



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

M-NCPPC Item 6g  
Date: 5 / 17 / 2023

## MEMORANDUM

**DATE:** April 11, 2023

**TO:** Maryland-National Capital Park and Planning Commission

**VIA:** Michael F. Riley, Director of Parks  
Miti Figueredo, Deputy Director, Administration  
Gary Burnett, Deputy Director, Operations  
Andrew Frank, Division Chief, Park Development Division (PDD)

**FROM:** Brenda Sandberg, Real Estate Management Supervisor, PDD *BFS*

**SUBJECT:** Land Disposition Recommendation  
7800 & 7810 Wisconsin Avenue, Bethesda  
11,152 square feet, more or less, improved

---

## STAFF RECOMMENDATION

Montgomery Parks Staff requests that the Maryland-National Capital Park and Planning Commission adopt M-NCPPC Resolution No. 23-11 to:

Adopt the Montgomery County Planning Board's finding that the Property is no longer needed for park purposes; approve the disposition and sale of 7800-7810 Wisconsin Avenue to Crescent Acquisitions, LLC, for \$10,300,000 conditioned on final approval by the Commission's Office of General Counsel for all transaction documents in form and substance; and approve the return of the proceeds of the land sale to the Bethesda Park Impact Payment (PIP) CIP project for expenditure on park acquisition and development within the Bethesda Downtown Sector Plan boundary.

A draft of Resolution numbered MCPB No. 23-051/M-NCPPC No. 23-11 is attached to this memo (see [Attachment A](#)). The Montgomery County Planning Board is holding a public hearing to review this resolution for approval on May 11, 2023; the Planning Board certified resolution will be forwarded to the Commission prior to the May 17, 2023, session.

## SUMMARY

The Department of Parks acquired the Goldberg Trusts' properties in 2020-2021 to fulfill the vision for the future Veteran's Park Civic Green in the 2017 Bethesda Downtown Plan. The purpose of the acquisition was to enter negotiations with adjacent and nearby landowners to determine how and

where to provide the Civic Green while supporting redevelopment of adjacent properties through land exchanges or other real estate transactions. After two years of development analysis, coordination with the Planning Department, and negotiation with the adjacent landowners, the Parks Department has determined that it is not physically or financially feasible to create the envisioned Veterans Park Civic Green on this highly constrained urban block. The Parks Department now intends to sell the properties and return the funds to the Bethesda Park Impact Payment CIP to support other priority park projects within the Bethesda Downtown Sector Plan boundary, including other options for this Civic Green. Staff have negotiated a sale to Crescent Acquisitions, LLC, for \$10.3 Million, a price that exceeds the expenditure of Park funds for land acquisition by \$700,000.

*Figure 1: Former Charles H. Goldberg Family Trust & The Bettie Goldberg GST Tax Exempt Trust properties*



## **PROPERTY DESCRIPTION**

The former Charles H. Goldberg Family Trust & The Bettie Goldberg GST Tax Exempt Trust properties are located at the corner of Norfolk and Wisconsin Avenues in the heart of downtown Bethesda (at 7800 and 7810 Wisconsin Ave.). These properties are zoned CR-3.0 with a maximum building height of 225 feet and located within the Bethesda Overlay Zone which provides additional requirements and incentives for certain types of development. The two properties together total 11,152 square feet, a little over one-quarter of an acre.

The two properties were acquired in 2020 and 2021 for \$9.6 Million using funds from the Bethesda Park Impact Payment project in the CIP.

## **ACQUISITION RATIONALE SUMMARY**

These properties were identified as a negotiating asset to create the Veteran's Park Civic Green, an expansion of the existing Veteran's Park to support the goals and objectives in many adopted policies and master plans, including the 2017 Bethesda Downtown Plan, Vision 2030 Strategic Plan for Parks and Recreation, 2017 PROS Plan, and the Energized Public Spaces Functional Master Plan. The intent of acquiring the Goldberg Trusts' properties was to gain "a seat at the table" during development negotiations for the urban block between Woodmont and Wisconsin Avenues directly across Woodmont Avenue from Veteran's Park. See the attached Land Acquisition Memo for Planning Board Item #5, 3/26/2020, for more information about the acquisition rationale.

## **PARK IMPLEMENTATION NEGOTIATIONS**

After acquisition of the Goldberg Trusts' parcels, the Department of Parks entered negotiations with adjacent property owners and developers. Expert consultants were hired to provide economic and development analysis support, including evaluating development potential for the entire block, outlining options to create the new park to meet Parks' needs, conducting financial analyses of various development options (proformas), and assisting with direct negotiations with adjacent property owners.

