



MCPB Item # 5
April 11, 2024

MEMORANDUM

DATE: April 5, 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
Andy Frank, Division Chief, Park Development Division (PDD) *andyfrank*

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

SUBJECT: Land Acquisition Recommendation: 4328 Montgomery Avenue, Bethesda
4328 Montgomery Limited Liability Company
6,400 sf, more or less, improved

STAFF RECOMMENDATION

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

Approve MCPB Resolution No. 24-043 for the acquisition of 4328 Montgomery Avenue property for a negotiated purchase price of \$2.56 million to create the new Eastern Capital Crescent Urban Recreational Park, to be funded out of the Park Acquisitions PDF using State Program Open Space grant funds.

A draft of Resolution No. 24-043 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 4328 Montgomery Avenue with eight adjoining properties along Montgomery Avenue (the adjacent property at 4326 Montgomery Avenue is a recent acquisition, six 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 \$2,560,000 with a target settlement prior to the end of May 2024.

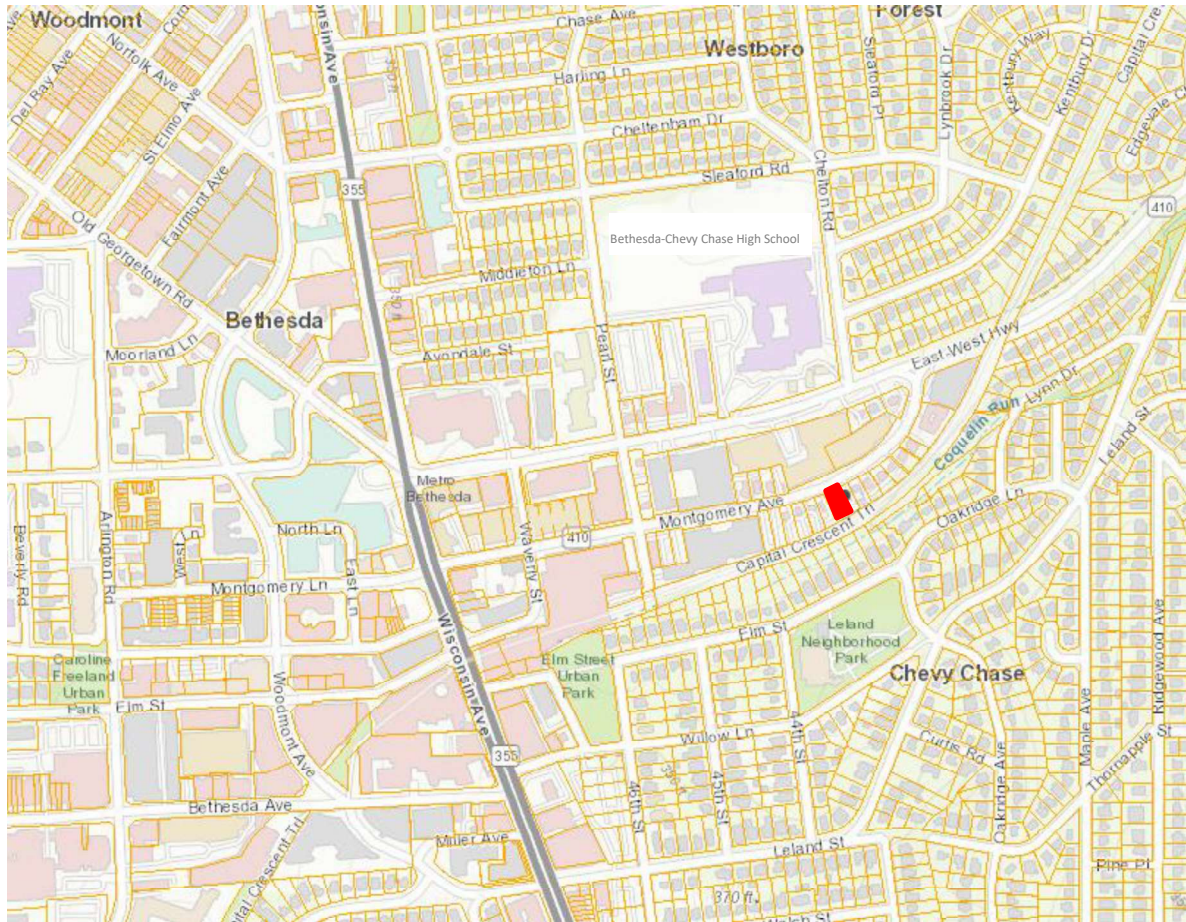


Figure 1: Vicinity map, 4328 Montgomery Avenue, Bethesda, Maryland

PROPERTY DESCRIPTION

The subject property is located at 4328 Montgomery Avenue, identified as Lot 8 in Block 2 of “Imirie’s Subdivision” Plat 631 on Tax Map HN32, Tax ID 07-00425876 and contains approximately 6,400 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 2,217 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 occupied by the seller and a basement office use tenant.

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. Montgomery Parks recently acquired the immediately adjacent property at 4326 Montgomery Avenue and 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 six additional properties within the future park boundary to create a contiguous site for park development.

