



MCPB Item #5

Date: 2/8/24

## MEMORANDUM

**DATE:** February 1, 2024

**TO:** Montgomery County Planning Board

**VIA:** Miti Figueredo, Director of Parks *mf*  
Darren Flusche, Acting Deputy Director, Administration *DF*  
Gary Burnett, Deputy Director, Operations *Gary Burne*  
Andy Frank, Division Chief, Park Development Division (PDD) *andyofrank*

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

**SUBJECT:** Land Acquisition Recommendation: Westbard Urban Recreational Park  
Schnabel Foundation Company  
5210 River Road, Bethesda, MD 20816  
21,657 square feet, more or less, improved

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## STAFF RECOMMENDATION

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

Approve MCPB Resolution No. 24-011 for the acquisition of the Schnabel Foundation Company property as a portion of the future Westbard Urban Recreational Park for a negotiated purchase price of \$2,365,000 to be funded out of the Legacy Urban Space CIP project.

A draft of Resolution No. 24-011 is attached.

## SUMMARY

The subject property is recommended as the third purchase to create the future Westbard Urban Recreational Park as envisioned in the Westbard Sector Plan. The property is a critical piece of this park that makes up the southern portion of the proposed Willett Branch Greenway, the master-planned park corridor intended to connect the growing community of Westbard to the Capital Crescent Trail. Benefits of the future park include providing active recreation facilities, connectivity for trail users and the local community, and a gateway to the rest of the proposed Willett Branch Greenway that will include trails, landscaping, and naturalization of portions of the stream to create the unique identifying feature of the changing Westbard area.

