville, Maryland is approved and the property may be disposed of as described in the material terms provided to the Council on October 3, 2022, the memorandum dated November 8, 2022, and in Executive Order 209-22 as published in the County Register on September 22, 2022.

This is a correct copy of Council action.

Judy Rupp
Clerk of the Council




OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

November 8, 2022

TO: Gabe Albornoz, President
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Declaration of No Further Need – Burtonsville Park and Ride Site Disposition

On October 3, 2022, I transmitted material terms to Council and provided notice that I intend to sell a portion of approximately 6.06 acres of County-owned property known as the Burtonsville Park and Ride, Burtonsville, Maryland (“Property”) to First Equity Holdings.

As required under Section 11B-45 of the Montgomery County Code, an Executive Order must be issued declaring that the County-owned site is no longer needed for public use. Attached please find Executive Order 209-22 which was published in the *County Register* on September 22, 2022 to give notice of my intent to proceed with the sale to First Equity Holdings.

The Property was included in a 2021 Request for Developer Proposals for the redevelopment of the site. I chose First Equity Holdings as the selected developer, who will act as the master developer of the Property.

The project will include the development of +/-250 rental apartments, with a minimum of 30% of the units affordable to households making less than 120% of the area median income (AMI). Half of the affordable units are to be affordable to households earning between 30% and 60% AMI. Specifically, 5% 30-40 AMI, 5% 40-50 AMI, 5% 50-60 AMI, 5% 60-80 AMI, 5% 80-100 AMI, 5% 100-120 AMI.

A 500-space garage will replace the current surface lot Park and Ride. The County retains the ability to construct 500 additional garage spaces in the future as transit service expands per MCDOT’s requirements. The County will retain ownership of the land to be used for the parking

garages. The final number of apartments will be determined through the design and entitlement process.

After an agreement is executed, First Equity will have a 90-day feasibility period and will provide a \$50,000 deposit. They will pay the County \$12,000 per approved market rate housing unit at the closing on the apartment land. The schedule assumes the 500-space County garage and apartments will be completed within five years after an agreement is executed.

In its role as master developer, First Equity will secure entitlements for both the housing and the garage. The intent is to secure Mandatory Referral approval for a 1,000 space County parking garage in addition to entitlements for apartments. In its role as fee developer of the parking garage, First Equity will design and construct the garage in accordance with the County-approved scope, budget, and schedule. The County will have final review and approval of garage plans, budget, architect/engineer, and general contractor. The County will pay First Equity for any due diligence, design, development, and construction costs monthly for a fee to be determined. The County will own and operate the garage. The garage is estimated to cost approximately \$18 million. The County received a \$5 million grant from the State of Maryland toward the cost.

I hope this information is helpful. If you have any questions, please contact Greg Ossont, Deputy Director, Department of General Services, at 240.777.6192 or greg.ossont@montgomerycountymd.gov.

Enclosure: Executive Order No. 209-22
Material Terms Memo dated October 3, 2022

cc: Jennifer Bryant, Director, Office of Management and Budget
Michael Coveyou, Director, Department of Finance
David Crow, Acting Controller, Department of Finance
Jewru Bandeh, Director, East County Regional Services Center
David Dise, Director, Department of General Services
Greg Ossont, Deputy Director, Department of General Services
Cynthia Brenneman, Division Chief, Department of General Services
Ronnie Warner, Division Chief, Department of General Services



MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Disposition of County Property: Burtonsville Park and Ride Site	Executive Order No. 209-22	Subject Suffix
Montgomery County Department of General Services	Department No.	Effective Date 09-22-22

County Executive Declaration of No Further Need

Recitals

WHEREAS, the County owns approximately 6.06 acres of property on Sandy Spring Road and Columbia Pike, Burtonsville, described in the Deed of Dedication recorded among the Land Records of Montgomery County at Book 39452, page 225 and Book 8811, page 549 ("the Property"); and

WHEREAS, the Property is currently utilized as the Burtonsville Park and Ride; and

WHEREAS, the Property was included in a 2021 Request for Developer Proposals for the redevelopment of the site; and

WHEREAS, First Equity Holdings ("First Equity") was chosen as the selected developer, who will act as master developer of the Property; and

WHEREAS, the project will include development of +/-250 rental apartments with a minimum of 30% of the units affordable to households making less than 120% of the area median income (AMI). Half of the affordable units are to be affordable to households earning between 30% and 60% AMI. Specifically, 5% 30-40 AMI, 5% 40-50 AMI, 5% 50-60 AMI, 5% 60-80 AMI, 5% 80-100 AMI, 5% 100-120 AMI. The final number of apartments will be determined through the design and entitlement process; and

WHEREAS, a 500-space garage will replace the current surface lot Park and Ride. The County retains the ability to construct 500 additional garage spaces in the future as transit service expands per MCDOT's requirements and will retain ownership of the land to be used for the parking garages; and

WHEREAS, after an agreement is executed, First Equity will have a 90-day feasibility period and will provide a \$50,000 deposit. They will pay the County \$12,000 per approved market rate housing unit at the closing on the apartment land. The schedule assumes the 500-space County garage and apartments will be completed within five years after an agreement is executed; and

WHEREAS, in its role as master developer, First Equity will secure entitlements for both the housing and the garage. The intent is to secure Mandatory Referral approval for a 1,000 space County parking garage in addition to entitlements for apartments. In its role as fee developer of the parking garage, First Equity will design and construct the garage in accordance with County-approved scope, budget, and schedule. The County will have final review and approval of garage plans, budget, architect/engineer, and general contractor. The County will pay First Equity for any due diligence, design, development, and construction costs monthly for a fee to be determined.



MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Disposition of County Property: Burtonsville Park and Ride Site	Executive Order No. 209-22	Subject Suffix
Montgomery County Department of General Services	Department No.	Effective Date 09-22-22

The County will own and operate the garage. The garage is estimated to cost approximately \$18 million. The County received a \$5 million grant from the State of Maryland toward the cost; and

WHEREAS, the County Executive has completed the Preliminary Reuse Review and Reuse Analysis; and

WHEREAS, the material terms of the sale of the Property are stated above; and

WHEREAS, in accordance with the provisions of Montgomery County Code Section 11B-45 and COMCOR 11B.45.01.08, Disposition of Real Property, the County Executive must issue an Executive Order declaring that County owned or controlled land is no longer needed for County use.

