



MCPB Item #6
November 16, 2023

MEMORANDUM

DATE: November 9, 2023

TO: Montgomery County Planning Board

VIA: Michael F. Riley, Director of Parks *Michael F. Riley*
Miti Figueredo, Deputy Director, Administration *Miti*
Patricia McManus, Acting Division Chief, Park Development Division (PDD) *Patricia McManus*

FROM: Brenda Sandberg, Real Estate Management Supervisor, PDD *B. Sandberg*
Anne Fothergill, Real Estate Manager, PDD *Anne Fothergill*

SUBJECT: Land Acquisition Recommendation: 4326 Montgomery Avenue, Bethesda
Champion Real Estate Ventures, LLC
6,044 sf, more or less, improved

STAFF RECOMMENDATION

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

Approve MCPB Resolution No. 23-116 for the acquisition of 4326 Montgomery Avenue property for a negotiated purchase price of \$2,415,000 to create the new Eastern Capital Crescent Urban Recreational Park, to be funded out of the Legacy Urban Space capital project using State Program Open Space grant funds.

A draft of Resolution No. 23-116 is attached.

SUMMARY

To provide much-needed active recreation opportunities in Bethesda, one of the highest density areas in Montgomery County, Montgomery Parks is pursuing acquisitions to form a new park: Eastern Capital Crescent Urban Recreational Park as recommended in the 2017 Bethesda Downtown Plan (BDP). The new park will be adjacent to the Capital Crescent Trail and future Purple Line and will offer a unique opportunity for a dynamic connection between the popular trail and the Bethesda community. To create the new park, the vision is to combine the subject property at 4326 Montgomery Avenue with eight adjoining properties along Montgomery Avenue (seven expected future acquisitions and one property transfer from Maryland Transit Administration). The subject property is improved with a freestanding house that has been converted to commercial use. The seller has agreed to a purchase price of \$2,415,000 with a target settlement prior to the end of 2023.

