



MONTGOMERY COUNTY DEPARTMENT OF PARKS
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Agenda Item # 8
MCPB Date: April 10, 2014

DATE: April 3, 2014

TO: Montgomery County Planning Board

FROM: Mike Riley, Deputy Director, Department of Parks **MR**

RE: Transfer of Wheaton Veteran's Urban Park to Montgomery County, Maryland in exchange for air rights to a portion of the Wheaton Town Square that serves as the entry plaza to the new Montgomery Regional Office in Wheaton, Maryland

Staff Recommendation:

Recommend that the Commission authorize the conveyance of fee simple ownership in the 0.67 acre Wheaton Veterans Urban Park to Montgomery County, Maryland in exchange for air rights to a portion of the Wheaton Town Square that serves as the entry plaza to the new Montgomery Regional Office (MRO) headquarters in Wheaton, Maryland .

Background:

According to a Memorandum of Understanding (MOU) dated May 31, 2013 between Montgomery County Maryland and the M-NCPPC, and also according to the Montgomery County Council approved capital project for the Wheaton Redevelopment Program, Montgomery County will fund, design, construct, and deliver a new building for The M-NCPPC to serve as a new MRO headquarters in Wheaton, as a key component of the broader Wheaton Redevelopment Program. The Wheaton Redevelopment Program consists of the new MRO headquarters atop a public parking garage, a privately owned and managed residential building, and a Wheaton Town Square, all located in the heart of the Wheaton CBD next to the Wheaton Metro. M-NCPPC will own the air rights above the land over the County parking garage including the space comprising the MRO headquarters building and that portion of the Town Square that serves as the building entry plaza – from the building entrance to the Reddie Drive right-of-way. As consideration for delivery and ownership of the MRO headquarters building, M-NCPPC agreed to convey the site of its current Montgomery Regional Office at 8787 Georgia Avenue to the County. This action was approved by the Full Commission prior to the execution of the referenced MOU. (A copy of the Commission Resolution is attached.)

Montgomery County is in the process of negotiating with a developer to design and build the new MRO building. In response to a Request for Proposals, the developer proposed a design that

called for the entry plaza in front of the new MRO headquarters bounded by Reddie Drive and Grandview Avenue to serve as an integral component of the new Wheaton Town Square. This component of the Town Square (see Exhibit A) will sit on property owned by the County. The County's Parking Lot District (PLD) will operate a subterranean parking garage under the entry plaza and the headquarters building.

The MOU provided for the development of a subsequent binding agreement to put forth the principal terms and conditions between the County and the M-NCPPC detailing the rights, and obligations of the parties for the development, ownership, and operation the MRO headquarters building and supporting real estate. During negotiation of the binding development agreement with the County, M-NCPPC expressed its desire to have an ownership right to the entry plaza / Town Square component in order to assure unimpeded access to its building, and also to assure that the area served the dual purpose of being an exemplary public open space associated with a Class A headquarters building, as well as being a key component of the Town Square. The County has agreed to provide the air rights for that portion of the Town Square that serves as the building entry plaza in exchange for title to the Wheaton Veterans Urban Park (see Exhibit B). The area included in the air rights is estimated to be 10,350 square feet (0.24 acres), to be more specifically established through a survey.

