



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

MCPB 10/23/08
Item No. __

October 8, 2008

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Larry Cole, Highway Coordinator **LC**
Transportation Planning

FROM: David Paine, Planner/Coordinator (301) 495-4525 **DP**
Transportation Planning

SUBJECT: Abandonment Request No. AB-717
Abandonment of a Portion of Unimproved Evans Parkway
Northbrook Estates Subdivision, Silver Spring
Kensington/Wheaton Policy Area

APPLICANT: Department of Parks

RECOMMENDATION

The Planning Board should convey a recommendation for **approval of the request for abandonment** to the Montgomery County Department of Transportation (MCDOT).

DISCUSSION

This memorandum presents Transportation Planning staff's review of the Department of Parks' request for abandonment of an unimproved portion of Evans Parkway in the Northbrook Estates Subdivision, Silver Spring. The purpose of this review is to present the Planning Board with a recommendation on the subject request by the Applicant and to request Board approval to transmit the recommendation to MCDOT for a Public Hearing to be held by the County Executive's office on Monday, October 20, 2008. As this is a Department of Parks proposal, we will be reporting testimony given at that hearing to the Planning Board on the 23rd. The Hearing Examiner record is open for two weeks after the 20th and the Planning Board comments will be entered into their record in time for consideration for County Council action.

The subject section of the Evans Parkway right-of-way is located within the Kensington/Wheaton Policy Area at its intersection with Clinton Avenue and Etna Place. The right-of-way is approximately 5,331 square feet in area in a triangular shape and stands unimproved as a roadway. The area functions as part of Evans Parkway Neighborhood Park and is bordered to the north by a play structure, to the south by the roadway and the remaining right-of-way of Evans Parkway, to the east by a stormwater culvert, and to the west by a parking area that serves the park. An asphalt walkway leads from Evans Parkway to the play area. Evans Parkway is built to the roadway dimensions of a Secondary Residential Street, although sidewalks are absent in this section of road.

Single family detached lots front on the south side of the segment right-of-way of Evans Parkway to remain (shown on Attachment 1). No changes are proposed to the roadway and access to these homes would not be changed.

A street network map showing the site location is shown in Figure 1. A more detailed site map is shown as Attachment 1. The referral from the County Executive's office for abandonment request AB-717 is included as Attachment 2.

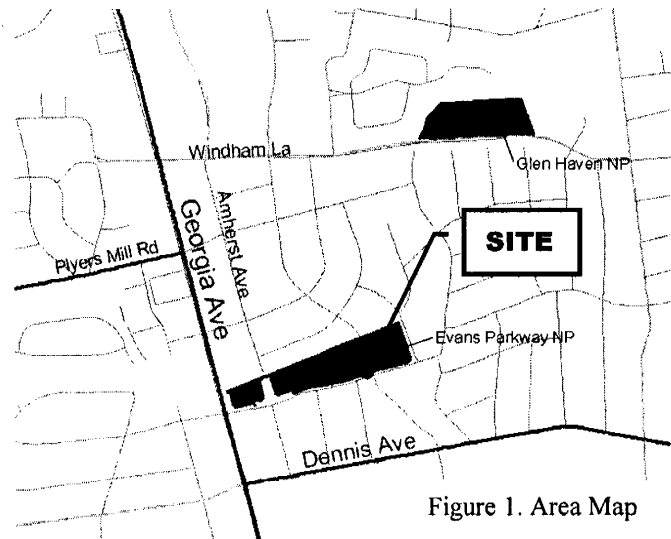


Figure 1. Area Map

FINDINGS

We support the request by the applicant to abandon this segment of Evans Parkway.

Evans Parkway will remain as a secondary residential road connection between Georgia Avenue and Dennis Avenue and its function would not be changed as a result of this abandonment. We would approve of this parcel becoming part of the park, and look forward to the installation of sidewalk along the park frontage, consistent with county design standards for a Secondary Residential Street. A local shared use path is also planned to connect Evans Parkway to Bucknell Drive through the park. That path is being implemented as part of the Evans Parkway facility plan process.