ACTION

In consideration of the above recitals, the County Executive hereby declares that the County Property, approximately 6.06 acres of property on Sandy Spring Road and Columbia Pike, Burtonsville, Maryland, 20866, is no longer needed for County use and, upon Council approval, a portion of the the property will be disposed of through a sale to First Equity Holdings.

Approved as to Form and Legality
Office of the County Attorney

By: Neal Anker
Date: 9/21/2022

APPROVED

[Signature]
Fariba Kassiri, Deputy Chief Administrative Officer
Date: 9/22/22



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

October 3, 2022

TO: Gabe Albornoz, President
Montgomery County Council

FROM: Marc Elrich, County Executive *Marc Elrich*

SUBJECT: Material Terms – Burtonsville Park and Ride Site

In accordance with the provisions of 11B-45, Property Disposition, the purpose of this memorandum is to provide the material terms related to the disposition of a portion of approximately 6.06 acres of County-owned property known as the Burtonsville Park and Ride, Burtonsville, Maryland (“Property”).

The Property was included in a 2021 Request for Developer Proposals for the redevelopment of the site. I chose First Equity Holdings as the selected developer, who will act as master developer of the Property.

The project will include development of +/-250 rental apartments with a minimum of 30% of the units affordable to households making less than 120% of the area median income (AMI). Half of the affordable units are to be affordable to households earning between 30% and 60% AMI. Specifically, 5% 30-40 AMI, 5% 40-50 AMI, 5% 50-60 AMI, 5% 60-80 AMI, 5% 80-100 AMI, 5% 100-120 AMI.

A 500-space garage will replace the current surface lot Park and Ride. The County retains the ability to construct 500 additional garage spaces in the future as transit service expands per MCDOT’s requirements. The County will retain ownership of the land to be used for the parking garages. The final number of apartments will be determined through the design and entitlement process.

After an agreement is executed, First Equity will have a 90-day feasibility period and will provide a \$50,000 deposit. They will pay the County \$12,000 per approved market rate housing

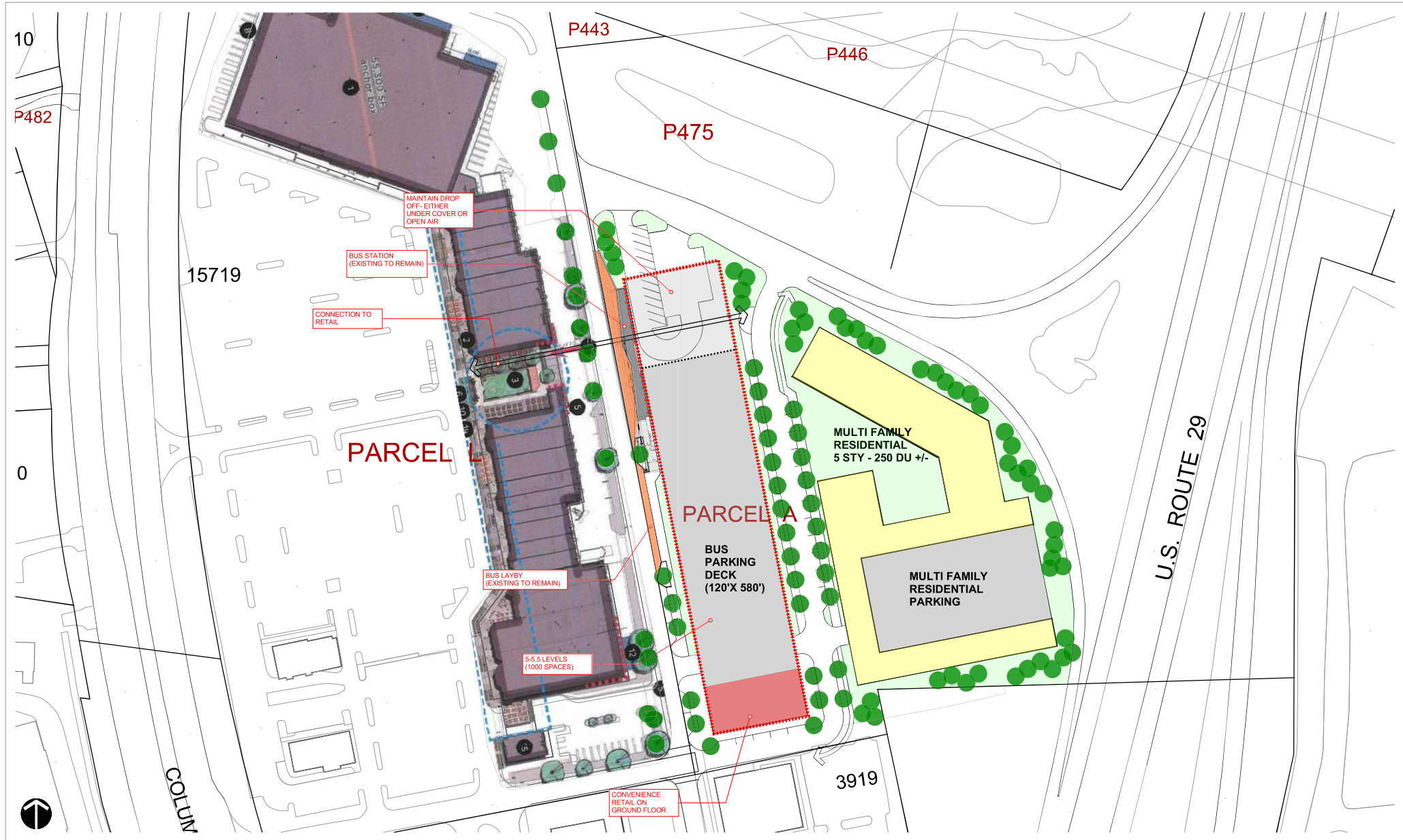
unit at the closing on the apartment land. The schedule assumes the 500-space County garage and apartments will be completed within five years after an agreement is executed.