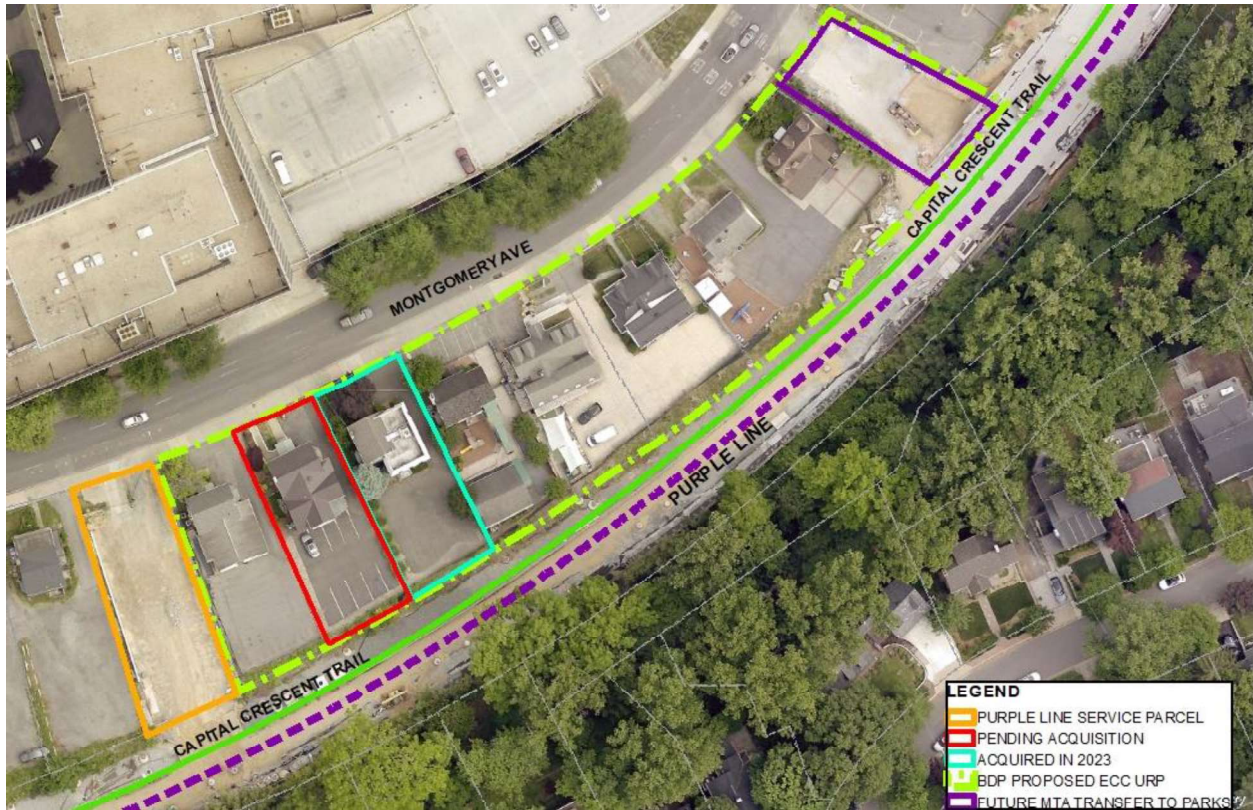


Figure 2: 4328 Montgomery Acquisition, Future Park Boundary, Recent Acquisition, and MTA Properties



Figure 3: 4328 Montgomery Avenue, Front View



Figure 4: 4328 Montgomery Avenue, Rear View

POLICY RATIONALE AND PUBLIC BENEFIT

The purchase of the subject property combined with 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.

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.