We find that this area of right-of-way meets section 49-63(c)(1) of the county Road Code since “the right-of-way is no longer necessary for present public use or anticipated public use in the foreseeable future.” We therefore recommend that the Planning Board should convey a recommendation for **approval of the request for abandonment** of a portion of Kensington Boulevard to the Montgomery County Department of Transportation (MCDOT).

DP:tc
Attachment

cc: Mike Cassedy
Sandy Tallant
Cathy Conlon

AB 717 : Evans Parkway



Area Proposed for Abandonment

Evans Parkway Neighborhood Park

Map Compiled On 10-07-2008 at 02:39 PM
Map Scale: 1 inch = 150 feet or 1:1800

0 150 Feet



The Maryland-National Capital Park and Planning Commission
 Montgomery County Department of Park and Planning
 Transportation Planning Unit
 8787 Georgia Avenue | Silver Spring, Maryland 20910
 301.495.4525 voice | 301.495.1302 fax | <http://www.mc-mncppc.org>

© 2007 CMR 2008 Street Correlation
 Property
 Montgomery County
 Maryland

NOTICE
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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods. All planimetric and property-based features are collected at 1:2400 scale and are +/- 2.5 feet of their true location.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. This map may not be the same as a map of the same area plotted at an earlier time as the data are continuously updated. Use of this map, other than for general planning purposes, is not recommended. Copyright 2003.





cc: Larry Cole

DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

August 20, 2008

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



RE: Request for Comments on Proposed Abandonment
AB717 – Abandonment - Portion of Evans Parkway
Northbrook Estates Subdivision, Silver Spring

Dear Mr. Hanson:

The purpose of this letter is to request M-NCPPC comments on the proposed abandonment of a portion of unimproved Evans Parkway in the Northbrook Estates Subdivision in Silver Spring. The abandonment request was made by the Department of Parks, M-NCPPC, the Applicant. The subject right-of-way consists of approximately 5,331 square feet and is adjoined by property owned by the Applicant. For your reference I have enclosed a copy of the letter of request along with other information concerning this matter.

I would greatly appreciate receiving your comments by **October 20, 2008.**

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

Sincerely,

Mike Cassidy
Michael S. Cassidy

Enclosures

✓ cc: Larry Cole, Transportation Planning

Division of Transportation Engineering
Property Acquisition Section

REQUEST FOR COMMENTS

BY OCTOBER 20, 2008

AB717 PORTION OF UNIMPROVED EVANS PARKWAY

NORTHBROOK ESTATES SUBDIVISION

SILVER SPRING

This abandonment case was requested by the Montgomery County Department of Parks, Maryland-National Capital Park and Planning Commission. The portion of Evans Parkway consists of approximately 5,331 square feet and is unimproved. The subject right-of-way is adjoined by property owned by the Applicant. Please see the attached Tax Map and ADC road map.

A public hearing will be held on

Monday, October 20, 2008, at 1:00 p.m.
Executive Office Building, Lobby Conference Room
101 Monroe Street
Rockville, MD 20850

Comments can be made by letter, fax or e-mail to

Michael Cassedy
Department of Public Works and Transportation
101 Monroe Street, 10th Floor
Rockville, MD 20850

Phone 240-777-7254
Fax 240-777-7259

E-mail michael.cassedy@montgomerycountymd.gov



MONTGOMERY COUNTY EXECUTIVE ORDER COPY

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject: Abandonment of Portion of Evans Parkway Northbrook Estates Subdivision, Silver Spring	209-08	AB
Originating Department: Transportation	Department Number AB 06-08	Effective Date 08/19/08

AB717

- Pursuant to §49-62 of the Montgomery County Code (2004) as amended, the County Executive or his Designee shall conduct a Public Hearing

at 1:00 p.m. on Monday October 20, 2008
101 Monroe Street, EOB Lobby Conference Room
Rockville, Maryland 20850

to consider an application received from the Department of Parks, Maryland-National Capital Park and Planning Commission, the Applicant, seeking abandonment of a portion of Evans Parkway in the Northbrook Estates Subdivision in Silver Spring.

- After the aforesaid Hearing, the Hearing Officer shall report his or her findings and recommendations to the County Executive for further consideration as prescribed by County Code.