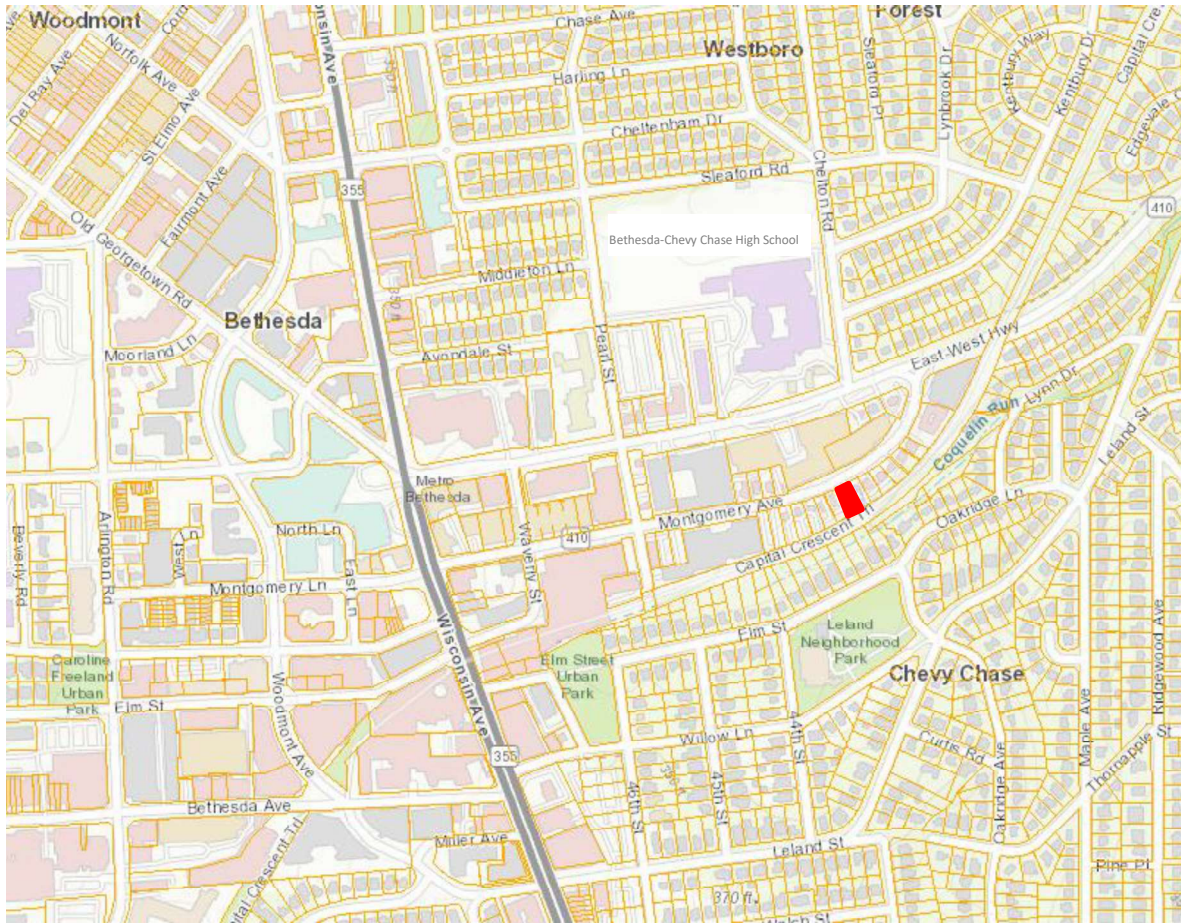


Figure 1: Vicinity map, 4326 Montgomery Avenue, Bethesda, Maryland

PROPERTY DESCRIPTION

The subject property is located at 4326 Montgomery Avenue, identified as Lot 9 in Block 2 of “Imirie’s Subdivision” Plat 772 on Tax Map HN32, Tax ID 16-00422576 and contains approximately 6,044 square feet of land area. The subject site is zoned CRT-0.5, C-0.5, R-0.5, H-35 in the Bethesda Overlay Zone and lies within the Bethesda Downtown Plan area.

The site is improved with an approximately 2,000 square-foot freestanding 2-story commercial building with paved parking areas. The building was built originally for residential use in 1935. The building is in good condition and is currently not occupied.

The property fronts Montgomery Avenue to the north and the Capital Crescent Trail and future Purple Line to the south, providing the public access and visibility necessary for a meaningful urban recreational park and connection to the CCT. Maryland Transit Administration has committed to transferring the eastern-most property at 4306 Montgomery Avenue to M-NCPPC after the Purple Line construction is complete. Montgomery Parks anticipates acquiring the seven additional properties within the future park boundary to create a contiguous site for park development.

