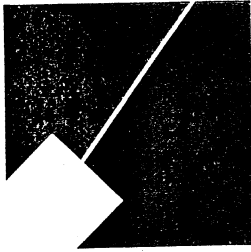


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

9500 Brunett Avenue
Silver Spring, Maryland 20901

Agenda Item # 5
Agenda Date: September 28, 2006

September 22, 2006

MEMORANDUM

TO: Montgomery County Planning Board

FROM: William E. Gries, ^{weg} Land Acquisition Specialist

VIA: Mary Bradford, Director of Parks
Michael F. Riley, Chief, Park Development Division

SUBJECT: Airy Hill Local Park – Authorization to Convey 11.32 acres, more or less, unimproved, to the Board of Education of Montgomery County for the Paint Branch High School Modernization Project.

Recommendation:

Staff recommends that the Montgomery County Planning Board approve the conveyance of 11.32 acres, more or less, unimproved, to the Board of Education of Montgomery County for the Paint Branch High School Modernization Project. The conveyance should be conditioned on the following:

1. That the actual conveyance of the land requested by the Board of Education not be finalized until after the Planning Board has completed its review of the mandatory referral for the modernization project.
2. That the Board of Education compensates the Commission for its costs in acquiring the property, plus interest, calculated at the rate of return for U.S. Treasury Certificates during the time that the Commission held the property (less the amount paid to the Commission from the Maryland State Highway Administration for the Briggs Chaney Road/Route 29 Interchange.) The Commission's cost basis in this property is \$798,127.70.
3. That the Board of Education agrees to make all athletic fields at the modernized Paint Branch High School site available to community use during

times when the fields are not committed to physical education or interscholastic sports. Community use hours would be limited to schedule times normally approved by Community Use of Public Facilities (ICB).

4. That the Board of Education agrees to request additional funding for the installation of synthetic turf on the stadium field at Paint Branch High School to help eliminate documented rectangular field shortages in the County.

BACKGROUND:

The approved and adopted Fairland Master Plan of 1997 included a recommendation that approximately 13.3 acres adjacent to Paint Branch High School be acquired and developed as public parkland. It was expected that this park would provide two additional ball fields, one playground and a basketball/multi-use court. The property was to be acquired under a 50% cost sharing arrangement between M-NCPPC and Montgomery County Public Schools. It was acknowledged at the time that this recommendation was made that the acquisition and development of this property as parkland would benefit both the community and the existing and constrained Paint Branch High School site.

In 1999 the Commission, as lead agency, acquired most of the recommended park site and has been holding this property pending the development of a park facility plan that would determine the division of land between the park and the school. Because the Commission was unable to acquire all lands targeted for inclusion in this project, a facility plan has not yet been prepared for this site and no land has been conveyed to Public Schools. In July of 2003, however, the State Highway Administration acquired from the Commission approximately 1.5 acres of the park site for construction of the new interchange at Briggs Chaney Road and Route 29. This left approximately 11.3 acres in the Airy Hill site that, if divided equally, would provide 5.65 acres each to park and school use.

By letter dated September 6, 2005 from Jerry D. Weast, Superintendent of Schools to Planning Board Chairman Derick Berlage (Attachment A), Dr. Weast requested that the Planning Board consider and agree to convey the entire Airy Hill site to the School Board and forego its plans for the development of a local park at this location. The thought being that the Paint Branch modernization project with its new and expanded athletic field complex would provide the needed recreation facilities to the eastern county area, as recommended in the Fairland Master Plan. This request was presented to the Planning Board by staff of the Park Development Division on September 22, 2005 for discussion purposes. The Planning Board, at that time, thought it was premature request since Board of Education (BOE) staff had not completed its feasibility study for the project. The Planning Board further indicated that it would consider this matter again after BOE staff completed its feasibility study, with participation by school and local community representatives. Chairman Berlage sent a letter to this effect to Superintendent Weast on November 3, 2005 (Attachment B).