Approved as to Form and Legality
Office of the County Attorney

APPROVED

By: Eileen J. Basaman
Eileen Basaman
Associate County Attorney

Thomas J. Street
Thomas J. Street
Assistant Chief Administrative Officer

Distribution:
Department of Transportation
Department of Finance



GREENVIEW

EVANS

PARKWAY

**DENNIS AVENUE
ELEMENTARY SCHOOL**

Board of Education
2510/321
6.97 Ac.
P682

**WOLF
MEDICAL CENTER**

M. N. C. P. & P. C.
2001/360
5.13

P 500

P452

P515
117064F

(13-246)
THE BURKLAND
CONDOMINIUM
PLATS 2790-2793
PAR. "C"

PAR. "B" WOLF

ST. JOHN'S

ST. JOHN'S

FLOWER

PARCEL

PARCEL

HOLLY

PARCEL "A"

ES

DR.

FLO

WOOD

ELE

Ac

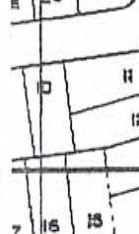
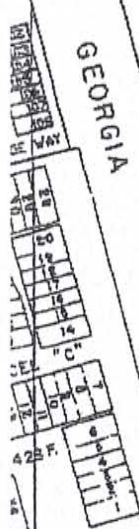
PARCEL

