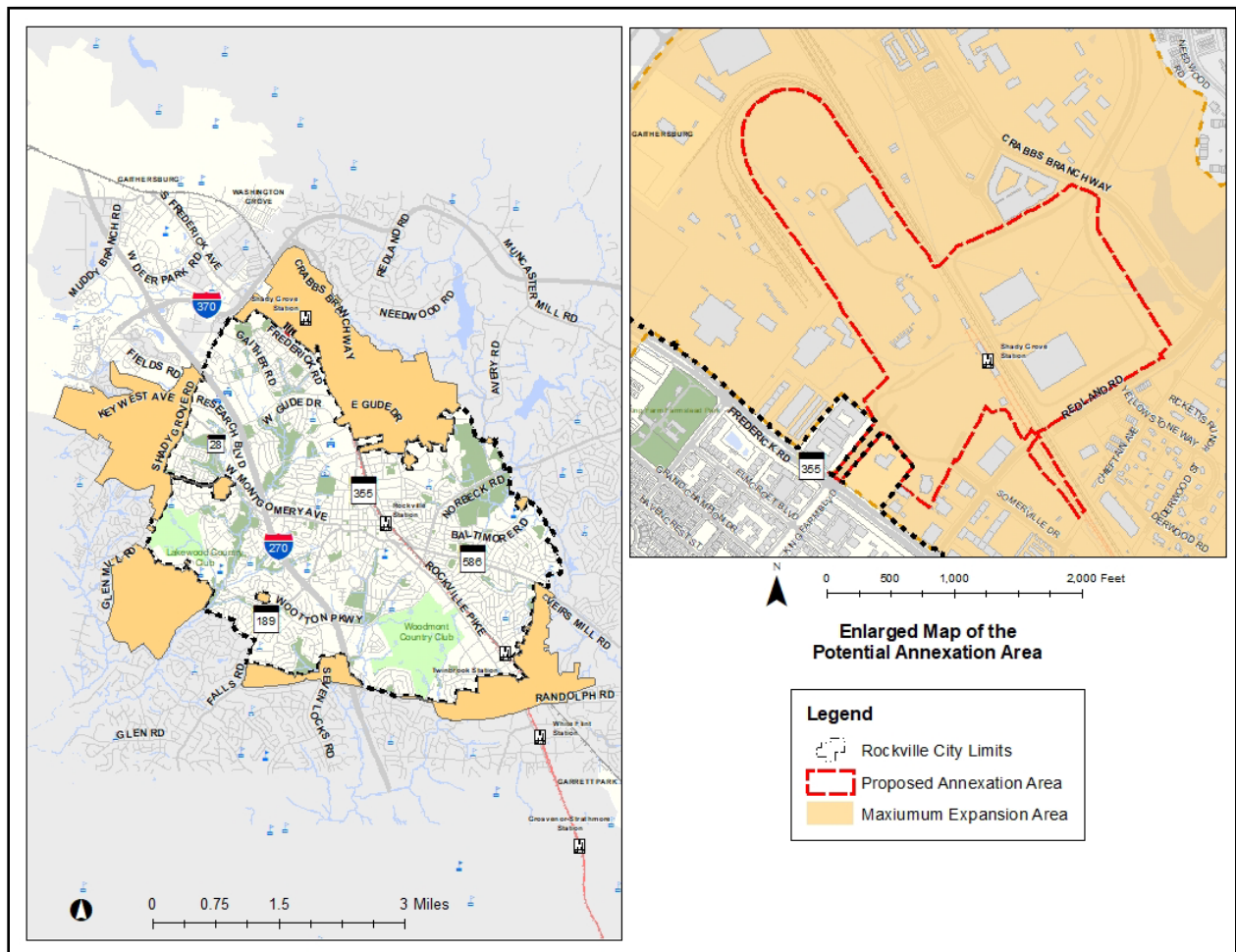


## Preliminary Annexation Plan Annexation ANX2023-00147

This annexation plan has been prepared because of a City-initiated proposal (Mayor and Council of Rockville, Applicants) to annex land into the City of Rockville, pursuant to Local Government Article, Section 4-415 of the Annotated Code of Maryland.

The area proposed for annexation is within unincorporated Montgomery County, adjacent and contiguous to the Rockville City limits, and within the City's maximum expansion limits (MEL), as established in the Municipal Growth Element (MGE), and therefore consistent with its Comprehensive Plan as adopted on August 2, 2021.

**Figure 1 – Map of Rockville's MEL per 2021 adopted MGE of the Comprehensive Plan and the proposed annexation area**



Rockville's Comprehensive Plan notes that, because there is no expectation that the entire area as defined as the maximum expansion limits in the comprehensive plan will be annexed, each proposed annexation should be analyzed to determine its potential impact on public services. Thus, this annexation plan includes a description of the land use pattern proposed for the area to be annexed, a recommended approach for extending public services to the annexed area, a general method of financing the extension of anticipated services, and a demonstration of available land for public facilities that may be considered reasonably necessary for the proposed use.

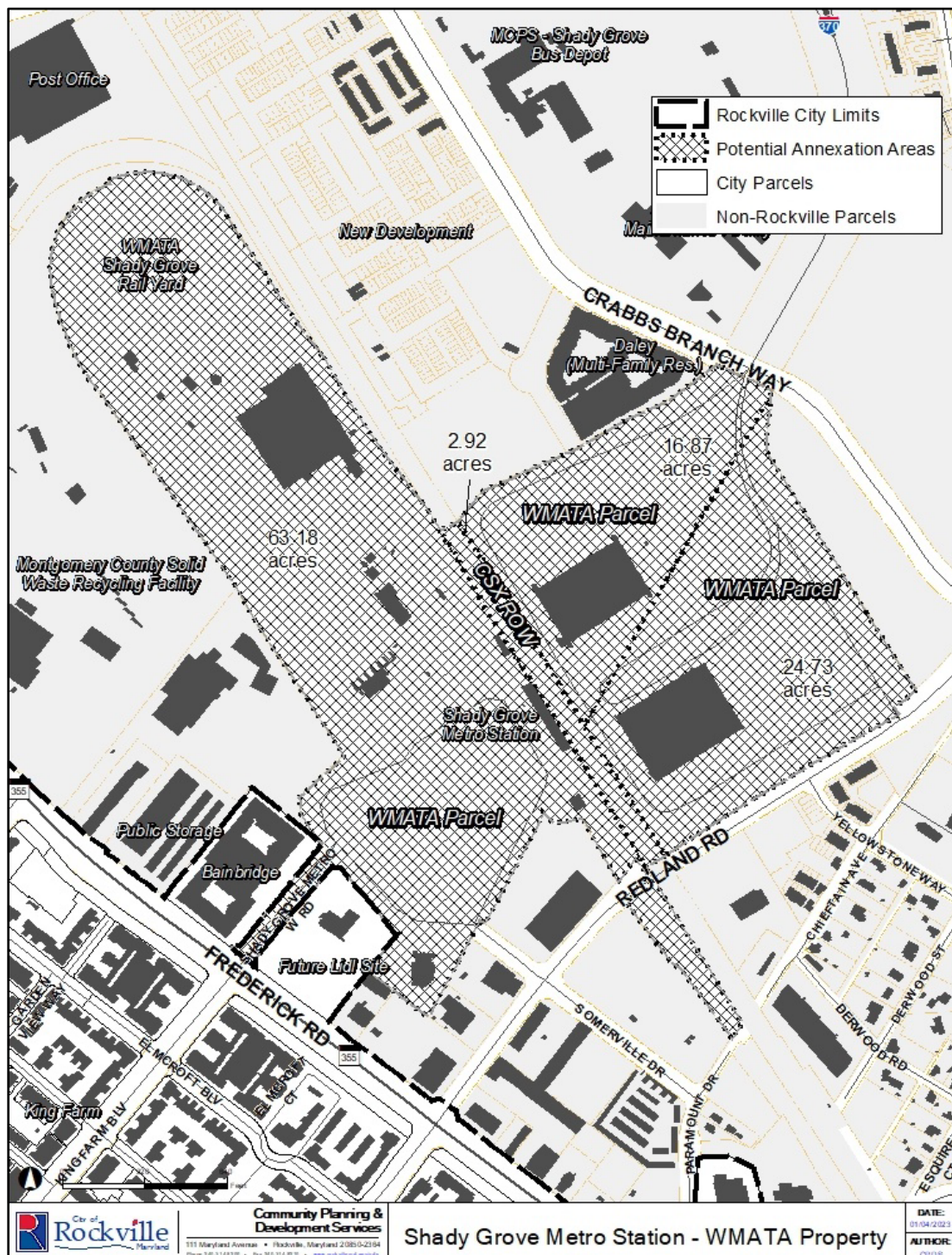
Pursuant to Section 4-415(a) of the Local Government Article of the Annotated Code of Maryland, an annexation plan shall be adopted by the legislative body for the area to be annexed. The Mayor and Council introduced the Annexation Resolution for the Annexation Area on October 23, 2023, and will be scheduling the public hearing on the Annexation Resolution at a future date. The Mayor and Council are tentatively scheduled to adopt the Annexation Plan for release for their public hearing at a meeting on April 28, 2025.

