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March 7, 2005

**RECEIVED**

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**SUPERINTENDENT OF PARKS**

Mr. Lester Straw  
Superintendent of Parks  
Maryland-National Capital Park  
and Planning Commission  
9500 Brunett Avenue  
Silver Spring, Maryland 20901

Re: Broad Acres and Wood Acres Elementary School  
Improvement Projects

Dear Mr. Straw:

This is written to propose the completion of certain land exchanges between the Board of Education (BOE) and the Maryland-National Capital Park and Planning Commission (M-NCPPC) that relates to the above-referenced school construction projects, both of which lie adjacent to local parks.

Several years ago, during the planning process for modernization of both Broad Acres and Wood Acres elementary schools, Montgomery County Public Schools (MCPS) staff approached M-NCPPC staff about acquiring certain land from the adjacent parks to assemble with the school sites, because these lands were physically functioning as school use. MNCPPC staff and the Montgomery County Planning Board were agreeable, provided that certain like property could be acquired from the Board of Education as an exchange. The following actions were taken:

1. Mandatory Referral No. 02102-MCPS-1, Alteration and Additions to Broad Acres Elementary School, MCPB approved the conveyance of 4,175 square feet (0.09 acres) from Broadacres Local Park to the BOE on June 6, 2002. This conveyance is still pending finalization. A copy of the Planning Board Mandatory Referral approval letter is enclosed.
2. Mandatory Referral No. 99205-MCPS-1, Wood Acres Elementary School Modernization, approved the conveyance of 3.4 acres from Woodacres Local Park to the BOE on September 16, 1999. Ultimately, only 2.19 acres were conveyed. A copy of the Planning Board Mandatory Referral approval letter is enclosed.

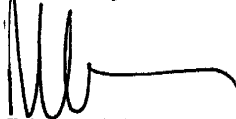
In each case, the MCPB and its staff sought to negotiate an equitable land exchange with MCPS, but this was not possible from within the referenced park/school sites. An off-site solution was the only option. M-NCPPC staff suggested at the time of these Mandatory Referrals that the surplus Briggs Chaney Middle School site would be appropriate for this exchange. After giving long and serious consideration to your staff's suggestion in this regard, we believe that a more suitable, alternative, site is available for this exchange of real estate. The alternative site we are proposing is urban in nature, similar to the Broad Acres and Wood Acres sites, and closer in size to the amount of parkland acreage being made available for school use.

With your concurrence, I would like to recommend to our Superintendent that the 3.75-acre Silver Spring Intermediate School site located at 615 Philadelphia Avenue in Takoma Park be conveyed to the Montgomery County government with the recommendation for final disposition to the M-NCPPC. The school building was razed in 1991; the site is vacant, and fairly level. It has established utility as a recreation area with open play space, tennis and basketball courts, playground equipment and a parking lot being available. Since the school building was razed, the site has been operated, maintained, and managed by your Commission as a neighborhood park, though its ownership remained with the BOE. As indicated above, the Silver Spring Intermediate School site's 3.75 acres compares more closely with the 2.28 acres conveyed or to be conveyed to the BOE at Wood Acres and Broad Acres than it does with the 20 acres at the Briggs Chaney Middle School site.

Please discuss this matter with the MCPB and advise me as to the acceptability of this alternative land exchange proposal. If it is acceptable, I will immediately take action to prepare a formal recommendation from the Superintendent to the Board of Education. If you have any questions, please call me or Ms. Mary Pat Wilson of my staff at 301-279-3405.

Thank you for your cooperation.

Sincerely,



Richard G. Hawes, Director  
Department of Facilities Management

RGH:jmt

Enclosures

Copy to:

Ms. Turpin

Ms. Wilson



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

June 26, 2002

Dr. Jerry Weast, Superintendent  
Montgomery County School System  
850 Hungerford Drive  
Rockville, MD 20850

Re: Mandatory Referral No. 02109-MCPS-1  
Broad Acres Elementary School

Dear Dr. Weast:

At the regular meeting of the Planning Board on June 13 we reviewed the mandatory referral proposal for alterations and additions to the Broad Acres Elementary School. After discussion with staff from our agencies, the Planning Board recommends that this mandatory referral proposal be **APPROVED** subject to comments.

1. Provide two additional paved paths to the school from the neighborhood to the south where there are currently popular informal paths, if after a reasonable effort is made by MCPS to obtain permission from the adjacent apartment owner to allow the construction.
2. Provide room for a path to the park from Beacon Drive. To do this, shift the location of the proposed stormwater management infiltration trench further away from the parking lot edge.
3. Provide additional trees, one tree for each 40 feet of perimeter, to meet the green area and tree requirements for parking lots.
4. Provide directional and entry signs for the park and school along Beacon Drive to clarify where people are to go. Coordinate the location and design of the signs with the park and school facility managers.
5. Modify the proposed grading to prevent intrusion on the root zone of major trees.
6. Submit a new Mandatory Referral, if there is future building expansion or an increase of students above current enrollment levels.

As conditions for use of Broad Acres Local Park, MCPS should be required to:

7. Prior to beginning of construction, finalize the conveyance of 4,175 square feet (0.1 acre), more or less of parkland at Broad Acres Local Park from M-NCPPC to the Board of Education, which conveyance is hereby approved by the Montgomery County Planning Board. The area to be conveyed is shown on Attachment 4 of the staff report. This conveyance will eliminate the need for any building construction occurring on parkland.
8. Prior to beginning of construction, document an agreement with Parks management concerning the temporary use of 29,300 square feet of M-NCPPC land during construction on the school property. The agreement shall assure maintenance of a 250-foot left field line for the park play field and will provide for temporary fencing to separate the park from the construction area.