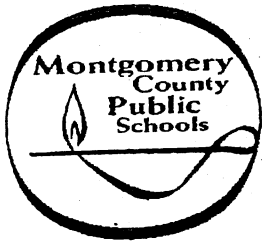
On August 30, 2006 a letter was received from Richard G. Hawes, Director of the Department of Facilities Management for Public Schools advising that the feasibility study for the modernization of Paint Branch High School had been completed and that there was school/community consensus that the use of the entire Airy Hill site adjacent to the existing high school was the most efficient, cost effective, approach to the facility modernization project (Attachment C). In addition BOE committed to make available its ball fields for community use as recommended in the approved and adopted 1997 Fairland Master Plan. With their completed feasibility study (Attachment D) as the basis for its request, the BOE is once again asking that the Planning Board approve the conveyance of the entire Airy Hill site to BOE. The BOE is prepared to reimburse the Commission for its cost of the land, plus interest, calculated at the rate of return for U. S. Treasury Certificates during the time the Commission held the property. This is the same cost, plus interest, approach the Commission has use in its conveyance of ALARF properties to SHA for the Intercounty Connector.

The Community-Based Planning Division/Eastern County Team, who will be responsible for handling the school mandatory referral for this project, has some concerns with the project's overall design and its relationship to surrounding properties. It is therefore recommending that the land requested not be conveyed to the BOE until after the mandatory referral process for the modernization project has been completed. The Eastern County Team's memo expressing their concerns in this regard is included as Attachment E.

Conclusion:

Staff has reviewed this request from BOE and is recommending that the Montgomery County Planning Board approve this transfer subject to the conditions listed on the first page of this memorandum. It appears that this action is in the best interest of the school and the neighboring community and that additional ball fields will be available for community use under this arrangement, as they would have been, if a community park had been constructed on the 5.65 acres initially planned for development by the Commission. For comparison purposes, an aerial photo of the existing Paint Branch High School site is attached (Attachment F) as well as a copy of the preferred site plan option for the modernization project (Attachment G).

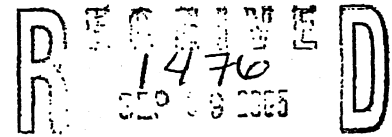
Staff from the BOE and its consulting team will be present at the Board meeting to answer any questions the Board may have in this regard. If the Board approves the transfer of this land to the BOE, this matter will need to be scheduled for full Commission action before the transfer can occur.



850 Hungerford Drive • Rockville, Maryland • 20850-1747
 Telephone (301) 279-3381

September 6, 2005

Mr. Derick P. Berlage, Chairman
 Montgomery County Planning Board
 8787 Georgia Avenue
 Silver Spring, Maryland 20901



OFFICE OF THE CHAIRMAN
 THE MONTGOMERY NATIONAL CAPITAL
 PARK AND PLANNING COMMISSION

Dear Mr. Berlage:

On January 28, 1999, the Montgomery County Planning Board authorized acquisition of 12.8 acres of land, now referred to as Airy Hill Local Park. At that time, a joint acquisition was planned with the Board of Education (Board) to ultimately develop the property into a combined facility that would be improved with a local park and athletic facilities to serve Paint Branch High School. This proposal was a specific requirement of the 1997 Fairland Master Plan. Once a design was prepared, the Board was to reimburse the Planning Commission (Commission) for one-half of the acquisition costs.

A modernization project is now scheduled for Paint Branch High School with a completion date of August 2010. The new facility will be constructed on areas currently used for physical education activities while students and staff continue to occupy the existing school building. Replacement athletic fields would be constructed on Airy Hill Local Park, which will necessitate the use of the entire 12.8-acre site by the Board. The enclosed drawing shows the proximity of the school to the park.

This is to request that the Commission consider and agree to convey the entire Airy Hill site to the Board and forego its plans for development of a local park at this location. If the Commission agrees with this request, the Montgomery County Public Schools will include funds in the Board's FY 2007-2012 Capital Improvements Plan request to reimburse the Commission for the entire acquisition cost of the property.

The Paint Branch High School modernization project will provide needed recreational facilities to the eastern county area, as recommended in the Fairland Master Plan. If your staff needs additional information or has questions, Mr. Richard Hawes, director, Department of Facilities Management, is available to provide additional details of this request at one of the Commission's regularly scheduled meetings. Mr. Hawes can be reached at 301-279-3425.