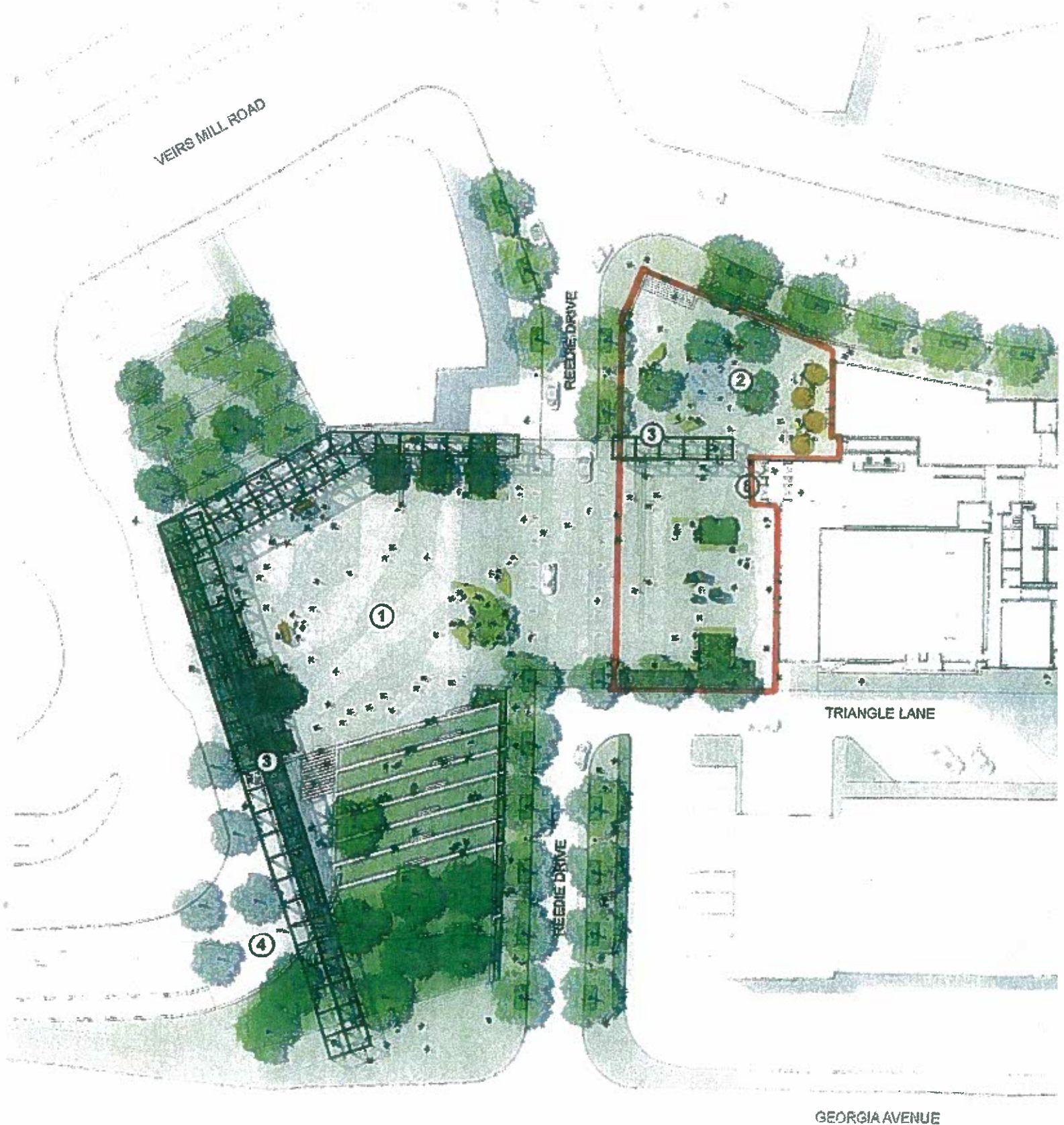
The M-NCPPC is authorized under the Annotated Code of Maryland, Land Use Article, §17-206(b), to exchange land held by it for any other land held by any other public body or agency, which the Commission determines to be more suitable for playground and recreational purposes.

The Department of Parks finds that the entry plaza / Town Square is more suitable for recreational purposes than the Veteran's Park for the following reasons:

1. Whereas the Department of Parks currently maintains the Veteran's Park, it has limited programming opportunity. The County will maintain and program both the Veteran's Park and the Wheaton Town Square, including the entry plaza through the Wheaton Urban District. There will be efficiencies and synergy of a single entity programing and operating these two public spaces in the Wheaton Central Business District.
2. The entry plaza component of the Town Square will be integrated with County and WMATA owned property across Reddie Drive to form the greater Town Square of approximately $\frac{3}{4}$ acre with direct access to the Wheaton Metro station. The entire Town Square will be a highly visible space activated with a water feature, artwork, trees and landscape beds, and benches.

Conclusion:

The Department of Parks recommends that the Planning Board approve this exchange of real estate interests pursuant to Land Use Article, Section 17-206(b). Staff requests the Board's approval of the attached resolution to convey fee simple interest in Wheaton Veterans Urban Park to Montgomery County, Maryland in exchange for air rights of approximately 10,350 square feet (0.24 acres) of the proposed entry plaza component of the Town Square, which portion is located between the front building line the of the new headquarters and the rights-of-way for Reddie Drive and Grandview Avenue. Following the Planning Board's approval of this resolution, it will be presented to the Full Commission for final action.