### **General Information and Description**

#### **Location:**

The annexation area is located approximately along the northern boundary of the City's corporate limits. The area is adjacent and contiguous to the City boundary, and includes land owned by the Washington Metropolitan Area Transit Authority (WMATA), with the Shady Grove Metro Station located at 15903 Somerville Drive, Rockville, MD 20855, including the land owned by CSX transportation, Inc. The area proposed for annexation is located east of Frederick Road/MD 355 and north of Redland Road and described more in detail in Exhibit A as included with this Preliminary Annexation Plan. Exhibit A provides the property description and the survey map of the annexation area. The total area proposed for annexation is approximately 107.9-acres of land.

Figure 2 – Location map of the proposed annexation area



**Land Use pattern proposed for the area to be annexed, including the county master plan already in effect for the area**

The WMATA properties that are proposed for annexation include the Shady Grove Metro Station, the Shady Grove Rail Yard, surface parking, two structured parking garages, one surface parking lot to the west of the Station and three surface parking lots to the east. Montgomery County leases a day care center (Kinder Care) in an approximately 11,200 square-foot facility from WMATA, which is also located within the annexation area at 15910 Somerville Drive.

The Shady Grove Metro Station opened in 1984 and is the northwestern terminus of the Metrorail Red Line. Each side of the station contains a bus loop and Kiss & Ride facilities. The site contains a stream corridor and associated wetlands that bisect the eastern site. There are existing water and sewer lines through both the east and the west sites.

The station lies adjacent to the CSX tracks that serve freight trains, the Maryland Area Regional Commuter (MARC) trains and Amtrak intercity trains, neither of which stop at the station.

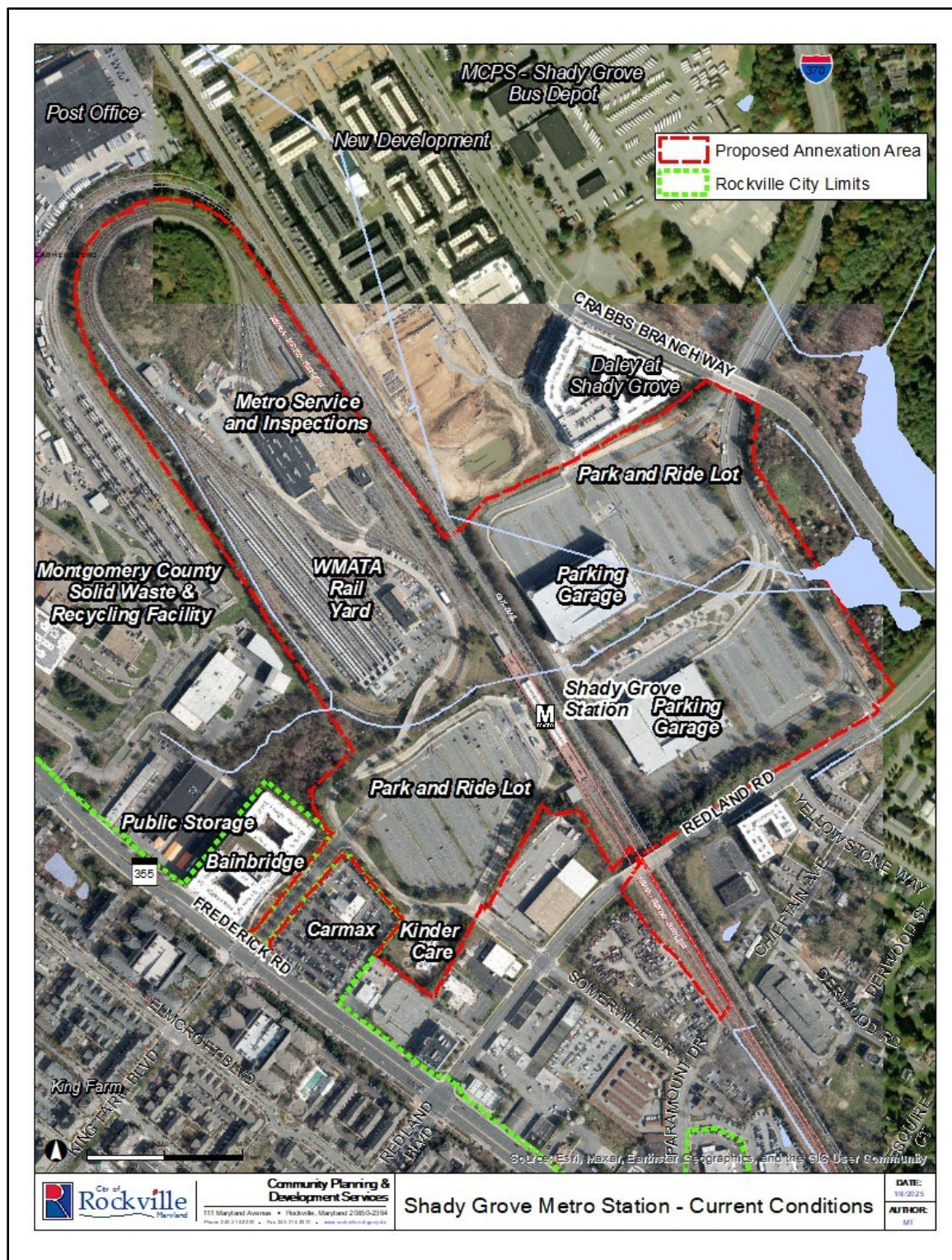
The Shady Grove Metrorail Station is a major commuter station with average weekday boardings of approximately 5,000 in the year 2025 (Figure 4 in this report or [Metrorail Ridership Summary | WMATA](#)). The station also handles many passenger transfers to Ride-On and other transit nodes. The station provides bike racks, lockers, and Capital Bikeshare docks on both sides of the station. Both sides of the stations require bicyclists to cross through large surface lots to access bicycle parking. Pedestrians access the station mainly from the west, but there is significant pedestrian activity through the Park & Ride, Kiss & Ride, and bus loop facilities on both sides of the station.

WMATA Shady Grove Rail Yard, which is a part of the proposed annexation area, is located near the train station, and is used to perform servicing and inspection functions for the Metro cars. The rail yard is also adjacent to the Montgomery County Department of Environmental protection (DEP)-managed Shady Grove Processing Facility and Transfer Station. The processing facility provides recycling services and solid waste management for county residents and businesses.

Developable WMATA parcels at this location, that are not a part of the Shady Grove Rail Yard, parking garages, the stream buffers and other environmental features include approximately 40 acres of land (calculated using ESRI's GIS mapping package) on both the east and west side of the tracks. The west side is comprised of a surface parking lot, bus loop, and a Kiss & Ride facility. The east side is comprised of two parking garages, three surface lots, a bus loop, and Kiss & Ride facilities.



