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September 27, 2023

VIA ELECTRONIC AND UPS OVERNIGHT DELIVERY

Christopher Conklin
MCDOT Director
Director's Office
101 Monroe Street, 10th Floor
Rockville, Maryland 20850

Re: Petition AB-784 - Amended and Revised Request to Abandon Portions of Right-of-Way Easements on either side of Washington Grove Lane, between Mid-County Highway and Shady Spring Drive in Gaithersburg, Maryland.

Dear Director Conklin:

The Housing Opportunities Commission of Montgomery County (HOC), pursuant to Montgomery County Code Sections 49-62 through 49-63, submits this Amended Petition for the abandonment of any interest the County may retain in several right-of-way, road-widening easements on either side of Washington Grove Lane between Mid-County Highway and Shady Spring Drive in Gaithersburg. Please note that Petition AB-784 was stayed by letter request on June 6, 2023. HOC is now requesting that AB-784 be re-opened and proceed based on this Amended Petition.

The areas subject to this Amended Petition are shown as Areas 1 and 2 in the revised survey attached as Exhibit A.¹ In short, Area 2 appears to have been in the former roadbed for Washington Grove Lane. Area 1 is comprised of two easements that were dedicated via plat in the event they were needed to support road widening for the future location of State Highway MD Rt. 124. *See Exhibit B(1) and (2)*. However, these easements were, ultimately not needed for this road widening, as MD Rt. 124 was located to the north along Woodfield Road. This history will be discussed further in Section IV. In any event, it is likely that no rights to widen the road for purposes of MD Rt. 124 exists any longer at this location, and even if such rights do exist, the road widening interests are no longer necessary. Moreover, these areas are not needed for any other present or future public use. For these reasons, HOC requests that any remaining

¹ Area 1, which is on the southeast side of Washington Grove Lane, is approximately 1.3045 acres (56,826 square feet). Area 2, which is on the northwest side of Washington Grove Lane, is approximately 2,946 square feet. A metes and bounds description of Areas 1 and 2 will be provided.

interest in the right-of-way road widening easements at these locations be abandoned.²

I. Background on The Housing Opportunities Commission

HOC operates as an affordable housing agency, a housing finance agency and a housing developer, pursuant to State and County Codes.³ HOC receives funding from the Montgomery County government and is an entity authorized to acquire, own, lease, and operate housing; to provide for the construction or renovation of housing; obtain financial assistance from any public or private source to assist its housing activities; and to arrange for social services, resident services and day care. HOC's mission is to "provide affordable housing and supportive services that enhance the lives of low-and moderate-income families and individuals throughout Montgomery County, Maryland."⁴

II. Reason for the Requested Abandonment

This abandonment is sought in connection with the necessary upgrade and replacement of HOC's Emory Grove Village property located at the corner of Washington Grove Lane and Mid-County Highway, which in turn, is being undertaken as part of a larger plan for the development of the Emory Grove community. This project is referred to as Heritage Emory Grove (HEG).

The vision for HEG started as a small proposal on land immediately adjacent to Emory Grove United Methodist Church (EGUMC). This vision catalyzed into a community building effort between HOC, EGUMC and the wider Emory Grove community. As indicated in the excerpts from the Conceptual Master Plan attached hereto as Exhibit C:

The plans and proposals contained within [HOC's] conceptual master plan attempt to capture this vision for the new community, preserve the history of Emory Grove, and to the extent possible, incorporate remnants of the old Emory Grove plan, while introducing new housing that meets the needs of today's population.

An overview of the HEG plan can be seen in the conceptual drawing attached as Exhibit D. Historical aspects of the Emory Grove community are identified and summarized in Exhibit E. The conceptual framework for the plan is described in Exhibit F.

HOC's objectives in connection with the HEG project include maintaining the historical integrity of the land and the community and adding housing, retail and community use spaces. In addition, the plan will encourage green space and minimize vehicular traffic while creating more space amenable to pedestrian foot traffic. This project will include at least 30% moderately priced dwelling units. Granting the requested abandonment will facilitate these objectives.

² HOC is not requesting the abandonment of utility or other easements. To the extent any utility easements are required these will, in accordance with the usual process, be included when a new plat is submitted in connection with site plan approval.

³ Maryland Code Annotated, Housing & Community Development Sections 12-101 through 12-705, 16101 through 16-407; and County Code Sections 25A, 25B, and 56 Article VI.

⁴ HOC's website and full mission statement can be found here: <https://www.hocmc.org/about-hoc.html>.

Specifically, HOC's Conceptual Master Plan calls for several new amendments to its existing Emory Grove Village property and the other properties identified in the HEG plan. These include:

Implementation of Vision Zero strategies and road diets to modify existing roads for maximum pedestrian safety and comfort, inclusion of urban parks at the intersection of Emory Grove Road, Washington Grove Lane, and Shady Spring Lane in order to create a 'main and main' central feature . . . [and] new walking trails ('lanes') that connect the new community to surrounding neighborhoods and important community features. This would include the pedestrian access to EGUMC [Emory Grove United Methodist Church] cemetery.

See Exhibit F, Conceptual Master Plan, Section 6 pp. 80-81 and 83. Moreover:

The intersection of these streets is planned for specialty treatments and changes in pavement, in order to slow traffic and to reinforce the placemaking goals of the plan. The crosswalks will be improved and formalized on-street parking is proposed. Vision Zero strategies will be employed to slow traffic and improve pedestrian safety. Intersection radii will be modified to decrease pedestrian crossing times. Several pedestrian and bike linkages are proposed. These strategies will be included at other intersections as well.

Id.

In summary, HOC intends to work the unused potential right-of-way interests into its revitalization goals to make this space safer, more pedestrian friendly and better for the community.

III. Further Information Regarding the Status of Heritage Emory Grove

A. Status of other Parcels related to Emory Grove

HOC offers the following information in order to provide further context regarding the status of the HEG project.

On March 21, 2002, the Department of General Services (DGS) requested Mandatory Referral review by the Planning Department for the disposition of three parcels located in the Emory Grove area. See Exhibit G. Disposition of these properties is for inclusion in the HEG development. The properties referenced in the DGS letter of March 21, 2022 (as Properties 1, 2 and 3), are shown on Exhibit H (as Properties 6, 3 and 7, respectively).

The Mandatory Referral in support of HEG was approved by the Planning Board on May 19, 2022. See Exhibit I.

B. History of this Abandonment Request

This Petition was originally filed on November 1, 2022, and was initially set for hearing

on March 23, 2023. Prior to the hearing, the Montgomery County Department of Transportation (McDOT) requested a revision. Specifically, McDOT was willing to release most of the existing road widening right-of-way easements, but the County was interested in retaining sufficient right-of-way at the intersection of Washington Grove Lane, Emory Grove Road, and Shady Spring Drive so that it has the option to realign and straighten this intersection in the future, if this becomes necessary.⁵

For this reason, reviewing staff from the Maryland National Capital Park and Planning Commission (Park and Planning) suggested that a concept plan involving the areas subject to the abandonment Petition be submitted to the Development Review Committee (DRC), in order to, among other things, analyze the proposed abandonment and determine how much of this area the County should preserve for the potential intersection realignment. County staff further indicated that the concept plan review and the Petition process could be undertaken in tandem. In short, the parties could: a) stay the original Petition and leave it pending; b) work through the potential intersection realignment issues (and any other issues); c) make any necessary revisions, which would be included in an Amended Petition with a revised survey; and then d) complete the abandonment process. Following this recommendation, the Petition process was stayed and HOC submitted a concept plan and revised survey to the DRC, which addressed McDOT's concerns.⁶ The concept plan and revised survey reduced the scope of HOC's requested abandonment and assured that the County would retain sufficient right-of-way to address any potential intersection realignment in the future, if necessary. An engineering drawing is attached that reflects a potential realignment of this intersection. *See Exhibit J.*

On September 26, 2023, a DRC meeting was held regarding this concept plan. At this time, McDOT confirmed that its concerns regarding potential intersection realignment had been addressed and that the concept plan and revised survey are acceptable. Moreover, Park and Planning, McDOT and the other agencies present all indicated that it is now appropriate to resume the abandonment process. As a result, HOC has filed this Amended Petition and is proceeding with the requested abandonment.⁷

IV. Background and History Relating to the Potential Right-of-Way Interests for which Abandonment is Requested

In the late 1950s, a major highway (designated M-21) was contemplated through the center of Gaithersburg. It was intended to connect Quince Orchard Road (MD Rt. 124) to the

⁵ McDOT is not asking that HOC or any other party realign this intersection. McDOT just wishes to preserve sufficient right-of-way to make the realignment in the future, if necessary.

⁶ The plan acceptance date was May 30, 2023, the number is 520230260, and name of the concept plan is Heritage Emory Grove ROW Abandonment.

⁷ The Washington Suburban Sanitary Commission (WSSC) previously commented that easements may be required for certain subsurface infrastructure running below the abandonment area and, potentially, for certain surface infrastructure near the abandonment area. All parties present at the DRC meeting, including WSSC, confirmed that to the extent any utility easements are required these will, in accordance with the usual process, be included when a new plat is submitted for this area in connection with site plan approval. As a result, all parties concurred that it is appropriate for the Amended Petition to proceed at this juncture, and that the Amended Petition can ultimately be approved subject to appropriate easements being provided.

south with Woodfield Road (MD Rt. 124) to the north. The new highway appears to have been first referenced in the 1960 Rockville-Gaithersburg Master Plan and was intended to bypass Emory Grove. However, the necessary rights-of-ways for this new highway were not available at that time.

As a result, it appears that the decision was made to obtain additional right-of-way dedications in the event that the northern highway alignment did not become a reality. This was done at Gaithersburg-Laytonsville Road (which is now known as Washington Grove Lane).⁸ For example, a 1969 Plat for Lot 1 (at the intersection of what is now Mid-County Highway and Washington Grove Lane) states that dedication was for “Relocation Rte. 124.” See Exhibit B (Plats 9277 and 9635). These excess right-of-way dedications still exist today. However, no such relocation of MD Rt. 124 is necessary or will ever be undertaken.

By 1971, what is now known as Woodfield Road was scheduled to be routed around the north of Gaithersburg (as opposed to through the middle). With respect to Emory Grove, Woodfield Road was still planned to bypass Emory Grove to the north.

By 1986, the rights-of ways for this planned northern relocation of Woodfield Road were either purchased or dedicated in its current location. The MD Rt. 124 state road classification was transferred to Woodfield Road in about 1988 (likely at the end of construction). Under the 2018 Master Highway Plan, Woodfield Road is identified as a Major Highway, and Washington Grove Lane is still a Primary Road (not a Major Highway).

Today, the MD Rt. 124 State Road designation starts at MD Rt. 28 in the south, follows Quince Orchard and Montgomery Village Avenue to the north, then follows Mid-County Highway to the relocated Woodfield Road, then north to Damascus.

As a result, the dedications existing in earlier plats along Washington Grove Lane between Mid-County Highway and Shady Spring Drive (to the extent they relate to road widening) are vestiges of an old plan and are no longer needed. This Amended Petition seeks abandonment of these vestigial dedications to the extent they are related to road widening right-of-ways. These dedications were originally contemplated for a potential relocation of MD Rt. 124, but were never used and are no longer necessary, as the Major Highway was successfully relocated to the north along Woodfield Road in the 1980s.⁹

V. Right-of-Way Abandonment

Pursuant to Section 49-63(c) of the Code, a right-of-way may be abandoned if the County Council finds that, “(1) the right-of-way is no longer necessary for present public use or anticipated public use in the foreseeable future,” or “(2) the Abandonment . . . is necessary to protect the health, safety, and welfare of the residents near the right-of-way to be abandoned.”

