



MCPB Item # 5

Date: 5 / 6 / 2021

MEMORANDUM

DATE: May 3, 2021

TO: Montgomery County Planning Board

VIA: Michael F. Riley, Director of Parks
Miti Figueredo, Deputy Director, Administration *mf*
John Nissel, Deputy Director, Operations
Andrew Frank, Division Chief, Park Development Division (PDD) 

FROM: Brenda Sandberg, Real Estate Management Supervisor, PDD
Henry Coppola, Real Estate Specialist, PDD

SUBJECT: Land Acquisition Recommendation: Reddy Branch Stream Valley Park Unit One
Yinger Property
19801 Georgia Avenue (MD 97)
Brookville, MD 20833
2.75 acres, more or less, improved

STAFF RECOMMENDATION

Staff requests the following action by the Montgomery County Planning Board:

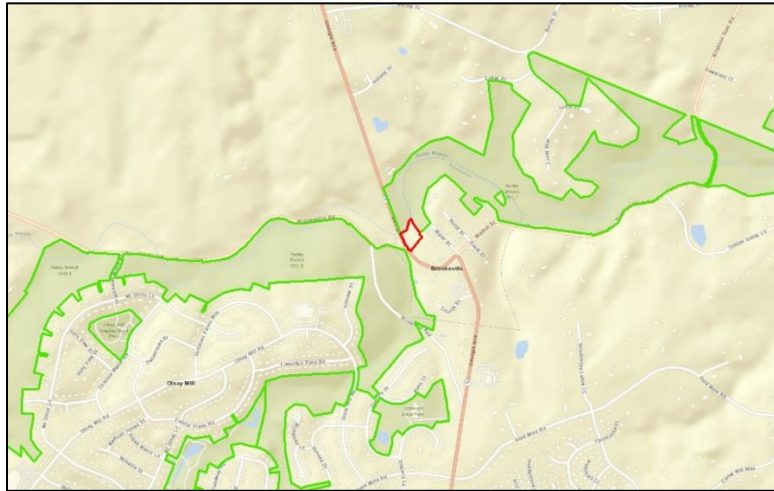
Approve the acquisition of the Yinger Property as an addition to Reddy Branch Stream Valley Park Unit One for a negotiated purchase price of \$800,000 to be funded with grant money from Maryland's Program Open Space (POS).

The Yinger Property is outlined in red in Figure 2 and Resolution No. 21-040 is attached to this memo.

SUMMARY

The Yinger Property is bordered on three sides by Reddy Branch Stream Valley Park Unit One, lies within the stream valley buffer, and contains a 275' segment of the Reddy Branch mainstem. The Property is also in the immediate vicinity of the active Brookeville Bypass Project. Acquisition of this master planned park property will provide the opportunity to greatly enhance the mitigation and restoration projects being undertaken by MDOT State Highway Authority for the Brookeville Bypass Project. Projects that will benefit from this acquisition include removal of the current Georgia Ave (MD 97) bridge over the Reddy Branch, stream channel restoration extending from existing parkland onto the Property, and trail improvements and amenities along the Reddy Branch. Additionally, the Property will provide resource protection for the Reddy Branch and the greater Patuxent River watershed, additional impervious surface removal opportunities in a sensitive watershed, and improved public access to existing and future trails in the area.

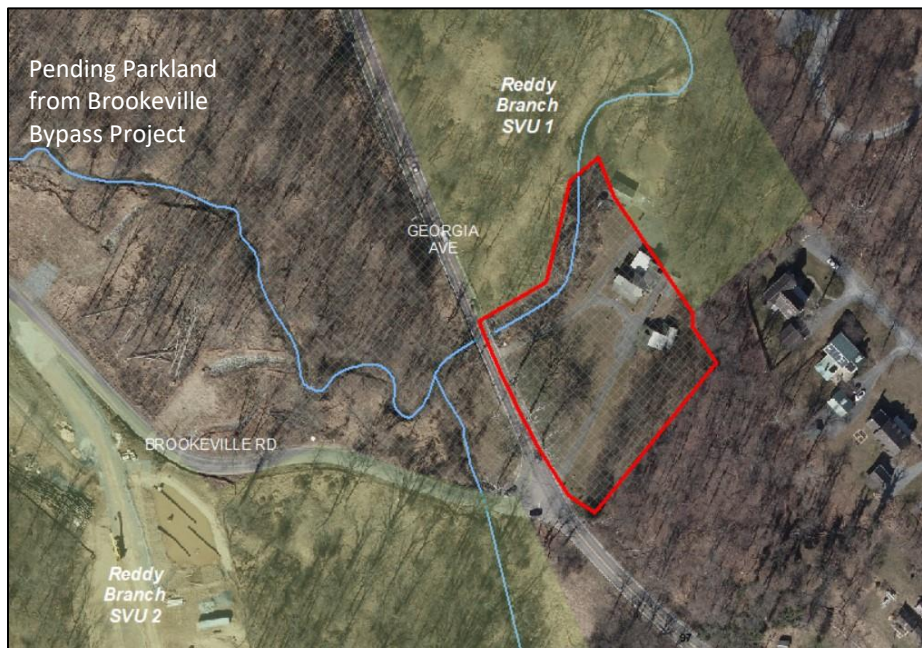
Figure 1: Vicinity Map, Parkland in the Brookville area, Yinger Property in red