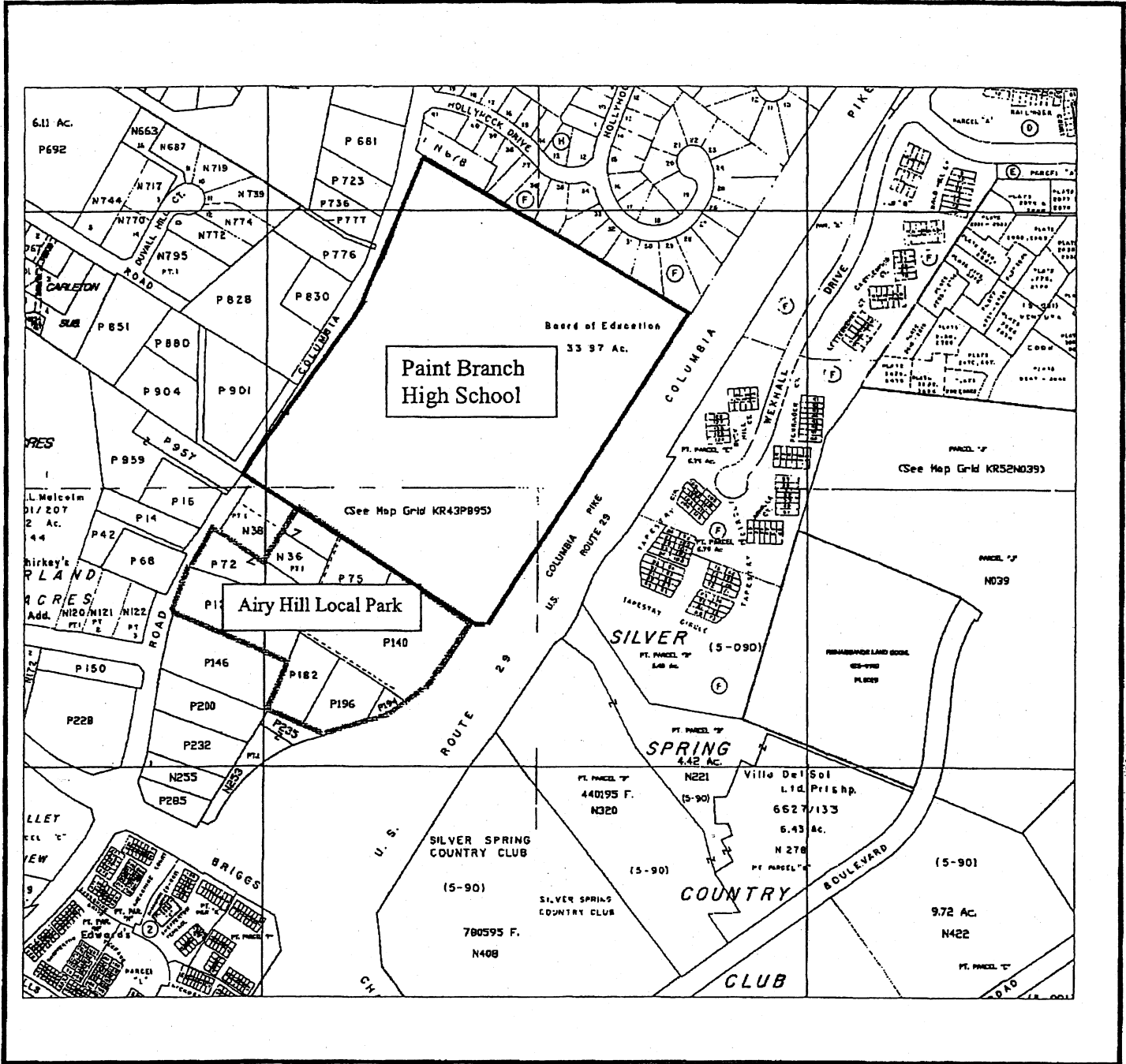
Respectfully,

A handwritten signature in cursive, appearing to read "Jerry D. Weast".