⁸ Washington Grove Lane was not designated as a Major Highway. At the time it was designated as a primary Road (which is a lower capacity designation), and it retains the Primary Road designation today.

⁹ It is also worth noting that the properties on the southwest side of Mid-county highway at its intersection with Washington Grove Lane have been developed. Therefore, the road alignment at this location is set and, even if there were interest in relocating the highway to Washington Grove Lane, it would not be possible.

Only one criterion need be met for approval of an abandonment.

Here, the road widening originally contemplated by the potential right-of-ways was never undertaken, and no such road widening will take place in the future, as MD Rt. 124 was relocated to the north and such widening is inconsistent with the current 2018 Master Plan of Highways. Moreover, McDOT was the only agency to express any concern with regard to HOC's original abandonment request, and the scope of HOC's original request has since been revised and reduced to address McDOT's concern. As a result, the areas subject to this request are no longer necessary for any present public use or any anticipated future public use.

In addition, the current requested abandonment will help HOC to improve pedestrian safety consistent with the increase of pedestrian foot traffic and bicycle traffic expected with the expansion of HEG. Specifically, HOC will use the abandonment to implement Vision Zero strategies in order to slow vehicular traffic and improve pedestrian safety, provide crosswalk maintenance, and formalize on-street parking, where feasible. As a result of the requested abandonment, HOC will be able to create a walkable street and enhanced pedestrian and traffic safety. Therefore, the requested abandonment is necessary for and consistent with protecting the health, safety and welfare of residents near the right-of-way to be abandoned.¹⁰

Finally, as required by Section 49-63(d) of the Code, the rights-of-way to be abandoned are not the sole means of access to any property.

For the foregoing reasons, these road widening right-of-way easements are no longer necessary for any current or future public use, and abandonment of any remaining road widening interest is both appropriate and beneficial for the safety of the community.

VI. Conclusion

HOC requests that the County abandon road widening right-of-way interests on either side of Washington Grove Lane, between Mid-County Highway and Shady Spring Drive in Gaithersburg, as requested in this Amended Petition. HOC has addressed the concerns originally raised by McDOT regarding the potential redesign of the intersection of Washington Grove Lane, Emory Grove Road, and Shady Spring Drive. No other agency has noted any current or future public use for the areas subject to the Amended Petition that would preclude abandonment. Moreover, the widening of Washington Grove Lane is no longer necessary for relocating highway MD Rt. 124. Finally, abandonment of any remaining right to these road widening interests will allow for the development of Heritage Emory Grove in a way that maintains the historical integrity of the land, encourages green space, and minimizes vehicular traffic, while creating more space amenable to safe pedestrian foot traffic. For these reasons, we ask, pursuant to Sections 49-62 and 49-63 of the Code, that this Petition be granted.

In connection with this abandonment request, enclosed please find the following:

¹⁰ Existing public utilities will not be impacted by this request and will be accommodated or improved with appropriate dedications as part of the HEG development.

Christopher Conklin

September 27, 2023

Page 7

- Revised survey of areas subject to abandonment request (Exhibit A);
- Plats reflecting dedication for Relocation of MD Rt. 124 (Exhibit B(1) and (2));
- Summary of Objectives and Emory Grove United Methodist Church statement (Exhibit C – Conceptual Master Plan p. 78);
- Overview of Heritage Emory Grove Plan (Exhibit D – Sheet 1 of the Conceptual Master Plan);
- Historical aspects of the Emory Grove community identified and summarized (Exhibit E – Sheet 17 of the Conceptual Master Plan);
- Plan Framework (Exhibit F – Conceptual Master Plan Section 6);
- Department of General Services letter of March 21, 2022 (Exhibit G);
- Project Site Area (Exhibit H – Sheet 2 of the Conceptual Master Plan);¹¹
- Planning Board Approval of Mandatory Referral on May 19, 2022 (Exhibit I);
- Design for the potential realignment of the intersection of Washington Grove Lane, Emory Grove Road, and Shady Spring Drive (Exhibit J);
- List of adjoining properties (Exhibit K).

Thank you for your consideration of this request. If you have any questions or would like any additional information, please feel free to contact us.

Sincerely,

GORDON REES SCULLY MANSUKHANI, LLP

By: Gordon S. Woodward
*On behalf of The Housing Opportunities
Commission of Montgomery County, Maryland*

GSW:

cc: Tiara McCray, *Acting Section Chief, Property Acquisition*
Tiara.McCray@montgomerycountymd.gov

¹¹ Exhibit H depicts Property 4 as being owned by the Romero family. However, this property has since been

EXHIBIT A



**ABANDONMENT AREA #1
LINE & CURVE TABLE**

LINE	BEARING	DISTANCE
L1	N 49°48'30" W	42.65'
L2	N 07°36'01" W	57.36'
L3	N 40°03'36" E	216.87'
CURVE	RADIUS	ARC LENGTH
	1135.00'	320.37'
C1	CHORD BEARING	CHORD DIST.
	N 48°08'46" E	319.31'
LINE	BEARING	DISTANCE
L4	N 56°13'57" E	31.15'
L5	S 81°52'46" E	37.44'
L6	S 39°59'29" E	40.00'
L7	S 43°45'27" W	324.14'
L8	S 43°45'27" W	291.69'

56,826 SQ. FT. or 1.3045 ACRES±

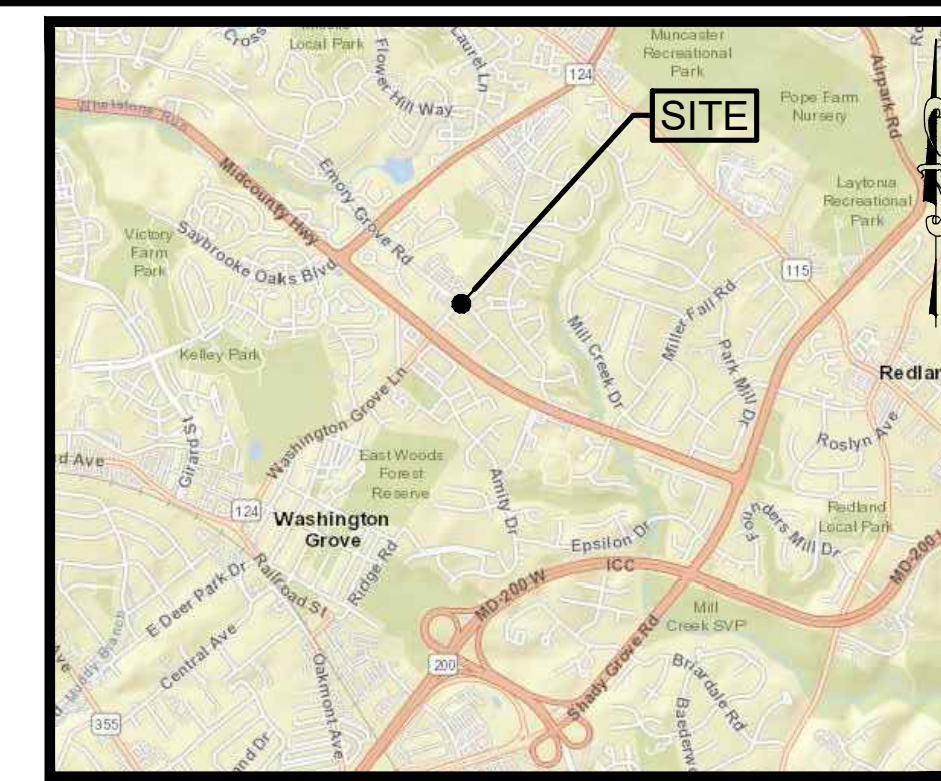
**ABANDONMENT AREA #2
LINE & CURVE TABLE**

LINE	BEARING	DISTANCE
L10	N 37°58'27" E	37.59'
L11	N 57°17'08" E	121.36'
CURVE	RADIUS	ARC LENGTH
	1215.00'	278.33'
C2	CHORD BEARING	CHORD DIST.
	S 46°37'21" W	277.72'
LINE	BEARING	DISTANCE
L12	S 40°03'36" W	45.74'
L13	N 63°37'07" W	15.44'
L14	N 44°06'32" E	94.74'
L15	N 44°06'14" E	77.70'

