



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

MCPB
Item No. 12
April 12, 2007

MEMORANDUM

DATE: March 30, 2007

TO: Montgomery County Planning Board

VIA: Dan Hardy, Supervisor *DKH*
Transportation Planning

FROM: David Paine, Coordinator (301) 495-2191 *DP*
Transportation Planning

SUBJECT: Abandonment Cases:
AB 690 - Douglas Avenue
AB 691 - Evans Drive
AB 692 - Gardiner Avenue
Carroll Knolls Subdivision, Kensington/Wheaton Policy Area

This memorandum is staff's review of a request for Planning Board comments on the proposed abandonment of portions of Douglas Avenue, Evans Drive and Gardiner Avenue. The abandonment request is associated with a rezoning application (G-858) to redevelop adjacent parcels with townhomes.

RECOMMENDATION

Staff recommends that the Planning Board **support approval** of the proposed abandonment with the following conditions:

1. The proposed abandonment does not take effect until recordation of a plat reflecting the incorporation of the right-of-way into lots. In order to so incorporate the right-of-way into lots, the applicant is required to record a plat in land records pursuant to Chapter 50 of the County Code.

2. At the time of plat recordation, the area of Douglas Avenue to be abandoned shall retain a 20-foot-wide public easement to connect Douglas Avenue and Lillian Road. Any future development including the abandoned right-of-way area will be required to construct a shared-use path within this easement.

DISCUSSION

The proposed abandonment is referred by the Department of Public Works and Transportation (DPWT) for comment per Section 49-62 of the Montgomery County Code. The DPWT memo describing the proposed abandonment AB 690, AB 691, and AB 692, is included as Attachment 1.

The right-of-ways to be abandoned are entirely within the Carroll Knolls subdivision. Concurrent with the abandonment request, the applicant for the abandonment filed to request rezoning of the property to the RT-12.5 zone. The applicant proposes to redevelop the Montgomery College of Art and Design property with a residential project to include approximately 27 townhomes (Case No. G-858).

Abandonment Cases AB 691 and AB 692 (portions of Evans Drive and Gardiner Avenue) are not visibly in public use. Evans Drive has an existing 100-foot right-of-way. The 20 feet of area along the frontage may be abandoned without losing any functionality of the roadway. The portion of Gardiner Avenue to be abandoned serves little purpose if Douglas Avenue is also abandoned. Access to lots 5 and 18 would remain from existing Gardiner Avenue. WSSC sewer lines cross portions of the area proposed for abandonment. The applicant proposes to relocate the sewer lines as part of the pending redevelopment case. Comments from WSSC on the abandonment petition have been solicited by DPWT independent from the Planning Board comments.

Connectivity

Douglas Avenue shows evidence of public use in the form of an informal footpath and it forms a logical desire line in the transportation network connecting the Carroll Knolls subdivision to the Plyers Mill Estates subdivision directly to the north. Generally, transportation networks benefit from connectivity. Connectivity allows more choices for travel routes and shorter distances for all modes, reducing vehicle miles traveled and travel time. In the suburban environment characteristic of the area of abandonment, an opportunity to forgo future connectivity represented by the abandonment of Douglas Avenue (AB 690) is not normally recommended. But in this case, existing connectivity will not be reduced because the existing rights-of-way are not constructed and vehicles are not using them. Access between the two subdivisions is provided by another north/south vehicular route composed of Haywood Drive and Hunting Place, approximately a quarter-mile west of Douglas Avenue. To ensure future connectivity for non-motorized traffic, we propose to maintain an easement between Douglas Avenue and Lillian Road to formalize the existing informal pathway.

While the Department is discussing the form that future connectivity needs may take as part of the "Centers, Boulevards and Public Spaces" discussion, we do not yet have policy guidance from that effort that would suggest that Douglas Avenue should be maintained for more than pedestrian use in the future.

As an additional consideration, portions of the area to be abandoned contain wetlands that would be impacted by a standard roadway connection. The subject area is less than 40,000 square feet and, therefore, Environmental Planning staff finds that the forest conservation law does not apply.

We find that with the conditions described above, the public right-of-way proposed for abandonment is not needed for present or anticipated future public use and no landlocked parcels will be created.

DP:mj
Attachments

Cc: Michael Cassedy
Fred Boyd
Sandra Youla

AB690 AB691 AB692 mmo.doc



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OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

February 21, 2007

Mr. Royce Hanson, Chairman
Maryland-National Capital Park and
Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

RE: Request for Comments on Proposed Abandonments
AB690 – Douglas Avenue
AB691 – Evans Drive
AB692 – Gardiner Avenue
Carroll Knolls Subdivision, Wheaton/Kensington Area

Dear Mr. Hanson:

The purpose of this letter is to request M-NCPPC comments on the proposed abandonments of portions of Douglas Avenue (AB690), Evans Drive (AB691), and Gardiner Avenue (AB692) in the Carroll Knolls Subdivision in the Wheaton/Kensington area. The request for the abandonments was made by Holland & Knight on behalf of its client, Kaz Brothers L.C., the Applicant and is associated with the Applicant's residential project for 27 town houses. For your reference I have enclosed a copy of the Applicant's request along with other information concerning this matter.

I would greatly appreciate receiving your comments by April 19, 2007.

If either you or your staff need additional information or have questions, please call me at 240-777-7254.

Sincerely,

Mike Cassedy
Michael S. Cassedy

Enclosures

Property Acquisition

101 Monroe Street, 10th Floor • Rockville, Maryland 20850 • 240-773-3410 • 240-777-7259 FAX
www.montgomerycountymd.gov

NOTICE

PUBLIC HEARINGS ON THREE (3) ABANDONMENTS

MONTGOMERY COUNTY, MARYLAND

AB690 Douglas Avenue

AB691 Evans Drive

AB692 Gardiner Avenue

These are contiguous rights-of-way in the Carroll Knolls Subdivision of Kensington, Maryland. The abandonments are associated with a residential development plan for 27 town houses.

Please identify to which of the three (3) rights-of-way your comments pertain or if they pertain to all.

Date of public hearings (to be held sequentially):

10:30 a.m. on Thursday, April 19, 2007

Executive Office Building, Lobby Auditorium

101 Monroe Street, Rockville, Maryland 20850

The record will remain open at least two (2) weeks after that date.

If possible, please send your comments to me by April 19, 2007.

**Mike Cassedy
Department of Public Works and Transportation
101 Monroe Street, 10th Floor
Rockville, Maryland 20850**

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Exhibit "B"