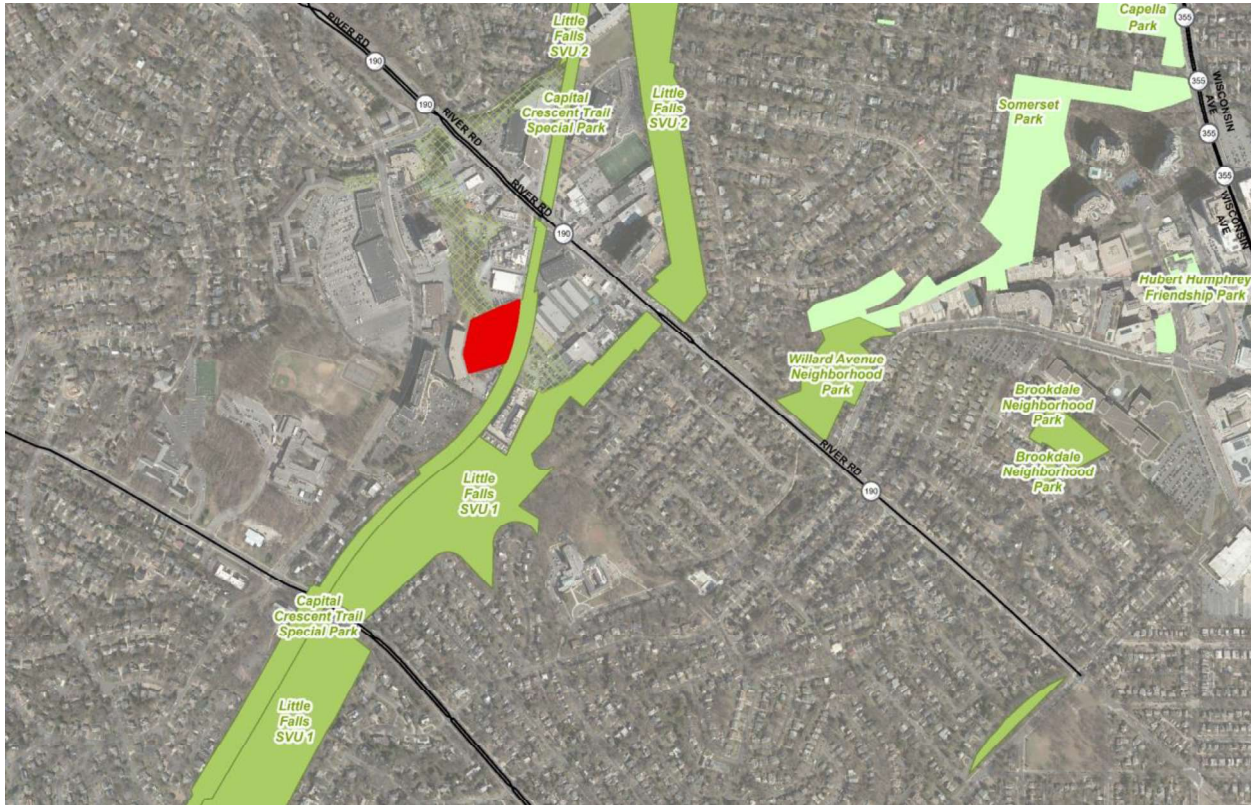


Figure 1: Proposed Westbard Urban Recreational Park location in the Westbard Sector Plan area

## PROPERTY DESCRIPTION

The Schnabel Foundation Company property consists of 21,657 square feet of land, more or less, improved. The subject property, zoned IM-2.5, H-50, Moderate Industrial, is located in an industrial and commercial area of Westbard south of River Road on the west side of the Capital Crescent Trail. The property address is 5210 River Road and is legally described as Parcel N352, Lot 1 on Tax Map HM13. The property is mostly impervious and is improved with a two-story, approximately 4,100 square foot office building that was constructed in 1963 and renovated in 2008. The property directly adjoins the Capital Crescent Trail just south of River Road. A 200-foot stretch of the channelized Willet Branch crosses the property until the stream goes under the Capital Crescent Trail on the former CSX railroad right of way.

The owner is a willing seller and the property is being acquired through negotiation, in fee simple, with a two-year reservation period (refer to the **Contract Information** later in the report for details).