GEORGIA AVENUE

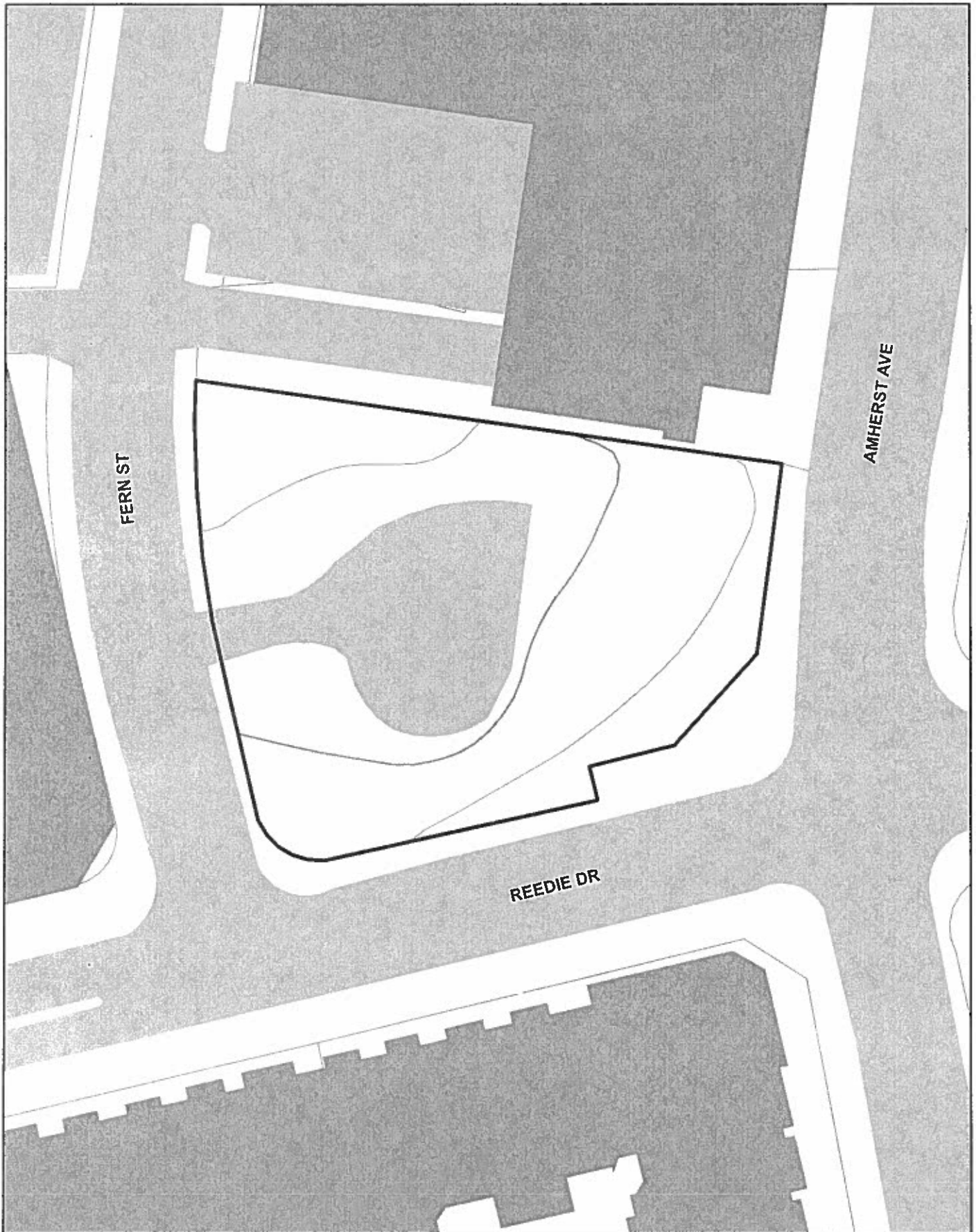
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WHEATON REDEVELOPMENT
ILLUSTRATIVE SITE

Wheaton Veterans' Urban Park

Exhibit "B"

11200 Amherst Ave., Wheaton, MD 20902



Acresage 0.67
Facility Code A20

Region S
Area MB

Date 01-30-2014