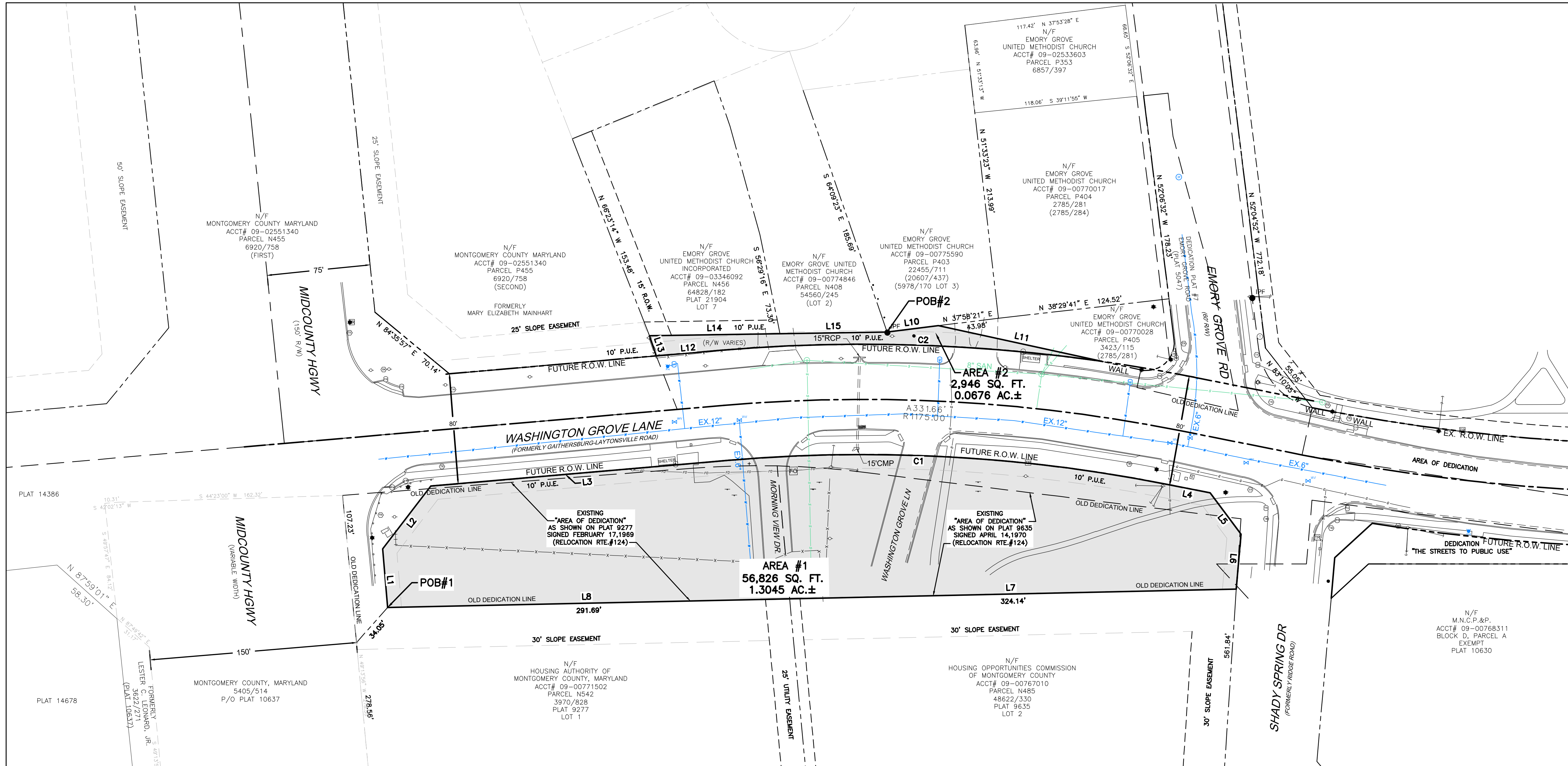
2,946 SQ. FT. or 0.0676 ACRES±

SURVEY NOTES

1. THIS FIELD SURVEY WAS PERFORMED BY COLLIERS ENGINEERING & DESIGN IN JULY, 2022 AND REFLECTS SITE CONDITIONS AS OF THAT DATE.
2. COORDINATES & BEARINGS SHOWN HEREON WERE ESTABLISHED BY GNSS RTN (KEYNET) OBSERVATIONS AND ARE REFERENCED TO THE MD STATE PLANE COORDINATE SYSTEM NAD83(2011) ZONE 1900.
3. ADDITIONAL INFORMATION SHOWN HEREON IS TAKEN FROM MONTGOMERY COUNTY GIS OPEN DATA.
4. PROPERTY OWNER INFORMATION WAS TAKEN FROM PUBLIC INFORMATION FROM MARYLAND'S MARYLAND DEPARTMENT OF PLANNING "FINDER ONLINE" WEB APPLICATION AND MAY NOT BE CURRENT OR CORRECT.
5. UNDERGROUND UTILITY LINES ARE TAKEN FROM PLANS OF RECORD AND DOES NOT REPRESENT FIELD DESIGNATED LOCATIONS.



VICINITY MAP
NOT TO SCALE
SOURCE: MD FINDER ONLINE
PARCEL VIEWER



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REV.	DATE	DRAWN BY	DESCRIPTION

Russell Harlold Smith
MARYLAND LAND SURVEYOR
LICENSE NUMBER: 21637
COLLIERS ENGINEERING & DESIGN

BOUNDARY SURVEY
FOR HOUSING OPPORTUNITIES COMMISSION & HOUSING AUTHORITY OF MONTGOMERY COUNTY
HERITAGE EMORY GROVE ROW ABANDONMENT PROJECT 5-20230260 MONTGOMERY COUNTY MARYLAND

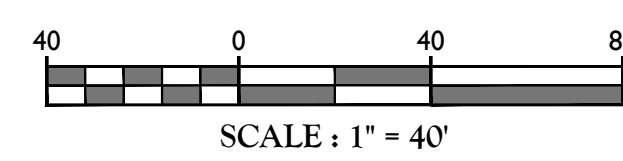
Colliers COLUMBIA 6240 Old Dobbin Lane, Suite 100 Columbia, MD 21045 Phone: 443.393.6021
Engineering & Design COLLIERS ENGINEERING & DESIGN, INC. DOING BUSINESS AS MASER CONSULTING

SCALE: AS SHOWN	DATE: 8/18/23	DRAWN BY: JAF	CHECKED BY: RSH
PROJECT NUMBER: 22003338A	DRAWING NAME: V-ABANDONMENT	SHEET TITLE: ABANDONMENT PLAN	SHEET NUMBER: 1 of 8

LEGEND			
ROAD CENTERLINE	SANITARY MANHOLE	U/G ELECTRIC LINE	CABLE TV PEDESTAL
PROPERTY LINE	TELEPHONE MANHOLE	OVERHEAD WIRE	COMM. FIBER HAND BOX
RIGHT OF WAY LINE	UNMARKED MANHOLE	WATER MAIN	ELECTRIC HAND BOX
FACE CURB LINE	WATER MANHOLE	GAS MAIN	FIRE HYDRANT
CONCRETE EDGE	MAJOR CONTOUR	SAN. SEWER LATERAL	GAS VALVE
PAVEMENT EDGE	MINOR CONTOUR	SAN. SEWER MAIN	SANITARY CLEANOUT
CHAIN FENCE	SPOT ELEVATION	STORM PIPE	TELEPHONE PEDESTAL
WOODEN FENCE	TOP OF CURB ELEV.	WETLAND MARKER	TRAFFIC HAND BOX
WETLAND LINE	BOTTOM OF CURB ELEV.	U/G CABLE TV LINE	TRAFFIC SIGNAL POLE
TREELINE	U/G FIBER OPTIC LINE	U/G TELEPHONE LINE	POLE MOUNTED LIGHT
ELECTRICAL MANHOLE	STORM DRAIN MANHOLE		UTILITY POLE
			WATER METER / WATER VALVE

ABBREVIATIONS

D.C. = DEPRESSED CURB	BOL = BOLLARD	FF = FINISH FLOOR	DEP. = DEPRESSED	MHW = MEAN HIGH WATERLINE
BC = BOTTOM OF CURB	GRT = GRATE	UV = UNKNOWN VALVE	CZL = CENTERLINE	MLWL = MEAN LOW WATERLINE
TC = TOP OF CURB	MB = MAILBOX	MH = MANHOLE	PM = PARKING METER	BW/TW = BOT/TOP OF WALL



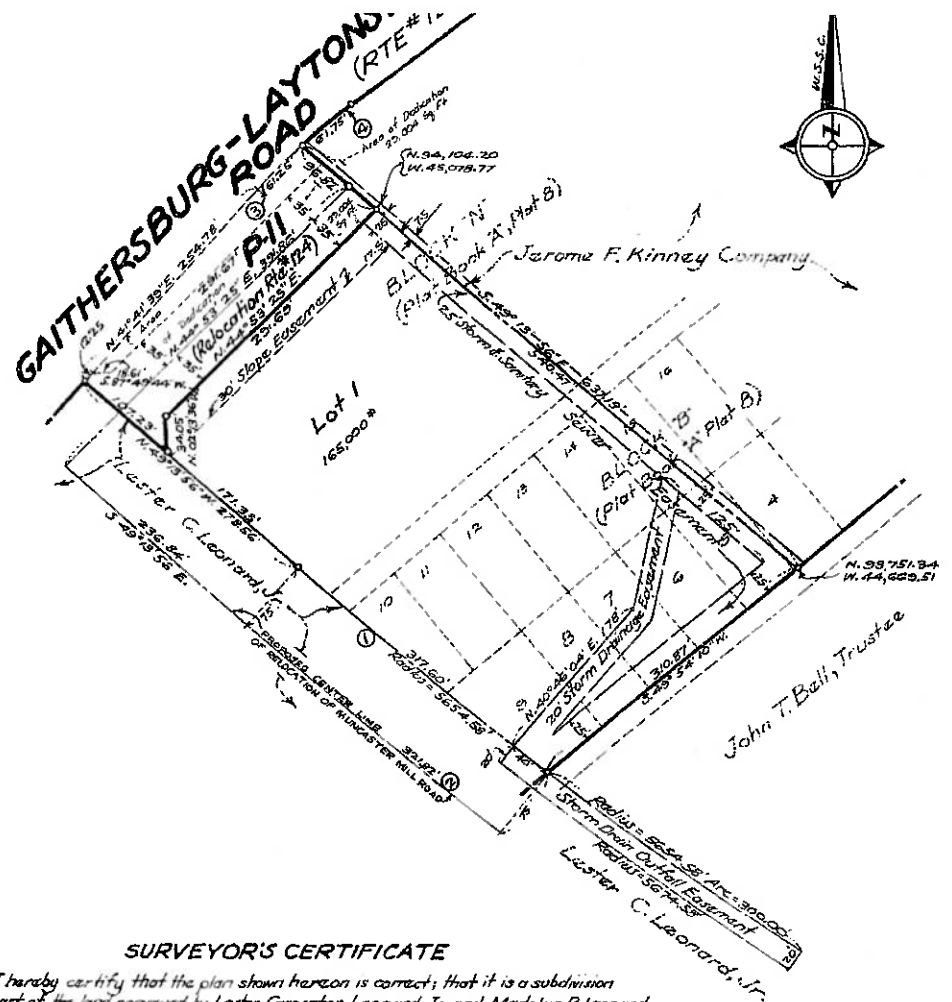
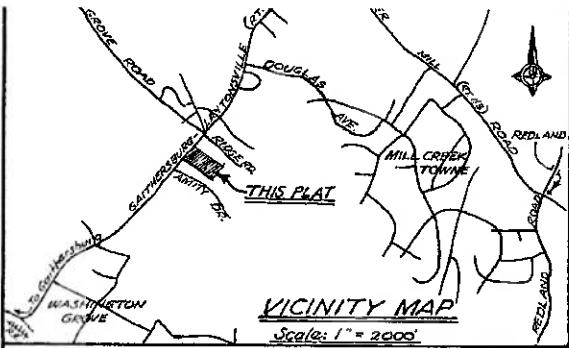
I HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF MARYLAND AND THAT THIS SURVEY PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND IS IN COMPLIANCE WITH COMAR 09.13.06.12 OF THE MINIMUM STANDARDS OF PRACTICE.

RUSSELL H. SMITH
PROFESSIONAL LAND SURVEYOR,
MARYLAND REGISTRATION NO. 21637
LICENSE EXPIRATION DATE: 12/25/2023

DATE

NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.

Exhibit B1



OWNER'S DEDICATION

We, Jerome F. Kinney Company, a Maryland Corporation, by Jerome F. Kinney, President and Julia K. Kinney, Secretary, owners of the property shown and described hereon, hereby adopt this plan of subdivision, establish the minimum building restriction line, dedicate the street to public use and grant unto Montgomery County, Maryland, slope easements 30 feet wide on all lots, outlots and parcels in the plan of subdivision adjacent, contiguous and parallel to the street right of way line shown hereon.

Slope easements granted hereon shall be extinguished after all required public improvements abutting said easements have been lawfully completed and have been accepted for maintenance by Montgomery County, Maryland or other appropriate Public Agency.

There are no suits of action, leases, liens, mortgages or trusts affecting the property except one deed of trust and all parties in interest thereto have below indicated their assent. The easement shown hereon for the construction, maintenance and operation of storm and sanitary sewers and water mains is hereby dedicated to public use for the purposes specified.

Date: February 17, 1969

JEROME F. KINNEY COMPANY

ATTEST:
Julia K. Kinney
Julia K. Kinney, Secretary

Jerome F. Kinney
Jerome F. Kinney, President

We assent to this plan of subdivision:
Date: Feb. 17, 1969.

Witness:
Richard W. Willis
Mary-Lee Burdette
Donna K. Price

William T. Parker
WILLIAM T. PARKER, TRUSTEE
Lester C. Leonard, Jr.
LESTER CARPENTER LEONARD, JR., TRUSTEE

The easement shown hereon for the construction, maintenance and operation of storm drain outfall is hereby dedicated to public use for the purpose specified.
Date: March 18, 1969

Witness:
Dorothy Cash

Lester C. Leonard, Jr.
LESTER CARPENTER LEONARD, JR.

SURVEYOR'S CERTIFICATE

I hereby certify that the plan shown hereon is correct; that it is a subdivision of part of the land conveyed by Lester Carpenter Leonard, Jr. and Madolyn R. Leonard, to Jerome F. Kinney Company by deed dated November 25, 1968 and recorded in Liber 3821 of Folio 530 among the Land Records of Montgomery County, Maryland.