In its role as master developer, First Equity will secure entitlements for both the housing and the garage. The intent is to secure Mandatory Referral approval for a 1,000 space County parking garage in addition to entitlements for apartments. In its role as fee developer of the parking garage, First Equity will design and construct the garage in accordance with County-approved scope, budget, and schedule. The County will have final review and approval of garage plans, budget, architect/engineer, and general contractor. The County will pay First Equity for any due diligence, design, development, and construction costs monthly for a fee to be determined. The County will own and operate the garage. The garage is estimated to cost approximately \$18 million. The County received a \$5 million grant from the State of Maryland toward the cost.

The Executive Order No. 209-22 has been advertised in the County Register.

I hope this information is helpful. If you have any questions, please contact Greg Ossont, Deputy Director, Department of General Services, at 240.777.6192 or greg.ossont@montgomerycountymd.gov.

cc: Jennifer Bryant, Director, Office of Management and Budget
Jewru Bandeh, Director, East County Regional Services Center
Michael Coveyou, Director, Department of Finance
David Dise, Director, Department of General Services
Greg Ossont, Deputy Director, Department of General Services
Cynthia Brenneman, Division Chief, Department of General Services
Ronnie Warner, Division Chief, Department of General Services
Kimberly Williams, Controller, Department of Finance



BURTONSVILLE RFP ▪ MONTGOMERY COUNTY, MD ▪ CONCEPT LAYOUT
 UPDATED 7/21/2022

SCALE: 1" = 50'





Burtonsville Park and Ride Improvements

(P502203)

Category	Transportation	Date Last Modified	01/05/23
SubCategory	Mass Transit (MCG)	Administering Agency	Transportation
Planning Area	Fairland-Beltsville and Vicinity	Status	Planning Stage

EXPENDITURE SCHEDULE (\$000s)

Cost Elements	Total	Thru FY22	Rem FY22	Total 6 Years	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	Beyond 6 Years
Planning, Design and Supervision	5,000	-	500	4,500	-	4,500	-	-	-	-	-
TOTAL EXPENDITURES	5,000	-	500	4,500	-	4,500	-	-	-	-	-

FUNDING SCHEDULE (\$000s)

Funding Source	Total	Thru FY22	Rem FY22	Total 6 Years	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	Beyond 6 Years
State Aid	5,000	-	500	4,500	-	4,500	-	-	-	-	-
TOTAL FUNDING SOURCES	5,000	-	500	4,500	-	4,500	-	-	-	-	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 24 Request	4,500	Year First Appropriation	FY22
Cumulative Appropriation	500	Last FY's Cost Estimate	500
Expenditure / Encumbrances	-		
Unencumbered Balance	500		

PROJECT DESCRIPTION

This project provides for planning, design, permitting, and construction of a parking garage and other improvements at the Burtonsville Park and Ride Lot in support of FLASH service on the US 29 corridor and to facilitate reactivation or redevelopment of the adjacent commercial property. The County is partnering with a private residential developer who will design and construct a 500 space garage which will be funded by the County. The Burtonsville Station is the northernmost FLASH station in Montgomery County and is well-situated for park-and-ride access with direct ramps to US 29 and strong east-west connections via Maryland 198. With this strategic location, the park-and-ride can serve residents of Montgomery, Prince George's and Howard County, increasing transit ridership and lowering traffic demands on US 29 through Montgomery County. Expansion of this park-and-ride is needed to accommodate future ridership at this station and is part of longer-term plans to extend FLASH service into Howard County and to provide all-day service in Burtonsville. The location can also serve as a hub for interconnecting local services to nearby communities like Cloverly, Ashton, Laurel and Maple Lawn. Expansion of public parking capacity at this location may also facilitate a more compelling development vision for County, State and privately owned properties in this part of Burtonsville. The developer will also reserve space for an additional 500 space garage to be constructed by the County at a later date.

ESTIMATED SCHEDULE

The Department of General Services issued an RFP for development of the site in FY21 and is in the process of working on a developer agreement. Design and permitting of the garage will start in FY23 and are expected to be completed in early FY24 with construction to start in FY24 and complete in FY26.

COST CHANGE

Cost increase to reflect additional State Aid funding.

PROJECT JUSTIFICATION

It is estimated that by 2040 there will be a need for 1,000 park-and-ride spaces at the Burtonsville Park-and-Ride to serve the FLASH service and the current capacity of the park-and-ride lot is only 475 spaces. This parking also serves Metrobus and MTA bus services and supports County employee commuting. The park and ride lot has strong access to US 29, but access from Old Columbia Pike and Maryland 198 relies upon connections through adjacent commercial development. The Burtonsville Crossing Shopping Center is immediately adjacent to the park-and-ride lot and the rear of the center faces the FLASH station. The Burtonsville Crossing Shopping Center has struggled to retain and attract tenants since the opening of the Burtonsville Town Center, directly across Old Columbia Pike, and the completion of the Burtonsville overpass on US 29. Due to low occupancy, the shopping center has become a source of community concern. Reconfiguration of the park-and-ride lot and its access routes, may be an important element of reactivating or redeveloping the Burtonsville Crossing Shopping Center and better integrating development on the approximately 36 acres of land between Old Columbia Pike, US 29, Maryland 198 and the Pepco transmission lines.

FISCAL NOTE

State aid reflects State grants for capital projects in Montgomery County programmed or preauthorized during the 2020 and 2021 State General Assembly Sessions.

DISCLOSURES

A pedestrian impact analysis will be performed during design or is in progress. The County Executive asserts that this project conforms to the requirement of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

COORDINATION

General Services, Intergovernmental Relations, Office of the County Executive, Community Engagement Cluster.