Figure 3 – Map of current conditions



The WMATA property is a part of the Montgomery County's Shady Grove Master Plan. The Montgomery County Council adopted the [Shady Grove Minor Master Plan Amendment](#) on April

6, 2021. The existing land use designation is noted as parking where the metro station access roads, Park & Ride, Kiss & Ride, bus loop, surface parking, and parking garages are located. The land use designation is noted as industrial at the rail-yard location (p.6).

### **Montgomery County Zoning**

The adoption of the [Shady Grove Minor Master Plan Amendment](#) was followed by a rezoning of the WMATA properties, including the surface parking lot adjacent to the Shady Grove Metro Station, to promote high-intensity mixed-use development at the metro station. The WMATA properties were rezoned from the County's CR 1.75 C0.5 R1.5 H-160T/TDR 1.77 Zone to the CR 2.25 C1.0 R1.75 H-200 Zone. The County uses Floor Area Ratio (FAR) methodology for development, that recommends the building's floor area in relation to the size of the lot/parcel that the building is located on. More information on the County's CR zoning is available [here](#). On the WMATA site, the maximum height recommended is 200 feet; the maximum overall FAR is 2.25, with a maximum commercial FAR of 1.0 and a maximum residential FAR of 1.75. A significant part of the Shady Grove Minor Master Plan Amendment's vision focused on redevelopment of the WMATA-owned Metro properties.

The County's Plan Amendment established a policy that 15 percent of new housing must be Moderately Priced Dwelling Units (MPDUs) and that there will be a higher percentage of MPDUs on publicly owned properties. Per the County Plan, as a publicly owned property, the WMATA site could potentially include up to 25 percent of their dwelling units as MPDUs. The County's plan also called for the new zoning to be used as a mechanism to permit development that contributes to the Sector Plan's public benefits, including the maximum percentage of affordable housing and a minimum one-acre Civic Green and a linear park at the WMATA property.

### **City of Rockville Land Use**

The [MGE of the Comprehensive Plan](#) establishes a land use designation of OCRM (Office, Commercial and Residential Mix) for the property (p.245), which would be applied at the time of annexation. The OCRM land use category provides the most flexibility, allowing a wide choice in office, commercial, and residential uses.

### **City of Rockville Zoning**

Staff recommends the City's MXTD (Mixed-use Use Transit District) zoning for the proposed annexation property. Rockville's MXTD Zone is intended for use in areas near Metro stations. It allows for high-density development of retail, office, and residential uses that are consistent with the City's Comprehensive Plan.

Rockville does not use the FAR methodology for calculating development potential. The City of Rockville's zoning ordinance is [Chapter 25 of the Rockville City Code](#). Section 25.13.03 outlines the uses permitted in the mixed-use (MX) zones. Rockville's zoning ordinance guides how buildings are constructed by establishing standards and uses as permitted by various zoning designations. These standards include minimum lot sizes; parking, setback, and open space



requirements; and design guidelines that shape urban form as outlined in the Comprehensive Plan. The following development standards apply to MXTD zones per Section 25.13.05.

**Table 1 - Development Standards for Mixed Use Transit (MXTD) Zone**

Zone	Maximum Height (in feet) <sup>2</sup>	Open Area and Public Use Space <sup>3</sup>		Minimum width at front lot line (in feet)	Setbacks				
		Minimum open area required (percent of project area)	Minimum public use space required within open area (percent of project area)		Public right-of-way abutting	Side		Rear	
						Residential land abutting	Non-residential land abutting <sup>1</sup>	Residential land abutting	Non-residential land abutting
MXTD	120	10% (15% if residential dwellings are provided); 15% within the Rockville Pike Neighborhood Plan area	10% 15% within the Rockville Pike Neighborhood Plan area	10	None	25' or height of building, whichever is greater	None. 10' min. if provided	25' or height of building, whichever is greater	None. 10' min. if provided

[See Sec. 25.13.05.a.2 and 25.13.05.b.2\(d\) for Special Regulations as they apply to the MXTD zone.](#)

The City does not have a comparable zoning to the County's CR 2.25 C1.0 R1.75 H-200 Zone that offers 200' heights by right. The City's MXTD (Mixed-Use Transit District) baseline permitted height is 120 feet, though heights of up to 150 feet are permitted under certain circumstances, and heights of up to 200 feet are permitted if Mayor and Council determine that the Champion Project requirements are met.

Currently, the Champion Project designation is only available to projects in the South Pike area near the Twinbrook Metro Station, as designated by the 2016 Rockville Pike Neighborhood Plan. To date this designation has been requested by and granted to the Twinbrook Quarter development as a part of the project plan approval (PJT2018-00011). The Champion Project designation as it currently exists in the code cannot be applicable to the Shady Grove Metro Station property since the City's 2021 Comprehensive Plan did not recommend changes to the Champion Project designation.

In order to allow the expansion of the Twinbrook Metro Station area Champion Project designation to other Metro Stations, a zoning text amendment would be required, either as part of the Zoning Ordinance Rewrite (ZOR) project or prior to completion of the ZOR. As part of this amendment, a policy discussion regarding the desire to expand the Champion Project designation to other areas of the city would be needed.

The city is currently engaged in a process to update the zoning ordinance (the Zoning Ordinance Rewrite Project, or ZOR). As part of the ZOR project, an alternative zone could potentially be applied to the site in the future. City staff is considering the development of a new Transit Oriented (TOD) zone or an overlay zone for application near the Twinbrook and Rockville Metro Stations and potentially would apply the same zoning to the Shady Grove Metro Station if/once annexed to the city. This zone is envisioned to include additional height and intensity allowances for areas near Metro stations.

Staff recommends the City's MXTD zoning for the WMATA property for annexation, as that zone would be close to and be the most consistent with the County zoning.

#### **Compliance with Municipal Growth Element of City's Comprehensive Plan**

The [Municipal Growth Element \(MGE\) of the Comprehensive Plan](#) creates a maximum expansion limit, denoting the identified area for future growth outside of the existing corporate limits. Per the MGE the City should, "consider annexation only for properties that are within the City's maximum expansion limit" (pg. 233). Additionally, the MGE policy 3.3 says to, "make annexing property on the east side of MD-355 (Frederick Road, north of College Parkway) to the CSX railroad tracks a priority for Rockville and reach out to the property owners to discuss annexation options" (page 237).

Within the borders of the maximum expansion limit, land is divided into two categories: proactive annexation areas and reactive annexation areas within the maximum expansion limit. This property is identified as being within the proactive annexation area within the maximum limits of expansion per [Figure 36 \(pg. 234\)](#), recognizing that this land has been specifically identified as an area where the city should pursue annexation. Reactive annexation areas are those in which the city responds when property owners petition for an annexation within the city limits.

The MGE of the Comprehensive Plan also creates policy 1.5, which is to, "be proactive in regard to annexations that are logical and feasible and, in the City's best interest" (pg. 233). By initiating the annexation process through the annexation application, the City is being proactive in determining if annexation of the subject property is in the City's collective best interest.

Thus, the proposed annexation is consistent with the MGE of the City's Comprehensive Plan and is within the boundaries of the City's Maximum Expansion Limits ("MEL"), as delineated in the MGE of the City of Rockville Comprehensive Master Plan as adopted in August 2021.



The annexation proposal is within the maximum expansion limits identified in the Comprehensive Plan, as well as within the focus area of Municipal Growth Element policy 3.

#### WMATA's Office of Joint Development and Adjacent Construction

Shady Grove Metro Station is currently placed in Group 4 in WMATA's 10-year [Strategic Plan for Joint Development](#), released in April 2022, which means that the station requires more planning and investment before being offered for joint development. In such situations, WMATA continues working with jurisdictional partners to advance projects, and notes that development at the Shady Grove Metro Station could move forward within the next ten years with an economic development strategy that can resolve the high costs of replacing the transit facility.

At the time of any redevelopment of the property, the applicant will be required to coordinate the design with the City of Rockville and WMATA's Office of Joint Development and Adjacent Construction (JDAC). JDAC is responsible for reviewing, approving, and overseeing implementation for compliance with WMATA requirements for all construction adjacent to and/or impacting WMATA interests. All necessary WMATA improvements, approvals, dedications, easements, and permits consistent with the JDAC Manual must be obtained prior to DPW's approval of any detailed engineering plan and issuance of permits.