I further certify that the bearings shown refer to W.S.S.C. datum. Iron pipe shown thus: (⊖), and concrete monuments shown thus: (⊕), will be set where indicated.
Date: Feb. 17, 1969.

John J. Allen, Jr.
John J. Allen, Jr.
Registered Land Surveyor No. 2206

(Area being dedicated for street 29004 sq. ft.)

**LOT ONE
EMORY GROVE VILLAGE**

ELECTION DISTRICT NO. 9
MONTGOMERY COUNTY, MARYLAND

SCALE: 1" = 100' FEBRUARY, 1968

ALLEN AND KOENIG, Land Planners & Surveyors
4001 MONTGOMERY LANE

"For Public Water & Sewer Systems only"

MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS
APPROVED: March 24, 1969

As to road and street grades
By Richard J. Lynch
DEP. DIR. PUBLIC WORKS

MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD
APPROVED: February 20, 1969

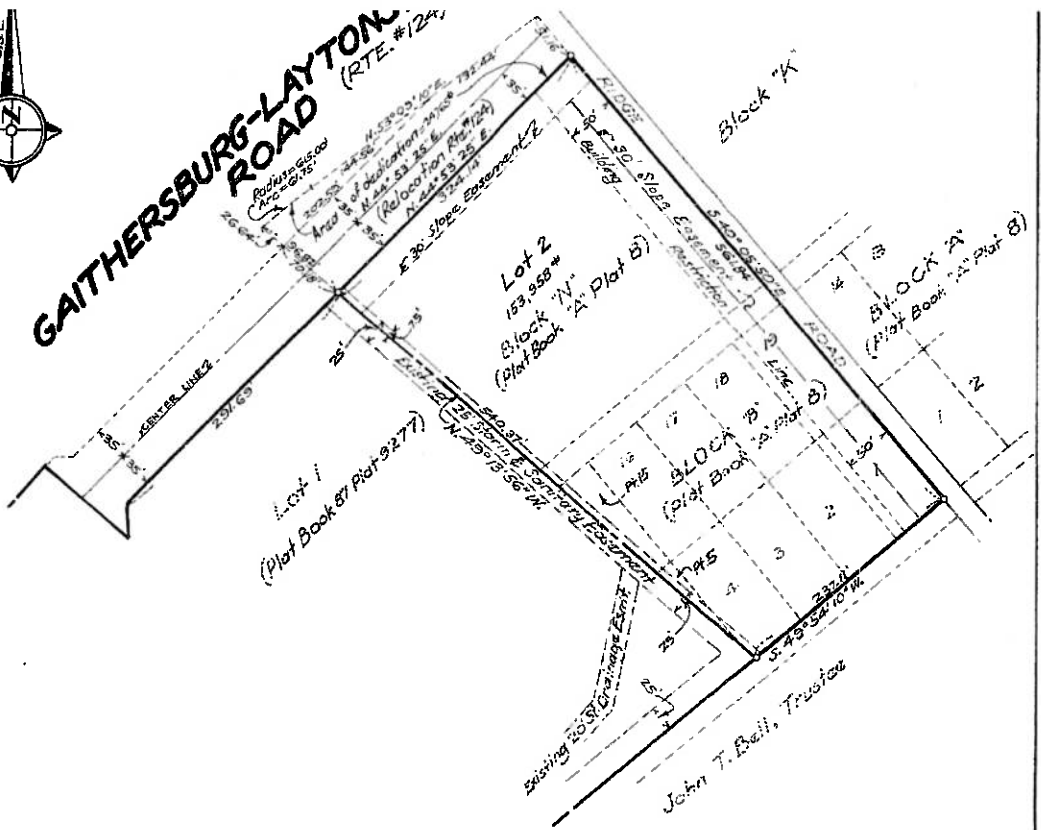
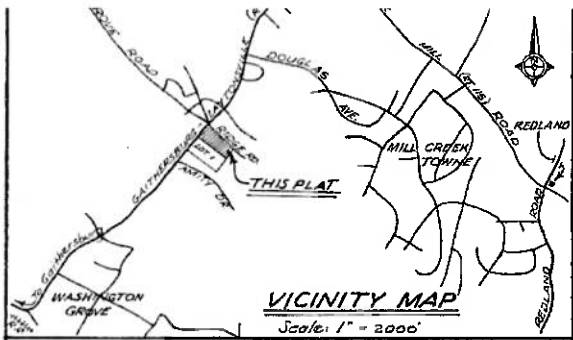
RECORDED: _____
PLAT BOOK: _____
PLAT NO.: _____

FILED
APR 11 1969

NO.	RADIUS	DELTA	ARC	TAN	CHORD	CHD. BEARINGS

Maryland State Archives

Exhibit B2



OWNER'S DEDICATION

We, Jerome F. Kinney Company, a Maryland Corporation, by Jerome F. Kinney, President and Julia K. Kinney, Secretary, owners of the property shown and described hereon, hereby adopt this plan of subdivision, establish the minimum building restriction line, dedicate the street to public use and grant unto Montgomery County, Maryland, slope easements 30 feet wide on all lots, outlots and parcels in the plan of subdivision adjacent, contiguous and parallel to the street right-of-way line shown hereon.

Slope easements granted hereon shall be extinguished after all required public improvements abutting said easements have been lawfully completed and have been accepted for maintenance by Montgomery County, Maryland or other appropriate Public Agency.

There are no suits of action, leases, liens, mortgages or trusts affecting the property except one deed of trust and all parties in interest thereto have below indicated their assent. The easement shown hereon for the construction, maintenance and operation of storm and sanitary sewers and water mains is hereby dedicated to public use for the purposes specified.

Date: October 14 1970

JEROME F. KINNEY COMPANY

ATTEST

Julia K. Kinney
Julia K. Kinney, Secretary

Jerome F. Kinney
Jerome F. Kinney, President

We assent to this plan of subdivision:

Date: April 14 1970

John T. Bell
John T. Bell, Trustee

John T. Bell
John T. Bell, Trustee

Jerome F. Kinney
Jerome F. Kinney, Trustee

John T. Bell
John T. Bell, Trustee

SURVEYOR'S CERTIFICATE

I hereby certify that the plan shown hereon is correct, that it is a subdivision of part of the land conveyed by Lester Carpenter Leonard, Jr. and Madolyn R. Leonard to Jerome F. Kinney Company by deed dated November 25, 1968 and recorded in Liber 3821 at Folio 530 among the Land Records of Montgomery County, Maryland. I further certify that the bearings shown refer to W.S.C. datum.

Iron pipe shown thus: o, and concrete monuments shown thus: ■, will be set where indicated.
Date: May 25 1970

John J. Allen, Jr.
John J. Allen, Jr.
Professional Land Surveyor No. 2206

"For Public Water & Sewer Systems only"

MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS
APPROVED: JULY 8, 1970

As to road and street grades

By Richard J. Lynch
DEPUTY DIRECTOR OF PUBLIC WORKS

MARYLAND - NATIONAL CAPITAL PARK & PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD
APPROVED: JUNE 4, 1970

(Area being dedicated for street = 28,111 Sq. Ft.)

LOT TWO
EMORY GROVE VILLAGE
ELECTION DISTRICT NO. 9
MONTGOMERY COUNTY, MARYLAND

FILED

JUL 16 1970

SCALE: 1" = 100'

JANUARY, 1970

ALLEN AND KOENIG, Land Planners & Surveyors

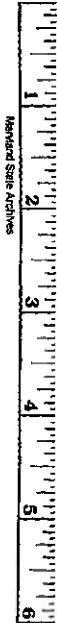


EXHIBIT C

Section 5. Vision for a New Emory Grove

The plan proposed herein is based on the blending of new and old. It is based on the ethic of the old blended with needs of the present. The EGUMC has thought long and hard about this vision and the needs of the community. Their vision provides an important foundation for this proposed master plan, and is as follows:

“Emory Grove United Methodist Church has its origins as the center of the life of the community of the descendants of slaves after which it is named. It arose from the vision and sacrifice of a community of people who understood that God was the center of the life of their community, as well as the source of the ethic that kept the community thriving and living in peace.

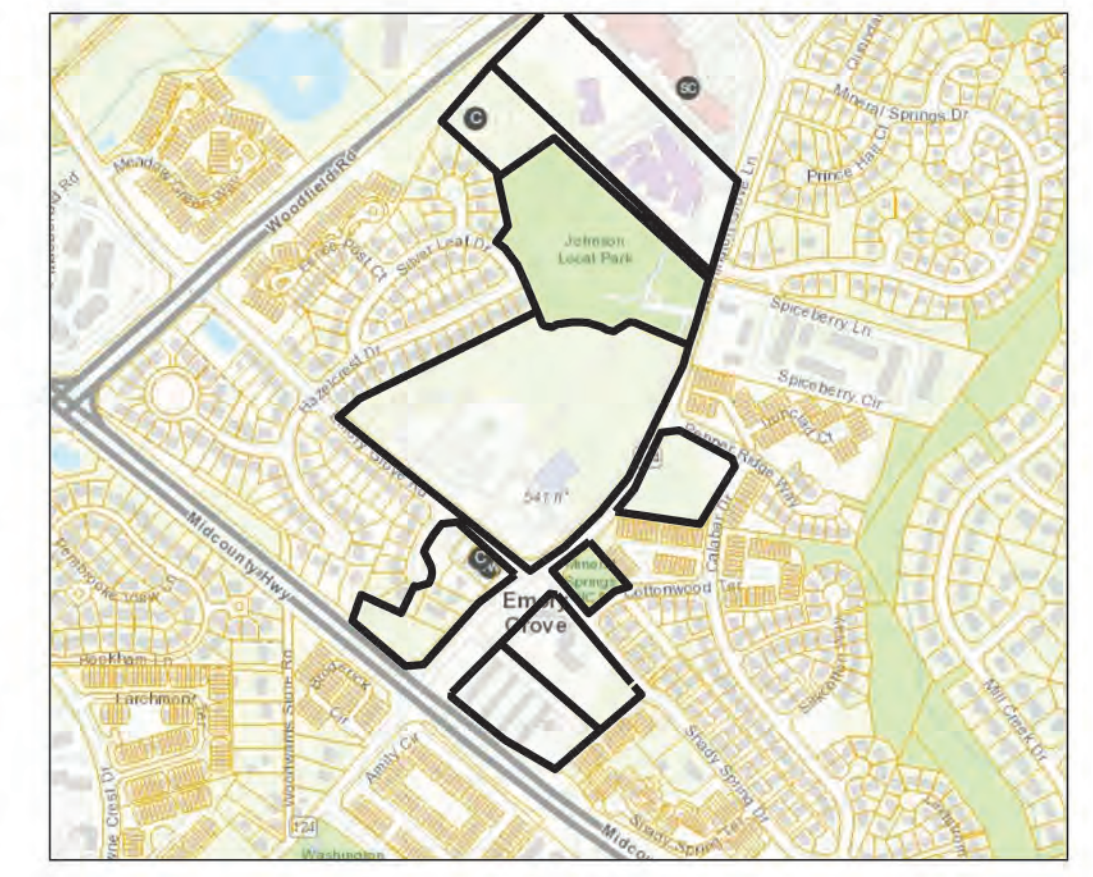
As the community was decimated during the renewal of housing decades ago, the church has become the keeper of the ethic and history of the community. The former residents of Emory Grove and their families still drive in to the church. Its funerals and community gatherings (unfortunately, far more than its regular worship) still draw huge crowds who come to reminisce, to rekindle old relationships, and to celebrate the ethic of the old community.