9. Provide for full soil and grass restoration of the staging area in the agreement concerning temporary use of park area, in accordance with the Montgomery County Department of Permitting Services standards for site restoration.
10. Revise the plans to include a minimum 10-foot permanent entrance to Broad Acres Local Park for maintenance and emergency vehicles. Such entrance is proposed in the extreme northeast corner of the parking lot with "No Parking" striping going directly north 55 feet long by 10 feet wide along the **eastern** curb line (see Attachment 3 of staff report).
11. Immediately notify M-NCPPC if the construction schedule will change from what is currently proposed in order for the M-NCPPC Permit Office to adequately plan for ball field users to be accommodated at other sides.
12. Obtain a construction permit for any construction or temporary use on M-NCPPC park property, including submittal of an NRI/FSD for Broad Acres Local Park and protection of any trees in the area.
13. Before M-NCPPC conveys title to the 0.1 acre of parkland (see Comment number 7 above), MCPS shall enter into a use agreement with M-NCPPC for the 19,266 square feet of Broad Acres Local Park that will be used on a permanent basis by MCPS to support school uses ("Parkland"). The use agreement must require any subsequent owner or tenant who wishes to use the Parkland to negotiate a lease agreement with M-NCPPC.

The Planning Board agrees with the school system's concerns about Comment No. 1 and we have added language that acknowledges the adjacent property owner's concurrence.

To ensure restoration of damaged staging area for construction, the Planning Board appreciates the school system's agreeing to provide for full soil and grass restoration as stated in Comment No. 9. And since Comment No. 12 does not include any additional work, we are grateful for the school system's conformity to it.

Regarding Comment No. 10, the Planning Board understands the school system's concern about <sup>s</sup>loss of parking spaces with the proposed access, but believes it is important for park staff to have complete access for its long 20 foot trailers and large trucks. We, therefore, recommend that the proposed 10-foot wide access be reserved for easy truck access and turnaround maneuvers until staff determines if the alternate access is adequate.

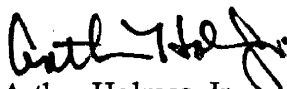
We emphasize the importance for MCPS to adhere to the ball field schedule outlined on page 4 of the staff report to minimize disruption to the use of the facility during peak season. We have also requested in Comment No. 11 that we be notified if the construction schedule changes in order for our Permit Office to work accordingly. Our concerns about staging are assuaged with the understanding that the ball field will continue to operate despite the surrounding construction. However, during the one season the parking is not available, the ball fields should be available for use by the community, but will not be permitted.

Dr. Jerry Weast, MCPS  
June 26, 2002, MR021002-MCPS-1  
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Please let us know within 30 days how you intend to proceed with the project. If there will be any variation from the Planning Board's recommendation, we would appreciate the rationale for that decision.

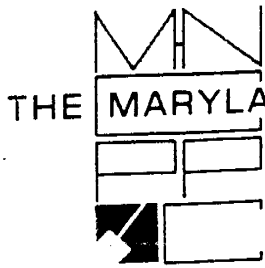
Thank you for providing the necessary information to make this mandatory referral recommendation.

Sincerely,

  
Arthur Holmes, Jr.  
Chairman

AH:MWF:DD

cc: Project Manager  
Environmental Planning Division



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

(301) 495-4605

Montgomery County Planning Board  
Office of the Chairman

October 15, 1999

Dr. Jerry Weast, Superintendent  
Montgomery County Public Schools  
850 Hungerford Drive  
Rockville, Maryland 20850

Re. Mandatory Referral 99205-MCPS-1  
Wood Acres Elementary School

Dear Dr. Weast:

At the regular meeting of the Planning Board on September 16, we reviewed the mandatory referral proposal to permit the modernization of Wood Acres Elementary School. After discussion with staff and representatives of your organization, the Planning Board recommends **APPROVAL** of this mandatory referral proposal subject to the following conditions:

1. Preserve as many mature trees as possible on the Wood Acres site while addressing safety and accessibility concerns.
  - a. Redesign the western edge of the upper/northwest parking lot to reduce the amount of grading and the height of the retaining wall.
  - b. Revise the design of the path from the lower paved play area to the park ball fields to preserve the existing grove of trees and to reduce the slope of the path for handicap accessibility. Keep the width of paving to the minimum required for pedestrian access, using "Grasscrete" or comparable material to allow use of the graded area for future delivery of portable classrooms.
2. Provide additional landscaping to soften the visual impact of the lower parking lots.
  - a. Add a five-foot planting strip separating the bus lane from the staff parking area, while preserving the existing grove of mature trees in the northeast corner of the site.
  - b. Extend the evergreen hedge and add another oak to the planting areas in the visitor parking lot on Cromwell Drive.

3. Submit a copy of the final sediment and erosion control plan, including all tree protection measures, for M-NCPPC review prior to release of the sediment and erosion control permit.

With this mandatory referral, the Planning Board approved the conveyance of approximately 3.4 acres from M-NCPPC to the Board of Education, with the expectation that the 20-acre Briggs Chaney Middle School site will be declared surplus and become parkland in the Upper Paint Branch Watershed. If the land exchange has not been effected by the time the Board of Education needs access to the Wood Acres site, the Planning Board will give the Board of Education right of entry.

Thank you for providing the necessary information to make this mandatory referral review possible.

Sincerely,



William H. Hussmann  
Chairman, MCPB

WHH:CRH