PROPERTY DESCRIPTION

The Yinger Property consists of three parcels of land containing a total of 2.75 Acres, more or less, improved. The Property is located within the Town of Brookville on the eastern side of Georgia Ave (MD 97) across from the intersection with Brookeville Rd and immediately before the road passes over Reddy Branch (see Figure 1). The Property is legally described as Parcels 430, 381, and 434, Tax Map HU62 in Brookeville, Maryland and is zoned Historic Village Residential under the Brookeville Zoning Ordinance. The Property is improved with a single-family dwelling, one car garage with second floor two-bedroom apartment, and an additional one car detached garage as well as two smaller storage sheds. The house and main garage were constructed in 1944. While the Property is within the Town of Brookeville and the related Historic District, the buildings are non-contributing to the Historic District for which the period of significance ends in 1929. Staff in the Planning Department's Historic Preservation Office and the Historic Preservation Commission Chair have indicated that they will support Parks request to demolish the structures via an Historic Area Work Permit application.

Figure 2: Yinger Property in red with Reddy Branch SVP Parkland



The Property contains a stretch of the mainstem of Reddy Branch and about half of the Property lies within the floodplain. Most of the Property is a mowed lawn with some trees and shrubs along the stream and road frontage and a wooded area along the southern edge of the Property (see Figures 2 and 3). The owner is a willing seller and the Property is being acquired through negotiation in fee simple.

Figure 3: Aerial view of Yinger Property looking northeast



POLICY RATIONALE AND PARK BENEFIT

The Yinger Property is a missing piece of the Reddy Branch SVP with parkland on three sides and a portion of the mainstem of Reddy Branch running through the Property. The 365 acres of Reddy Branch SVP surrounding this Property provide resource protection for the Reddy Branch as it flows towards the Hawlings River and on to the Patuxent. West of the Property across Georgia Ave (MD 97), the park contains the Oakley Cabin Museum and Trail. The Property was approved as proposed parkland in the 2005 *Olney Master Plan* and is specifically identified in the 2010 *Town of Brookeville Comprehensive Plan* for acquisition by Montgomery Parks.