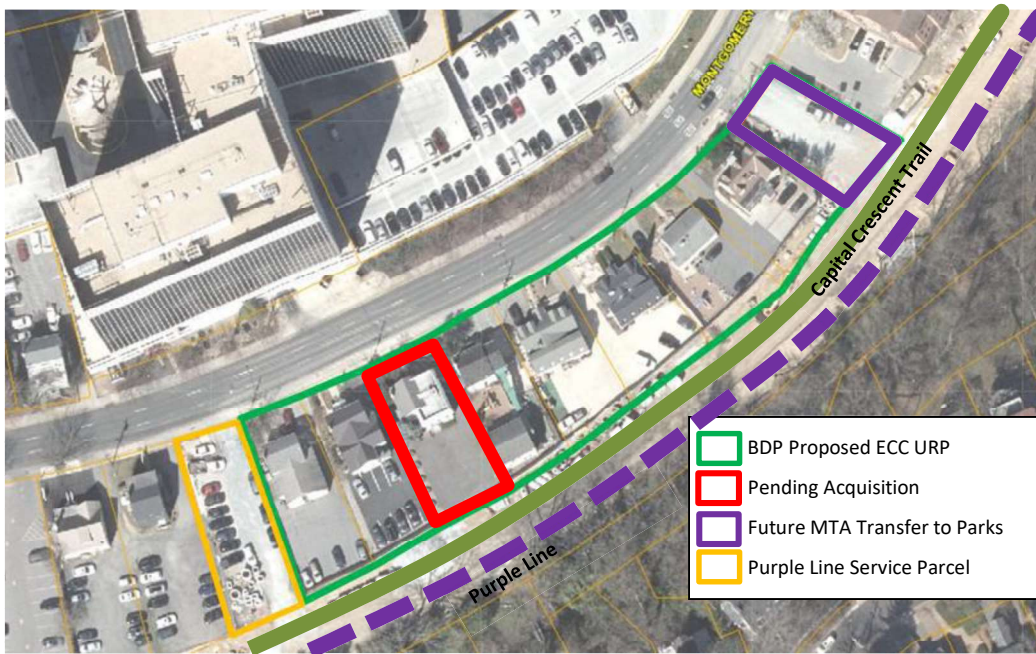


Figure 2: Proposed Acquisition, Future Park Boundary, and MTA Properties



Figure 3: 4326 Montgomery Avenue, Front and Rear Views

POLICY RATIONALE AND PUBLIC BENEFIT

The purchase of the subject property combined with the MTA property transfer and future acquisition of the remaining properties will provide the necessary land to implement this park as recommended in the Bethesda Downtown Plan and other relevant and applicable plans. The creation of a new urban recreation park at this central location to provide active recreation amenities within a dense community is in alignment with the policies and goals of Montgomery Parks planning documents as noted below.

Bethesda Downtown Plan (BDP), 2017

The Bethesda Downtown Plan proposed the location of the subject property and the adjacent properties along Montgomery Avenue for the development of the new Eastern Capital Crescent Urban Recreational Park to create an active, green gateway into the Bethesda Central Business District (CBD) along the Capital

Crescent Trail. The Plan recommends a park size of 1.89 acres with an emphasis on active recreation. Park facilities should facilitate physical activity and social connectivity and may include adult fitness equipment, a dog park, skate park, sport courts, and a playground.

