



MONTGOMERY COUNTY DEPARTMENT OF PARKS
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



Agenda Item # 4

Agenda Date: November 9, 2017

November 2, 2017

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Michael Riley, Director of Parks 
Mitra Pedoeem, Deputy Director of Parks
Michael Ma, Chief, Park Development Division 
John Hench, Chief, Park Planning and Stewardship Division

FROM: Joshua W. Kaye, Land Acquisition Specialist, Park Development Division 

SUBJECT: Resolution authorizing the purchase of part of Parcel N625 and all of Parcel P142, unimproved, from Street Retail, Inc., by the Maryland-National Capital Park & Planning Commission

RECOMMENDATION

Staff recommends that the Montgomery County Planning Board approve the attached resolution, shown as Exhibit "A", recommending the Maryland-National Capital Park & Planning Commission execute a Land Purchase Agreement with Street Retail, Inc., to acquire 17,610 square feet or 0.4 acres, more or less, unimproved property in the Bethesda Central Business District, for the purpose of creating a new urban park called the Capital Crescent Civic Green.

BACKGROUND

The subject properties are located on the east side of Woodmont Avenue, the west side of Reed Street, and the south side of Elm Street in the 7th Election District of Montgomery County. The primary address is 4801 Bethesda Avenue in Woodmont Plaza. The properties are owned by Street Retail, Inc., a corporation filed by Federal Realty Investment Trust (FRIT), who also owns the adjoining property most recognized as the Woodmont Bethesda Row Cinema building located at 7522 Woodmont Avenue.

The subject properties are zoned CR 5.0 C 5.0 R 5.0 H 145, a Commercial Residential Zone intended for larger downtown, mixed use, and pedestrian oriented areas near transit options such as Metro, light rail, and bus. Permitted uses include a wide range of commercial and residential uses. The maximum Floor Area Ratio (FAR) for the subject property is 5.0 with a max height of 145 feet.

The acquisition of the FRIT property is consistent with the recommendations in the March 2014 Approved and Adopted *Bethesda Purple Line Station Plan Minor Master Plan Amendment* as stated in the plan language below:

A key component of redeveloping the station will be the station entrances, at the corner of Wisconsin Avenue and Elm Street, and in Woodmont Plaza, at the intersection of Bethesda and Woodmont Avenues. These spaces not only serve as critical access points to the transit station, but also as gateways to Downtown Bethesda. Woodmont Plaza will be the central open space for the area around the junction of Bethesda Avenue, Woodmont Avenue, and the Capital Crescent Trail.

The acquisition of the FRIT property to create the Capital Crescent Civic Green is consistent with the recommendations in the May 2017 *Approved and Adopted Bethesda Downtown Sector Plan* as stated in the plan language below:

Capital Crescent Civic Green Vision: *This space is envisioned as the civic green for the Bethesda Row District and the western gateway of the Capital Crescent Trail. It will build on the success of the existing small plaza at the Barnes and Noble store and act as an outdoor civic center for the Bethesda Row District (page 81).*

Land Use and Zoning Goal: *Provide a civic gathering space as an extension of the plaza at the intersection of Bethesda Avenue and Woodmont Avenue (page 106).*

Urban Design Public Realm Goal: *Create a major central gathering space that can be the hub of activity and connect Bethesda Row to regional transit, trails and surrounding districts (page 108).*

The Capital Crescent Civic Green is also one of three sites designated as critical Urban Open Spaces in the *Legacy Open Space Functional Master Plan* via the *Bethesda Downtown Plan* (page 155):

The Capital Crescent Civic Green meets the criteria to be designated as an Urban Open Space of countywide importance within the Legacy Open Space Functional Master Plan (2001). This critical civic green will create one of the primary green spaces in the center of Bethesda. It will provide key community open space for recreation and casual use by the large population center in this community, as well as support trail usage and special events to serve the entire County.

The property will be acquired for a negotiated purchase price of \$8,500,000.00 which will be funded through the Commission's Advance Land Acquisition Revolving Fund (ALARF). As with all ALARF funded acquisitions, this recommendation will be presented to the Montgomery County Council for approval.

Details of this recommended parkland acquisition were presented to the Board in closed session on November 2, 2017.

cc: John Nissel	Megan Chung	David Vismara	Shuchi Vera
Antonio DeVaul	Mohammed Turay	Jim Poore	Hassan Symes
Kristi Williams	Brenda Sandberg	Bill Tyler	Robert Kronenberg
Rachel Newhouse	Leslye Howerton		

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RESOLUTION

WHEREAS, the Maryland-National Capital Park and Planning Commission ("Commission") is authorized by Md. Code Ann., Land Use §17-101 (formerly Article 28, Section 5-101), to acquire, develop, maintain and operate a public park system within the Maryland-Washington Metropolitan District; and

WHEREAS, the acquisition is consistent with the recommendations in the May 2017 Approved and Adopted Bethesda Downtown Sector Plan, and the 2014 Purple Line Station Plan Minor Master Plan Amendment; and

WHEREAS, the Montgomery County Planning Board received and considered a recommendation from staff of the Commission, in closed session on November 2, 2017, that it approve the acquisition of 17,610 square feet (0.4 acres) of land, more or less, unimproved, (the "Property") from Street Retail, Inc., (the "Seller"), located at 4801 Bethesda Avenue in Bethesda, MD 20814, identified in Maryland Department of Assessments and Taxation's Tax Map HN22, as part of Parcel N625 having Tax Account Number 07-02608550, and all of Parcel P142 having Tax Account Number 07-00429373, for the purpose of creating a new urban park called the Capital Crescent Civic Green; and

WHEREAS, there are sufficient monies available in the Commission's Advance Land Acquisition Revolving Fund (ALARF) to pay the \$8,500,000.00 negotiated purchase price for the Property; and

NOW THEREFORE, BE IT RESOLVED, that the acquisition of the Property from the Seller as described above, for a purchase price of \$8,500,000.00 in accordance with a proposed Land Purchase Agreement between the Commission and the Seller, is hereby approved by the Montgomery County Planning Board on this 9th day of November, 2017 and the Executive Director is authorized to execute said Agreement on behalf of The Maryland-National Capital Park and Planning Commission.

* * * * *

This is to certify the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner _____, seconded by Commissioner _____, with Commissioners _____, _____, _____, _____, and _____ voting in favor of the motion at its regular meeting held on Thursday, November 9th 2017 in Silver Spring, Maryland.

Casey Anderson, Chair
Montgomery County Planning Board