Jerry D. Weast, Ed.D.
 Superintendent of Schools

JDW:jlc
 Enclosure
 Copy to:
 Mr. Bowers
 Mr. Hawes

PAINT BRANCH HIGH SCHOOL AIRY HILL LOCAL PARK





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Office of the Chairman, Montgomery County Planning Board

November 3, 2005

Jerry D. Weast, Ed.D.
Superintendent of Schools
Montgomery County Public Schools
850 Hungerford Drive
Rockville, Maryland 20850-1747

Re: Paint Branch High School/Airy Hill Local Park

Dear *D. Weast*:

Thank you for your recent letter requesting that the Montgomery County Planning Board convey what is now referred to as the "Airy Hill" site adjacent to Paint Branch High School, in its entirety, to the Board of Education (BOE) for use in conjunction with its modernization project at the school.

Please be advised that this request was preliminarily discussed with the Board at one of its recent meetings and it was concluded by the Board that your request in this regard is premature. The Planning Board would be happy to consider your request after BOE staff has completed its feasibility study for the project and presented the proposal to the larger Paint Branch school community and neighboring residents in the immediate vicinity of the school campus. Our Board will want to have a full appreciation and understanding of the degree to which the school community and neighboring residents accept this project before making a final decision on this land conveyance.

Please keep in mind that the Fairland Master Plan has specific references to community use ball fields on the site and we expect that those facilities will be accommodated in your facility plan for the school. We would also be interested to know the views of concerned Councilmembers

After the BOE has completed its feasibility study on this project and presented it to the community for public input and discussion, we will schedule this matter as a mandatory referral item on one of the Planning Board's regular meeting agendas. A decision on the

Jerry D. Weast, Ed.D.
November 3, 2005
Page 2 of 2

conveyance of the entire "Airy Hill" site to the BOE will be made at the time of the mandatory referral.

Thank you for your patience as we work through this process. If you have any questions during the interim, please call me at 301-495-4605.

Sincerely,



Derick P. Berlage
Chairman

cc: Montgomery County Planning Board
Marilyn Praisner, Montgomery County Council
2005-1476

Montgomery
County
Public
Schools

DEPARTMENT OF FACILITIES MANAGEMENT
Montgomery County Public Schools

2096 Gaither Road · Suite 200 · Rockville, MD 20850 · 240-314-1060 · (FAX) 240-314-1073

August 30, 2006

Mr. William Barron, Team Leader
Eastern Montgomery County
Maryland-National Capital Park
and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Mr. Barron:

Re: Paint Branch High School—Airy Hill Park

Montgomery County Public Schools (MCPS) recently completed a feasibility study to modernize Paint Branch High School. Representatives from the school and local community participated in the feasibility planning process that included an evaluation of several modernization options. At the conclusion of the evaluation process, the school community reached a consensus that an option to locate a new building on the adjacent Airy Hill Park site was the most cost-effective approach to the facility modernization. This scheme provides the most efficient school site and allows the existing building to continue to be used during construction of the new facility. In addition, this option will provide additional ball fields for community use as recommended in the Approved and Adopted 1997 Fairland Master Plan. The feasibility study documents are being finalized, and a copy will be provided for Planning Commission review on or before September 8, 2006.

This is to request that the conveyance of Airy Hill Park to the Board of Education be scheduled as a Mandatory Referral item on the September 14, 2006, Planning Board agenda.

MCPS will recommend to the Board of Education that the Commission be reimbursed for its costs in acquiring the Airy Hill site, plus interest, calculated at the rate of return for U. S. Treasury Certificates during the time that the Commission held the property (less the amount of compensation from the Maryland State Highway Administration for the Briggs Chaney interchange.)

If you need more information or have questions, please contact Ms. Janice Turpin, leader, Real Estate Management Team, at 240-314-1069.

Sincerely,



Richard G. Hawes, Director
Department of Facilities Management

RGH:jlc

Copy to:

Mr. Song
Mr. Cross
Mr. Gries
Ms. Turpin

ATTACHMENT D

Feasibility Study to be included in Board member packets only.