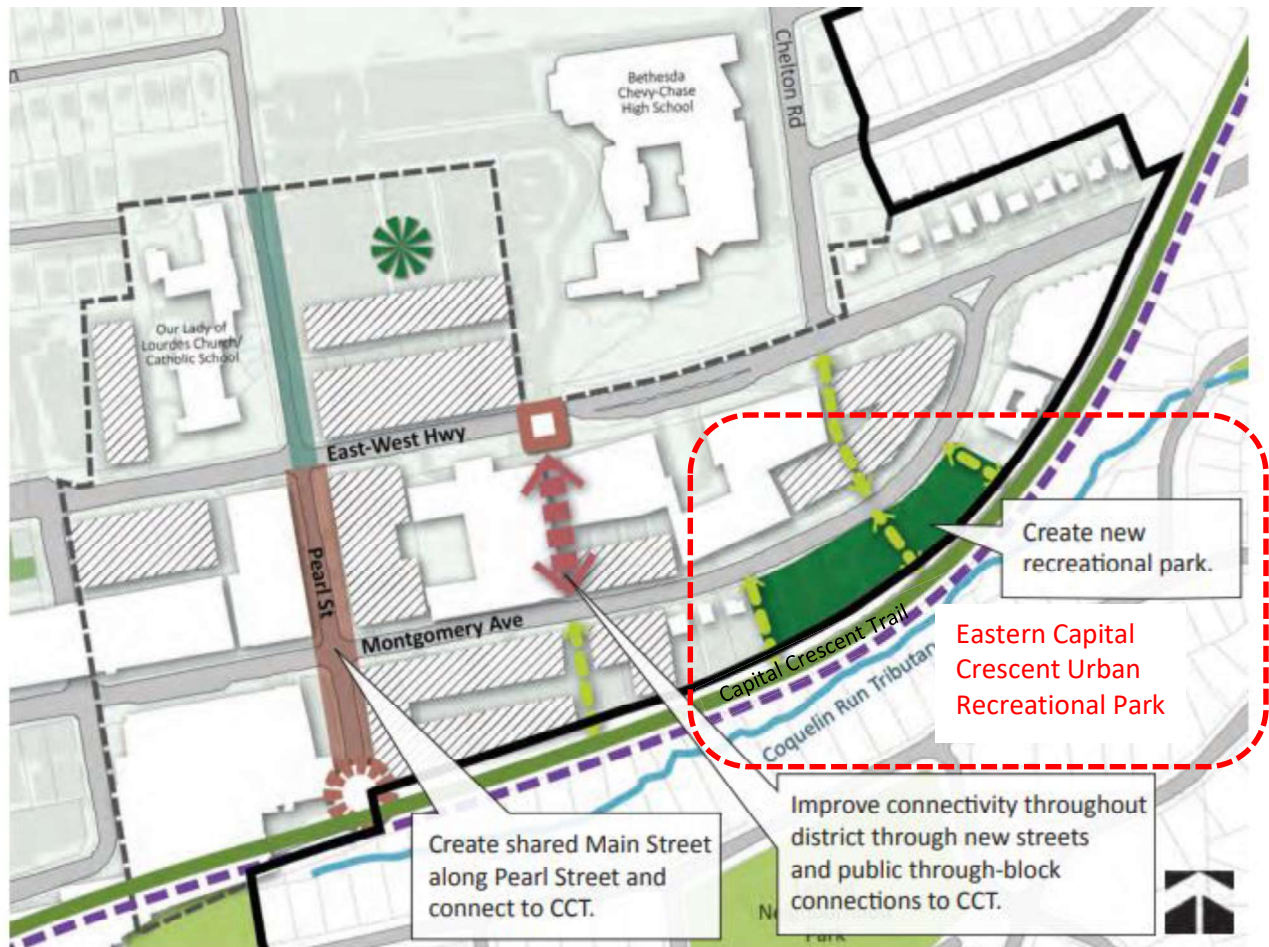


Figure 5: Pearl District Public Realm Recommendations, Bethesda Downtown Plan 2017

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. See Figure 6 showing proximity of Eastern Capital Crescent URP to downtown Bethesda and other parks along the Capital Crescent Trail.



Figure 6: Downtown Bethesda Aerial View with Eastern Capital Crescent URP Location

FUTURE 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 of 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 Preliminary Program of Requirements for the future development of the park when all land acquisition is completed.

OPERATING BUDGET IMPACT (OBI) & START UP COSTS

Upon property acquisition, Parks intends to assume the current basement tenant's lease and lease the upper floors of the building to other office tenants. 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 until building demolition (maximum of five-years per POS funding requirements), so no additional OBI is anticipated for the initial years after acquisition.

Costs for building demolition and development of a minimal interim park condition will be funded using aggregated revenues during the leasing period and/or developer contributions to the Bethesda Park Impact Payment (PIP) PDF. Operating Budget Impacts for the interim park condition will be addressed through future operating budget requests.

While converting this property into an urban recreational park is a priority for downtown Bethesda, development of the full park is dependent upon future land acquisition and the completion of the Capital Crescent Trail along the Purple Line, currently scheduled for 2027-2028. After acquisition of this second lot, purchase of other Montgomery Avenue properties within the future park boundary will be pursued relative to other acquisition priorities elsewhere in the County, with particular focus on equity areas.