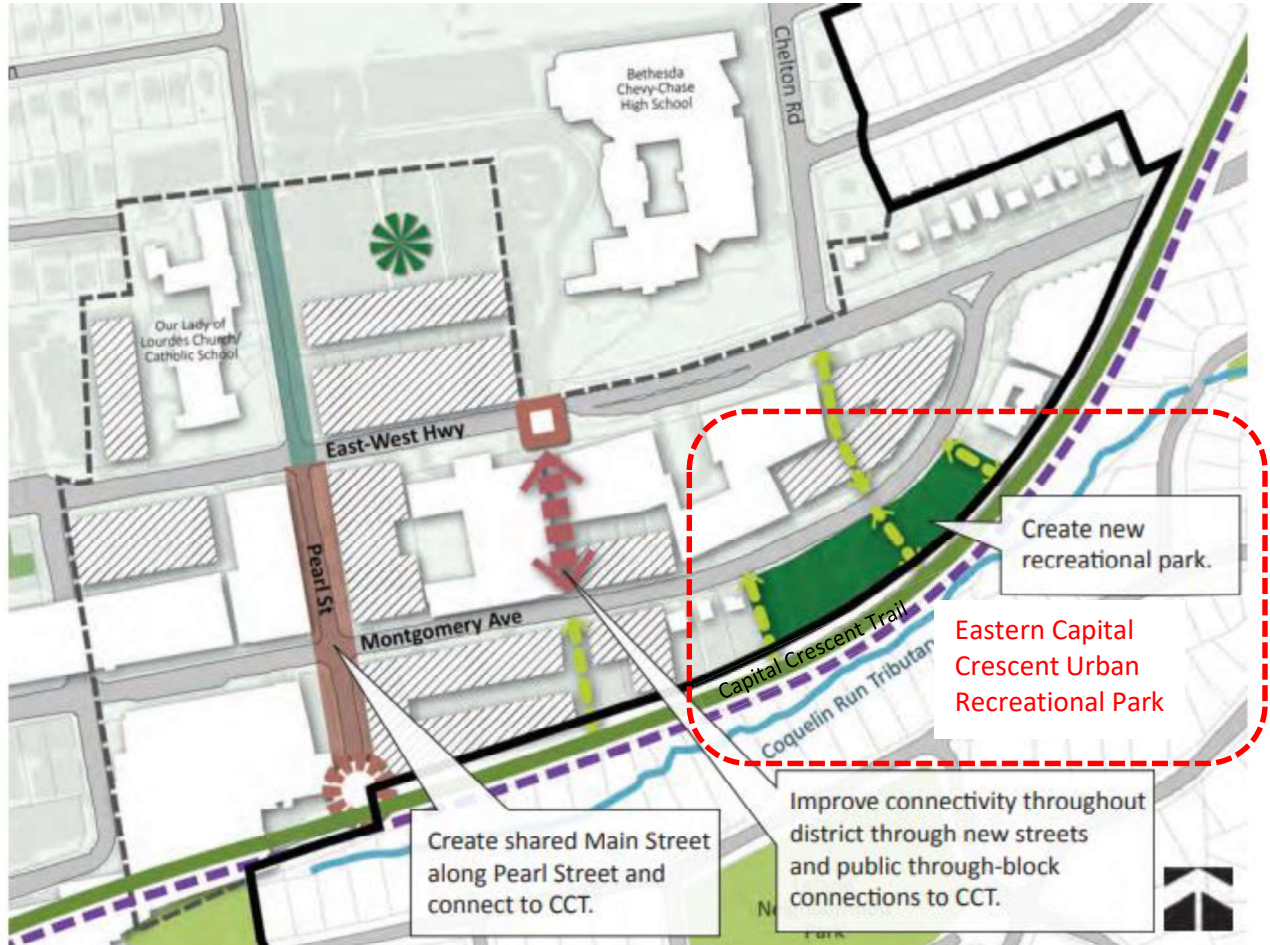


Figure 4: Pearl District Public Realm Recommendations, Bethesda Downtown Plan 2017

Bethesda Design Guidelines, 2017

These design guidelines establish the Eastern Capital Crescent Urban Park as an Urban Recreational Park and describe this type of park as oriented to the recreational needs of a densely populated neighborhood and business district. According to the guidelines, urban recreational parks should provide space for active recreation, recreational programming, and community gatherings with a mix of uses focused on active features that may include athletic fields, playing courts, dog parks, picnic opportunities, and flexible open space. These parks are recommended to be located within walking distance of high density residential and commercial developments and should provide programming that may include outdoor exercise classes, farmers markets, and special events.

Legacy Open Space Functional Master Plan, 2001

The Bethesda Downtown Plan designated this future park as a Legacy Open Space Urban Open Space due to its connection to the Capital Crescent Trail. The Plan stated “the Eastern Capital Crescent Urban Greenway meets the criteria to be designated as an Urban Open Space within the Legacy Open Space Functional Master Plan (2001). This new Urban Greenway will increase access between one of the most

important trail corridors in the County and the center of Bethesda and will provide key additional recreational open space to a community with high population density.”