There may be other infrastructure facilities at the site that might be taken over by the city, if the property is annexed, that may require investment by the City. This is generally explored in a WMATA JFDS study.

#### **Adequacy of Public Facilities**

The WMATA property lies within an urbanized portion of Montgomery County and is well served by public facilities. However, impacts on public facilities can only be evaluated more precisely when any development plans are submitted to the city.

The City of Rockville's Adequate Public Facilities Ordinance (APFO) and the Adequate Public Facilities Standards that implement the Ordinance, together, establish procedures and standards necessary to ensure that adequate public facilities and services are provided with new development. It requires tests of the capacity of public facilities based on current and projected data available at the time of development application. The city utilizes the development review process to ensure that adequate public facility systems exist during and after a development project and ensure that all concerns are adequately addressed and mitigated.

The methods to provide the required public facilities and services to the annexed parcels as hereby outlined are based on the understanding that there is no current plan for a joint development application with WMATA that would otherwise allow for a provision of more specific comments. This section discusses the public facilities and services that currently exist and provides a general consideration of new or expanded public facilities that may be needed in the future with any proposed development to meet the "adequacy of public facilities" requirements. The following public facilities and services are discussed below:

- 1) Water and Sewer services
- 2) Transportation services
- 3) Public safety services
- 4) School services
- 5) Parks and Recreation services
- 6) Library services
- 7) Other considerations (Stormwater Management and the Environment)

### **1. *Water and sewer services***

The WMATA property currently serves as a transit facility. There are no known water or sewer capacity issues in its current function as a transit facility. The Washington Suburban Sanitary Commission (WSSC) currently provides public water and sewer services to the property within the proposed annexation area.

Any new development would likely require additional water and sewer capacity that will be evaluated as part of future project planning stages. During any new proposed development, WSSC conducts a hydraulic review to evaluate the impact of the development on existing water and sewer systems and determines needed infrastructures and facilities to serve the proposed as well as nearby future development within an identified service area. With new development, WSSC also assesses the proposed application from the developer for water and sewer systems within the property, seeking the best engineering solution that reduces impacts on the environment, provides the best service for potential customers, optimizes system maintenance cost, and makes recommendations for sizes and alignments that meet WSSC water and sewer design standards.

The City's Department of Public Works has investigated the location of the WSSC water and sewer pipes at the property and have outlined the following concerns that may require consideration with any potential new development:

- a) Potential Restrictions for Redevelopment with WSSC Prestressed Concrete Cylinder Pipes (PCCP).

WSSC water transmission pipelines, including parallel lines of 36" and 48" (PCCP), are adjacent to and cross the CSX/WMATA tracks and encumber portions of the eastside parcels (15910 Columbus Avenue and 16098 Redland Road). The design of PCCP watermains are site specific and require extreme caution while working in the area. Therefore, WSSC has special construction and design requirements for work performed in the vicinity of existing PCCP water mains, which generally restrict loading, grading, backfill and compaction due to the high-pressure and sensitive nature of the infrastructure.

With any new proposed development, WSSC will request that the PCCP water mains have the minimum required easement width, which is 40' wide for a 36" PCCP and 60' wide for a 48" PCCP. WSSC will also require a minimum horizontal separation of twenty-five (25) feet building

setback from the PCCP mains. The minimum setback and easement may be extended to limit potential property damage and physical injury during construction, and for the maintenance of the pipeline. Therefore, the existence of PCCP pipes on the WMATA property creates additional building restrictions due to the required setbacks and separations. To mitigate these restrictions and make the development economically feasible, the develop will need to creatively design the site to provide adequate easements, and locating the pipes within the street rights-of-way, pathways, parks, open spaces, and other features that meet the setback and separation requirements.

In addition to the PCCP mains, there is an existing 10" ductile iron water main that crosses the parcel on the east side. Future development will need to maintain a minimum 15' building setback from this main, although it may be possible to relocate this main.

The PCP lines on the west side are within the track area, so there are no anticipated impacts to the developable areas on the west side.

b) Corrosion Control.

The proposed development is next to a source of corrosion (Electrified rail systems, such as at-grade or underground WMATA Metrorail lines, AMTRAK lines, or Maryland Transit Administration (MTA) at grade rail lines.) The locations of MTA TPSS (Traction Power Substations) are potential sources of stray electrical currents, so WSSC will require a corrosion report. The report will most likely result in additional corrosion control measures for ductile iron pipes. The method of corrosion control is dependent on the source and the size of the pipes. Coating the pipe, encasing the pipe, or having a non-metallic material are possible controls.

c) WSSC Restrictions for Railroad Tracks.

WSSC requires all mains, structures, and infrastructure-to be located outside of rail zones of influence.

It is currently unknown if there is adequate sewer capacity on the WSSC system to accommodate redevelopment of the WMATA Shady Grove Station. Any redevelopment of the site will be subject to a Hydraulic Planning Analysis (HPA) by WSSC to identify sewer capacity and system deficiencies. WMATA typically conducts the analysis during the later phases of any joint development process. The costs of upgrades are typically borne by the WMATA joint development partner.

Insufficient information is available at this time as to whether sewage will flow solely into the Rock Creek basin or split between Rock Creek and Watts Branch. A preliminary dynamic hydraulic analysis was completed by WSSC in November of 2023, based on information provided by WMATA from a study conducted in 2021, that determined that currently there is physical capacity within the CIP-sized sewer in Rock Creek. A formal Hydraulic Planning Analysis by WSSC will be required during any redevelopment, which may identify sewer capacity and



system deficiencies. The impact of additional sewage flows into the Rock Creek and Watts Branch sewer basin will be evaluated at that time.

## ***2. Transportation services***

Comments related to the transportation services are general in nature since there is no current plan for a specific development application that would allow more detailed comments on traffic and access impacts. The site is currently a Metro station owned and operated by WMATA, and even after the potential annexation into the City of Rockville, would remain as such.

Currently, there are two roads on the west side of the tracks that access the station, Metro Access Road, and Somerville Drive. On the east side of the tracks, there is another Metro Access Road from I-370 and Crabbs Branch Way that accesses the parking and drop off/pick up operations that are offered on that side of the station (Figure 3).

On the west side, the Metro Access Road is a three-lane road, with metered parking on the northern side, sidewalks on both sides, and sharrows in both directions. It is completely within the metro station parcel and therefore is owned and maintained by WMATA. Existing lighting facilities on this road are not adequate and staff have heard concerns on numerous occasions by residents, primarily from King Farm who walk to/from the metro station along this road, about the lack of sufficient lighting. The approved redevelopment plans of the prior CarMax site on the southern side of the road with a grocery store, and a multifamily building includes approval conditions that will require the applicant to take some steps to improve the lighting along the subject property's frontage including the provision of conduits that will allow for future installation of streetlights to the city's standards.

Somerville Drive, between the property line for the station and Redland Road is within Montgomery County right of way. This section of Somerville Drive is four lanes, and provides access to two other properties, and transitions into two lanes as it goes into the metro station property, where it is owned and maintained by WMATA. It has existing lighting fixtures and a sidewalk on one side. This road provides access to the surface parking and the drop off/pick up operations on the south side of station.

The Metro Access Road from I-370 on the east side of the site serves as an access road to parking garages, the Kiss & Ride lot, and the bus pickup/drop off areas on the east side of the station. It eventually continues off site, becomes state maintained and provides further access to Shady Grove Road and MD-200. The road section on the metro station property has a buffered shared use path on the east side of the road. It also has a pedestrian signal to cross the roadway with access to and from the shared use path.