State Of Maryland 2021 Bond Initiative Fact Sheet

1. Name Of Project		
Burtonsville Commuter Parking		
2. Senate Sponsor	3. House Sponsor	
Zucker	Luedtke	
4. Jurisdiction (County or Baltimore City)	5. Requested Amount	
Montgomery County	\$500,000	
6. Purpose of Bond Initiative		
the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Burtonsville Commuter Parking facility		
7. Matching Fund		
Requirements:	Type:	
Grant		
8. Special Provisions		
<input type="checkbox"/> Historical Easement	<input checked="" type="checkbox"/> Non-Sectarian	
9. Contact Name and Title	Contact Ph#	Email Address
Senator Zucker		craig.zucker@senate.state.md.us
		christopher.conklin@montgomerycountymd.org
10. Description and Purpose of Organization (Limit length to visible area)		
<p>The Montgomery County Department of Transportation (MCDOT) maintains county rights of way, develops transportation infrastructure, provides public transit service, operates and maintains traffic management and control equipment, and operates and maintains public parking throughout the County. MCDOT is a Department of Montgomery County Government.</p>		

11. Description and Purpose of Project (Limit length to visible area)

MCDOT operates a park & ride lot in Burtonsville with 475 spaces. In 2020, MCDOT initiated Flash BRT service to Burtonsville with 15-minute frequency and constructed a new station at the Park and Ride. This is the northernmost stop in the Flash system. Ridership is expected to grow at this location but is constrained by the available parking supply. Expansion of parking capacity will improve access to employment in Downtown Silver Spring, White Oak, and the District of Columbia for residents of northern Montgomery County, Howard County and northwestern Prince George's County via the Flash system. Additionally a parking garage at this location will increase opportunity for community-supportive redevelopment of the surface parking lot and adjacent underutilized Burtonsville Crossing Shopping Center. This grant would support a feasibility study, land planning, and project financing study for a new 1,000-space (+/-) parking garage at this location.

Round all amounts to the nearest \$1,000. The totals in Items 12 (Estimated Capital Costs) and 13 (Proposed Funding Sources) must match. The proposed funding sources must not include the value of real property unless an equivalent value is shown under Estimated Capital Costs.

12. Estimated Capital Costs

Acquisition	\$0
Design	\$2,500,000
Construction	\$25,000,000
Equipment	
Total	\$27,500,000

13. Proposed Funding Sources - (List all funding sources and amounts.)

To be determined based on the proposed work	
funded by this grant	
Total	\$0

14. Project Schedule (Enter a date or one of the following in each box. N/A, TBD or Complete)			
Begin Design	Complete Design	Begin Construction	Complete Construction
7/1/2021	TBD	TBD	TBD
15. Total Private Funds and Pledges Raised	16. Current Number of People Served Annually at Project Site	17. Number of People to be Served Annually After the Project is Complete	
	600 (+/-)	1,100+	
18. Other State Capital Grants to Recipients in the Past 15 Years			
Legislative Session	Amount	Purpose	
19. Legal Name and Address of Grantee		Project Address (If Different)	
Montgomery County Department of Transportation 101 Monroe Street Rockville, MD 20850		3900 National Drive Burtonsville, MD 20866	
20. Legislative District in Which Project is Located	14 - Montgomery County		
21. Legal Status of Grantee (Please Check One)			
Local Govt.	For Profit	Non Profit	Federal
[X]	[]	[]	[]
22. Grantee Legal Representative		23. If Match Includes Real Property:	
Name:	Marc Hansen	Has An Appraisal Been Done?	Yes/No
Phone:	(240) 777-6700		No
Address:		If Yes, List Appraisal Dates and Value	
Office of the County Attorney 101 Monroe Street Rockville, MD 20850			

24. Impact of Project on Staffing and Operating Cost at Project Site			
Current # of Employees	Projected # of Employees	Current Operating Budget	Projected Operating Budget
0	0	23750.00	200000.00
25. Ownership of Property (Info Requested by Treasurer's Office for bond purposes)			
A. Will the grantee own or lease (pick one) the property to be improved?			Own
B. If owned, does the grantee plan to sell within 15 years?			No
C. Does the grantee intend to lease any portion of the property to others?			No
D. If property is owned by grantee any space is to be leased, provide the following:			
Lessee	Terms of Lease	Cost Covered by Lease	Square Footage Leased
E. If property is leased by grantee - Provide the following:			
Name of Leaser	Length of Lease	Options to Renew	
26. Building Square Footage:			
Current Space GSF	0		
Space to be Renovated GSF	0		
New GSF	300,000		

27. Year of Construction of Any Structures Proposed for Renovation, Restoration or Conversion	
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28. Comments

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REQUEST FOR DEVELOPER PROPOSALS