GREEN

BRIGHT

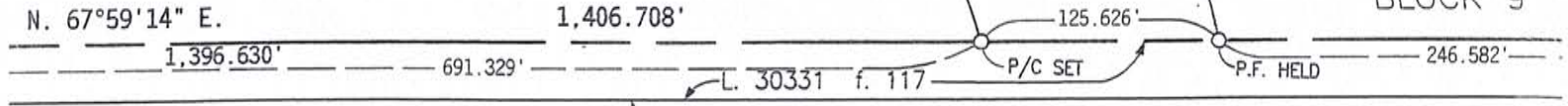
TREE

TERR



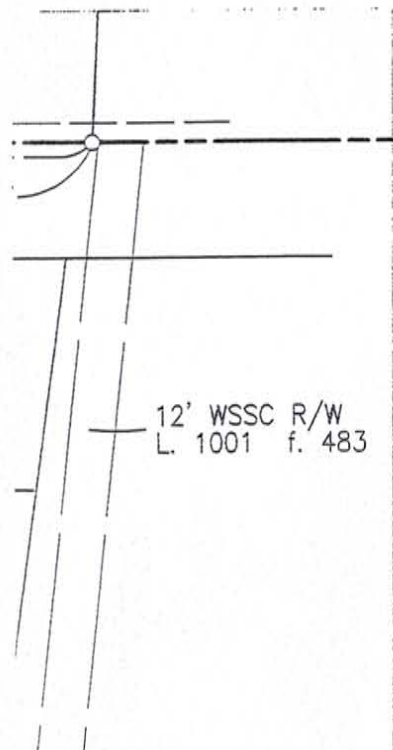
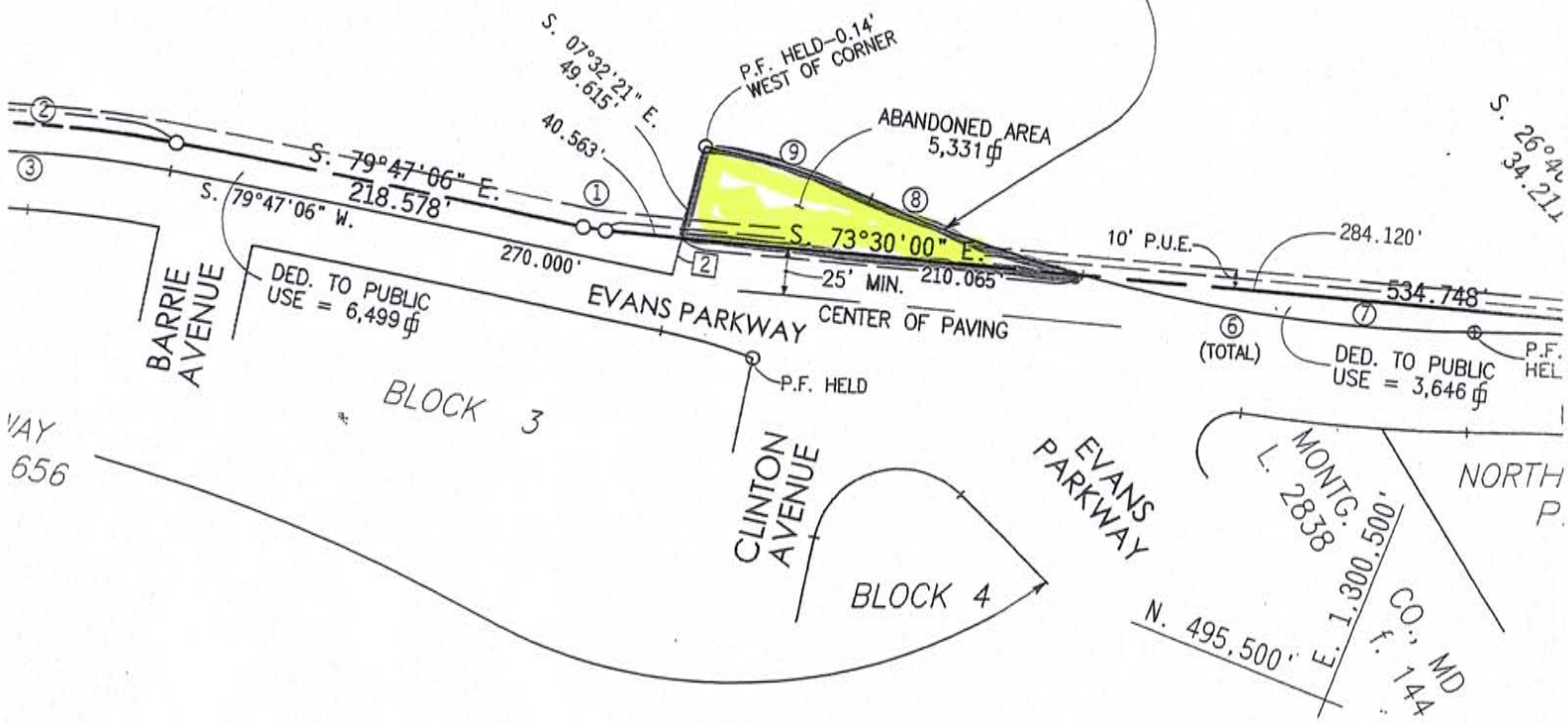
GLENVIEW
PLAT No. 1632
BLOCK 5

GLENVIEW
PLAT No. 330
BLOCK 9



EVANS PARKWAY
AT No. 10258
30331 f. 117

PARCEL A
332,442 \square OR
7.63182 ACRES



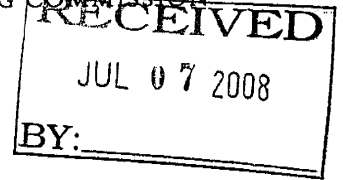
LINE TABLE "1"		
1	N. 11°10'50" W.	6.072'
2	S. 07°32'21" E.	20.124'
3	N. 20°12'52" W.	15.034'

RADIUS POINT COORDINATES		
RADII	NORTH	EAST
1	495.693.199'	1.300.026.546'
8	496.467.763'	1.300.211.541'
9	495.250.161'	1.300.164.000'
2,3	494.960.611'	1.299.936.461'
10,11,12	496.762.450'	1.299.118.207'
13,14,15		
16,17,18		

OWNER'S CERTIFICATION:



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



July 2, 2008

The Honorable Isiah Leggett
Montgomery County Executive
Executive Office Building
101 Monroe Street, 2nd Floor
Rockville, Maryland 20850

Re: Abandonment Request for a portion of Evans Parkway
Silver Spring, Maryland

Dear Mr. Leggett:

The Maryland-National Capital Park and Planning Commission owns the property shown outlined in green on Map "A", attached. This property, known as Evans Parkway Neighborhood Park, is scheduled for major renovation in the not too distant future.