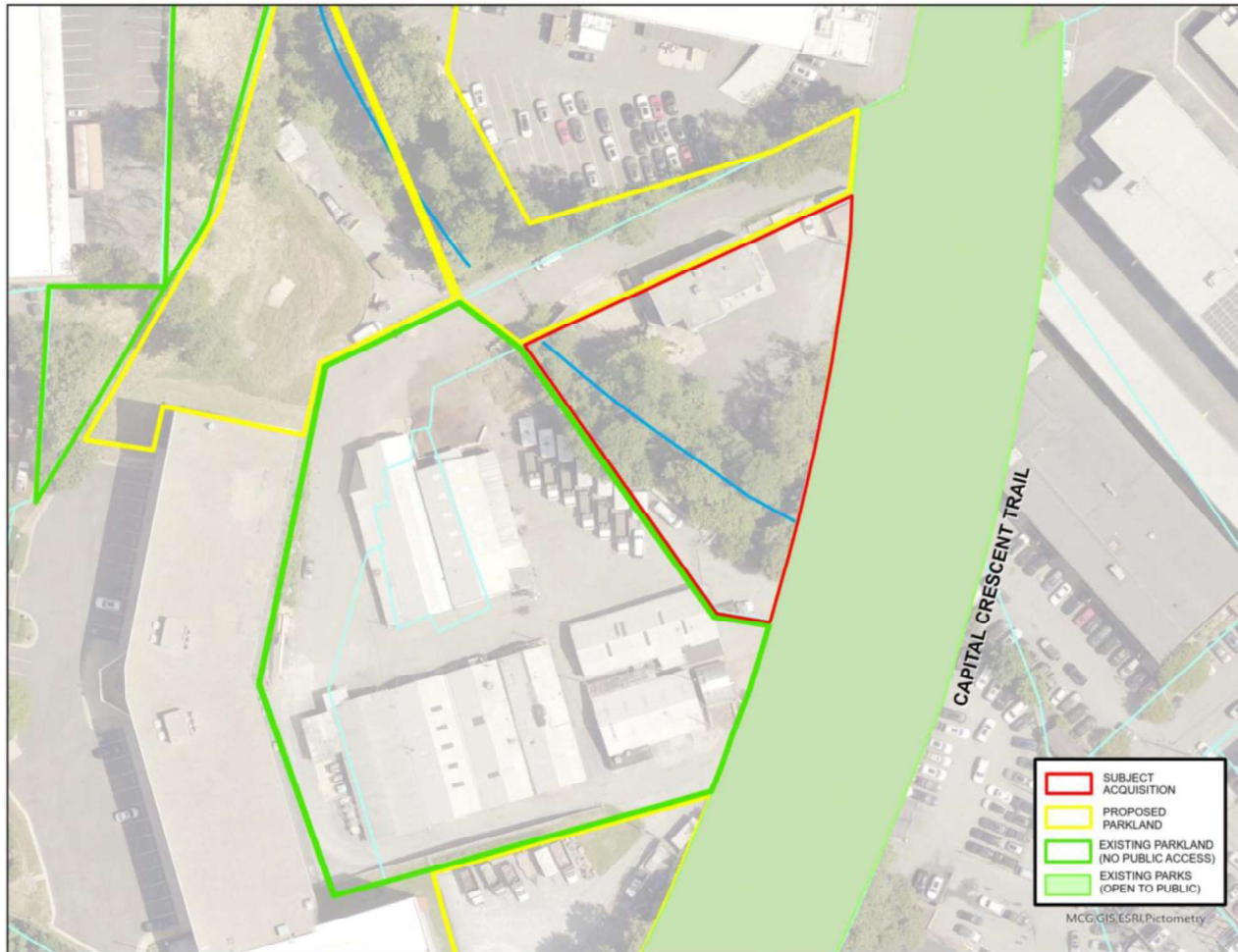


Figure 2: Schnabel Foundation Company property, other Park parcels and Capital Crescent Trail

## MASTER PLAN AND POLICY RATIONALE

This site was identified to create an important new park that supports the goals and objectives in many adopted policies and master plans, including the *2016 Westbard Sector Plan*, *2022 PROS Plan*, *Legacy Open Space Functional Master Plan*, *Energized Public Spaces Functional Master Plan*, and the recently updated general plan *Thrive Montgomery 2050*. These planning documents all highlight the importance of parks and open space needs for urban communities to promote healthy living through diverse recreation and leisure activities. The acquisition of the subject property is a key step in implementing the vision and goals in these plans as described below.

