



MONTGOMERY COUNTY EXECUTIVE ORDER

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

Public Hearing Notice for Disposition – Emory Grove Parcels	Executive Order No. 001-23	Subject Suffix
Montgomery County Department of General Services	Department No.	Effective Date 12-15-22

Notice of Proposed Property Transfer to HOC – 22.78 Acres of County-Owned Property

Montgomery County, Maryland proposes to transfer approximately 22.78 acres of property located in the Emory Grove area of Gaithersburg (“**Emory Grove**”) to the Housing Opportunities Commission (“**HOC**”). Approximately 19.08 acres will be ground leased for nominal value, and approximately 3.7 acres will be transferred in fee simple for nominal value.

HOC proposes the redevelopment of three County-owned properties in Emory Grove: (1) the surface parking lots and stormwater retention facilities located in front of the Upper County Outdoor Pool and Upper County Community Center at 8201 Emory Grove Road, Gaithersburg, which is approximately 19.08 acres (“**Upcounty Property**”); (2) an approximately 2.7-acre lot at the southeastern corner of Washington Grove Lane and Pepper Ridge Way (“**Pepper Ridge**”); and (3) an approximately one acre lot at the northeastern corner of Midcounty Highway and Washington Grove Lane (“**Excess Land**”), together the Upcounty Property, Pepper Ridge, and the Excess Land are collectively referred to as the “**Properties**.”

The Upcounty Property is the site of the Upper County Community Recreation Center (“**Community Center**”) and Upper County Outdoor Pool (“**Outdoor Pool**”). The Community Center and Outdoor Pool are located on the same parcel with Tax Account No. 09-02258597.

The Excess Land was purchased in 1984 as right of way for the Midcounty Highway and was deeded to the County fee simple with Tax Account No. 09-02551340. The Excess Land was never used by the County for right of way.

Pepper Ridge is a remnant property of a site that was once approximately 14 acres in size and owned by the Board of Education for Emory Grove Elementary School. In May 1983, the approximately 14 acre property was transferred from the Board to the County in fee simple (the deed is recorded among the Land Records of Montgomery County in Book 6085, page 251). The deed from the Board to the County states that the Board determined the property was no longer needed for school purposes. In 2000, the majority of the approximately 14-acre property was transferred by the County to Comstock Emory Grove, L.C. of Virginia, for \$851,000 in fee simple (the deed is recorded among the Land Records of Montgomery County in Book 17985, page 76). The remaining County-owned property from the school site is approximately 2.7 acres with Tax Account No. 09-00767943. The transfer of Pepper Ridge is subject to the County’s closed school disposition process under Section 11B-45(g) of the Montgomery County Code and its attendant regulations.

Information on the materials terms of all the Properties are included below to provide a fuller description of HOC’s proposed redevelopment of the Properties.



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As proposed, HOC would be the master developer for the entire project, which includes all three Properties. The County would contribute the Properties to HOC for a nominal sum. The project does not contemplate a financial contribution by the County for any portion of the development, including the proposed public parking garage on the Upcounty Property, as described below.

The proposed project consists of the following uses of the Properties: approximately 303-381 units would be developed with a minimum of 30% of all units in the project provided as Moderately Priced Dwelling Units under Chapter 25A of the County Code (“MPDUs”). The project would also include up to 73,000 square feet of commercial space and a new parking garage to serve, among other uses, the Community Center and the Outdoor Pool.

Of the 303-381 proposed units, the current concept for the Upcounty Property is to construct between 263 and 336 residential units and up to 73,000 square feet of commercial space. The County will retain the existing Community Center and Outdoor Pool. Surface parking currently serving the Outdoor Pool and the Community Center would be replaced with a structured parking garage which will serve the Outdoor Pool, the Community Center and a new senior residential community. The new parking would be provided at no cost to the County. Interim parking for County use during construction will be addressed in an agreement with HOC. HOC would ground lease this property from the County for \$10.00/year and provide a minimum of 30% MPDUs on the property.

For Pepper Ridge, the current concept proposes 10 for-sale townhomes. The balance of the property would be retained as a forested environmentally protected area. The County would transfer the property to HOC in fee simple for \$10.00 and, in return, HOC would provide a minimum of 30% of the townhomes as MPDUs.

For the the Excess Land, the current concept proposes integrating the property into neighboring properties aggregated by Emory Grove United Methodist Church (“Church”) for developing mixed-income housing in a variety of formats (approximately 30-35 units). The County would transfer its fee simple interest in the property to HOC for \$10.00. HOC and the Church will work together on a housing project that will provide a minimum of 30% of any density attributable to the land area of the Excess Land as MPDUs. The inclusion of the Excess Land as part of the land assembled by the Church allows for the creation of five additional units for the project. The Excess Land will likely be used as open space or for forest conservation as it is largely undevelopable by itself because of poor soils.

A virtual public hearing on the proposed transfer of the Properties will be held at 1:30pm on February 6, 2023 via a Zoom meeting. Information on how to attend can be found at: <https://montgomerycountymd.gov/DGS/OPD/home.html>.

Accommodations for disabilities, including sign language interpreter services, will be made upon request. If you need any services or aids to participate in this event, please call the ADA Compliance Manager at



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240-777-6197 or email a request to adacompliance@montgomerycountymd.gov. Please provide as much notice as possible, preferably three days in advance. Last minute requests will be accepted but may be impossible to fulfill.

Approved as to Form and Legality
Office of the County Attorney

By:
Date: 12-15-22

APPROVED

Fariba Kassiri
Deputy Chief Administrative Officer
Date: 12/15/22