2022 PROS Plan and Thrive Montgomery 2050

These two policy documents showcase how great public spaces produce strong communities and people. The 2022 Park, Recreation, and Open Space (PROS) Plan specifically recommends that Montgomery Parks acquire and develop more urban parks that are served by good transportation options. The subject property is located within a Plan-identified “corridor-focused growth area” where the Plan recommends creating smaller and intensively developed parks that are readily accessible by transit, bicycling, and walking. Thrive also recommends that Montgomery Parks should focus on creating high quality urban parks for residents of downtowns and other intensively developed areas. Thrive prioritizes acquisition of land for parks in urban centers along growth corridors, active recreation within park planning and design, and connection of neighborhoods and people to parks through a trail network. This new active urban park along the trail is in alignment with the policies and goals of both PROS and Thrive.

Energized Public Spaces Functional Master Plan (EPS), 2018

The 2018 *Energized Public Spaces Functional Master Plan (EPS FMP)* directs urban park efforts toward creating parks and public spaces within walking distance so people can gather, play and be in touch with the outdoors in our urbanizing communities. The subject property is located within the Energized Public Spaces (EPS) Study Area that includes the down-county area along MD 355.



Figure 5: Downtown Bethesda Aerial View with Eastern Capital Crescent URP Location

PARK CONCEPT

The future two-acre Eastern Capital Crescent Urban Recreational Park (ECC URP) is envisioned as a dynamic, active, urban gateway park that will offer the residents of Bethesda a destination for physical activity, social connectivity, and a connection to the Capital Crescent Trail.

This is a unique opportunity to provide amenities that may include sport courts, fitness equipment, a skate park, a dog park, flexible play and event areas, and social gathering spaces with a strong connection to the dense urban fabric of Bethesda and the linear corridor of the Capital Crescent Trail and Purple Line. Lighting in the park could increase opportunities for recreation into the evening hours and provide safe passage through the park to the trail, neighborhoods, and thoroughfares of the city.

Careful consideration for site conditions and surrounding uses including the Capital Crescent Trail, Purple Line Corridor, Bethesda-Chevy Chase High School, and other Bethesda Downtown Plan improvements will help inform the final park program.

OPERATING BUDGET IMPACT (OBI) & START UP COSTS

During the initial period between acquisition and removal of the commercial building (maximum of five-years per POS funding requirements), Parks intends to lease the property to tenants and the property will be managed by the Property Management Section, Facilities Management Division, and other Parks units as appropriate. Revenue from the tenants will support operating expenditures during this post-closing period and building demolition at the end of this period, so no additional OBI is anticipated for the initial years after acquisition.

While converting this property into an urban recreational park is a priority for downtown Bethesda, the development of this park is dependent upon future land acquisition and the completion of the Capital Crescent Trail along the Purple Line, currently scheduled for 2027. After acquisition of this lot, the priority will be to acquire the other properties along Montgomery Avenue within the boundary of the future park.

Depending on acquisition progress and the Purple Line/Capital Crescent Trail timing, an interim park may be designed and implemented as an initial phase that may be funded through Level of Effort projects within the CIP. Ultimate development of the full urban recreational park will require Facility Planning and a stand-alone capital project with dedicated funding in future years. Costs for construction and operating budget impacts for either the interim phase or the ultimate park condition will be addressed through future operating budget and CIP requests. Developer contributions to the Bethesda Park Impact Payment PDF also may be available to support any phase in creating this important urban recreational park.

CONCLUSION

Real Estate Management staff are pleased to bring this acquisition to the Planning Board for approval. Acquisition of this property at 4326 Montgomery Avenue in Bethesda is the first necessary acquisition for the creation of a vibrant urban recreational park that will provide active park amenities along the Capital Crescent Trail and within the dense downtown of Bethesda.