To facilitate the planned renovation work, the Commission intends to record a subdivision plat to unify the eight parcels which make up the park, plus portions of two previously dedicated but unbilt road rights-of-way, into a single parcel. One of the road rights-of-way, a portion of dedicated but unbilt Amherst Avenue, shown in blue on Map "A", was previously abandoned in 1982 by Council Resolution No. 9-1658 and is clear for incorporation into the park. The second road right-of-way, a portion of dedicated but unbilt Evans Parkway, shown in red on Map "A", needs to be officially abandoned to accomplish the Commission's objective. This correspondence is the Commission's official request that Montgomery County's Department of Transportation take whatever steps are necessary to effect the abandonment of this portion of Evans Parkway.

In anticipation of submitting this abandonment request, the Commission had the abandonment area surveyed to identify its exact limits. Map "B", attached, which is a portion of our proposed subdivision plat for unifying the Commission owned properties and the unbilt road rights-of-way into one parcel, shows the proposed abandonment area as containing 5,331 square feet.

The Commission understands that as a government agency any normal application and/or processing fees for this abandonment request will be waived.

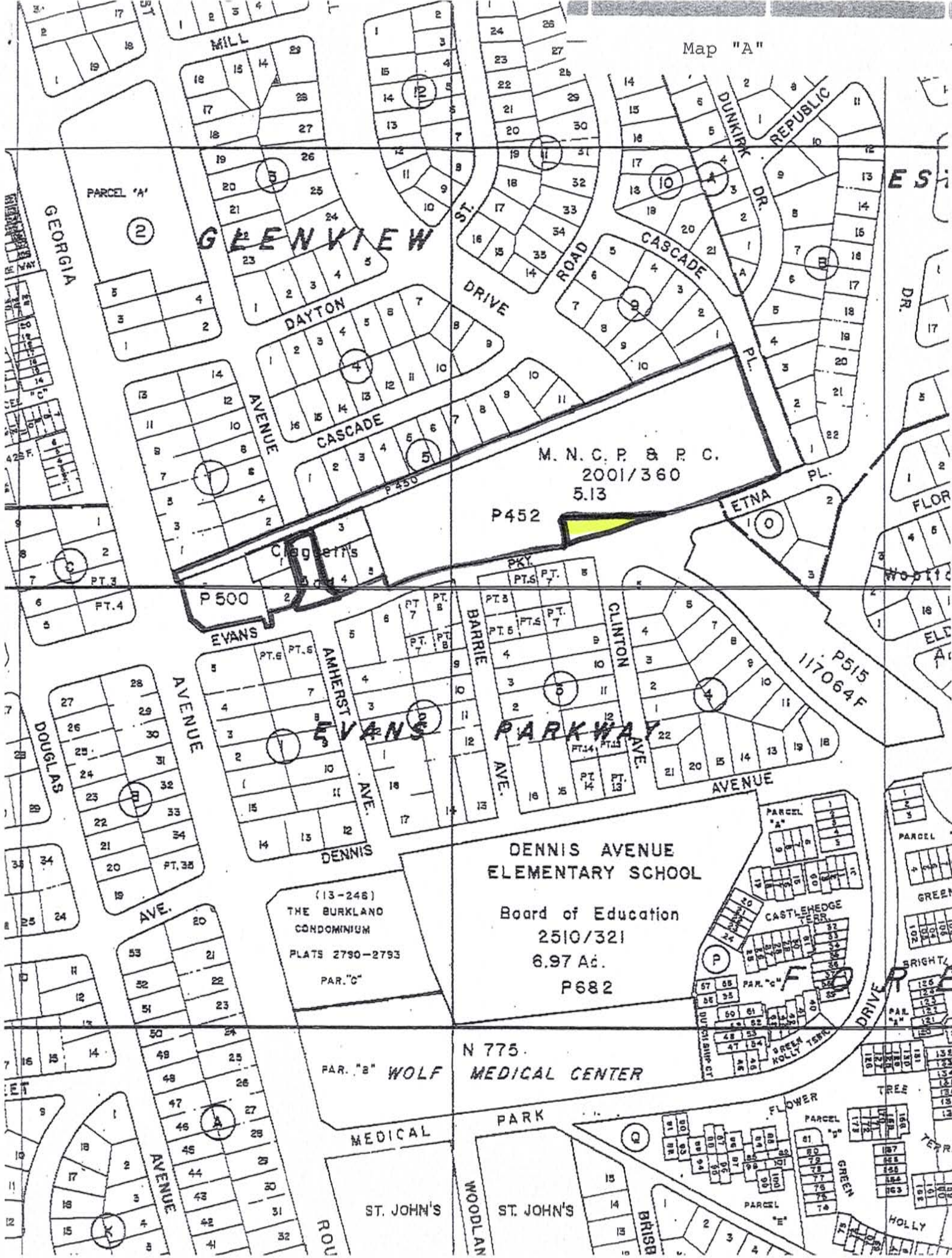
Thank you for your help and attention to this matter.

