



MONTGOMERY COUNTY DEPARTMENT OF PARKS

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB Agenda Item: #6

Agenda Date: December 19, 2013

December 10, 2013

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Mary Bradford, Director of Parks
Michael Riley, Deputy Director of Parks

FROM: William E. Gries, Land Acquisition Specialist

SUBJECT: Resolution recommending the purchase of 17.99 acres, more or less, unimproved, from the Chuntung Changchien Revocable Trust, *et al.* by Montgomery County, Maryland with approximately 13.92 acres being an addition to Little Bennett Regional Park and approximately 4.07 acres being right-of-way for Snowden Farm Parkway.

RECOMMENDATION

Staff recommends that the Montgomery County Planning Board approve the attached Resolution recommending that the County execute an Agreement of Sale with the Chuntung Changchien Revocable Trust, *et al.* for the acquisition of 17.99 acres, more or less, unimproved. Approximately 13.92 acres of the property is being acquired as an addition to Little Bennett Regional Park and approximately 4.07 acres of the property is being acquired as road right-of-way for Snowden Farm Parkway. The property is located on the west side of Clarksburg Road, at its intersection with Snowden Farm Parkway in Clarksburg, MD 20871. The property will be acquired for a total purchase price of \$1,595,000.00. The proportionate cost share of the property being acquired as parkland is approximately \$1,234,150 and is being funded by the Commission's FY-14 Non-Local Parkland Acquisition Program. The proportionate cost share of the property being acquired as road right of way is approximately \$360,850 and is being funded by the developer responsible for the construction of Snowden Farm Parkway through the property. Reimbursement for the acquisition of the parkland portion of the property is expected from Maryland's Program Open Space. Details of this recommended parkland acquisition were presented to the Board in closed session on Thursday, December 12, 2013.



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

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RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission ("Commission") is authorized by Maryland Code Annotated, Land Use Article §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, Montgomery County, Maryland (the "County"), has appropriated certain funds from the County's General Obligation Bond proceeds and Maryland's Program Open Space to fund the Commission's Non-Local Park Acquisition Program; and

WHEREAS, the Commission, from time to time, identifies properties that are eligible for acquisition with funds from the Non-Local Park Acquisition Program and recommends that the County acquire such properties with such funds; and

WHEREAS, the Chuntung Changchien Revocable Trust, *et al.* (the "Changchiens") own certain property, identified as Tax Account #02-001-00026948, located in Clarksburg, Maryland, containing a total of 17.99 acres, more or less, unimproved (the "Property"); and

WHEREAS, 13.92 acres, more or less, of the Property meets parkland acquisition criteria as a Non-Local Park, suitable as an addition to Little Bennett Regional Park which serves all of Montgomery County; and

WHEREAS, 4.07 acres, more or less, of the Property meets road right-of-way acquisition criteria for the construction of Snowden Farm Parkway as recommended in the Clarksburg Master Plan and Hyattstown Special Study Area; and

WHEREAS, the Montgomery County Planning Board, on behalf of the Commission, recommends that the County acquire (i) as parkland 13.92 acres, more or less, of the Property from the Changchiens for Little Bennett Regional Park; and (ii) as road right-of-way 4.07 acres, more or less, of the Property from the Changchiens for Snowden Farm Parkway; and

WHEREAS, Miller and Smith at Woodcrest, LLC, a Maryland limited liability company, the developer responsible for the construction of Snowden Farm Parkway through the Property, has agreed to reimburse the County for its proportionate share of the cost of the road right-of-way needed for Snowden Farm Parkway in the approximate amount of \$360,850; and

WHEREAS, sufficient monies are expected to be available in the Commission's Non-Local Park Acquisition Program CIP, funded through Maryland's Program Open Space, upon the

awarding of a Program Open Space grant to be approved by the Maryland Board of Public Works, to pay for the acquisition of the park Property.

NOW THEREFORE BE IT RESOLVED that the Montgomery County Planning Board recommends that the County execute a Land Purchase Agreement to acquire the 17.99 acre Property from the Changchiens using the aforementioned Non-Local Park Acquisition CIP funds, for a total purchase price of One Million Five Hundred Ninety Five Thousand Dollars and 00/100 (\$1,595,000.00) and other valuable consideration; and

BE IT FURTHER RESOLVED that the cost of the Property is to be proportionately shared between the County and Miller and Smith at Woodcrest, LLC, or its designee responsible for the construction of Snowden Farm Parkway through the Property, in order that the County pays for those portions of the Property that are to become part of Little Bennett Regional Park and the developer pays for those portions of the Property that are to become right-of-way for Snowden Farm Parkway.

* * * * *

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, December 19, 2013 in Silver Spring, Maryland.

Françoise M. Carrier, Chair
Montgomery County Planning Board