With an annexation into the city, these roadways would continue to be operated and maintained as they currently do. For Rockville to consider converting these roads to City-owned and maintained roadways, a more detailed evaluation will be required, comparing current conditions and features to city roadway standards and details. The roads would first

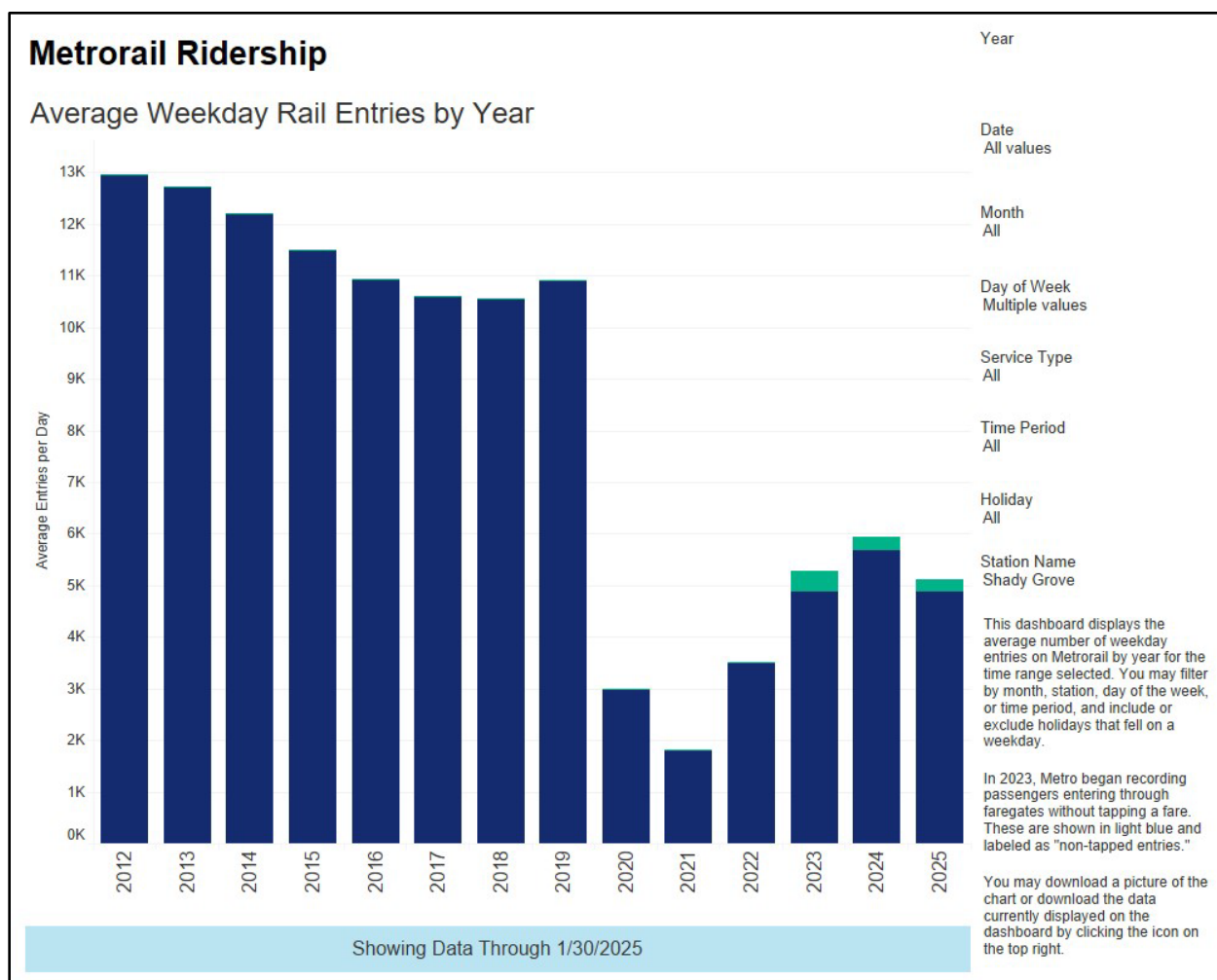
need to be brought into City standards before the city would agree to accept them as City-owned and maintained roadways.

### **Transit considerations**

The proposed annexation property includes the Shady Grove Metro Station, which is the terminus of the WMATA Red Line. The station is above ground and has one island platform west of the CSX Metropolitan Subdivision tracks, which carry freight trains, Amtrak, and MARC trains. The Amtrak and MARC trains do not stop at the station.

Ridership growth and dips at Shady Grove Metro Station have more closely followed system-wide trends. The COVID-19 pandemic has impacted ridership, as seen in the chart below. The average entries per weekday was approx. 5,000 in the year 2025, as compared to approximately 11,000 in the year 2019, prior to the pandemic (Figure 4).

**Figure 4 - Metro Ridership Data**



Source: [Metrorail Ridership Summary | WMATA](#)

(Ridership Data Portal – Metrorail Ridership Dashboards. File created on 2/6/2025)

### Bus Service

Bus service is available through Ride On and WMATA, both at the station and along MD 355 and Shady Grove Road. At the WMATA property, the east bus loop features 8 bus bays serving Ride On and Maryland MTA routes. The west loop includes 3 bus bays, and a shuttle stop that serve WMATA, Ride On, and local shuttle routes.

### Bus Rapid Transit (BRT)

In addition to these current transit options, the MD 355 corridor is one of the planned Montgomery Bus Rapid Transit (BRT) routes. Per the MCDOT's MD 355 BRT 35% preliminary design studying BRT station and alignment, a new BRT station and terminus facility is proposed within the existing WMATA bus loop on the west side of Shady Grove Metro, replacing the existing Somerville Drive station and providing a more convenient connection for BRT transfer passengers to/from Metrorail and local bus.

City staff has and continues to coordinate with the Montgomery County DOT on the latest plans for their Bus Rapid Transit (BRT) Project. The County presented the 35% plans to the Mayor and Council on January 22, 2024. Staff understands that this station will include a stop for the BRT project under the current plan, utilizing the current roadways into the station on the west side of the tracks for access.

There are no planned BRT facilities on the east side of the Shady Grove Metro Station. Additional bus bays may be needed to accommodate for an increase in bus routes in the future as a part of the County's Reimagine study that is currently underway.

As a part of any joint development application between WMATA and a developer for the proposed area of annexation, a comprehensive and multimodal transportation evaluation and assessment would need to be performed in accordance with the City's Comprehensive Transportation Review (CTR) to determine any potential transportation impacts and identify appropriate mitigation of such impacts as warranted. This would be based on the actual conditions at the time of application considering the proposed trips with the associated plan.

## **3. Public Safety Services**

### Police Services

Police protection will be provided by the Rockville City Police Department (RCPD), in conjunction with the Montgomery County Police Department (MCPD) and the Washington Metro Transit Police Department (MTPD) that already serves this area. The MTPD police officers have a tri-state jurisdiction with responsibility of law enforcement and public safety functions in transit facilities throughout the Washington, DC Metropolitan area, that include District of Columbia, Maryland and Virginia. County Police District 1 serves Rockville, though the resources of the entire County Department are available if needed.



The Montgomery County Police Department’s 1<sup>st</sup> District, located at 100 Edison Park Drive in Gaithersburg, and the 6th District, located at 45 West Watkins Road in Montgomery Village, provide public safety services to the plan area and the WMATA property, though the resources of the entire County Department are available if needed. The City has a Memorandum of Understanding with Montgomery County, which also has policing authority in Rockville, outlining priorities and responsibilities for the City and the County. That Memorandum of Understanding (MOU) in general asserts that the County will respond to assist with major crimes with investigative resources; and if the County has patrol units available, they will respond to assist the city with serious crimes in progress.

Both the MCPD and RCPD have been experiencing staffing shortages in recent years. Due to the current and projected shortage of police officers and the need to increase staffing, MCPD is pulling their officers out of the city to service other areas within the county. With the reduction in staffing in the County’s 1st Police District, the County Police have given up all primary responses in the City of Rockville to RCPD. Thus, RCPD is the primary responder for all police incidents in the City of Rockville.