Sincerely,
William E. Gries

William E. Gries
Land Acquisition Specialist

cc: Michael Cassidy, DOT ✓

GREENVIEW



M. N. C. P. & R. C.
2001/360
5.13

P452

P500

P515
117064F

DENNIS AVENUE
ELEMENTARY SCHOOL

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MEDICAL CENTER

ST. JOHN'S

ST. JOHN'S

FLOWER

GREEN

HOLLY

GEORGIA

MILL

DAYTON

CASCADE

EVANS

DENNIS

AVE.

AVENUE

DRIVE

ROAD

CASCADE

DUNKIRK DR.

REPUBLIC

ES

DR.

FLOR

WOODSTOCK

ELE

AVENUE

PARCEL "A"

PARCEL

GREEN

CASTLEHEDGE

BRIGHT

PAR. "A"

TREE

TERRACE

HOLLY

BRISB

GREEN

HOLLY

ROU

WOODLAN

BRISB

GREEN

HOLLY

PARCEL "A"

(2)

(12)

(11)

(10)

(9)

(8)

(4)

(5)

(1)

(5)

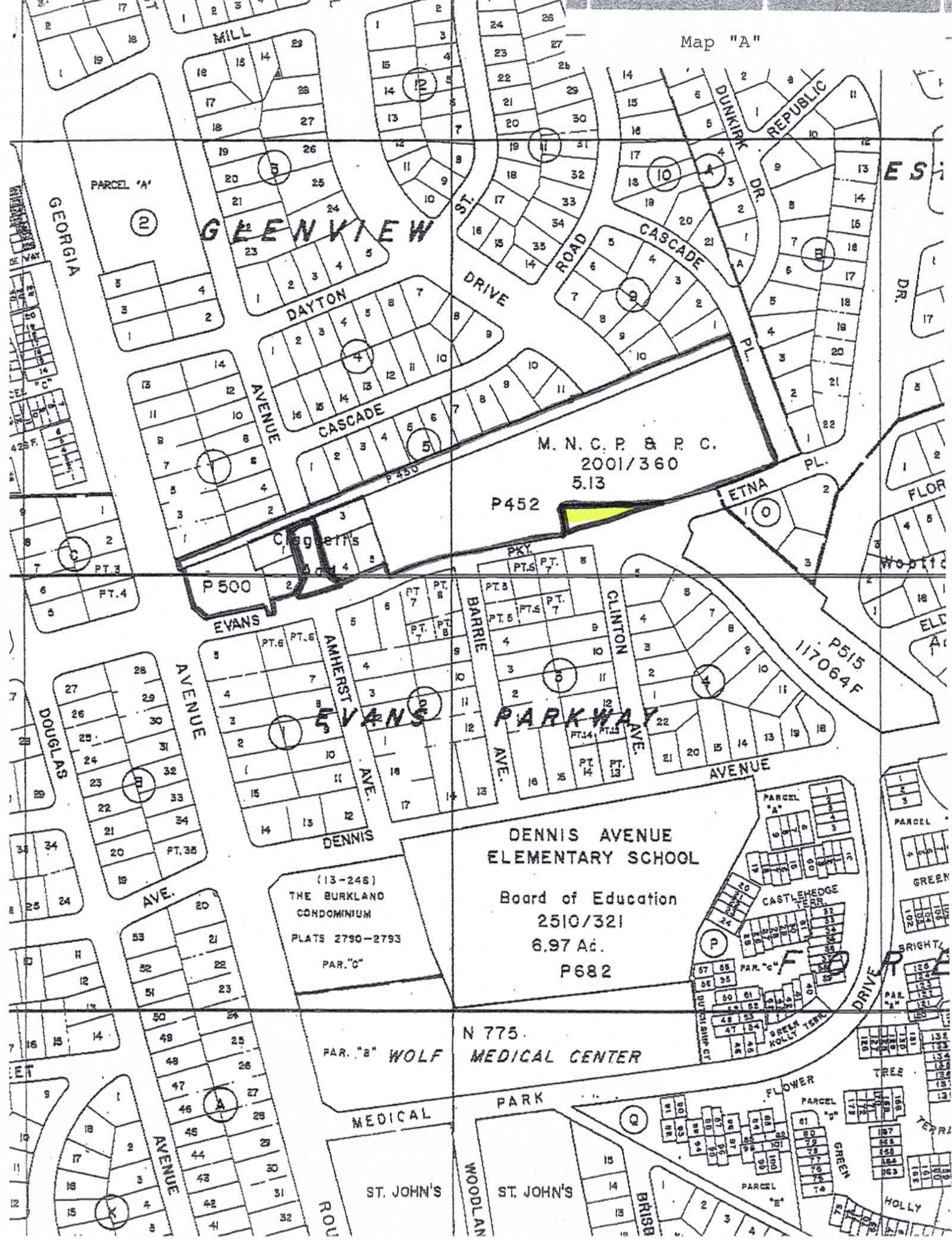
(4)