The outgrowth of the church’s role as keeper of the community’s history and ethic is the vision the church has for the re-creation of the community, so that the history of the community can be rediscovered and renewed, and so that its ethic can find new life at the center of a new Emory Grove.”

The EGUMC refers to this new community as “Heritage Emory Grove,” and thus the name of this conceptual master plan. This vision started as a small infill proposal on land immediately adjacent to, and owned by the church. This vision has catalyzed planning, and ultimately, community-building in the larger Emory Grove community and not just at this single location.

The plans and proposals contained within this conceptual master plan attempt to capture this vision for the new community, preserve the history of Emory Grove, and to the extent possible, incorporate remnants of the old Emory Grove plan, while introducing new housing that meets the needs of today’s population.

EXHIBIT D



Vicinity Map
Scale: 1" = 800'
Tax Map: GT 122 WSSC 222N008

Summary:

1. Area Calculations:

1.1. Gross Areas:			
1.1.1. HOC (Sites 'A' & 'B'):	8.40 +/- acs.		
1.1.2. Emory Grove UMC ('C'):	4.07 +/- acs.		
1.1.3. Mont. Co. ('D' & 'G'):	23.64 +/- acs.		
1.1.4. M-NCPPC ('E' & 'F'):	11.21 +/- acs.		
1.1.5. B.O.E.:	10.00 +/- acs.		
1.1.6. EGUUMC Trustees:	2.61 +/- acs.		
1.1.7. Total:	59.93 +/- acs.		

1.2. Proposed R/W Abandonments:

1.2.1. Adj. to HOC:	1.25 +/- acs.
1.2.2. Adj. to EGUMC:	0.30 +/- acs.
1.2.3. Adj. to LCA:	0.08 +/- acs.
1.2.4. Adj. to Upcounty Ctr.:	0.00 +/- acs.
1.2.5. Total:	1.63 +/- acs.

1.3. Previous Dedications: TBD

1.4. Project Study Area: 61.56 +/- acs. plus Prev. Dedications

2. Proposed Development:

	SF	At	MF	Sen	Total
2.1. Emory Grove/Camp Hill:	0	79	60	0	139
2.2. EGUMC/Romero/MoCo:	6	18	12	0	36
2.3. Mineral Springs LCA:	0	0	0	0	0
2.4. Pepper Ridge:	0	23	0	0	23
2.5. Upper County:	29	19	138	150	336
2.6. Total:	35	139	210	150	534

(All figures are upper end yields)

Plan Call Outs:

- Taylor's Lane. Construct a new Taylor's Lane as the unifying element for this portion of the community. Centerline of new road to align with former road.
- Future Senior Housing / Community Center Complex. Maintain existing Up-County Center in the interim, and plan and construct a new community center complex that includes housing above, possibly for seniors. Phase out former Up-County Center and introduce new for-sale and rental housing.
- Commercial Opportunities. As a part of the senior housing design, the new building should 'front' on Emory Grove Road and offer incubator space for startup businesses and space for small shops. A larger space should be committed for a small store that would be reminiscent of the former Tyler's Market.
- Entertainment Venue. The Du Drop Inn was a key landmark in Emory Grove. A reserve site for a potential entertainment venue is proposed in order to provide an opportunity in the same general location as the Du Drop Inn.
- Future Flex/Meeting Space at Property's Highest Point.
- The Tabernacle. The spiritual ethos of Emory Grove is reflected in the camp meetings. The Tabernacle was the central altar for the events and should be reestablished as a permanent cultural feature of the community.
- The Dance Hall. The park area has the opportunity to reestablish important cultural features of the former community, including the walking trails, the Tabernacle, the Negro League ballfield, and the Dance Hall.
- Existing Upper County Pool Complex. The existing pool will remain, with possible upgrades and new bath houses and utilities as Taylor's Lane is implemented.
- Preserve and Reestablish Historic Camp Meeting Grounds.
- Paths and Walking Lanes. Re-establish old trails and implement new trail connections in order to provide a high level of pedestrian accessibility consistent with the former community.
- Landscaped and Forested Buffers. Buffers are planned at key locations within the new master plan in order to complement and or buffer various land uses.
- Small Scale Mixed-Income Infill. The site is planned with enclaves of new housing intended to provide rental and for-sale opportunities.
- Vision Zero and Complete Streets. Improvements will be determined at a future plan review process. The community vision for these improvements include the participation of the County in order to address accessibility, pedestrian safety, and vehicle speed. These changes may include new sidewalks, street trees, lighting, street furnishings, and other public realm improvements.
- The Lodge of Moses and former Schoolhouse Sites. Although both structures are no longer there, this area should be preserved as a cultural landmark of the former community. Reestablishing replica structure and/or implementing archaeological investigations, including documentation can take place in these protected areas of the site.
- Mineral Springs LCA. Maintain this area as a park and provide enhanced Park improvements for better use, accessibility, and integration into the overall community plan.



1 OVERALL PLAN
Scale: 1:100

Note: Proposed Common Open Space is subject to Planning Board approval that it meets the intent of Sect. 6.5.5.B which states "Common open space must be located in a central position or central position in the neighborhood bordered by streets or building lots. Common open space may also be placed in a location taking advantage of an important adjacent natural feature or open space." and "the minimum width for any required common open space is 30 feet unless the planning body grants an exception for items such as a trail connector, a mid-block crossing, or a fitness park, by finding that its purpose meets the intent of Division 6.5."

DRAWN BY: DA
DESIGNED BY: DA
CHECKED BY: DA
DATE: 04/27/2021
SCALE: As Shown

REVISIONS

Rev 1: Option 3 design included (July 9, 2021)

Rev 2: Revised Pepper Ridge and Mineral Springs LCA; updated EGUMC agr. (January 26, 2022)

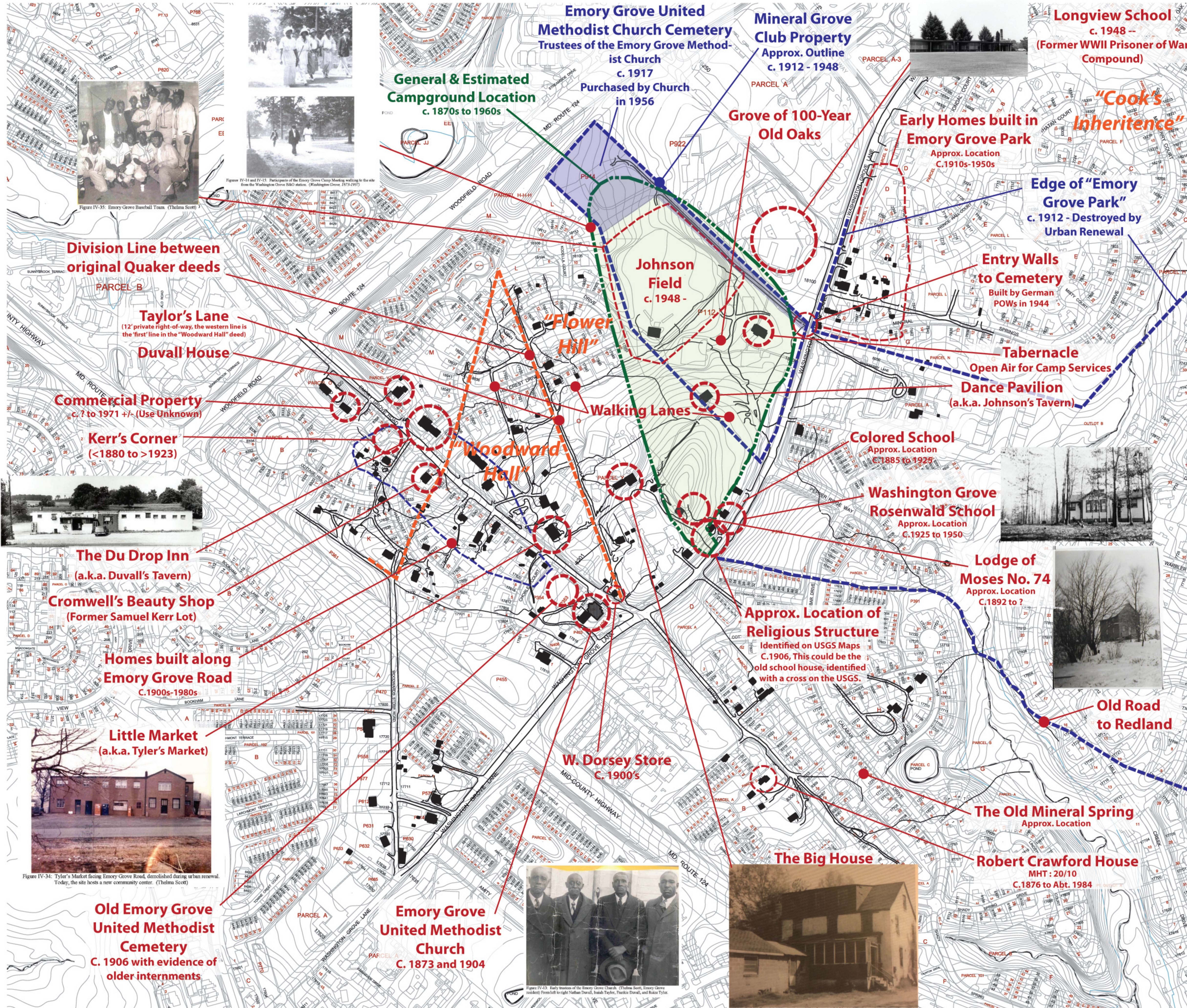
Rev 3: Refined WG Lane Improvements. (3-15-23)

Rev 4: Revised notes. 3-16-23

Housing Opportunities Commission
10100 Derrick Avenue
Kensington, MD 20895
Attn: Zachary Marks
(240)-627-9613

Concept Plan Composite
Conceptual Master Plan
Heritage Emory Grove
Gaithersburg, Maryland

EXHIBIT E



General Notes Regarding this Historical Summary Map.