Over the past three years, Planning Department and Parks Department staff have negotiated with the development consortium controlling the northern half of the block to determine if there was a financially and physically feasible way to create the desired Veteran's Park Civic Green and appropriate redevelopment on this block. Research, analysis, and negotiation steps taken by staff and the consultants included the following:

- Conducted a market analysis, development feasibility analysis, and site test fits to determine options for the proposed park and development on the block.
- Contacted all property owners within any of the potential park locations regarding future plans for their properties.
- Held bi-weekly internal meetings for two years including significant coordination between Parks and Planning.
- Held multiple meetings with the development team for the northern properties to discuss potential building/park layouts.

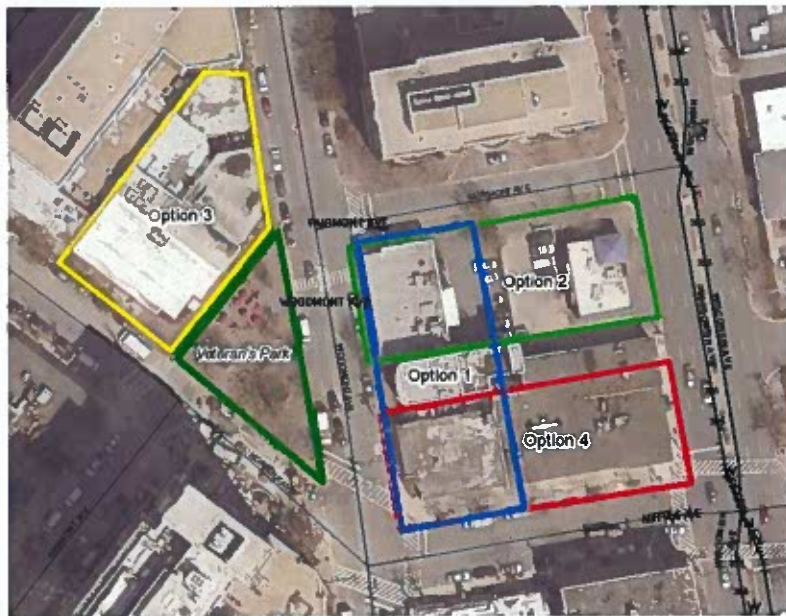
After this extensive period of research, analysis, and negotiation, staff determined that it is not physically or financially feasible to create the envisioned Veterans Park Civic Green on this highly constrained urban block. The Department of Parks recommends that the best path forward is to dispose of the properties to return the investment to Parks for continued pursuit of the envisioned Veterans Park Civic Green and other Bethesda park projects.

## IMPACT OF DISPOSITION ON VETERAN'S PARK EXPANSION

The 2017 Bethesda Downtown Plan identifies the expansion of the existing Veteran's Park (managed by Bethesda Urban Partnership on County DOT ROW) to create a true Civic Green as one of the key park recommendations for this growing downtown. The Bethesda Downtown Plan Design Guidelines (July 2017) provide guidance for implementing the proposed Civic Green. The Design Guidelines also indicates that the exact location of the Civic Green is not yet determined and the vision for this park could be realized on several sites. The Design Guidelines identified four potential locations where the Civic Green could be created, mapped on Figure 2.

While the work over the past two years has resulted in a determination that it is infeasible to create the envisioned park on Options 1, 2, 4, or a hybrid location on that block, Option 3 remains a viable alternative for creating a larger Civic Green to serve the Woodmont Triangle district. To implement that option, the Parks Department will pursue acquisition of land to create the Veteran's Park Civic Green at the remaining feasible location.

*Figure 2: Potential Locations for Veteran's Park Civic Green, Bethesda Design Guidelines, 2017*



## DISPOSITION VALUATION

Staff have reached agreement to sell the 7800-7810 Wisconsin parcels for \$10.3 Million to Crescent Acquisitions, LLC, a development group with plans to develop a residential building on several parcels adjacent to the Commission parcels. The negotiated price is a \$700,000 increase over the Commission's purchase price established in 2020 and is in alignment with the current appraised value. This agreement will allow Parks to recoup not only the \$9.6 Million spent to acquire the property but also cover all amounts expended on settlement costs and building maintenance during the Commission's period of ownership. Proceeds from the sale will be returned to the Bethesda Park

Impact Payment (PIP) capital account for use on priority projects within the Bethesda Downtown Plan boundary, including funding acquisition for the Veteran's Park Civic Green on the Option 3 location.