Issued: June 28, 2021

Due: October 1, 2021

**for the Redevelopment of the
Burtonsville Park and Ride Site**



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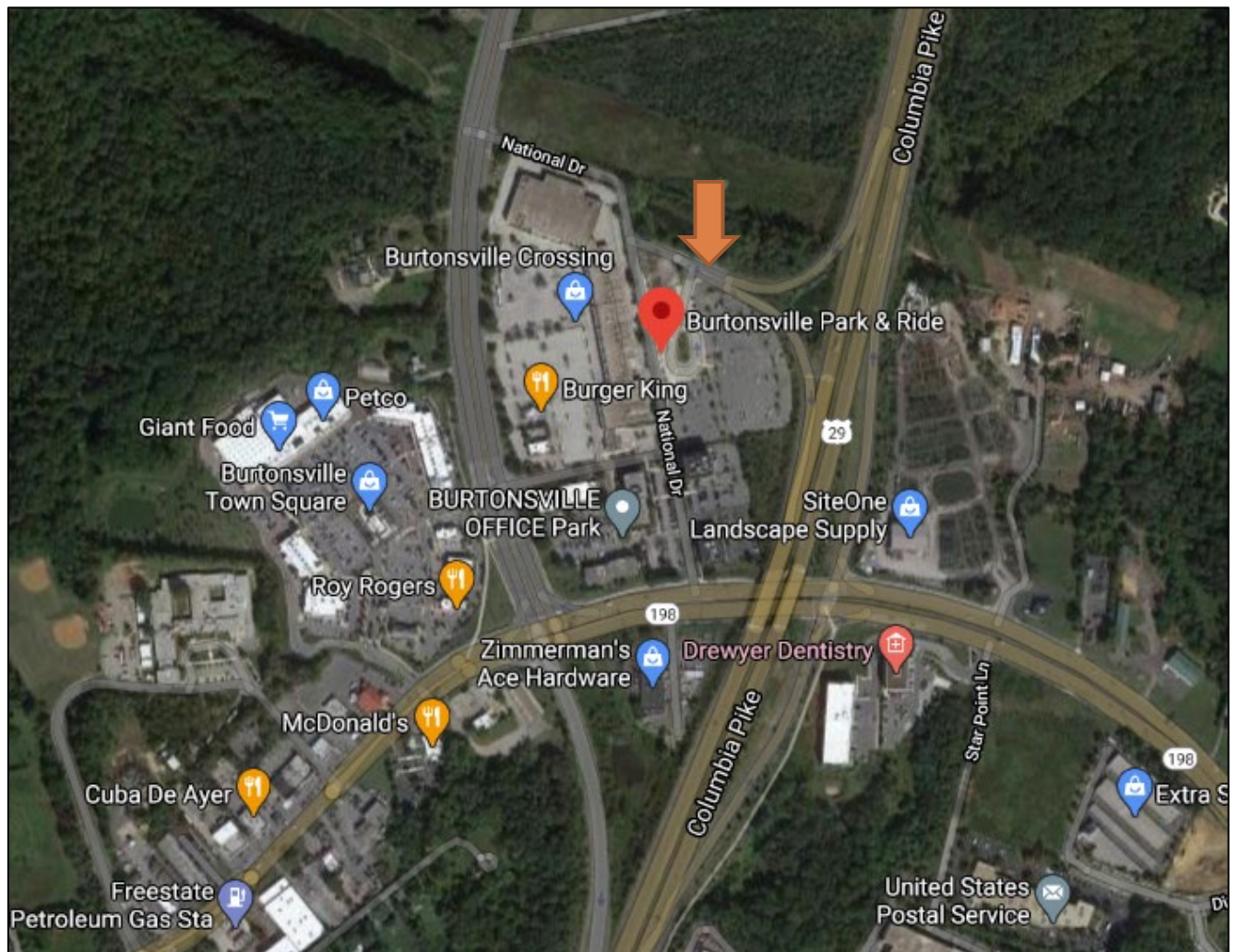
I. OVERVIEW

Montgomery County, Maryland through the Department of General Services (County) invites responses to this Request for Developer Proposals (RFDP) for the redevelopment of the Burtonsville Park and Ride site located near the intersection of Columbia Pike (US 29) and Sandy Spring Road (MD 198) in Burtonsville, Maryland (Site). The Site is currently improved with the County-owned Burtonsville Park and Ride Lot. The County is exploring mixed use development at this location while also maintaining and transforming the existing commuter parking, further described below.

1. Site Location

The Site is located at the northwest quadrant of the Columbia Pike/Sandy Spring Road intersection. The Burtonsville Crossing Shopping Center is to the west, across from National Drive. The Burtonsville Office Park is to the south. Pepco right-of-way and a stormwater management pond are to the north, with US 29 to the east. See Figure 1 below.

FIGURE 1: LOCATION MAP



2. Site Description

The Site contains two adjacent parcels that are improved with the Burtonsville Park and Ride Lot. Parcel One is 4.03 and Parcel Two is 2.03 acres, for a total of approximately 6.06 acres. The Park and Ride Lot includes a bus loop and approximately 475 parking spaces. The Site is accessible from National Drive and Sandy Spring Road, and the southbound lanes of US 29.

FIGURE 2: AERIAL OF SITE



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The Site has the potential to serve both local and regional markets. The Site has regional accessibility due to its location along US 29 with the ability to capture the significant number of vehicles that pass by the Site daily and its strong east-west connections via MD 198. Further, any redevelopment of the Site has the potential to capture the daily commuters using the County's Park and Ride Lot as well as customers of the County's Bus Rapid Transit (Flash) system, WMATA's Z-line and MTA's Commuter Services bus lines. Information on transit, traffic counts and future County plans are discussed below.

3. Master Plan and Zoning

The Site falls within the Burtonsville Crossroads Neighborhood Plan ("Burtonsville Plan") adopted in 2012. The Burtonsville Plan outlines the community's development goals for 190 acres near US 29 and MD 198. What started as a rural crossroads and low-density agricultural area evolved into a vehicular-oriented business district that has experienced a number of transitions, including those associated with major road improvements. Current challenges include prominent commercial vacancies, limited pedestrian activity and a general lack of "place". The Burtonsville Plan seeks to enhance the community through pedestrian connectivity, high quality design, investments in business and preservation of the environment. The Site is zoned CRT-1.5 C-1.0 R-1.25 H-75.

4. Burtonsville Enterprise Zone

The Site is located in the Burtonsville Enterprise Zone and is subject to the benefits that it provides, including property tax credits for tenants for five years. Specific information may be found in Council Bill 30-13:

https://www.montgomerycountymd.gov/COUNCIL/Resources/Files/bill/2013/20131210_30-13A.pdf