- This document was compiled from multiple sources, including, oral and written history from Emory Grove United Methodist Church congregants, census data, deeds, plats, historic aerial photos, USGS mapping, early 19th century maps, Urban Renewal documents, Montgomery County planning documents, and other research publications documenting the history of Emory Grove and the Camp Meetings that were held there.
- The information summarized on this plan is not complete but does provide a general understanding of the deep history of the place. Please review other documents in this set for further information as well as the accompanying reports and source documents.
- To the extent feasible, the author has attempted to represent key elements of the history of Emory Grove prior to the 1971 Gaithersburg and Vicinity Master Plan and the 1974 Urban Renewal Project. Some interpretation has been included in this summary. There may be refinements to this plan as additional information is uncovered and added to the project.
- As identified elsewhere in these documents, Emory Grove began shortly after the civil war. The Gaithersburg to Laytonsville Road (now WGL) was a key stage coach road. The ground that would later become Emory Grove was purchased from several early Quaker settlers including the Woodwards, Cooks, Plummers, and Bowmans, among others. The ground was (is) extremely rocky and not well suited for farming, but despite that, Emory Grove was founded.
- The church was built soon after the war and was prominently featured on the Hopkin's Map of 1878. It is our understanding that the outdoor camp meetings actually pre-date the church and may have started as early as 1867. The camp meetings were held for 3 consecutive weeks in August, every year up to the late 1960s. Emory Grove was one of the most important spiritual meeting grounds on the east coast for African Americans.
- By 1880, the area was being settled at a rapid rate and the Walker Mill at Whetstone Run was of key importance, so much so, that a public road to the mill from the church was approved by the County Commissioners. This road linked Emory Grove with "The Road to Seneca Bridge" (now Goshen Road) and increased trade and opportunity with northern Montgomery County and beyond. This road would later become Emory Grove Road.
- The early 20th century saw rapid growth and development in Emory Grove. The one-room Colored School was built in 1885, and replaced with the 2-room Rosenwald School in 1925. The Lodge of Moses #74 was built on the hill just behind the old school in 1892. It provided cooperative financing for residents in an era of deep segregation. In 1905, the old church was replaced with the one that stands on the corner today. The camp meetings continued and reached their peaks in this time period. It was reported that as many as 10,000 souls would make the trek to Emory Grove in heat of August, some from as far away as Boston.
- By all accounts, Emory Grove was a very close and deep-knit community that grew to be a small, but complete village of modest homes and commercial ventures. Plans were already in place for further growth. The substantial subdivisions of Emory Grove Park and Laytonia were started about 1910.
- After World War II, there was a surge in new enterprises in Emory Grove. The Du Drop Inn opened sometime in the 1940s and was a key stop on the Chittering Circuit. Prominent African American entertainers played here, including Ike and Tina Turner. In addition, Ruize Tyler built the Little Market in 1947, providing convenient food and services to the community. In that same year, Edward Johnson purchased a large tract of land and built what is now known as Johnson's Field. This site included parking for buses and a Dance Hall. It was one of the first fields "under the lights" and was a prominent stop on the Negro Baseball League circuit.
- In the early 1950s, Rockville and Gaithersburg were planned to be added to the Municipal District. The 1964 General Plan (On Wedges and Corridors) included this area for moderate growth. In the late 1960s, the Washington Suburban Sanitary Commission (WSSC) determined sewer extensions to Emory Grove were not financially feasible. As a result, the County solicited federal funds through the Urban Renewal (UR) program. The Urban Renewal Plan was approved in 1974 and all of Emory Grove, including the sacred camp meeting grounds, were slated for demolition and redevelopment into single family detached homes that none of the former residents could afford. Permanent displacement occurred as a result. The taking of these properties through condemnation were complete by the late 1970s, and redevelopment began.
- In 1982, demolition of the camp meeting grounds and the site of the former school, Johnson's Field, and the Lodge of Moses were halted at the last minute. The southern and eastern portion of the single family detached Urban Renewal plan were abandoned. Portions of the lands held by Johnson were turned over to the M-NCPPC as a park. The balance of the area not already under construction, was retained by the county and the Upper County Community Center and Pool were built.
- The 1985 Gaithersburg Vicinity Master Plan, the last update of a master plan for this area, simply reflected the 'existing conditions' of the post-Urban Renewal era. This is generally what is on the ground today. After more than 35 years, it is time for a new beginning for Emory Grove.

EXHIBIT F

Section 6. Conceptual Framework

The set of conceptual plans made a part of the Appendix to this report provide a graphic explanation of what is described here and should be consulted while reading this section and the balance of the report.

As discussed earlier, the planners for this project did an in depth review of historical documents in an attempt to better understand the origins of Emory Grove and the key elements of the community structure prior to Urban Renewal in the 1970s. Much of that history and framework has been lost, and cannot be replaced. However, due to the 1982 resubdivision of a portion of the Urban Renewal plan into Parcel Y, several important components of the original Emory Grove have been either left untouched or have been modified in a minimal fashion. Parcel Y is the large 19-acre parcel that is owned by Montgomery County and is currently the site of the Upper County Community and Aquatic Centers.

One important fact is that the major properties and important landmarks within Emory Grove are controlled by only four land owners: the Emory Grove United Methodist Church, Montgomery County, the Maryland-National Capital Park and Planning Commission, and the Housing Opportunities Commission.⁶ This allows the cooperative redevelopment of key parcels within Emory Grove in order to achieve the plan's objectives. This section outlines the conceptual framework for those properties.

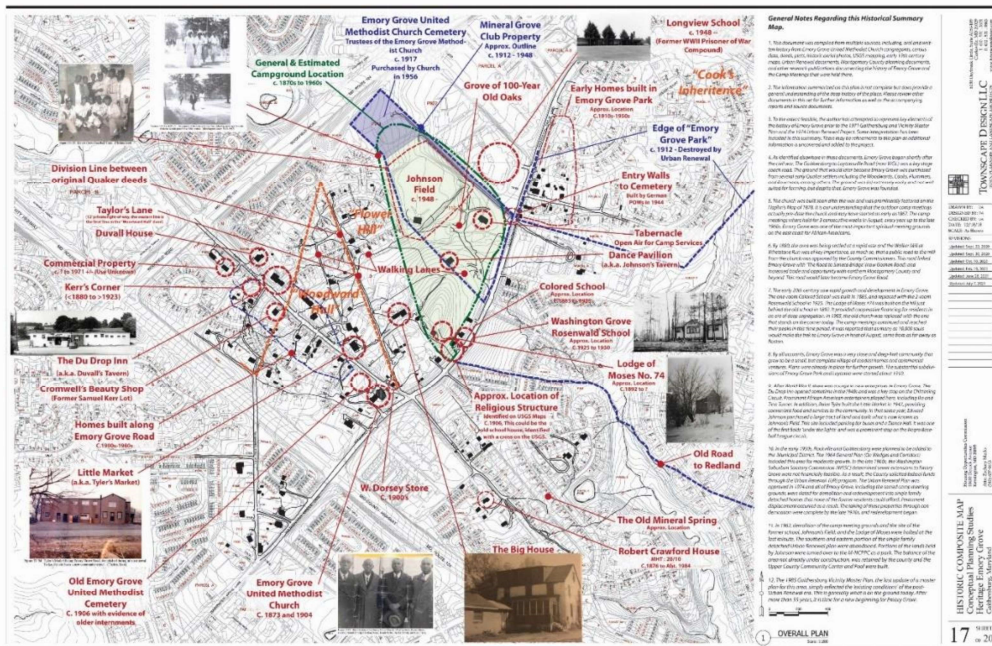


Figure 22. Sheet 17 of the Conceptual Master Plan.

⁶ See Sheet 2 of the Concept Master Plan.

When one overlays the historic features of Emory Grove with the existing conditions map, there are several features old Emory Grove that can be incorporated into the new Emory Grove.⁷

Goal No. 1: Build on the history and culture of old Emory Grove and incorporate as many of the former elements into the new master plan.

This conceptual master plan identifies several opportunities for inclusion of elements and landmarks of old Emory Grove elements into the new plan, including:

- The Emory Grove United Methodist Church as a central part of the historic and spiritual experience of Emory Grove.
- Reestablishment of Taylor's Lane;
- Protection and Improvements to the historic and sacred camp meeting sites. This includes the remnants of Bowman's Woods, the old trees of Johnson Park, and the Tabernacle;
- Protection and Improvements to the Old School Lot;
- Protection and Improvements to the Lodge of Moses Lot;
- Reestablishment of a small market/retail opportunity in the general location of the Little Market;
- Return of residential homes in the Taylor Lane area;
- Inclusion of an entertainment venue in general proximity to the former Du Drop Inn property;
- Upgrades and improvements to Johnson's Field in order to harken back to the Negro League. This could also include a partnership with Major League Baseball;
- Reestablishment of the Dance Hall as a part of the ball field upgrades;
- Reestablishment of 'walking lanes' which were a major element of old Emory Grove;
- Construction of a new community center with senior housing near the site of Big House; and
- Construction of new community space suitable for worship, meetings, and other activities, at the high point of the property, which provides a visual connection to the old camp meeting grounds and tabernacle.⁸

In addition to the adaptation and inclusion of these former community elements, the plan also proposes several new elements to create a sense of place for Emory Grove, which include:

- Implementation of Vision Zero strategies and road diets to modify existing roads for maximum pedestrian safety and comfort;
- Inclusion of urban parks at the intersection of Emory Grove Road, Washington Grove Lane, and Shady Spring Lane in order to create a 'main and main' central feature; This will include intersection improvements and decorative paving;

⁷ See Sheet 17 of the Concept Master Plan for greater detail.

⁸ This is the general location of the existing community center.

- Inclusion of community space and small scale/ incubator non-residential space along Emory Grove Road, reminiscent of the mix of uses prior to Urban Renewal; and
- New walking trails ('lanes') that connect the new community to surrounding neighborhoods and important community features. This would include the pedestrian access to EGUMC cemetery.

Goal No. 2: Provide a variety of housing choices and price points.

Old Emory Grove included several modest homes. During Urban Renewal, nearly all of these options were destroyed and replaced with expensive single family detached homes and townhouses. This conceptual master plan purposely includes a variety of housing and building types that are more attainable. The homes will include both rental and for-sale options. Several homes will include the opportunity for multiple dwellings and accessory dwelling units (ADUs) that will provide the opportunity for wealth creation through home ownership and small multi-family sites. Senior housing is also provided, at market rate, and subsidized, so to allow former, and now elderly, Emory Grove residents the opportunity to return and live in their birthplace.

The Concept Plans include details on the variety of housing and the proposed locations. The master plan includes a rich mix of housing options at various price points and rents, including:

- Assisted living senior housing integrated within the new community center structure;
- Independent living senior housing linked to the community center;
- Live-work opportunities;
- Small multi-family buildings;
- Triplex and four-plex buildings, some with integral garages;
- Duplexes;
- Townhouses with integral garages; and
- Small single-family cottages, and
- Accessory dwelling units.

The housing element of this plan specifically targets a wide spectrum of incomes with rental and for-sale housing. Moderately Priced Dwelling Units (MPDUs) will be about 30% of the housing mix. The current plan includes housing in the following price ranges:

- Deep Affordable: Below 30% AMI (Includes MPDUs)
- Affordable: 30-60% AMI (Includes MPDUs)
- Targeted Market-rate: 60-80% AMI
- Workforce: 80-120% AMI
- Market-rate: Above 120% AMI

The various price points will be mixed within the plan. It is the intent of the developers that architectural treatments will make various price points indistinguishable within a building type.

Goal No. 3: Incorporate placemaking elements in support of the cultural heritage of Emory Grove and for the benefit and convenience of new residents.

Sheet 3 of the Conceptual Master Plan drawing set is an early sketch that summarizes the plan elements envisioned in early studies. The final concept plan is similar in many ways to this early sketch with modifications and the plans were developed over time as more of the history was uncovered and feedback from stakeholders were incorporated.

Some of the key elements of the plan include several incubator and small-scale commercial opportunities so that certain culturally significant elements of old Emory Grove can be reimaged. There are also several proposals for new placemaking elements.

The plan has identified a location for a small market. It is incorporated into the ground floor of the independent living senior housing building. It is approximately 2,000 to 3,000 square feet. It is adjacent to a small treed plaza at the entrance to the new community center, providing an excellent outdoor gathering space that supports the new use.

There are other storefront opportunities in the independent living senior housing building, and that front on Emory Grove Road. They vary in size from 500 to 2,000 square feet and, in a small way, reestablish Emory Grove Road as the 'main street' of the village.

The Du Drop Inn was a very important part of Emory Grove. It stood where Hillcrest Drive intersects Emory Grove Road. In an effort to reestablish an entertainment venue in close proximity to the Du Drop Inn site, the plan allocates about 6,000 square feet for a potential building at the northern entrance to the Upper County Aquatic Center.