A call for service (CFS), or number of incidents that police are dispatched to handle, such as reports of thefts, violence, or traffic issues, are a key metric to determine police staffing needs. The type of service and the nature of calls are also important, as crimes related to felony necessitate a multi-officer response. RCPD provided the following data as it relates to the CFS at the proposed annexation location, along with a 200’ buffer outside the property boundaries:

**Table 2 - Calls for Service at the proposed annexation location with a 200-foot buffer outside the property boundaries**

<i>Year</i>	2018	2019	2020	2021	2022	2023	2024
<i>Totals</i>	<b>359</b>	<b>295</b>	<b>207</b>	<b>231</b>	<b>249</b>	<b>364</b>	<b>324</b>

Source: RCPD

Metro ridership was lower during the pandemic, subsequently leading to lower CFS at that time, as evident in the time period from 2020 until 2022. Since then, there has been a gradual increase in service calls.

Currently, the MCPD is the primary responder to the proposed annexation area location. Once the property is annexed, RCPD will become the primary responder.

RCPD has concurrent jurisdiction with MTPD at the Twinbrook and the Rockville Metro stations. RCPD is almost always the first police department to arrive at police incidents taking place on WMATA property within the city. If MTPD officers are available, they will respond and assume responsibility; however, there are instances in which they are unavailable and RCPD handles the calls for service starting from the initial report, that includes criminal investigations, through the final prosecution. MTPD is responsible for locations in Maryland, the District of

Columbia and Virginia which oftentimes results in lengthy response times. MTPD has indicated that due to staff limitations, they intend to focus their resources in areas where they do not have the support of a municipal department.

In FY2025, Rockville authorized 73 sworn police positions serving an estimated city population of 68,000. In addition to the sworn officers, RCPD includes 25 administrative and support staff in areas such as criminal investigations, parking enforcement and other services. The sworn police position numbers vary due to ongoing hiring initiatives and current vacancies.

To manage the increased workload with the proposed annexation, RCPD estimates that it will need a total of 6 additional officers to ensure adequate public safety to all areas of the city. As of the date of this report, RCPD has thirteen vacant positions, and it is very unlikely that it will fill the additional 6 positions to coincide with the annexation schedule, and therefore are proposing that the additional 6 officers be added over two years, at 3 officers per year.

When the annexation is complete, Rockville will be the only municipality in Maryland with three Metro stations on the red line. RCPD will continue to coordinate with MCPD and MTPD to increase cooperation and develop strategies to ensure equitable police services at the three Metro stations and city wide.

a) Fire, Rescue and Emergency Medical Services

Montgomery County Fire and Emergency Services (MCFRS) provides fire and disaster protection to the WMATA properties and will continue to do so after annexation, as this service is a county function. This area is primarily served by Fire and Rescue Station 8 at 801 Russell Avenue, which is in the City of Gaithersburg to the north, and Station 28 at 7272 Muncaster Mill Road, which is northeast of the property. Station 3, at 380 Hungerford Drive is also available to supplement the services. Additional resources from other fire-rescue stations are available to respond to the Plan area as needed.

The Montgomery County Fire and Rescue Service (MCFRS) has determined that a future fire-rescue station with emergency medical services (EMS) is needed for the Shady Grove area and recommended the vacant property at the southeast intersection of MD 355 and Shady Grove Road for the facility. The proposed location would provide access to the Plan area, as well as to the surrounding Rockville and Gaithersburg communities via Frederick Road, Shady Grove Road, and MD 200.

The [2006 Shady Grove Sector Plan](#) recommended the “provision of a police facility within the Plan area, potentially co-located with the Fire and Rescue facility” (p.102). [The 2021 Shady Grove Master Plan Amendment](#) supports a substation in the Plan area (p.95), in conjunction with the recommended fire station as a public benefit for redeveloping properties within the Metro Neighborhoods.

#### **4. School Services**

The current use on the WMATA has no impact on school services, as it is intended to serve the parking, bus, Kiss and Ride, Park & Ride services to the Shady Grove Metro Station. The proposed MXTD zoning would permit a variety of uses on the property, including commercial and residential. In its current condition, the annexation itself will have no impact on schools.

The WMATA properties are in the Gaithersburg High School cluster, including Gaithersburg Middle School and Washington Grove Elementary School. [The 2021 Shady Grove Master Plan Amendment](#) recommends an elementary school at the location where the Montgomery County Public Schools (MCPS) bus depot is currently located on Crabbs Branch Way, outside the proposed annexation area. A new high school was recommended in the Gaithersburg cluster at Crown Farm site, for which expenditures are programmed in the six-year period with the [MCPS FY 2025 Capital Budget and the FY2025-2030 CIP](#) for the completion of the project in August 2027. A new elementary school, Harriet R. Tubman, recently opened in August 2022, in the Gaithersburg cluster.

If new residential development is proposed as a part of any joint development application, an evaluation of students generated by new residential development and its impact on local schools will be performed to assess the impact of any proposed residential development. If deficiencies emerge that are not adequately addressed, the project will not be permitted to move forward.

#### **5. Parks and Recreation Services**

If the property remains in its existing condition as a transit facility, no additional park and recreation facilities are proposed. However, should the Metro Access Road become a city road as a part of annexation, the road would need to be improved with landscaping and street trees per the City of Rockville standards.

Any proposed development would follow the open space requirements of the proposed MXTD zone, including requirements for public use space, that must be met with redevelopment (10% or 15% of open space if residential dwelling units are provided, and 10% of public use open space).

[The 2021 Shady Grove Master Plan Amendment](#) on p. 96 recommends that a recreation center could be located within the Metro Neighborhoods, as a public benefit for redeveloping properties as follows:

- Locate a future recreation center within the Metro Neighborhoods as the preferred location. If all the County Service Park public facilities relocate, consider the adjacent Jeremiah Park as an alternative location if an elementary school is not located at this property.
- Explore co-location for the recreation center, along with other public facilities, to minimize public expenditures and maximize efficiencies.

#### **6. Library Services**



Public libraries in Rockville are provided by Montgomery County Public Libraries (MCPL). The closest library to the Project is the Rockville Memorial Library, which is approximately 3 miles away, Twinbrook Library is approximately 4 miles away and Gaithersburg Library is about 5 miles away, although any Montgomery County resident has access to the full resources of any library branch and all online services. The American Library Association has a standard that states that there should be 1,000 square feet of library space for each 10,000 population.

Libraries continue to evolve in response to new technologies and material formats. In addition, the use of library space changes over time. There have been preliminary discussions regarding new library services in response to recently updated master plans and expected growth in the areas of Shady Grove, however, any demands for library services will need to be coordinated with MCPL.

## **7. *Other Considerations***

### **a) Stormwater Management**

If annexed, all properties shall be required to pay an annual Stormwater Management Utility Fee in accordance with Section 19-116 of the City Code. The City Stormwater Management Utility Fee will replace the Water Quality Protection Charge, an annual fee assessed by the Montgomery County Department of Environmental Protection. Once annexed, the fee is required for all impervious areas, with the exception of the railroad track.

The property drains to the Crabbs Branch Regional Pond facility, east of the WMATA parcel. Montgomery County Department of Environmental Protection (MCDEP) is responsible for maintaining the regional pond and will continue to be responsible for the maintenance of the pond if the property is annexed into the city. There are also two vegetated/grass swales that are currently County assets providing treatment for the bike path along the Redland Entrance and will become the city's responsibility if the property is annexed.

Per Chapter 19 of the city code, environmental site design (ESD) to the maximum extent practicable (MEP) must be provided for all new and replaced impervious areas of any redevelopment. Providing safe conveyance of the 10-year storm and protection of other properties must also be demonstrated as part of the project plan process required for future development of the WMATA property. New development will not be approved unless it is found to be in compliance with all regulations.

### **Storm Drain Infrastructure**

Department of Public Works staff had confirmed with Montgomery County Department of Transportation that there is no publicly maintained storm drain on the property. An existing large storm drain, and a culvert is located on the WMATA property.

If annexed and as a part of the redevelopment process, some of this private infrastructure may become the City's responsibility as part of the redevelopment approvals/agreements. The conditions of these large infrastructure pipes are unknown and may require replacement or relocation, including a 72" storm drain line that appears to be located under a portion of the

WMATA parking garage. Further coordination and investigation will be required to understand the implications during the redevelopment process.