5. Transportation Information

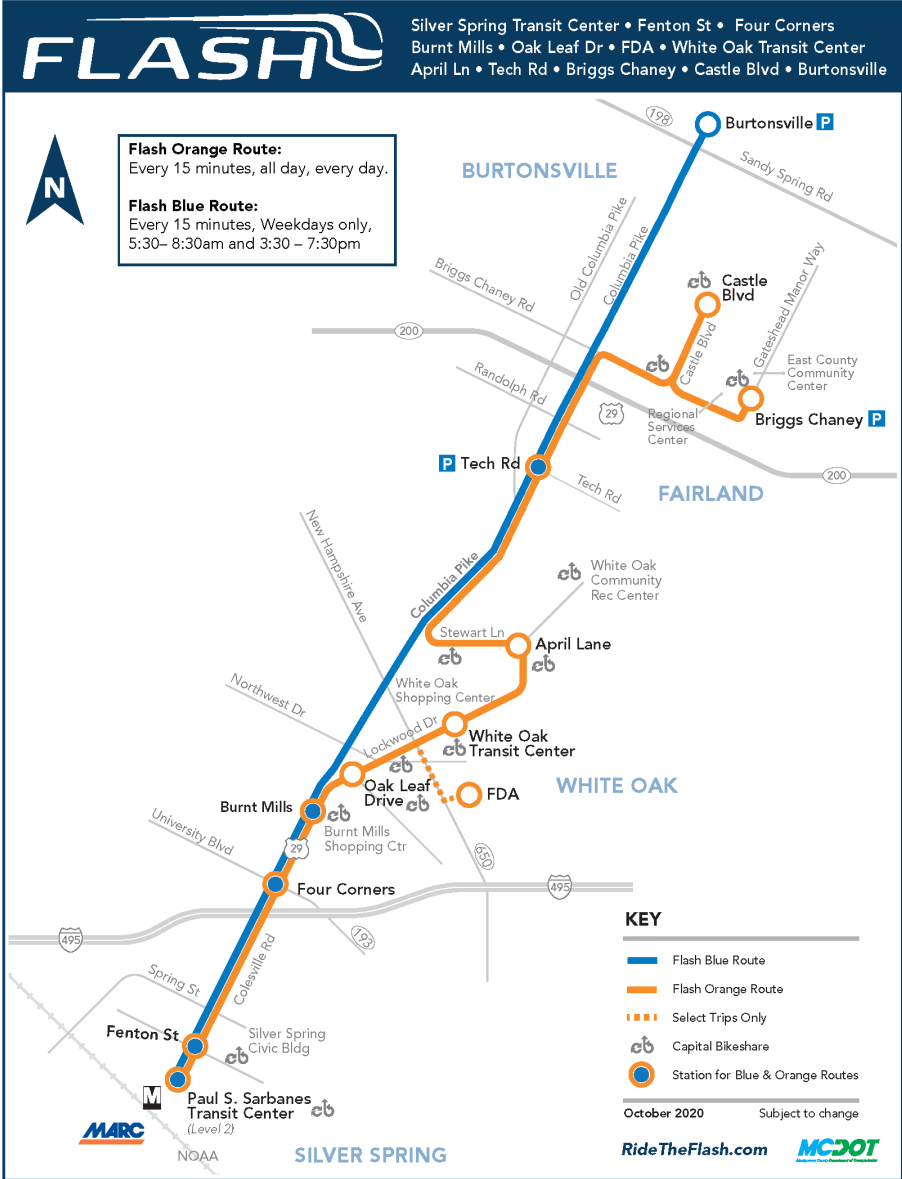
It is estimated that by 2040 there will be a need for up to 1,000 park and ride spaces at the Burtonsville Park and Ride Lot to support the transit routes serving the lot, including the County's Flash Bus Rapid Transit service, more thoroughly described below, as well as the WMATA Z-line bus and MTA Commuter Services. The current capacity of the Park and Ride Lot is 475 surface spaces. MCDOT is currently exploring the specific parking needs of the park and ride site, including future projections. In addition, Howard County is actively working on plans to extend the Flash service north to serve Howard County residents commuting into Silver Spring and Washington D.C. The Park and Ride Lot has strong access to US 29, but access from Old Columbia Pike and Maryland 198 relies upon connections through adjacent commercial development. The Burtonsville Crossing Shopping Center is immediately adjacent to the Park and Ride Lot and the rear of the center faces the Flash station.

US29 BUS RAPID TRANSIT (BRT) - FLASH

The US 29 Bus Rapid Transit, dubbed Flash, began service October 2020. This is the first BRT line in both the County and the State of Maryland and is a first step in implementing the County's 100+-mile BRT network. The US 29 line will ultimately connect with other lines along Georgia Avenue, New Hampshire Avenue, University Boulevard and Randolph Road, serving activity centers such as Silver Spring and White Oak. The County is also actively working on ways to provide additional lane priority for the Flash service along US 29, with funding proposed in the FY22-23 Capital Improvements Program for planning and design of a bus or bus/HOV lane.

A map of existing routes for Flash is included in Figure 3 below and can also be found at: <https://www.montgomerycountymd.gov/DOT-Transit/Resources/Files/maps/FLASH-map.pdf>.

FIGURE 3: FLASH SERVICE MAP



The Burtonsville Park and Ride Lot serves as the terminus for the Flash blue line. The station serving this line consists of one 71-foot and another 96-foot sawtooth platform located along National Drive. Adjacent to the station are bus shelters serving passengers of Metrobus and MTA commuter bus lines. Any redevelopment of the site will need to take into consideration movement/replacement of these transit facilities.

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Features of Flash include:

- **Frequent, reliable service:** The US 29 Flash service leaves the Burtonsville Park and Ride Lot every 15 minutes during the morning and evening rush hours. Combined with a line that leaves the Briggs Chaney Park and Ride Lot every 15 minutes, the Flash provides a combined 7.5-minute service along US 29 during peak periods.
- **Large vehicles with free WiFi and USB charging ports.** The colorful 62' Flash buses are the longest in the MCDOT fleet and come fully equipped with many amenities including bike racks inside the vehicle.
- **Faster boarding** through three doors. All three doors open when bus arrives, and riders can enter or exit from any door without waiting in one line. Payment for the Flash occurs at payment machines located at the station platforms, so there is no payment needed on the vehicle.
- **Level boarding** (no steps to get on or off bus) allows for faster, easier boarding for riders with disabilities, bicycles or strollers.
- **Unique stations** are easy to find and have weather protection, pre-payment stations, and real-time transit information.
- **Automated wheelchair securement system** provides improved experience and independence for wheelchair and scooter users. With the Quantum automatic system, passengers can safely secure themselves without assistance from bus operator (unless requested).
- **10 new Capital Bikeshare stations** have been installed along the corridor to help people access Flash.
- **Premium service, regular price.** SmarTrip is accepted and all discount fares (Senior SmarTrip, Kids Ride Free, transfers) apply.