Other placemaking uses proposed in the plan include a small-scale flex-space building on the Mineral Springs LCA site that can operate as the 'town hall' for the homeowner's association. The reuse of the ball field for heritage games and the inclusion of the open-air dance hall as a part of that experience.

Most importantly, the plan calls for the careful reintroduction and protection of the Camp Meeting Grounds. This would include removal of non-historic and invasive improvements in this area, such as the tennis court, integration of new walking trails linking the site to the surrounding neighborhoods, and protection of the trees and forest in this area. Coordination between this effort and the ball field will be critical.

In recognition of the importance of sacred meeting grounds, and the golden thread of the Emory Grove United Methodist Church, that has held the community together and has been the institution that has maintained its history, the plan calls for flexible meeting space at the high point of the property overlooking and linked to the camp meeting grounds. This space is planned to accommodate at least 300 persons and will be made available for use by the church for various events.

If Emory Grove Lane is the commercial 'main street', then Washington Grove Lane is the cross street that includes many of the cultural institutions. In order to preserve, enhance, and reestablish these cultural elements, the master plan calls for the protection of trees and forest on the Pepper Ridge site as a compliment to the protected forest on the opposite side of the road. This will provide an environment cue to visitors as one enters the main cross road area from the north east.

Along Washington Grove Lane, the plan proposes a similar open space and park treatment as one enters from Mid-County Highway. The church is prominently maintained, and the main crossroads is improved as a pedestrian-scaled, walkable 'downtown' with the previously mentioned 'town hall' on the opposite corner. A live-work opportunity is envisioned on the north quadrant of the intersection, harking back to Dorsey's corner store. Two of the corners include formal parks that will give this key central intersection a sense of place and providing visitors with the visual cue that this is the heart of Emory Grove.

Goal No. 4: Create a safe, village-scaled, pedestrian environment.

The intersection of these streets is planned for specialty treatments and changes in pavement, in order to slow traffic and to reinforce the placemaking goals of the plan. The crosswalks will be improved and formalized on-street parking is proposed. Vision Zero strategies will be employed to slow traffic and improve pedestrian safety.

Intersection radii will be modified to decrease pedestrian crossing times. Several pedestrian and bike linkages are proposed. These strategies will be included at other intersections as well. For additional detail regarding these improvements, see Sheet 19 of the Concept Master Plan set of drawings.

Goal No. 5: Document and secure the historic, cultural, and spiritual ethos of Emory Grove.

The Emory Grove United Methodist Church has been the one stabilizing force for Emory Grove since its inception. The importance of this institution and the spiritual ethos of the congregants cannot be understated. Throughout this plan, there has been a conscious attempt to incorporate that ethic of the original community while at the same time provide growth and new housing. The ethic is a critical component that informs and influences all aspects of the new community.

EXHIBIT G

ATTACHMENT 1



DEPARTMENT OF GENERAL SERVICES

Marc Elrich
County Executive

David Dise
Director

March 21, 2022

Ms. Gwen Wright
Planning Director
Montgomery County Planning Department
2425 Reedie Drive
Wheaton, MD 20902

RE: Mandatory Referral for the Disposition of Emory Grove Parcels

Dear Ms. Wright:

The Department of General Services (DGS) is requesting a Mandatory Referral review for the disposition of three parcels located in the Emory Grove area of Gaithersburg, more fully described below (“the Properties”).

PROPERTIES

1. 8201 & 8211 Emory Grove Road, Gaithersburg, 20877; Plat 14084. The tax account number for the 19.08-acre property is 09-02258597; Tax Map GT22; Parcel Y.
2. 0 Washington Grove Lane, Gaithersburg, 20877; Liber: 6920 / Folio: 758. The tax account number for the 1.25-acre property is 09-02551340; Tax Map GT12; Parcel 455.
3. Southeast quadrant of Washington Grove Lane and Pepper Ridge Way, Gaithersburg, 20877; Liber: 6085 / Folio: 051. The tax account number for the 2.9-acre property is 09-00767943; Tax Map GT22; Parcel 318.

BACKGROUND

Property 1 is the site of the Upper County Community Recreation Center and Upper County Outdoor Pool. The recreation center and pool are located on the same parcel.

Property 2 was purchased in 1984 as right of way for Mid County Highway. As this property was deeded to the County fee simple, it must go through the disposition process.

Property 3 is a remnant property of a site that was once 14 acres total and owned by the Board of Education for Emory Grove Elementary School. In May 1983 the 14+/- acre Emory

Office of Planning and Development
101 Monroe Street, 9th Floor • Rockville, Maryland 20850
www.montgomerycountymd.gov/dgs/opd

Ms. Gwen Wright

March 21, 2022

Page 2 of 2

Grove Elementary School property was transferred from the Board to Montgomery County in fee simple (Liber 6085/Folio 251). The deed states that the Board determined that the property was no longer needed for school purposes. In 2000, 11.1 acres of the 14-acre property was transferred from Montgomery County to Comstock Emory Grove, L.C. of Virginia for \$851,000 in fee simple (Liber 17985/Folio 76). The remaining County owned property is 2.9 acres. Property 3 is unimproved.

The properties referenced above and other properties in the immediate area are included in a redevelopment proposal by the Housing Opportunities Commission (HOC). The proposal includes new rental and for sale mixed-income housing and conservation areas. The recreation center and pool uses on Property 1 would be retained. However, the surface parking and excess grounds would be used for housing and replacement structured parking.

Properties 1 and 2 are subject to disposition through COMCOR 11B.45.01 Disposition of Real Property. Property 3 is subject to disposition through COMCOR 11B.45.02 Reuse, Leasing, and Sale of Closed Schools. Per COMCOR 11B.45.02, a letter was sent to the Planning Board Chair on March 2, 2022 requesting the Board submit to the County Council a statement that the school will not be needed for will not be needed for park uses.

I hope this information is helpful. Please feel free to contact me at 240.777.6071 or Ronnie.Warner@montgomerycountymd.gov should you have any questions.

Sincerely,

Ronnie Warner

Ronnie Warner
Chief, Office of Planning and Development

cc: Greg Ossont, Deputy Director, Department of General Services



ATTACHMENT 2


OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

March 2, 2022

TO: Casey Anderson, Chair
Montgomery County Planning Board

FROM: Marc Elrich, Montgomery County Executive 

SUBJECT: Disposition of Emory Grove Elementary Surplus School Site Remnant

In accordance with the provisions of 11B.45.02, Reuse, Leasing, and Sale of Closed Schools, the County Executive must request the Planning Board submit to the County Council a statement that a closed school will not be needed for park uses.

The Emory Grove Elementary School is located at the southeast quadrant of the Washington Grove Lane and Pepper Ridge Way intersection. The Tax ID is 09-00767943.

In May 1983, the 14+/- acre Emory Grove Elementary School property was transferred from the Board to Montgomery County in fee simple (Liber 6085/Folio 251, attached). The deed states that the Board determined that the property was no longer needed for school purposes.

In 2000, 11.1 acres of the 14-acre property was transferred from Montgomery County to Comstock Emory Grove, L.C. of Virginia for \$851,000, in fee simple (Liber 17985/Folio 76, attached). The remaining County owned property is 2.9 acres ("Remnant Property"). The Remnant Property is unimproved.

The Remnant Property and other properties in the immediate area are included in a redevelopment proposal by the Housing Opportunities Commission (HOC). The proposal includes new rental and for sale mixed-income housing and conservation areas.

In order to facilitate the ultimate transfer of this property and in accordance with the provisions of 11B.45.02, within 60 days of this request the Planning Board must submit to Council a statement that the school will not be needed for will not be needed for park uses.

Disposition of Emory Grove Elementary Surplus School Site Remnant

March 2, 2022

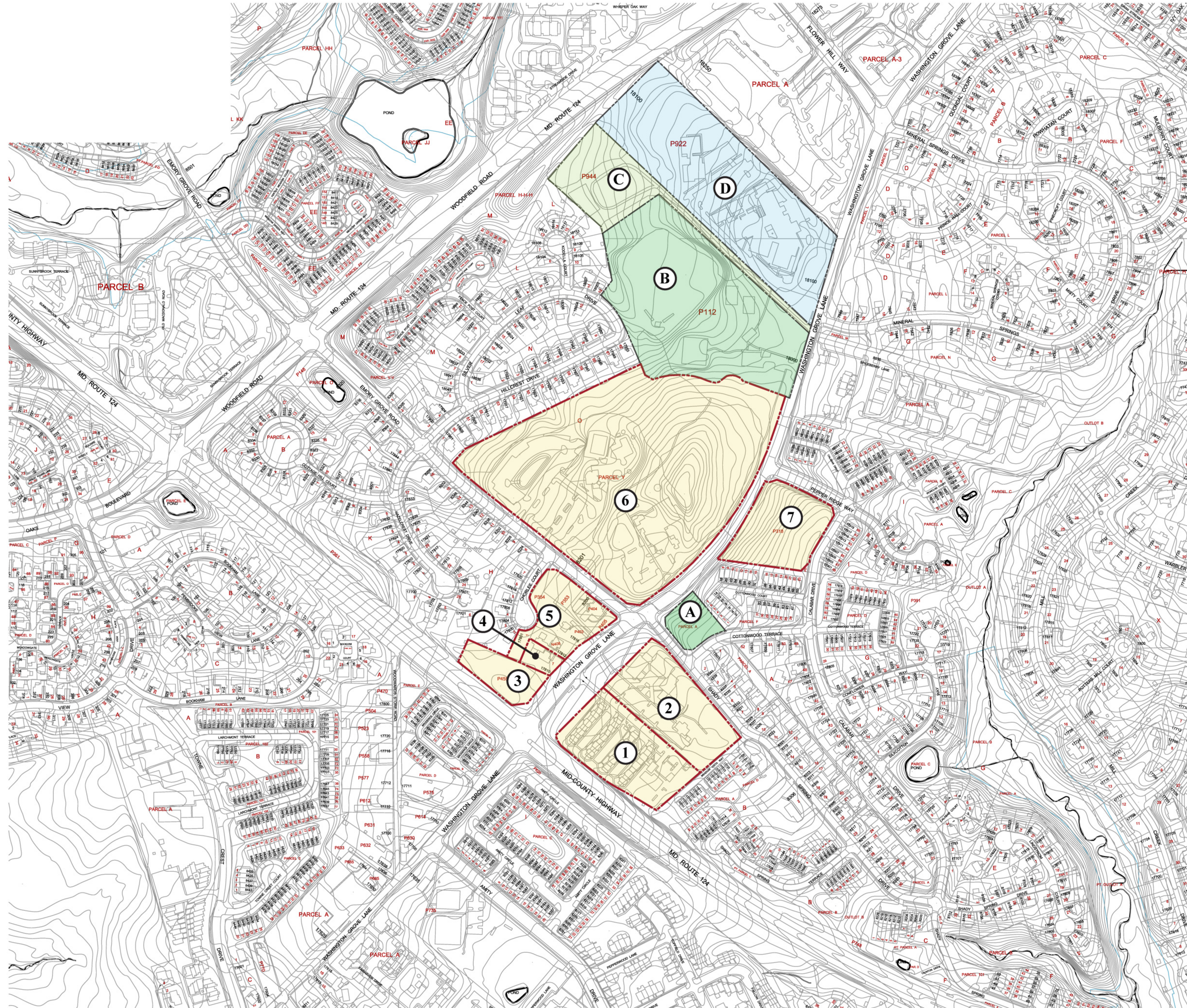
Page 2 of 2

Accordingly, I respectfully request that the Planning Board submit this statement. If you have any additional questions, please contact Greg Ossont, Deputy Director of General Services at 240-777-6192.