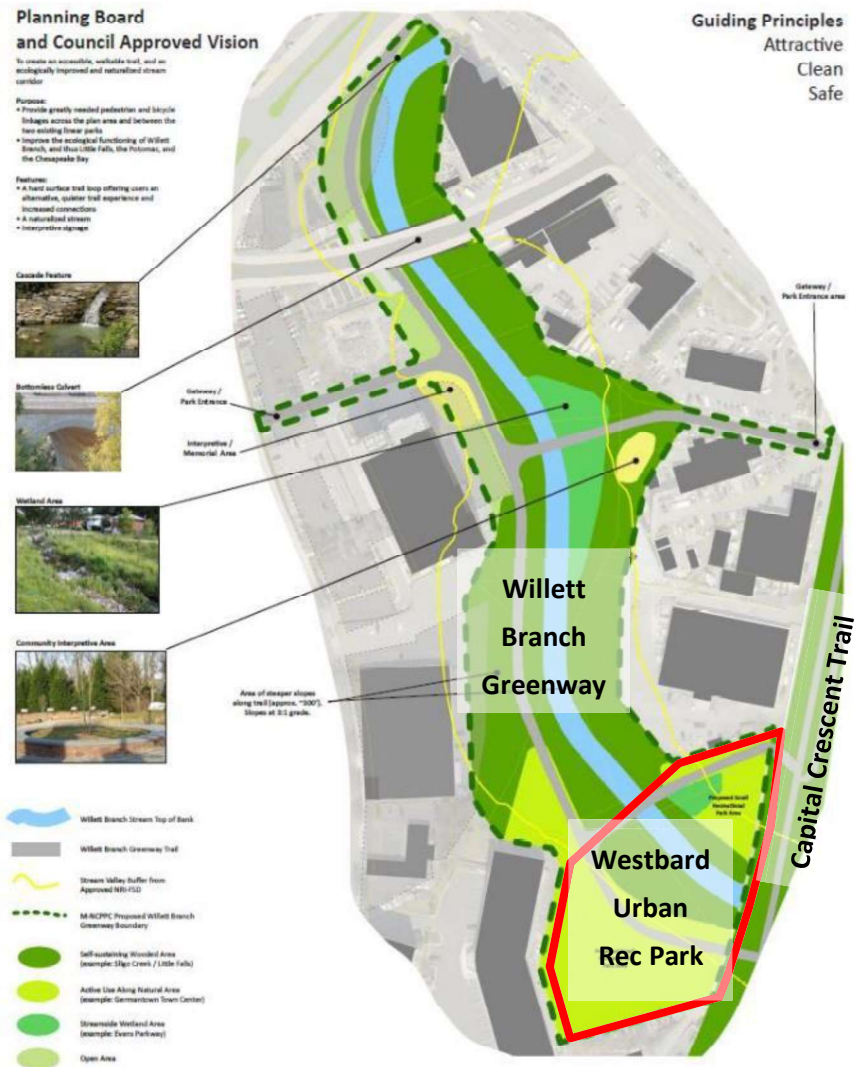


Figure 3: Willett Branch Greenway and Westbard Urban Recreational Park, Westbard Master Plan Vision

**Westbard Sector Plan, 2016**

One of the core park and open space recommendations in this recent sector plan is to create a Countywide Urban Recreational Park at the intersection of the Willett Branch and the Capital Crescent Trail. The park will serve as a gateway to the proposed Willett Branch Urban Greenway and a destination along the Capital Crescent Trail. The proposed park will be designed for active recreation to serve the residents and workers from the surrounding neighborhoods and may include facilities such as sport courts, skate spots, playgrounds, lawn areas, or other recreation facilities. Public input during the week-long Westbard charrette and community meetings frequently mentioned the need for “more active parks”, including requests for skate parks, dog parks and community open space. A major goal for this district of the Westbard Sector Plan is the purchase of these properties to create this recreational park.

### ***Legacy Open Space Functional Master Plan, 2001***

Within the Westbard Sector Plan, both this proposed Countywide Urban Recreational Park and the Willett Branch Greenway were designated as Urban Open Space and Greenway Connection resources in the *Legacy Open Space Functional Master Plan (2001)*. The creation of this recreational park meets several Legacy Open Space criteria, including increasing access to open space in the growing Westbard community and providing interconnectivity of the urban green infrastructure between one of the most important trail corridors in the County and the growing Westbard community.

### ***Energized Public Spaces Functional Master Plan, 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.

### ***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.

## **PARK CONCEPT**

Three parcels were identified to create the new Westbard Urban Recreational Park that will be approximately 2.4 acres in size. Two properties were acquired in 2019 that are about two-thirds of the future park and the acquisition of this Schnabel Foundation parcel will complete the minimum land acquisition necessary for the recreational park.

As described in the Westbard Sector Plan, this park will serve two main purposes. First, it will serve as a gateway to the proposed Willett Branch Greenway, linking the Capital Crescent Trail (CCT) with the Greenway’s naturalized stream sections and landscaping, recreation trail, and existing and new developments within Westbard. The second purpose is to provide additional recreation amenities to serve the local community, users of the CCT and other visitors from outside the immediate area. Potential amenities could include a skate spot, multi-age play area, fitness equipment, and open unprogrammed lawn areas; the actual park design will be determined during the Facility Planning process with broad community input.