**b) Environmental Considerations**

The site contains one sensitive feature, a stream corridor and associated wetlands that bisect the stream. The stream is an unmapped Montgomery County floodplain. As a part of any development process, the applicant must confirm with floodplain requirements as outlined in Section 10-5(d) of the City Code. As a part of the redevelopment process, it will also be the applicant's responsibility to obtain all necessary Federal, State and/or local approvals or permits for work within waters of the U.S., or 100-year Floodplain prior to issuance of a City Floodplain Permit.

**Conclusion**

The annexation of the WMATA Property, is consistent with the Municipal Growth Element of the City's Comprehensive Master Plan. A zone of MXTD would be consistent with City policies and is recommended for the WMATA Property.

Rockville is able to support the city provided public facilities and services that will be needed pursuant to annexation. Similarly, the County is able to support the services that it provides.

Both WMATA and Montgomery County would like to see high density development take place on the WMATA site as soon as possible. The primary advantages of annexing the WMATA site for Rockville would be the tax revenue that will be generated by future new development and add to the City's tax base, and including a third Metro Station within the city limit will also add to its branding and economic development goals.

A potential disadvantage of annexing the WMATA property is that development does not take place in the near future, and no revenue is generated since the WMATA properties are in the tax-exempt category. There is also the added cost to the City to provide services to the property, including additional police officers to provide services, once annexed.

**Enclosed**

Exhibit A – Metes and Bounds Property Description with a Survey Map



## EXHIBIT A

October 24, 2022

**DESCRIPTION OF  
THE LAND OF WASHINGTON METROPOLITAN AREA  
TRANSIT AUTHORITY (WMATA)**

**TAX ID. 09-03055594**  
**LIBER 5132 FOLIO 157**  
**LIBER 5422 FOLIO 251**  
**LIBER 5422 FOLIO 256**  
**LIBER 5498 FOLIO 485**  
**LIBER 5538 FOLIO 791**  
**LIBER 5577 FOLIO 568**  
**LIBER 11210 FOLIO 498**  
**LIBER 12437 FOLIO 458**  
**TAX ID. 09-02838665**  
**LIBER 8863 FOLIO 776**  
**TAX ID. 09-02182384**  
**LIBER 5465 FOLIO 304**  
**LIBER 5504 FOLIO 183**  
**LIBER 5841 FOLIO 39**

**9TH ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND**

**BEING** part of the property described in a Declaration of Taking conveyed by Virginia Casey Visnich, et al., to Washington Metropolitan Area Transit Authority by a deed recorded May 16, 1978 among the Land Records of Montgomery County, Maryland in Liber 5132 at Folio 157; and the property described in a deed conveyed by Thos. Somerville Co., to Washington Metropolitan Area Transit Authority, dated October 24, 1979 and recorded among said Land Records in Liber 5422 at Folio 251; and the property described in a deed conveyed by Thos. Somerville Co., to Washington Metropolitan Area Transit Authority, dated October 24, 1979 and recorded among said Land Records in Liber 5422 at Folio 256; and the property described in a deed conveyed by Miller Building Supply Co., Inc., to Washington Metropolitan Area Transit Authority, dated March 13, 1980 and recorded among said Land Records in Liber 5498 at Folio 485; and part of the property described in a deed conveyed by The Baltimore and Ohio Railroad Company, to Washington Metropolitan Area Transit Authority, dated August 21, 1979 and recorded among said Land Records in Liber 5538 at Folio 791; and the property described in a deed conveyed by Reed Brothers Dodge, Incorporated, to Washington Metropolitan Area Transit Authority, dated September 16, 1980 and recorded among said Land Records in Liber 5577 at Folio 568; and the fee simple property described in a deed conveyed by Montgomery County, to Washington Metropolitan Area Transit Authority, dated March 12, 1992 and recorded among said Land Records in Liber 11210 at Folio 498; and the property described in a deed conveyed by CSX Transportation, Inc., to Washington Metropolitan Area Transit Authority, dated February 14, 1994 and recorded among said Land Records in Liber 12437 at Folio 458; and part of the property described in a deed conveyed by Montgomery County,

to Washington Metropolitan Area Transit Authority, dated March 30, 1988 and recorded among said Land Records in Liber 8863 at Folio 776; and the property described in a Declaration of Taking conveyed by Thos. Somerville Co., et al., to Washington Metropolitan Area Transit Authority by a deed recorded January 9, 1980 among said Land Records in Liber 5465 at Folio 304; and part of the property described in a deed conveyed by Maryland National Bank and Loretta Mobley, trustees, to Washington Metropolitan Area Transit Authority, dated April 2, 1980 and recorded among said Land Records in Liber 5504 at Folio 183, saving and excepting therefrom that portion dedicated for public right of way of Redland Road as shown on Montgomery county Right of Way Plat No. 784; and the fee simple property described in a deed conveyed by Potomac Electric Power Company and The Riggs National Bank of Washington, D.C., to Washington Metropolitan Area Transit Authority, dated February 23, 1982 and recorded among said Land Records in Liber 5841 at Folio 39; and also including lands of CSX Transportation, Inc. (formerly Baltimore and Ohio Railroad); and all being more particularly described in one piece in the 1971 U. S. Coast & Geodetic Survey bearing datum as follows;

**BEGINNING** for the same at a point on the easterly line of Maryland Route 355, Frederick Road (variable width); said point being at Station 255+96.48 per baseline shown on Maryland State Highway Right of Way Plat No. 44321; said point also being at the beginning of the North 02°01'14" West 47.48 foot line as shown on a plat titled "Parcel N, Derwood" which is recorded in Plat No. 20049; thence running with said easterly line of Maryland Route 355, Frederick Road

1. North 52°51'00" West for a distance of 140.04 feet to a point at the end of the South 77°34'46" West 46.25 foot line as shown on a plat titled "Parcel B, Derwood Reed's Addition" which is recorded in Plat No. 24582; thence running reversely with said land the following three (3) courses and distances
2. North 77°35'45" East for a distance of 46.22 feet to a point; thence
3. North 38°42'27" East for a distance of 506.59 feet to a point; thence
4. North 51°17'33" West for a distance of 30.00 feet to a point at the end of the South 30°04'08" East 110.49 foot line as shown in a deed to Montgomery County, Maryland dated June 22, 1981 and recorded among said Land Records in Liber 5718 at Folio 807; thence running reversely with said land the following five (5) courses and distances
5. North 30°04'08" West for a distance of 110.49 feet to a point; thence
6. North 12°37'57" West for a distance of 64.03 feet to a point; thence
7. North 47°21'37" East for a distance of 245.92 feet to a point; thence
8. North 33°38'32" West for a distance of 628.88 feet to a point; thence
9. North 29°19'29" West for a distance of 144.51 feet to a point at the end of the South 35°24'27" East, 977.60 foot line as shown in a deed to Montgomery County, Maryland recorded August 1, 1979 among said Land Records in Liber 5369 at Folio 441; thence running reversely with said land the following three (3) courses and distances
10. North 35°23'20" West for a distance of 977.60 feet to a point; thence
11. 411.69 feet along the arc of a curve to the right, having a radius of 1000.00 feet, a delta angle of 23°35'17" and a chord bearing of North 23°35'42"W for a distance of 408.79 feet to a point;