Enclosures: *Liber 6085/Folio 251*
Liber 17985/Folio 76

cc: David Dise, Director, Department of General Services
Greg Ossont, Deputy Director, Department of General Services
Jennifer Bryant, Director, Office of Management and Budget
Michael Coveyou, Director, Department of Finance
Greg Wims, UpCounty Regional Director, Community Engagement Cluster

EXHIBIT H



- 1 Emory Grove**
 Zone: R-30; Area: 3.63 +/- Acres
 Owner: Housing Opportunities Commission of Mont. Co.
 Address: 8211 Morning View Drive, Gaithersburg, MD 20879
 Description: Lot P1 of Emory Grove Village
 Tax ID: 09-00771502
- 2 Camp Hill**
 Zone: R-30; Area: 143,758 square feet, or 3.3 +/- Acres
 Owner: Housing Opportunities Commission of Mont. Co.
 Address: 17825 Laytonville Road, Gaithersburg, MD 20879
 Description: Lot P2 of Emory Grove Village
 Tax ID: 09-00767010
- 3 Parcel 455**
 Zone: R-90 / TDR 5; Area: 54,450 square feet or 1.25 +/- Acres
 Owner: Montgomery County
 Address: 0 Washington Grove Lane
 Description: P 455 of Woodward Hall
 Tax ID: 09-02551340
- 4 Romero Property**
 Zone: R-60; Area: 17,800 square feet, or 0.41 +/- Acres
 Owner: Santos D. and Maria S. Romero
 Address: 17810 Washington Grove Lane
 Description: N 456, aka Lot 7 of the Ethel Jones Tract
 Tax ID: 09-03346092
- 5 Emory Grove UM Church**
 Zone: R-60; Area: 92,507 square feet or 2.13 +/- Acres
 Owner: Emory Grove United Methodist Church
 Address: 8200 Emory Grove Road, Gaithersburg, MD 20877-3739
 -Part 1: 17801 Chorlee Drive.
 Description: Lot 1/Blk H of Emory Grove
 Tax ID: 09-00771513
 -Part 2: 0 Emory Grove Road.
 Description: P 353 of Woodward Hall
 Tax ID: 09-02533603
 -Part 3: 0 Emory Grove Road.
 Description: P 354, aka: Lot Near Mineral Spring
 Tax ID: 09-00770063
 -Part 4: 17816 Washington Grove Lane.
 Description: P 403 of Woodward Hall
 Tax ID: 09-00775590
 -Part 5: 8200 Emory Grove Road.
 Description: P 404 of Woodward Hall (aka Church Lot)
 Tax ID: 09-00770017
 -Part 6: 0 Emory Grove Road.
 Description: P 405 of Woodward Hall
 Tax ID: 09-00770028
 -Part 7: 17812 Washington Grove Lane.
 Description: N 408, aka Lot P2 of the Ethel Jones Tract
 Tax ID: 09-00774846
- 6 Community Center and Pool**
 Zone: R-60; Area: 19.08 +/- Acres
 Owner: Montgomery County
 Address: 8201 Emory Grove Road.
 Description: Parcel Y, Emory Grove Urban Renewal, Plat 14084
 Tax ID: 09-02258597
- 7 "Pepper Ridge"**
 Zone: CRT 0.75, C-0.75, R-0.25, H-35
 Area: 117,612 square feet or 2.7 +/- Acres
 Owner: Montgomery County
 Address: 0 Washington Grove Lane.
 Description: P 318 of Cook's Inheritance
 Tax ID: 09-00767943
- A Mineral Springs NCA**
 Zone: R-60; Area: 32,667 square feet or 0.75 +/- Acres
 Owner: Maryland-National Capital Park & Planning Commission
 Address: 0 Woodfield Road.
 Description: Parcel A of Mineral Springs Village on Plat 10630
 Tax ID: 09-00768311
- B Johnson's Local Park**
 Zone: R-60; Area: 9.96 +/- Acres
 Owner: Maryland-National Capital Park & Planning Commission
 Address: 18000 Washington Grove Lane.
 Description: P 112 of Flower Hill
 Tax ID: 09-01680286
- C Emory Grove Cemetery**
 Zone: R-60; Area: 2.61 +/- Acres
 Owner: Emory Grove Church Trustees
 Address: 0 Woodfield Road.
 Description: P 944 of Flower Hill
 Tax ID: 09-00770006
- D Early Childhood Learning Center**
 Zone: R-60; Area: 10.00 +/- Acres.
 Owner: Board of Education of Montgomery County
 Address: 18100 Washington Grove Lane.
 Description: P 922 of Cabin Branch etc.
 Tax ID: 09-00767726

1 OVERALL PLAN
 Scale: 1:200

EXHIBIT I

***6. Disposition of Emory Grove Parcels: Mandatory Referral No. MR2022020 (Public Hearing)**

Staff recommends that the Planning Board approve the Mandatory Referral to dispose of three parcels in the Emory Grove area of Gaithersburg, MD and confirm that the Emory Grove Elementary Surplus School site remnant is not needed for a park use pursuant to Section 11B-45(g)(4)(B) of the Montgomery County Code and Section 11B.45.02.07 of the Code of Montgomery County Regulations.

N. Yearwood

BOARD ACTION

Motion: Rubin/ Verma

Vote:
Yea: 5-0
Nay:
Other:

Action: Approved staff recommendation to transmit comments to the Montgomery County Department of General Services (DGS), and confirm to the Montgomery County Council that the site remnant is not needed for park use, with language specifically stating that Montgomery County plans to maintain ownership of the Community center and pool. Planning Staff offered a multi-media presentation explaining the disposition of three Emory Grove Parcels.

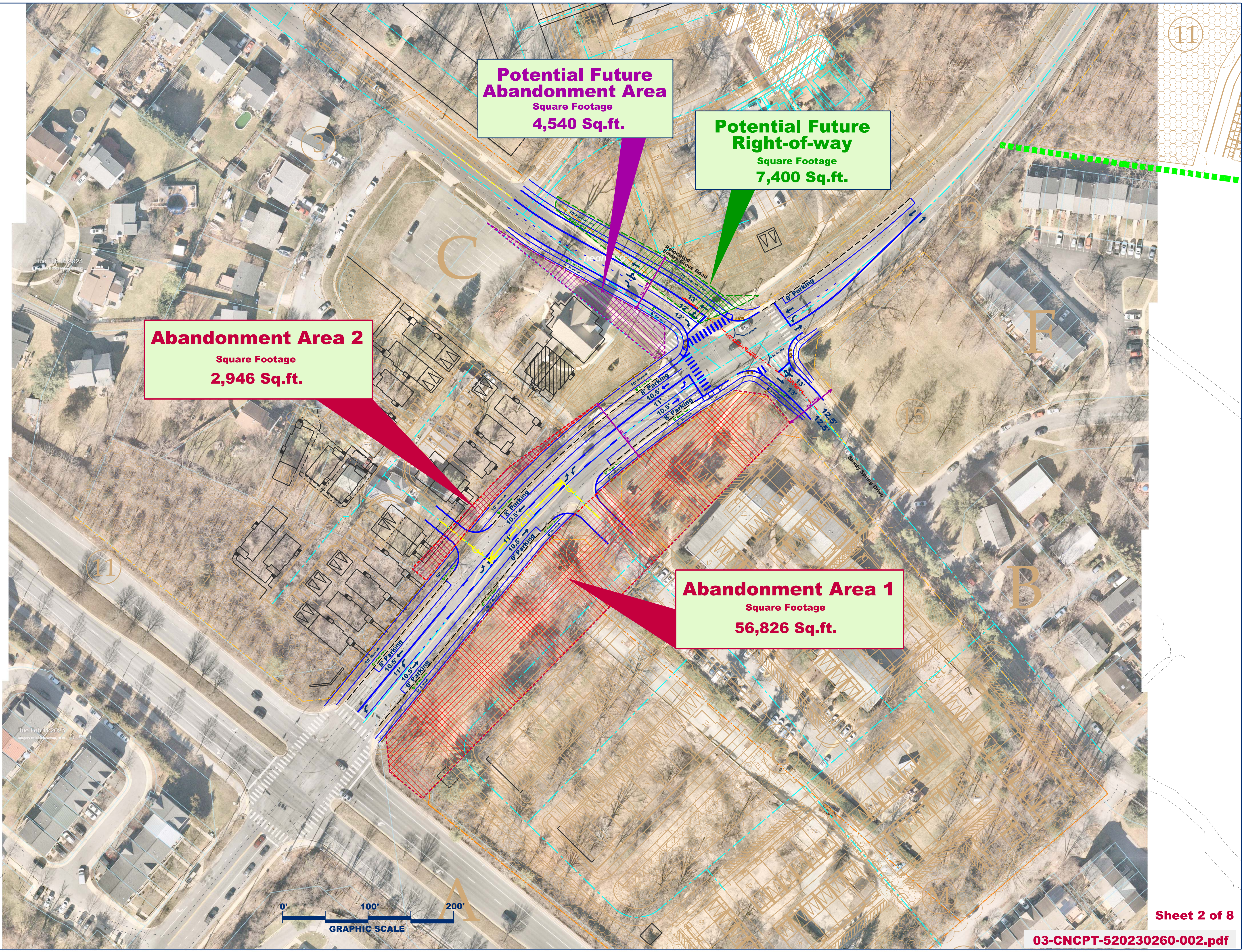
The Montgomery County Department of General Services (DGS) requests a Mandatory Referral review for the disposition of three properties in the Emory Grove area of Gaithersburg. These properties include: 1) a 19.08-acre property at 8201 and 8211 Emory Grove Road; 2) a 2.9-acre property at the southeast quadrant of Washington Grove Lane and Pepper Ridge Way; and 3) a 1.25-acre property at 0 Washington Grove Lane.

The three properties are included in a redevelopment proposal by the Housing Opportunities Commission (HOC) to create new rental and for-sale mixed-income housing, as well as conservation areas. The redevelopment proposal seeks to retain the existing recreation center and the pool uses on the property, but redevelop the surface parking and underutilized portions of the site with housing and structured parking. DGS may either sell or ground lease the three properties.

Ronnie Warner with the Department of General Services offered brief comments addressing the County’s intentions for the property.

The Board stated that in the transmittal letter the comments that the County intends to maintain ownership of the described area of the community center and pool need to be reflected.

EXHIBIT J



DATE	DATE	DATE	DATE
DESIGNED	DRAWN	CHECKED	APPROVED
M. Vailath			

PROJECT	NO.
Heritage Emory Grove	5-20230260

SCALE	1" = 100'
LOCATION	Montgomery County, Maryland
JOB NUMBER	2023-0237
FILE NUMBER	



EXHIBIT K



1. **Emory Grove** – Owned by HOC – No notice required
2. **Camp Hill** – Owned by HOC – No notice required
3. **Parcel 455** – Owned by Montgomery County
Notice required to:
 - a. 0 Washington Grove Lane
4. **Romero Property** – Owned by Emory Grove United Methodist Church (previously owned by Santos D. Romero and Maria S. Romero)
Notice required to:
 - a. 8200 Emory Grove Road, Gaithersburg, MD 20877
5. **Emory Grove UM Church** – Owned by Emory Grove United Methodist Church
Notice required to:
 - a. 8200 Emory Grove Road, Gaithersburg, MD 20877