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 the ultimate park condition will be addressed through future operating budget and CIP requests. Developer contributions to the Bethesda Park Impact Payment PDF 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 4328 Montgomery Avenue in Bethesda will be the second acquisition for the creation of an urban recreational park that will provide active park amenities along the Capital Crescent Trail and within the dense downtown of Bethesda.

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



MCPB No. 24-043

Acquisition: 4328 Montgomery Avenue, Bethesda, MD

Seller: 4328 Montgomery Limited Liability Company

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 April 4, 2024, that it approve the acquisition of 4328 Montgomery Avenue, Bethesda, Maryland, 20814, identified as Lot 8, Block 2, Plat 631 on Tax Map HN342, Tax ID No. 07-00425876 (“Property”), containing approximately 6,400 square feet of land, from 4328 Montgomery Limited Liability Company, a Maryland limited liability company (“Seller”). The Property is improved with an approximately 2,200 square-foot freestanding commercial building that is currently occupied by the seller and a basement office tenant; 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 Park Acquisitions account to pay the \$2,560,000 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 \$2,560,000, in accordance with a proposed Land Purchase Agreement between the Commission and Seller, is hereby approved by the Montgomery County Planning Board on this 11th day of April, 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. 24-043

Acquisition of 4328 Montgomery Avenue, Bethesda, MD, from 4328 Montgomery Limited Liability Company for the Eastern Capital Crescent 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 a vote of ___-___; _____ voting in favor of the motion, at its regular meeting held on Thursday, April 11, 2024 in Wheaton, Maryland and via conference.

Artie L. Harris, Chair

APPROVED AS TO LEGAL SUFFICIENCY:

M-NCPPC Legal Department
Date: _____