CC: Gary Burnett
Trish Swann
Darryl McSwain
Kenny Black
Kristi Williams
Darren Flusche
Shuchi Vera
Megan Chung

MCPB No. 23-116

Acquisition: 4326 Montgomery Avenue, Bethesda, MD

Seller: Champion Real Estate Ventures, LLC

Project: Eastern Capital Crescent Urban Recreational 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 November 9, 2023, that it approve the acquisition of 4326 Montgomery Avenue, Bethesda, Maryland, 20814, identified as Lot 9, Block 2, Plat Book 11, Plat 772 on Tax Map HN342, Tax ID No. 07-00422576 (“Property”), containing approximately .139 acres or 6,044 square feet of land, from Champion Real Estate Ventures, LLC, a Virginia limited liability company (“Seller”). The Property is improved with an approximately 2,000 square-foot freestanding commercial building that is currently not leased; and

WHEREAS, the Property meets parkland acquisition criteria to create the Eastern Capital Crescent Urban Recreational Park as envisioned in the 2017 Bethesda Downtown Plan and will provide much-needed active recreation opportunities in Bethesda, one of the highest density areas in Montgomery County; and

WHEREAS, there are sufficient grant funds available in the State Program Open Space’s Legacy Urban Space capital project account to pay the \$2,415,000 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 \$2,415,000, in accordance with a proposed Land Purchase Agreement between the Commission and Seller, is hereby approved by the Montgomery County Planning Board on this 16th day of November, 2023 and the Executive Director is authorized to execute said Agreement on behalf of the Maryland-National Capital Park and Planning Commission.

[AUTHORIZATION APPEARS ON THE NEXT PAGE]

MCPB No. 23-116

Acquisition of 4326 Montgomery Avenue, Bethesda, MD, from Champion Real Estate Ventures LLC for the Eastern Capital Crescent Urban Recreational Park

Page 2 of 2

* * * * *

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 _____, seconded by _____, with a vote of __-__; _____ voting in favor of the motion, at its regular meeting held on Thursday, November 16, 2023 in Wheaton, Maryland and via conference.

Artie L. Harris, Chair

APPROVED AS TO LEGAL SUFFICIENCY:

M-NCPPC Legal Department

Date: _____











MCPB Item 6_4326 Montgomery Ave_OPEN_2023-11-16_FINAL

Final Audit Report

2023-11-09

Created:	2023-11-09
By:	Sandra Samuel (Sandra.Samuel@montgomeryparks.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAE_Ikzd2LBvHyJSmE8acc9FTIILu-8YcU

"MCPB Item 6_4326 Montgomery Ave_OPEN_2023-11-16_FINAL" History

-  Document created by Sandra Samuel (Sandra.Samuel@montgomeryparks.org)
2023-11-09 - 6:49:04 PM GMT- IP address: 155.190.22.4
-  Document emailed to Michael F. Riley (mike.riley@montgomeryparks.org) for signature
2023-11-09 - 6:50:20 PM GMT
-  Document emailed to Miti Figueredo (miti.figueredo@montgomeryparks.org) for signature
2023-11-09 - 6:50:20 PM GMT
-  Document emailed to Patricia McManus (patricia.mcmanus@montgomeryparks.org) for signature
2023-11-09 - 6:50:21 PM GMT
-  Document emailed to Brenda Sandberg (brenda.sandberg@montgomeryparks.org) for signature
2023-11-09 - 6:50:21 PM GMT
-  Document emailed to Anne Fothergill (anne.fothergill@montgomeryparks.org) for signature
2023-11-09 - 6:50:21 PM GMT
-  Email viewed by Michael F. Riley (mike.riley@montgomeryparks.org)
2023-11-09 - 6:50:42 PM GMT- IP address: 104.47.58.254
-  Document e-signed by Michael F. Riley (mike.riley@montgomeryparks.org)
Signature Date: 2023-11-09 - 6:50:57 PM GMT - Time Source: server- IP address: 155.190.22.1
-  Email viewed by Brenda Sandberg (brenda.sandberg@montgomeryparks.org)
2023-11-09 - 7:11:03 PM GMT- IP address: 104.47.58.254
-  Document e-signed by Brenda Sandberg (brenda.sandberg@montgomeryparks.org)
Signature Date: 2023-11-09 - 7:11:12 PM GMT - Time Source: server- IP address: 155.190.22.4