FIGURE 4: BURTONSVILLE FLASH BUS STATION



FIGURE 5: BURTONSVILLE PARK AND RIDE FLASH SITE PLAN



This site plan can also be viewed online at:

https://www.montgomerycountymd.gov/DGS/Resources/Files/OPD/Burtonsville_Site_Plan.pdf

STATE AID

The Burtonsville Station is the northernmost Flash stop in Montgomery County and is well situated for Park and Ride access with direct ramps to US 29 and strong east-west connections via MD 198. With this strategic location, the Park and Ride can serve residents of Montgomery, Prince George’s and Howard Counties, increasing transit ridership and lowering traffic demands on US 29 through Montgomery County. Expansion of this Park and Ride is needed to accommodate future ridership at this station and is part of longer-term plans to extend Flash service into Howard County and to provide all-day service in Burtonsville. The location can also serve as a hub for interconnecting local services to nearby communities such as Cloverly, Ashton, Laurel and Maple Lawn.

The 2021 Maryland General Assembly approved State aid of \$5 million for Burtonsville Commuter Parking. A portion of these funds, \$500,000, will be used to conduct a feasibility study for constructing a parking garage or other improvements at the Burtonsville Park and Ride Lot to facilitate reactivation and/or redevelopment of the area. The feasibility study will be based on the selected Proposer’s concept plan. The \$500,000 is programmed for Fiscal Year 2022 (beginning July 2021) to assist in determining the design and access for the garage, and potentially reconfiguring Old Columbia Pike between the Burtonsville Crossing and Burtonsville Town Center Shopping Centers to better link these commercial properties and improve safety.

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The additional \$4.5 million in State aid is available to begin implementation of recommendations from the feasibility study. This \$4.5 million will likely be programmed for construction of the garage in a future Capital Improvements Program to spur redevelopment of the area.

TRAFFIC COUNTS

For count year 2020: Sandy Spring Road and Columbia Pike intersection had an Average Daily Volume (ADV) of 38,081; Old Columbia Pike and Sandy Spring Road had an ADV of 38,140; and Sandy Spring Road and Star Pointe had an ADV of 40,002. ¹

The Annual Average Daily Traffic (AADT) for Sandy Spring Road between Old Columbia Pike and US 29 is 36,672. The AADT for Sandy Spring Road from US 29 to Riding Stable Road is 36,942.²

6. Demographic Information

The 2010 Census population in a five-mile radius was 163,935; the 2020 population estimate is 180,559 or a projected growth of roughly 10 percent. The 2025 population projection in a five-mile radius is 185,189.

The five-mile 2020 average household income was \$122,051, with approximately 65,225 households within a five-mile radius.

The 2020 Annual Spending/Total Specified Consumer Spending in a five-mile radius was about \$2,000,000. ³

II. Project Goals and Requirements

The County is seeking proposals for the Site that can achieve the following objectives:

- Provision of park and ride spaces at the Site. Preference is to retain the current bus loop operations; however, it may be integrated into a new parking garage. The Flash station must be retained or replaced in-kind. State funding, described above, may be available to assist in the development of a new garage. The County seeks proposals that achieve at least 500 parking spaces immediately and demonstrate the ability to achieve up to 1,000 total spaces as transit service expands. The County encourages shared parking among proposed uses.
- Redevelopment of the Site to create a vibrant single-use or mixed-use development that generates economic and community activity. The County is interested in office, residential or retail, specifically a grocery, or any viable mix of uses.
- Creation of a financially feasible and economically viable project.
- Design that makes the project an asset to the surrounding neighborhood. The design should create a strong image for Burtonsville that serves as a model for thoughtful place-making.

The County envisions future development moving forward under a long-term ground lease.

¹ Source: CoStar Traffic Count Report for Burtonsville Office Park 4, 3919 National Drive, Burtonsville MD 20866. Retrieved April 12, 2021.

² Source: MDOT Annual Average Daily Traffic (AADT) Locator. Retrieved April 15, 2021.

³ Source: CoStar Demographic Reports for Burtonsville Office Park 4, 3919 National Drive, Burtonsville MD 20866. Retrieved April 12, 2021.

III. SUBMISSION REQUIREMENTS

All proposals must include a development concept and explanation of key factors and milestones for its successful implementation. The County reserves the right to request additional information during the review period.

Failure of a Proposer to submit all required information may render the proposal incomplete and ineligible for further consideration. The proposal must include the following elements:

1. Transmittal Letter

The transmittal letter should include:

- a. Information on the Proposer including a single point of contact including name, title, phone number and email address. Further, provide the address and legal form of the Proposer. If the Proposer is a joint venture, provide this information for all participants.
- b. A statement that the proposal will remain in effect for one year after the due date.
- c. A statement that the Proposer is not in arrears in the payment of any obligation due and owing to the State of Maryland or Montgomery County, including tax payments and employee benefits, and that it shall not become so during the term of the agreement if selected.
- d. A statement that, if selected, the Proposer will negotiate in good faith with the County.

2. Statement of Qualifications

- a. Background Information: Include a description of the Proposer, including ownership and organizational structure, identification of principals and length of time in business. If the Proposer is a joint venture, information for each entity should be furnished, as well as an explanation as to why a joint venture is the preferred arrangement for the proposed development project.
- b. Financial Capability: Provide evidence of proposer's financial strength and the ability to sign an agreement with the County. Include a description of the Proposer's financial capability to complete the proposed project including, with examples, typical financing mechanisms the Proposer has used on similar projects. This section should provide evidence of the Proposer's ability to obtain sufficient financing for the project.
- c. Project Experience: Demonstrate that the proposer is directly experienced in the disciplines required to make this development a success, including previous experience. This information should clearly describe the size, scope and financial structures of previous projects, where located and when completed. For projects not yet complete, the Proposer should include the anticipated completion date. Proposer should describe role in each

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project. Additionally, provide references and contact information including name, telephone number and email address for each project described.

3. Project Vision

Vision Statement: Provide a summary statement that synthesizes your proposed development concept and approach, demonstrating that your proposal generally meets the Project Goals and Evaluation Criteria identified by the County. Describe how the proposal will accommodate up to 1,000 parking spaces as transit services expand.

- a. Concept Plan: Provide a concept plan that illustrates the proposed development plan, layout, square footage and other characteristics of the development, including how parking will be addressed, connectivity with transportation links and adjoining properties, building heights, density, and uses.

