

Resolution No: 20-11
Introduced: December 13, 2022
Adopted: December 13, 2022

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: County Council

SUBJECT: Extension of the Deadline for the Declaration of No Further
Need – Disposition via Transfer of a portion of Burtonsville
Park and Ride Lot, located in Burtonsville, Maryland

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. The Council must act on the Declaration of No Further Need within 60 days of receiving the Declaration or it is automatically approved. The Council may extend the 60-day deadline by resolution if the Council President has informed the Executive, within 30 days of receiving the proposed action, that the Council has not received all information necessary to review the proposed action. If the 60-day deadline falls during the month of August or during the period of December 15 through December 31, the deadline is automatically extended until the next scheduled Council session.
3. On November 8, 2022, the Executive transmitted the Declaration of No Further Need for the proposed disposition. to transfer of a portion of approximately 6.06 acres of County-owned property known as the Burtonsville Park and Ride, Burtonsville, Maryland to First Equity Holdings. The property is currently a park-and-ride lot for commuters with approximately 475 parking spaces is also the site of a FLASH Bus Rapid Transit (BRT) station.

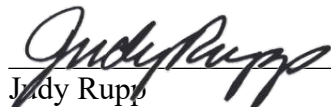
4. The Executive is proposing a sale to First Equity to develop both market-rate and affordable low-to-mid-rise multi-family rental housing on the site, including a total of approximately 250 units, of which at least 30% (or 75 units) will be affordable at 120% of the area median income (AMI) or below. At least half of the affordable units (or 15% of the total number of units) will be targeted to households making less than 60% AMI, while the rest will be above 60% AMI to 120% AMI; the exact number of units will be determined through more detailed planning/design process and is subject to Planning Board approval.
5. 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. The exact number of units will be further determined during the development process.
6. 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 of the property for public use.
7. The Council held a public hearing on this disposition took place on November 29, 2022.

Action

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

The time for Council action on the Declaration of No Further Need contained in Executive Order 209-22, Disposition via Transfer of a portion of Burtonsville Park and Ride Lot, located in Burtonsville, Maryland, to First Equity Holdings, is extended to February 28, 2023.

This is a correct copy of Council action.



Judy Rupp
Clerk of the Council