



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

March 20, 2012

David Dise, Director
Montgomery County
Department of General Services
101 Monroe Street 9th Floor
Rockville, MD 20850

SUBJECT: Brickyard Road

Dear Mr. Dise:

We recently received copies of the following documents (attached):

1. A copy of your testimony to the March 8, 2011 meeting of the Board of Education.
2. An email dated March 25, 2010, from you to Cynthia Brenneman.

Both documents allude to a meeting on March 5, 2010 at this office at which the Brickyard site was discussed. Participants were Rose Krasnow, Development Review Division Chief, Callum Murray, Team Leader for the Potomac Subregion, David Dise, Director of the Department of General Services, and other Montgomery County officials whose names we unfortunately do not recollect.

We do agree that the referenced meeting took place. There was no formal agenda, and no minutes were kept. The meeting was over 2 years ago, and there was no subsequent meeting. You indicated that you were exploring a change of use for the site to recreational use (ball fields). At your request, we outlined the Master Plan history of the site. As we always do with either the public or private sector, we emphasized that it was important to have a dialogue with local citizens (in this case, Brickyard Road citizens and the West Montgomery County Citizens Association) before any decisions were formalized, and that public reaction to agenda items or notices without public input would be overwhelmingly negative.

No plans or sketches were presented at the March 5, 2010 meeting, or since, and planning staff were not informed of your planned process. We were not informed regarding the proposed lease from the Board of Education. We were given no information regarding the entity to develop and control the property. Executive staff presented no traffic study, no environmental report, no storm water management concept, no parking study, no timetable for a sewer category change, or any written or graphic exhibit of any kind. We were therefore taken aback to read that you wrote "They're O.K. with it," and twelve months later testified that "MNCPPC staff did not raise any concerns at that time giving pause to this project." On the contrary, we

specifically made it clear that we thought the idea would be deeply unpopular. In our humble opinion, that should have sufficed to give "pause."

To suggest that two senior planning staff with a total of over sixty years of development review experience would blithely state we were "O.K. with it," or "did not raise any concerns giving pause to this project" when we were shown absolutely nothing is, respectfully, a bit of a stretch. Such decisions are within the purview of the Planning Board, and perhaps the Board of Appeals. But we were not given enough information to assess the appropriate process for review.

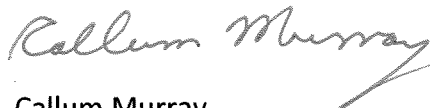
Maryland law is quite clear that before the Board of Education is authorized to change the use of its property, it must submit its proposal to the Planning Board for mandatory referral review. And in this case, if the County is proposing to construct a public park or facility, the County is also required to submit its proposal to the Planning Board for mandatory referral review of that project. We understand that the County Attorney has confirmed that position. In the event the park or facility is proposed for private use, the Board of Appeals would need to consider whether such use is appropriate as a special exception.

We would be obliged if you would correct the record with the Board of Education. Otherwise, we will do so.

Sincerely,

A handwritten signature in cursive script that reads "Rose Krasnow".

Rose Krasnow
Area 1 Division Chief

A handwritten signature in cursive script that reads "Callum Murray".

Callum Murray
Master Plan Supervisor
Area 3

Attachments

Montgomery County Board of Education
Meeting of March 8, 2011

Good afternoon President Barclay and board members. My name is David Dise and I am director of Montgomery County's Department of General Services. It is my pleasure to speak with you today to discuss Montgomery County government leasing the 20 acre Montgomery County Public School site at Brickyard Road for the purpose of placing soccer fields at the site.

First, I want to clarify, that the Board of Education is considering a lease between the Board of Education and the County. Once approved, it is the County's intent to contract with a private operator to design, construct and operate soccer fields for public use. This contract will be awarded following a thorough public input process, drafting and advertising of a Request for Proposals, and negotiation of a contract that captures the operating requirements and safeguards community interests.

The opportunity for public input on the RFP will occur prior to the County issuing the solicitation. The resulting contract will not permit artificial turf, lighted ball fields, or public address systems. The operator will be required to maintain the fields to a high quality in keeping with FIFA standards, and minimize impact to neighboring properties. It will be clear that the property can be reclaimed by the Board for school use.

The operator will have to go through the site plan review process, which also requires a public input process.

During the discussion of the Potomac Sub-Region Master Plan the use of this site was subject to much discussion. In the final plan adopted in 2002 if the site is not used for a school it should be used for ball fields or other recreational purposes. Therefore, the Executive's plan to enter into a public private partnership to accomplish this goal is appropriate and ensures this public land is used for a public benefit.

Furthermore, Park and Planning's 2005 Parks Recreation Open Space Plan plan references the need for more multipurpose rectangular fields, especially in the Down County. Specifically, it calls for the need for 73 more multipurpose rectangular fields across the county, with over 40 of these in the down county.

* County staff met previously with Planning staff to discuss development of this site for recreational fields. MNCPPC staff did not raise any concerns at that time giving pause to this project.

We understand the community's desire to leave this property as it is, but given the tremendous need for ball fields throughout the County, particularly in the down county, this site is one of the few where this makes sense and is master planned for that purpose. We will gladly take input as we finalize the RFP and look forward to working with the community throughout this process.

Brenneman, Cynthia

From: Dise, David E.
Sent: Thursday, March 25, 2010 5:01 PM
To: Brenneman, Cynthia
Subject: RE: Brickyard Road

did that...they're OK with it

David Dise
Director, Department of General Services
Montgomery County, MD
40-777-6191
david.dise@montgomerycountymd.gov

-----Original Message-----

From: Brenneman, Cynthia
Sent: Thursday, March 25, 2010 4:58 PM
To: Dise, David E.
Subject: RE: Brickyard Road

This was the one where we were supposed to meet with P&P before we met with Joe again. I think he requested it because he wants to make sure P&P will "allow" the use and what the conditions would be. CB

-----Original Message-----

From: Dise, David E.
Sent: Thursday, March 25, 2010 4:55 PM
To: Joe Lavorgna
Cc: Brenneman, Cynthia
Subject: Brickyard Road

Joe,

We need to talk about a long term lease agreement on the MCPS Brickyard Road property. I believe you are familiar with the county's interest in leasing this parcel for public athletic field use. Please let me know when you are available to meet.

David

David E. Dise
Director, Department of General Services
Montgomery County, MD
101 Monroe Street
Rockville, MD 20850
240-777-6191
david.dise@montgomerycountymd.gov