(11)

(A)

(C)

(X)



GLENVIEW
PLAT No. 1632
BLOCK 5

Map "B"

GLENVIEW
PLAT No. 330
BLOCK 9

N. 67°59'14" E.

1,406.708'

1,396.630'

691.329'

125.626'

246.582'

L. 30331 f. 117

P/C SET

P.F. HELD

EVANS PARKWAY
PLAT No. 10258
30331 f. 117

PARCEL A

332,442 \square OR
7.63182 ACRES

L. 2001 f. 360

S. 07°32'21" E.
49.615'
40.563'

P.F. HELD—0.14'
WEST OF CORNER

ABANDONED AREA
5,331 \square

S. 26°44'
34.211'

S. 79°47'06" E.
218.578'

S. 79°47'06" W.

270.000'

25' MIN.

210.065'

10' P.U.E.

284.120'

534.748'

BARRIE AVENUE

DED. TO PUBLIC
USE = 6,499 \square

EVANS PARKWAY
CENTER OF PAVING

P.F. HELD

(TOTAL)

DED. TO PUBLIC
USE = 3,646 \square

P.F. HELD

BLOCK 3

CLINTON AVENUE

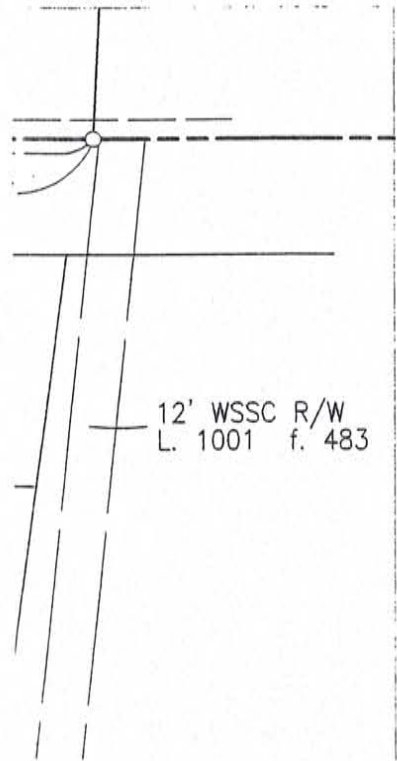
BLOCK 4

EVANS PARKWAY

MONTG. CO. MD
L. 2838
N. 495,500'
E. 1,300,500'
f. 144

NORTH P.

1/4
656



LINE TABLE "1"		
1	N. 11°10'50" W.	6.072'
2	S. 07°32'21" E.	20.124'
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