thence

12. 513.38 feet along the arc of a curve to the right, having a radius of 362.00 feet, a delta angle of  $81^{\circ}15'18''$  and a chord bearing of North  $28^{\circ}49'36''$ E for a distance of 471.42 feet to a point; thence departing the lines described in said deed and running in, through, over and across said land as described in said Liber 11210 at Folio 498 the following four (4) courses and distances
13. North  $25^{\circ}27'48''$  West for a distance of 13.17 feet to a point; thence
14. 519.01 feet along the arc of a curve to the right, having a radius of 380.00 feet, a delta angle of  $78^{\circ}15'20''$  and a chord bearing of South  $74^{\circ}18'09''$ E for a distance of 479.60 feet to a point; thence
15. South  $33^{\circ}22'56''$  East for a distance of 512.26 feet to a point; thence
16. South  $37^{\circ}04'35''$  East for a distance of 181.80 feet to a point at the beginning of the South  $29^{\circ}04'59''$  East 170.82 foot line as shown in a deed to Maryland Waste Disposal Authority dated December 27, 1990 and recorded in said Land Records in Liber 11192 at Folio 356; thence running with said lands the following three (3) courses and distances
17. South  $28^{\circ}49'52''$  East for a distance of 170.73 feet to a point; thence
18. South  $35^{\circ}30'07''$  East for a distance of 232.46 feet to a point; thence
19. South  $37^{\circ}31'47''$  East for a distance of 265.55 feet to a point intersecting the southwesterly right of way line of CSX Transportation, Inc. as shown in a deed of inquisition to the Baltimore and Ohio Railroad company recorded in said Land Records in Liber EBP 31 at Folio 249; thence with said southwesterly line
20. South  $31^{\circ}46'48''$  East for a distance of 142.26 feet to a point; thence leaving said southwesterly line and running in, through, over and across the property of said CSX Transportation, Inc. for a new line of division
21. North  $58^{\circ}13'12''$  East for a distance of 65.70 feet to a point on the northeasterly right of way line of said CSX Transportation, Inc; said point also being the southwesterly corner of the lands acquired by Washington Metropolitan Area Transit Authority from Montgomery County in said Liber 8863 at Folio 776; said land being part of the land conveyed from Eugene B. Casey and Virginia K. Casey Visnich to Montgomery County, Maryland, by deed dated February 25, 1974, and recorded among said Land Records in Liber 4499 at Folio 180; thence running with the northerly lines of said Liber 8863 at Folio 776 and thence reversely with the southerly lines shown on a plat titled "Parcel A, Block A, Parcel A, Block D, West Side At Shady Grove Metro" which is recorded in Plat No. 24942 and thence reversely with the southerly lines shown on a plat titled "Lot 1, Block A, West Side At Shady Grove Metro" which is recorded in Plat No. 24998 the following five (5) courses and distances
22. North  $41^{\circ}37'26''$  East for a distance of 162.30 feet to a point; thence
23. North  $65^{\circ}50'10''$  East for a distance of 375.64 feet to a point; thence
24. North  $60^{\circ}07'32''$  East for a distance of 251.23 feet to a point; thence

25. North 65°50'10" East for a distance of 165.65 feet to a point; thence
26. North 53°18'55" East for a distance of 239.36 feet to a point on the southwesterly line of Crabbs Branch Way; thence with said southwesterly line
27. South 65°08'08" East for a distance of 243.59 feet to a point intersecting the first or North 29°28'36" East 1088.11 foot line as shown in a deed conveyed by Maryland National Bank and Loretta Mobley, trustees to Montgomery County, Maryland, dated April 29, 1980 and recorded in said Land Records in Liber 5513 at Folio 844; thence running reversely with said deed the following three (3) courses and distances
28. South 29°29'25" West for a distance of 46.79 feet to a point; thence
29. 184.81 feet along the arc of a curve to the left, having a radius of 500.00 feet, a delta angle of 21°10'40" and a chord bearing of South 03°16'59"W for a distance of 183.76 feet to a point; thence
30. South 31°48'01" East for a distance of 1114.29 feet to a point on the northerly line of Redland Road as shown on Montgomery County Right of Way Plat No. 784; thence with said northerly lines the following six (6) courses and distances
31. 100.73 feet along the arc of a curve to the right, having a radius of 1220.00 feet, a delta angle of 4°43'50" and a chord bearing of South 51°54'45"W for a distance of 100.70 feet to a point; thence
32. South 35°43'20" East for a distance of 9.62 feet to a point; thence
33. 71.63 feet along the arc of a curve to the right, having a radius of 1230.00 feet, a delta angle of 3°20'12" and a chord bearing of South 55°56'30"W for a distance of 71.62 feet to a point; thence
34. South 57°36'36" West for a distance of 98.02 feet to a point; thence
35. North 31°47'11" West for a distance of 0.13 feet to a point; thence
36. South 57°37'02" West for a distance of 889.23 feet to a point on the northeasterly right of way line of said CSX Transportation, Inc; thence leaving said northeasterly line and running in, through, over and across the property of said CSX Transportation, Inc. for a new line of division
37. South 58°11'58" West for a distance of 80.04 feet to a point on the southwesterly right of way line of said CSX Transportation, Inc; thence with said right of way the following two (2) courses and distances
38. South 31°48'02" East for a distance of 537.02 feet to a point; thence
39. South 32°48'07" East for a distance of 154.65 feet to a point at the end of the North 32°36'28" East 287.00 foot line of Parcel N as shown on a plat titled "Parcels G, H, L, M, N, & Q, Derwood, Sommerville's Addition" which is recorded among said Land Records in Plat No. 9526; thence reversely with said line
40. South 32°37'21" West for a distance of 89.78 feet to a point; thence running in, through, over and across said Parcel N the following five (5) courses and distances

41. North 34°20'43" West for a distance of 342.61 feet to a point; thence
42. North 49°32'43" West for a distance of 52.50 feet to a point; thence
43. North 40°53'27" West for a distance of 101.27 feet to a point; thence
44. North 34°28'21" West for a distance of 150.15 feet to a point; thence
45. North 30°22'06" West for a distance of 26.72 feet to a point on the North 41°30'00" East 374.95 foot line of said Parcel N; thence running with said line
46. North 41°29'39" East for a distance of 122.68 feet to a point at the northwest corner of said Parcel N; thence with the outline of said plat and crossing Fields Road (80 feet wide) (now known as Redland Road)
47. North 31°49'03" West for a distance of 83.51 feet to a point at end of the North 41°30'00" East 398.95 foot line of Parcel Q as shown on said Plat No. 9526; thence reversely with said line
48. South 41°29'39" West for a distance of 120.45 feet to a point; thence running in, through, over and across said Parcel Q the following five (5) courses and distances
49. North 30°22'06" West for a distance of 89.15 feet to a point; thence
50. North 28°42'23" West for a distance of 185.26 feet to a point; thence
51. South 79°25'23" West for a distance of 110.49 feet to a point; thence
52. North 46°14'08" West for a distance of 72.20 feet to a point; thence
53. South 27°50'44" West for a distance of 486.79 feet to a point on the northerly line of Sommerville Drive (80 feet wide); thence with said northerly line
54. North 52°50'32" West for a distance of 20.27 feet to a point at the southwest corner of said Parcel Q; thence crossing said Sommerville Drive and with the westerly lines of Parcels M and L as shown on said plat
55. South 27°50'44" West for a distance of 436.29 feet to a point intersecting the South 52°51'06" 400.98 foot line as shown on a plat titled "Parcel T, Derwood" which is recorded in said Land Records in Plat No. 22602; thence running reversely with said line and also reversely with the northeasterly line of a plat titled "Parcel G, Derwood" which is recorded in said Land Records in Plat No. 11203
56. North 52°46'39" West for a distance of 294.24 feet to a point intersecting the South 37°09'19" West 433.68 foot line of said Plat No. 20049; thence running reversely with said plat lines the following five (5) courses and distances
57. North 37°09'30" East for a distance of 183.03 feet to a point; thence
58. North 39°10'15" West for a distance of 337.93 feet to a point; thence

59. North 79°56'47" West for a distance of 38.73 feet to a point; thence

60. South 38°42'27" West for a distance of 459.73 feet to a point; thence

61. South 02°01'05" East for a distance of 47.48 feet to the Point of Beginning.

**Containing** 4,704,060 sq. ft. or 107.99036 acres of land.

I hereby certify that I was in responsible charge of the preparation of this document and all the survey work reflected herein and that it was prepared in compliance with COMAR 09.13.06.03.



3/15/2023

Zachary M. Mellott

Date

Professional Land Surveyor

Maryland Registration No. 21890

Expires 01/17/2024

For A. Morton Thomas and Associates, Inc.