## **OPERATING BUDGET IMPACT (OBI) & START UP COSTS (CIP)**

Development of this recreational park along the Willett Branch Greenway will be implemented in phases over time due to the need for additional land acquisition upstream, the complex engineering required to naturalize sections of the Willett Branch, and the need for design and construction capital funds.

During the two-year post-closing period (2024-2026), the Seller will occupy the property and remain fully responsible for maintenance and operations, resulting in minimal impact to Park staff operating budgets. This two-year period provides a window for Parks to plan and budget for building demolition and site cleanup to occur at the end of the reservation term, resulting in a simple interim park condition.

The next phase is to conduct site demolition and cleanup, resulting in an interim park condition that will primarily consist of turning this industrial site into a stable, grassed piece of land that is safe for casual public uses next to the Capital Crescent Trail. Capital funds in the Legacy Open Space PDF are expected to be the primary fund source for demolition and stabilization. Operating expenses (OBI) during the interim condition phase will be minimal to maintain the site as unprogrammed open space and provide police monitoring, as necessary.

Costs to design and build the ultimate park on this site will be determined during the Facility Plan process and then requested in the capital budget. OBI for the management of this new park will be highly dependent on the final design for the site as determined during Facility Planning, so cannot be estimated at this time.

## **CONCLUSION**

Real Estate Management staff are pleased to bring this acquisition to the Planning Board for approval to implement the parks vision in the Westbard Sector Plan.

CC: Trish Swann  
Darryl McSwain  
Kenny Black  
Kristi Williams  
Christie Ciabotti  
Shuchi Vera  
Megan Chung

***DRAFT RESOLUTION No. 24-011***

**MCPB No. 24-011**

**Acquisition: 5210 River Road**

**Seller: Schnabel Foundation Company**

**Project: Westbard 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 February 1, 2024, that it approve the acquisition of 5210 River Road, Bethesda, Maryland, legally described as Parcel N352, Lot 1 on Tax Map HM13, Tax ID No. 07-00433967 (“Property”), containing approximately 0.497 acres or 21,657 square feet of land, from Schnabel Foundation Company (“Seller”). The Property is improved with an approximately 4,100 square-foot freestanding commercial building that is currently used by the Seller; and

WHEREAS, the Property meets parkland acquisition criteria to create the Westbard Urban Recreational Park as envisioned in the 2016 Westbard Sector Plan and will provide active recreation facilities, connectivity for trail users and the local community, and a gateway to the rest of the proposed Willett Branch Greenway that will include trails, landscaping, and naturalization of portions of the stream to create the unique identifying feature of the changing Westbard area; and

WHEREAS, there are sufficient funds available in the Legacy Urban Space capital account, including Legislative Bond Initiatives passed in 2020-2021 to support Willett Branch land acquisition and State Program Open Space grants, to pay the \$2,365,000 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 \$2,365,000, in accordance with a proposed Land Purchase Agreement between the Commission and Seller, is hereby approved by the Montgomery County Planning Board on this 8<sup>th</sup> day of February, 2024 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. 24-011**

**Acquisition of 5210 River Road from Schnabel Foundation Company for the Westbard Urban Recreational Park**

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\* \* \* \* \*

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 \_\_\_\_\_ voting in favor of the motion, at its regular meeting held on Thursday, February 8, 2023 in Wheaton, Maryland.

\_\_\_\_\_  
Artie L. Harris, Chair

APPROVED AS TO LEGAL SUFFICIENCY:

By: \_\_\_\_\_

M-NCPPC Legal Department

Date: \_\_\_\_\_













# MCPB\_2024-02-08\_WestbardRecPk\_Schnabel\_ Open Session

Final Audit Report

2024-02-02

Created:	2024-02-02
By:	Sandra Samuel (Sandra.Samuel@montgomeryparks.org)
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