## **CONCLUSION**

The acquisition of these properties was a creative attempt to overcome a difficult real estate situation to implement the envisioned Veteran's Park Civic Green. That attempt has been pursued to the extent possible; it is now time to move on to an alternative route to best support recommendations for new and improved public parks in downtown Bethesda, including pursuing the Veteran's Park Civic Green in the most feasible location.

The Montgomery County Department of Parks seeks Commission approval of M-NCPPC Resolution 23-11 to move forward with disposition of the 7800-7810 Wisconsin Avenue properties.

CC: Darren Flusche  
Trish Swann  
Darryl McSwain  
Kenny Black  
Kristi Williams  
Shuchi Vera  
David Vismara  
Megan Chung  
Tanya Stern  
Robert Kronenberg  
Elza Hizek-McCoy

**Attachment A**

**Draft M-NCPPC Resolution 23-11**



**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**

6611 Kenilworth Avenue • Riverdale, Maryland 20737

**MCPB No. 23-051  
M-NCPPC No. 23-11**

**Disposition of 7800-7810 Wisconsin Avenue, Bethesda MD 20814**

**RESOLUTION**

WHEREAS, the Maryland-National Capital Park and Planning Commission (“**Commission**”) is authorized under the Md. Code, Ann., Land Use, §§ 17-205, to dispose and transfer land held by it when the Commission determines such land is no longer needed for park purposes; and

WHEREAS, the Commission holds fee simple title to two parcels of property known as 7800 Wisconsin Avenue, Bethesda, Maryland 20814, and 7810 Wisconsin Avenue, Bethesda, Maryland 20814, containing approximately 11,152 total square feet of land, improved, recorded among the Land Records of Montgomery County at Liber 59638 folio 257 (Tax Account No. 07-00551018) and at Liber 64233 folio 481 (Tax Account No. 07-00551667) (collectively, the “**Property**”); and

WHEREAS, following review and analysis of the Property and negotiation between the Commission and Crescent Acquisitions, LLC, (“**Buyer**”) for the sale of the Property for a price of \$10,300,000, the said staff issued a memorandum (“**Staff Report**”) to the Montgomery County Planning Board (“**Planning Board**”), dated May 3, 2023, setting forth its analysis and recommendation for the disposal and sale of the Property; and

WHEREAS, on May 11, 2023, the Planning Board held a public hearing at which the Planning Board heard testimony and received evidence submitted for the record and voted to recommend that the Commission approve the disposition and sale of the Property by the vote certified below; and

NOW, THEREFORE, BE IT RESOLVED that, subject to the conditions set forth in the Staff Report, the Planning Board has determined that the Property is no longer needed for park purposes, and that the proceeds from the sale of the Property will be returned to the Bethesda Park Impact Payment CIP project to be used for future parkland acquisition and development purposes; and

BE IT FURTHER RESOLVED that, the Planning Board hereby recommends that the Commission approve the disposition and sale of the Property from the Commission to Buyer conditioned on final approval by the Commission's Office of General Counsel for all transaction documents, including any sale and purchase agreement, for the disposition and sale of the Property in form and substance (collectively, the "Agreement").

BE IT FURTHER RESOLVED that, the Commission hereby adopts the Planning Board's finding, accepts the Planning Board's recommendation, and approves the disposition and sale of the Property on this 17th day of May, 2023 and the Executive Director is authorized to execute said Agreement on behalf of the Commission.

\* \* \* \* \*

**CERTIFICATION**

This is to certify that 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 Hedrick, seconded by Commissioner Bartley, with a vote of 3-2, with Commissioners Hedrick, Bartley, and Pedoeem voting in favor, and Chair Zyontz and Vice Chair Piñero voting in opposition, at its regular meeting held on Thursday, May 11, 2023, in Wheaton, Maryland and via video conference.

  
Jeffrey Zyontz, Chair  
Montgomery County Planning Board

**APPROVED AS TO LEGAL SUFFICIENCY:**

By: Megan Chung 5/15/23  
M-NCPPC Legal Department Date

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of Resolution 23-11 adopted by the Maryland-National Capital Park and Planning Commission on motion of Vice Chair Zyontz, seconded by Commissioner Geraldo, with Commissioners Branson, Bailey, Doerner, Geraldo, Hill, Presley, Shapiro, Washington and Zyontz voting in favor of the motion, and Commissioner Piñero being absent for the vote, at its regular meeting held on May 17, 2023, virtually and in person at the Prince George's Department of Parks and Recreation Auditorium in Riverdale, Maryland.

  
Asuntha Chiang-Smith  
Executive Director