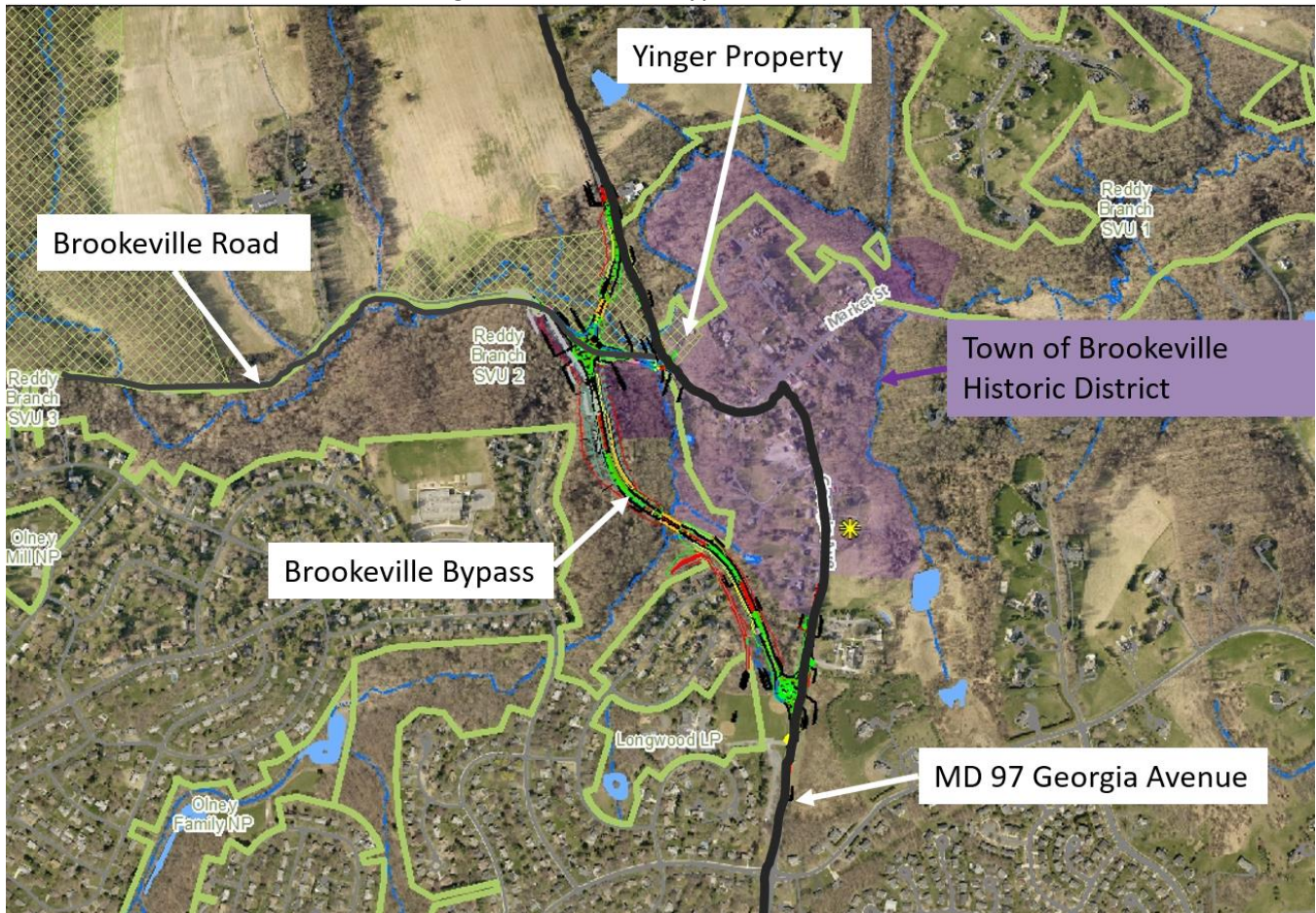
Enhanced Brookeville Bypass Mitigation Projects

To the west of the Property, MDOT SHA is constructing the Brookeville Bypass Project (see Figure 4). This new road project has significant parkland impacts that are being addressed through a package of restoration, mitigation, and compensation projects. Many of these projects can be enhanced to provide additional community and park system benefits once the Yinger Property becomes parkland.

The primary benefit provided by the acquisition of the Property is the ability to have significantly improved stream restoration efforts at the current Georgia Ave (MD 97) bridge over the Reddy Branch. State Code of Maryland Regulations (COMAR) requirements limiting increases in shear stress within Reddy Branch have hindered efforts to remove what will be the abandoned MD 97 roadway bridge once the new Brookeville Bypass is completed. Public ownership of the downstream reach of Reddy Branch contained within the Property will allow MDOT SHA to remove this unnecessary infrastructure and unnatural constriction of the stream valley and design a stream stabilization that meets COMAR and other regulatory requirements.

Additionally, transfer of the Property from private ownership will also allow for removal of a significant stretch of the MD 97 roadway within the stream valley buffer that was required to remain to allow for entry/exit from the Property's circular driveway configuration. Finally, the Property may serve as a good location for some interpretive signage for many of the historic resources of Brookeville that SHA is creating as part of the Brookeville Bypass project.