4. Development Timeline

Provide a preliminary schedule that includes general timelines for commencing construction and phasing of development. Provide a sequential narrative description of what the Proposer will do over the next two to five years, with elements including:

- a. The roles and responsibilities of the primary project team members or partners.
- b. Phasing, timelines, methodologies and milestones necessary to implement the vision (securing financing, property settlement, zoning entitlements, permitting approvals, etc.); and
- c. Critical path, including project risk factors, and Proposer's plan for mitigating these major risk elements.

Please be certain to address each of the above elements within the context of your overall plan.

5. Development Budget and Business Terms

- a. Budget: Provide a preliminary development budget showing sources and uses of development funds. The pro forma must include predevelopment, soft and hard construction costs.
- b. Contingencies: Identify whether the proposed redevelopment is contingent on any County or State government action (e.g., regulation changes or public funding such as grants or loans) and a listing of those contingencies.
- c. Financial Value: Provide the amount that the developer would pay to the County, including lease payments. Provide the projected timing of payment of any deposits and when transactions would occur.

IV. EVALUATION CRITERIA

The County's goal is to select the proposal from the most qualified Proposer that meets the County's objectives for this key property. Interviews may be conducted with development teams. Criteria for evaluation will be as follows:

- Meeting of County's objectives for the Site including efficiency and effectiveness to reconfigure the park and ride operations and to promote economic development at the Site.
- Overall vision and quality of the proposed development including to the extent the proposed project meets the vision and objectives of the Burtonsville Crossroads Neighborhood Plan.
- Developer's expertise, experience and financial capacity to implement the vision.
- Proposed timeframe for completion of the development.
- Financial and business terms offered to the County.

V. SUBMITTAL INFORMATION

Proposals are due by 3:00 p.m. on Friday, October 1, 2021 (New Due Date). Please submit electronic copies ONLY via email to OPD.DGS@montgomerycountymd.gov, with attention to:

Ronnie L. Warner, Chief
 Office of Planning and Development
 Montgomery County Department of General Services
 101 Monroe Street, 9th floor
 Rockville, MD 20850

Written Proposals will be evaluated only upon what is submitted, and it is incumbent upon the Proposer to submit sufficient information to enable the County to fully evaluate the Proposer's capabilities and experience. Proposals received after the date and time specified will be considered late and will not be considered. The County will not accept faxed Proposals or hard copy Proposals. Unless requested by the County, additional information cannot be submitted by the Proposer after the deadline. The Proposer may be notified in writing of any change in the specifications contained in this request.

Proposals may be modified and resubmitted prior to the due date and time. Modified proposals received after the date and time specified for receipt of proposals will not be accepted or considered regardless of the reason or reasons for lateness.

Written questions regarding the RFDP should be sent via email to OPD.DGS@montgomerycountymd.gov by **Friday, August 6 at 3:00 p.m.** No verbal questions will be accepted. All questions and the responses from the County will be posted on the Office of Planning and Development's website at www.montgomerycountymd.gov/DGS/OPD/Home.html.

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The County expects the RFDP to meet the following schedule, but reserves the right to amend this schedule or, in its sole discretion, to cancel this RFDP at any time.

RFDP Release: June 28, 2021

Deadline for questions: August 6, 2021

Proposals due: October 1, 2021 (New Due Date)

VI. CONDITIONS AND LIMITATIONS

The County reserves the right, in its sole and absolute discretion, to reject any and all Proposals received in response to this RFDP, advertise for new Proposals or to accept any Proposal deemed to be in its best interest, to suspend negotiations, and to cancel this RFDP at any time, for any or no reason, prior to entering into a formal contract. The County further reserves the right to request clarification of information provided in Proposals submitted in response to this RFDP without changing the terms of this RFDP.

A Proposal submitted in response to this RFDP does not constitute a contract and does not indicate or otherwise reflect a commitment of any kind on behalf of the County or impose any binding obligations on the County or grant any rights to the Offeror. Furthermore, this RFDP does not represent a commitment or offer by the County to enter into an agreement with an Offeror or to pay any costs incurred in the preparation of a Proposal to this RFDP. Furthermore, this RFDP does not commit the County to pay for costs incurred in the negotiation or other work in preparation of, or related to, a final agreement between the Selected Proposer and the County.

Any commitment made by the County will be subject to approval by the Montgomery County Council per Montgomery County Code Section 11B-45, Disposition of Real Property.

The Proposals and any information made a part of the Proposals will become a part of the project's official files. The County is not obligated to return any materials submitted or received in response to this RFDP. This RFDP and the selected Offeror's response to this RFDP may, by reference, become a part of any formal agreement between the Offeror and the County.

If an Offeror contends that any part of its Proposal is proprietary or confidential and, therefore, is limited to disclosure under the Maryland Public Information Act, MD Code Ann. State Gov't §§10-611 *et seq.* (the "MPIA"), the Offeror must identify all information that is confidential or proprietary and provide justification for why such materials should not be disclosed by the County under the MPIA. The County, as custodian of Proposals submitted in response to this RFDP, reserves the right to determine whether or not material deemed proprietary or confidential by the Offeror is, in fact, proprietary or confidential as required by the MPIA, or if the MPIA permits nondisclosure. The County will favor disclosure of all Submissions in response to any request for disclosure made under the MPIA.

Proposers should familiarize themselves with the Site and form their own opinions as to suitability for any proposed development on the Site. The County makes no representations as to the Site. The County assumes no responsibility for site conditions including, but not limited to, environmental and soil conditions on the Site. Offerors are responsible for their own background investigation as to restrictions, if any, bearing upon title, zoning, subdivision, transportation, developability, utilities, and physical conditions

at these sites. Soil tests and other invasive tests may not be conducted upon any of these sites during the RFDP stage.

VII. MINORITY, FEMALE AND DISABLED PARTICIPATION

The County encourages contracting and development opportunities with business interests reflecting its diverse population and interests. Therefore, the County encourages Proposers to include where possible and to the highest extent, meaningful minority, female and disabled (“MFD”) participation in the proposed project. This participation could include, but not be limited to, the Proposer teaming with MFD developers, builders and/or subcontractors for the proposed project.