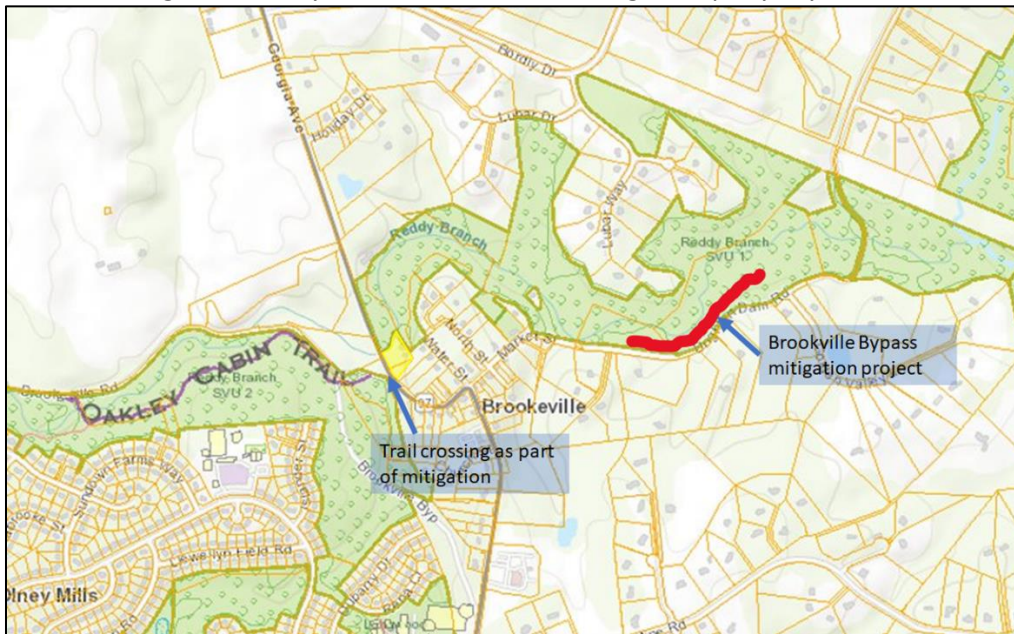
Figure 4: Brookeville Bypass Illustration



Improved Public Access and Trails

The 2010 *Town of Brookeville Comprehensive Plan* recommends the Property as a location for improved access to Reddy Branch SVP via existing and future trails. MDOT SHA will be improving existing trails and constructing new trails on existing parkland as part of the Brookeville Bypass Project (see Figure 5). The Yinger Property would allow for the connection of the Oakley Cabin Trail to the new trail being built as part of the Brookeville Bypass stream restoration and wetland creation mitigation project. In addition, the Property's location and easy access from MD 97 makes it an ideal location for the addition of a trailhead and a small parking area to serve existing and new trails in the vicinity.

Figure 5: Reddy Branch Trails and the Yinger Property in yellow



START UP COSTS & OPERATING BUDGET IMPACT (OBI)

After the Property is turned over to the Parks Department, the existing structures will be removed and other projects tackled to create a safe and accessible interim park condition. Other start up projects may include reconfiguring / retaining paving for future trailhead parking, and tree and non-native invasive plant maintenance and removal. The total costs of these start up projects are estimated at approximately \$180,000. Some of these costs may potentially be covered by MDOT SHA as part of the stream restoration work.

After initial site cleanup and demolition is completed to create the interim park condition, Operating Budget Impact (OBI) is expected to be approximately \$3,500 per year. Tasks to keep the Property maintained will include standard maintenance and inspections around the parking area and retaining wall.

Conclusion

Acquisition of the Yinger Property will greatly enhance the mitigation and restoration efforts associated with the Brookeville Bypass Project and allow Parks to leverage those projects for greater resource protection and improved public access to the Reddy Branch Stream Valley Park.

CC: Doug Ludwig
Mike Little
Jai Cole
Darryl McSwain
Jim Poore
Kristi Williams
Shuchi Vera
David Vismara
Megan Chung



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 21-040

Acquisition of the Yinger Property to Expand Reddy Branch Stream Valley Park

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 Montgomery County Planning Board received and considered a recommendation from staff of the Commission, in closed session on April 29, 2021, that it approve the acquisition of 2.75 acres of land, more or less, improved, from David C. Yinger ("Seller") identified as Maryland Department of Assessment and Taxation's Tax Account Numbers 08-00732317, 08-00732328, and 08-00732330 (the "Property"), to expand Reddy Branch Stream Valley Park; and

WHEREAS, the Property meets parkland acquisition criteria to expand Reddy Branch Stream Valley Park; and


WHEREAS, there are sufficient Program Open Space grants available in the Commission's FY21 Acquisition: Local CIP to pay the \$800,000 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 \$800,000, in accordance with a proposed Land Purchase Agreement between the Commission and Seller, is hereby approved by the Montgomery County Planning Board on this 6th day of May, 2021 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 _____ voting in favor of the motion, at its regular meeting held on Thursday, May 6, 2021 in Wheaton, Maryland.

Casey Anderson, Chair
Montgomery County Planning Board

Signature: 

Email: andrew.frank@montgomeryparks.org

Signature: 

Email: miti.figueredo@montgomeryparks.org

Signature:

Email: