



**Abandonment No. 741, Huff Court**

RB

Patrick Butler, Planner Coordinator, Area 2 Division, [Patrick.Butler@montgomeryplanning.org](mailto:Patrick.Butler@montgomeryplanning.org), 301-495-4561

KA

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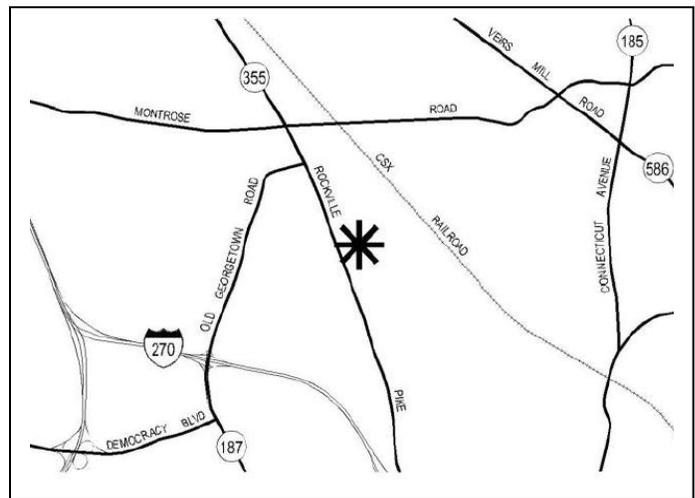
AK

Glenn Kreger, Chief, Area 2 Division [Glenn.Kreger@montgomeryplanning.org](mailto:Glenn.Kreger@montgomeryplanning.org), 301-495-4653

Completed: 11/25/14

**Description**

- Request to abandon a portion of Huff Court, five (5) feet wide by 364 feet long adjoining the Subject Property, in the North Bethesda Office Center East subdivision in White Flint, per Section 49-62 of the County Code;
- 5516 Nicholson Lane, east side of Huff Court south of the intersection with Nicholson Lane;
- Zoned CR 3.0: C1.5, R2.5, H200;
- 2010 *White Flint Sector Plan*;
- Applicants – Lake Waverly Associates LP, c/o Promark Real Estate Services LLC;
- Filing date: 10/12/2014



**Summary**

- Staff recommends transmitting comments to the Montgomery County Executive recommending approval of Abandonment No. 741, subject to conditions.

## **STAFF RECOMMENDATION AND CONDITIONS**

Transmit comments to the Montgomery County Executive recommending approval, subject to the following conditions:

- 1) The petitioners must submit preliminary plan and record plat applications to consolidate the right-of-way into the adjacent lot(s) while meeting all requirements of Chapter 50 and Chapter 59 of the Montgomery County Code.
  - 2) Recordation of plat(s) must occur prior to the completion date established by the County Council resolution granting the abandonment.
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## **REQUEST BY THE MONTGOMERY COUNTY DEPARTMENT OF TRANSPORTATION “(MCDOT)”**

On October 21, 2014, pursuant to Section 49-62, *et seq.* of the Montgomery County Code, MCDOT requested M-NCPPC comments on proposed Abandonment AB741 (Attachment A) of a five-foot wide portion of the right-of-way of Huff Court on the east side of the street, for 364 feet south along Parcel E, Block A, of the North Bethesda Office Center East subdivision, (“Property” or Eisinger Site) in White Flint. Lake Waverly Associates LP, c/o Promark Real Estate Services LLC (“Promark”) is the owner of the Property adjacent to the proposed abandonment and will incorporate the abandoned portion into its site.

A public hearing will be held on the abandonment request at 8:00 p.m. on Wednesday, December 17, 2014, in the Executive Office Building Lobby Auditorium at 101 Monroe Street, Rockville, Maryland (Attachment B). Comments by M-NCPPC have been requested prior to this date. After receiving comments from M-NCPPC, and other agencies, the County Executive will forward a report and recommendation to the County Council for a final decision.

## **BACKGROUND AND EXISTING CONDITIONS**

The right-of-way was originally dedicated by Plat 7873, recorded on June 29, 1965, and slightly reconfigured by subdivision plats recorded on December 4, 1975 by Plat No. 11143 and July 7, 1980 by Plan No. 13042 (Attachment C – Record Plats). Currently, Huff Court is improved with two 12-foot northbound lanes and one 24-foot wide southbound lane for a total of 48 feet of curb-to-curb paving. There are grass planting strips and sidewalks on both sides of the pavement. The entire length of Huff Court runs from Nicholson Lane south to the ring road serving the White Flint Mall (See Image 1 Below). Although several properties abut and have access to Huff Court, no other property has access affected by the proposed abandonment area. It is anticipated that the property to the south of the Property, and the properties to the west of Huff Court will also apply for similar abandonments of Huff Court when redeveloping those sites.

The Planning Board approved Sketch Plan No. 320110020, North Bethesda Gateway on July 5, 2001, with up to 1,236,648 square feet of non-residential uses, up to 1,073,288 square feet of residential uses, and a total cumulative density of up to 1,700,241 square feet, which comprises a mix of office, retail, hotel, and residential uses with incentive density supported by an array of public benefits. The application covered 11.04 acres of CR-Zoned land and encompassed the Eisinger Site, the JWW Site, and the Fitzgerald Site (See Image 1 Below). The North Bethesda Gateway project also provided that each of the three individual property owners may phase redevelopment plans independently and that the first phase of development may or may not occur simultaneously on all properties.



Image 1 – Site Aerial and Sketch Plan Properties

Promark then filed for an amendment, Sketch Plan No. 32011002A, as it related to the Eisinger Site only. The Planning Board approved Sketch Plan No. 32011002A on November 15, 2013. Specifically, the amendment made the following changes to the Eisinger Site: decreased non-residential density to 35,500 square feet, increased residential density to 557,918 square feet, reduced building heights illustrated on the approved sketch plan to up to 110 feet, and made resulting changes to the approved public benefits in light of the changes to the building types. This amendment complied with the maximum densities allowed and did not affect the approved densities of the Fitzgerald Site or the JWW Site. Subsequently, Promark has filed Preliminary Plan No. 120140240 and Site Plan No. 820140180 to develop the Eisinger Site in conformance with the approved Sketch Plan. Promark’s preliminary and site plan applications include the abandoned area and propose roadway improvements to Huff Court, including enhanced streetscaping, improved sidewalks, undergrounding of utilities, and installation of a pedestrian-only through block connection along the length of the Property.

**REVIEW BASIS**

Section 49-63(c)(1) and (2) of the Montgomery County Code authorizes the County Council to abandon a right-of-way, including a public road, upon the following findings:

**Sec. 49-63. Decision of the Council.**

- (a) *The Council must consider the record of the proceedings and the report and recommendations of the County Executive, including any recommendations of the government agencies and other parties listed in Section 49-62(h), and any other relevant and material information the Council receives from any person.*
- (b) *The Council may at any time remand an application to the Executive or the Executive's designee to reopen the record or consider new information.*

- (c) *A right-of-way may be abandoned or closed if the Council by resolution finds that:*
- (1) *the right-of-way is no longer necessary for present public use or anticipated public use in the foreseeable future, or*
  - (2) *the abandonment or closing is necessary to protect the health, safety and welfare of the residents near the right-of-way to be abandoned or closed. In assessing health, safety, and welfare issues, the Council may consider:*
    - (A) *any adopted land use plan applicable to the neighborhood;*
    - (B) *safe and efficient pedestrian and vehicular traffic patterns and flows, together with alternatives, in the immediate neighborhood, for local and through traffic; and*
    - (C) *changes in fact and circumstances since the original dedication of the right-of-way.*
- (d) *A right-of-way which is the sole means of access to any property must not be abandoned or closed.*

**RATIONALE FOR PETITION**

The proposed abandonment of Huff Court is for 1,862 square feet of right-of-way improved as a public road on the east side of Huff Court, south from Nicholson Lane five (5) feet wide and 364 feet in length along the Property’s frontage. As part of this request, the Petitioners have provided graphics and text to describe the rationale for the proposed abandonment (Attachment D). In the petition, the Applicant has included written consent from property owners along the east and west side of this stretch of Huff Court to the proposed abandonment.

**White Flint Sector Plan** (Attachment E – Relevant Pages)

An overall goal of the Sector Plan is to transform auto-oriented suburban development into urban, mixed-use, transit-oriented, and a walkable series of communities (Pages 6 and 15). The Sector Plan identifies the Property as the Eisinger Site, and recommends new mixed-use redevelopment, with an emphasis on residential uses (Page 45). The Sector Plan recognizes that enhancing mobility in the planning area with a new interconnected and pedestrian-friendly grid network of streets is necessary for success (Page 16).

The Sector Plan recommends reducing the existing 80-foot right-of-way of Huff Court (b-4 in the Sector Plan) to a 70-foot right-of-way with two lanes of traffic with parking on both sides per Montgomery County Road Code Standard 2005.02 – Business District Street (Page 55). The proposed abandonment will further the Sector Plan’s recommendation to narrow the width of the right-of-way for Huff Court. The abandonment of the remaining five (5) foot section south of the abandonment area along Huff Court’s eastern edge and the entire five (5) foot section along the western edge may be pursued when abutting property owners are ready to proceed with redevelopment plans on their sites.

Image 2 shows the post-abandonment configuration and pavement markings for the proposed interim 75-foot right-of-way, which would include 43 feet of paving total with 19 feet of paving to the curb line on the eastern side of Huff Court along the Eisinger Site (with one travel lane and on-street parking), and the approximately 78 foot long tapered transition along the frontage of 11501 Huff Court. The post-abandonment conditions, with a five foot reduction in curb to curb paving, will allow traffic along Huff Court to function as it currently does while maintaining a similar lane configuration (2 northbound lanes and 1 southbound lane), accommodating roadway operations at acceptable levels of service, and enhancing pedestrian safety. Additionally, the proposed transition between the narrower Huff Court segment and the existing 80 foot right-of-way to the south of the Property will be achieved by striping and providing a lateral shift through a tapered transition approximately 78 feet in length.

Finally, the right-of-way contains utilities that served the previous subdivision. A utilities plan has been filed as part of the abandonment case, and the existing utilities will be relocated. Final location and relocation of utilities will ultimately be determined during the Preliminary Plan and Site Plan review.

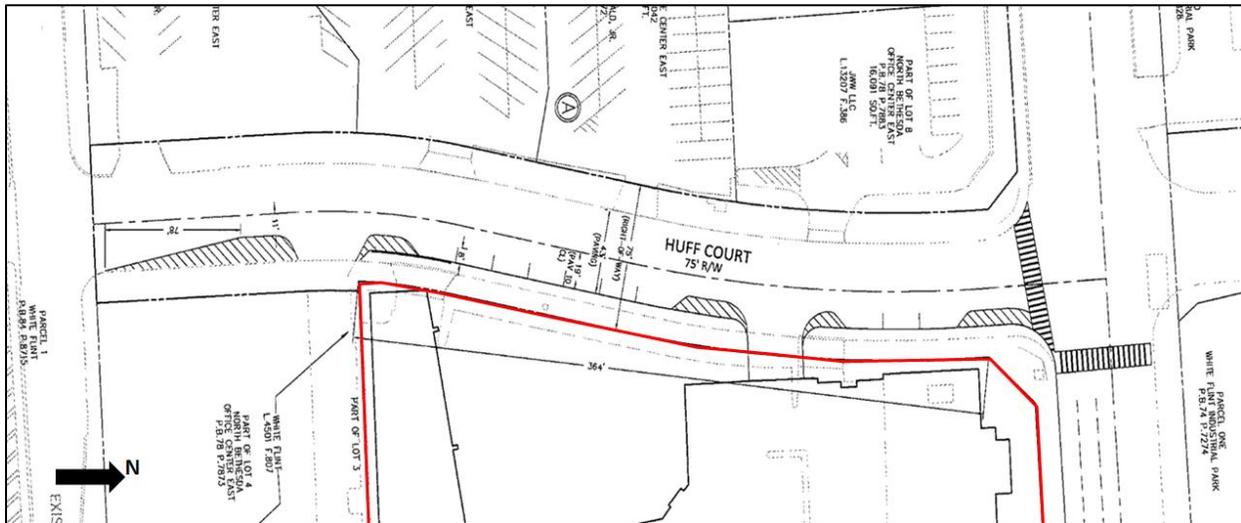


Image 2 – Proposed 75’ Right-of-Way w/ Striping

### CONCLUSIONS

Section 49-63(c)(1) of the County Code permits the County Council to abandon a right-of-way if it finds that the same is no longer necessary for present public use or anticipated public use in the foreseeable future. As detailed above, the recommendations of the Sector Plan, including narrowing the right-of-way width of Huff Court, enhancing the existing streetscape, and realizing the redevelopment potential of the Eisinger Site support this petition for abandonment. No property will be denied access to a public road as a result of the proposed abandonment and eventual record plat, and utilities will be relocated and provided. Therefore, granting the abandonment, with the conditions recommended above, is appropriate under Section 49-63(c)(1) of the Code because the right-of-way is not necessary for present or anticipated public use in the foreseeable future.

### STAFF RECOMMENDATION REGARDING ABANDONMENT AB741

Transmit comments to the Montgomery County Executive recommending approval to Proposed Abandonment AB741, subject to the following conditions:

- 1) The petitioners must submit preliminary plan and record plat applications to consolidate the right-of-way into the adjacent lot(s) while meeting all requirements of Chapter 50 and Chapter 59 of the Montgomery County Code.
- 2) Recordation of plat(s) must occur prior to the completion date established by the County Council resolution granting the abandonment.

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### ATTACHMENTS

- A. MCDOT Request for Comments on Abandonment AB741
- B. Notice of Public Hearing
- C. Applicable Record Plats
- D. Applicant Petition for Abandonment
- E. Applicable Master Plan Recommendations



DEPARTMENT OF TRANSPORTATION



Isiah Leggett  
County Executive

Arthur Holmes, Jr.  
Director

October 16, 2014

Ms. Francoise Carrier, Chair  
Maryland-National Capital Park and  
Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

RE: Request for Comments on Proposed Abandonment  
AB741 – Huff Court  
North Bethesda Office Park East Subdivision  
Kensington

Dear Ms. Carrier:

The purpose of this letter is to request M-NCPPC comments on the proposed abandonment of a portion of Huff Court in the North Bethesda Office Park East in Kensington. The portion is five feet wide by 364 feet long and adjoins property owned by the Applicant. The Applicant is Lake Waverly Associates LP, c/o Promark Real Estate Services LLC and is represented by Linowes and Blocher.

If possible, I would greatly appreciate receiving your comments by December 17, 2014 (the date of the public hearing).

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

Sincerely,

A handwritten signature in cursive script that reads "Michael S. Cassidy".

Michael S. Cassidy

Enclosures

Division of Transportation Engineering

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878 • 240-777-7220 • 240-777-7277  
www.montgomerycountymd.gov

**NOTICE OF PUBLIC HEARING**

**AND**

**REQUEST FOR COMMENTS**

**AB741 HUFF COURT**

**NORTH BETHESDA OFFICE PARK EAST SUBDIVISION**

**KENSINGTON**

**This abandonment case was requested by Linowes and Blocher on behalf of its clients, Lake Waverly Associates LP, c/o Promark Real Estate Services LLC (the Applicant), who owns property adjoining the subject right-of-way. The request is for the abandonment of a portion of the Huff Court right-of-way five feet wide by 364 feet long adjoining the applicant's property. The purpose of the abandonment request is to facilitate goals of the White Flint Sector Plan and as required by the Montgomery County Planning Board in its approval of Sketch Plan No. 320110020, as amended by Sketch Plan No. 32011002A. Please see the attached local area map and proposed abandonment exhibit for reference.**

**A public hearing will be held at 8:00 p.m. on Wednesday December 17, 2014, in the Executive Office Building (101 Monroe Street, Rockville) Lobby Auditorium.**

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

**Michael Cassedy  
Department of Transportation  
100 Edison Park Drive, 4<sup>th</sup> Floor  
Gaithersburg, MD 20878**

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

**E-mail [michael.cassedy@montgomerycountymd.gov](mailto:michael.cassedy@montgomerycountymd.gov)**







AB 741

**LINOWES**  
**AND BLOCHER LLP**  
ATTORNEYS AT LAW

September 12, 2014

**Barbara A. Sears**  
bsears@linowes-law.com  
301.961.5157

**Phillip A. Hummel**  
phummel@linowes-law.com  
301.961.5149

**By Hand Delivery**

The Honorable Isiah Leggett  
County Executive  
Montgomery County, Maryland  
101 Monroe Street  
Rockville, Maryland 20850

Re: Petition for Abandonment of a Portion of Huff Court, Kensington, Maryland (the "Petition")

Dear Mr. Leggett:

Petitioner, Lake Waverly Associates LP, c/o Promark Real Estate Services LLC ("Promark") requests the abandonment of 1,862 square feet of right-of-way improved as a public road known as Huff Court along the western border of property it owns located at 5516 Nicholson Lane, Kensington, Maryland pursuant to Section 49-62, *et seq.*, of the Montgomery County Code (the "Abandonment"). Promark's property is identified on the Local Area Map attached hereto as Exhibit "A". The portion requested to be abandoned (the "Abandonment Area") is a five foot wide segment of right-of-way along Huff Court's eastern curb approximately 364 feet in length highlighted in red on the Huff Court Right-of-Way Abandonment Exhibit Proposed Condition attached hereto and made a part hereof as Exhibit "B". The record plat for Promark's property as well as the Montgomery County Tax Map showing the Abandonment Area in yellow are both attached hereto and made a part hereof as Exhibit "C". A list of owners whose property abuts the right-of-way proposed to be closed or abandoned is attached hereto as Exhibit "D".

As shown on Exhibit "B", Promark owns the entirety of the property abutting the Abandonment Area, namely, Parcel E, Block A of the North Bethesda Office Center East subdivision. The remaining segment of Huff Court's eastern curb abuts property located at 11501 Huff Court, which is owned by White Flint. As discussed in greater detail below, the Abandonment is requested to facilitate a number of goals of the White Flint Sector Plan, such as advancing the recommended 70-foot right-of-way width for Huff Court by reducing the existing

\*\*L&B 3531867v2/05500.0341



The Honorable Isiah Leggett  
September 12, 2014  
Page 3

Frederick Road LLC at 11520 Huff Court, 11411 Rockville Pike, and 11500 Huff Court (the "Fitzgerald Site") along its western curb. Owners of the JWW Site and the Fitzgerald Site have consented in writing to the Abandonment, which are attached hereto as Exhibit "F".

**B. White Flint Sector Plan**

On March 23, 2010, the County Council approved the White Flint Sector Plan (the "Sector Plan"). The overall vision of the Sector Plan is to transform auto-oriented suburban development into urban, mixed-use, transit-oriented, and a walkable series of communities. Sector Plan, pgs. 6, 15. The Sector Plan identifies Promark's property as the "Eisinger Site" and specifically recommends new mixed-use redevelopment, with an emphasis on residential uses. Sector Plan, pg. 45. The Sector Plan also recognizes that enhancing mobility in the planning area with a new interconnected and pedestrian-friendly grid network of streets was necessary for success. Sector Plan, pg. 16. According to the Sector Plan, the provision of this street grid will reduce automobile congestion and promote walkability to public transportation. Sector Plan, pg. 50.

The following map and table from the Sector Plan confirm that the existing length of Huff Court is envisioned to be a business street with a 70 foot right-of-way and 2 lanes of traffic with parking on both sides under Montgomery County Road Code Standard 2005.02 (Business District Street):



The Honorable Isiah Leggett  
 September 12, 2014  
 Page 5

Street	From	To	Road Number	ROW (ft)	Lanes*	Road Code Standard
<b>Major Highways</b>						
Old Georgetown Rd (MD 187)	Nicholson Ln	Executive Blvd	M-4	108	6, divided	2006.02 mod.
	Executive Blvd	Rochville Pike (MD 308)	M-4	120	4, divided	2006.01 mod.
Hoya St	Executive Blvd	Monroe Pkwy	M-4a	120	4, divided	2006.01 mod.
Rochville Pike (MD 308)	Sector Plan southern boundary	Sector Plan northern boundary	M-6	180 (182'')	6, divided	2006.02 mod.
<b>Arterials</b>						
Monroe Pkwy	Hoya St	Sector Plan eastern boundary	A-27D	300	4, divided	2007.01 mod.
Randolph Rd	Monroe Pkwy	Plan eastern boundary	A-60	100	4	2004.01 mod. / 2004.28 mod.
Nicholson Ln	Old Georgetown Rd (MD 187)	Sector Plan eastern boundary	A-66	66	4	2004.02 mod. 2004.26 mod.
<b>Business Roads</b>						
Chapman Ave (Maple Ave)	Marshall Rd	Old Georgetown Rd	B-12	70	2	2006.02
	Old Georgetown Rd	Monroe Pkwy	B-12	70	2	2006.02
Chapel Ave/Weylinton St	Nicholson Ln	Old Georgetown Rd	B-4	78	2	2006.02
Edson Ln	Woodglen Dr	Rochville Pike (MD 308)	B-5	78	2	2004.21 mod. / 2006.02 mod.
Executive Blvd Extended	Marshall Rd	Nebel St Extended (B-5)	B-7	88	4	2004.01
Huff Ct / Huff Ct Extended***	Nebel St Extended (B-6)	Executive Blvd Extended	B-4	78	2	2004.02
Stanton St	Marshall Rd	Old Georgetown Rd	B-11	78	2	2006.02
Marshall Rd	Executive Blvd	Nebel St	B-4	66	4	2006.02 mod.
Market St	Old Georgetown Rd (MD 187)	Rochville Pike (MD 308)	B-10	70	2	2006.02
MacOrath Blvd	Rochville Pike (MD 308)	Watersmith Pl (B-13)	B-10	78	2	2006.02
MD-Pike spine street	Marshall Rd	Old Georgetown Rd (MD 187)	B-16	66	4	2004.01
	Old Georgetown Rd (MD 187)	Mar Street (Mid-Pike ramp) (B-16)	B-16	70	2	2006.02
Nebel St Extended	Randolph Rd	Plan northern boundary	B-5	80	4	2004.24 mod.
Nebel St	Nicholson Ln	Randolph Rd	B-6	60	2	2004.24 mod.
Nebel St Extended	Rochville Pike (MD 308)	Nicholson Ln	B-6	60	2	2004.01 mod. 2006.02 mod.
new street (Mid-Pike ramp)	Hoya St	Rochville Pike (MD 308)	B-10	60	2	2006.02 mod.
Nicholson Ct (realigned)	Nebel St Extended	100 feet east of Nebel St Extended	B-14	70	2	2006.02 mod.
Old Georgetown Rd	Rochville Pike (MD 308)	Nebel St	B-2	60	4	2004.02 mod. / 2006.02 mod.
Security Ln/Security Ln Extended	Woodglen Dr	Huff Ct Extended (B-4)	B-17	70	2	2006.02
Watersmith Pl	Marshall Rd	Nebel St	B-15	70	2	2006.02
Woodglen Dr	Edson Ln	Nicholson Ln	B-3	70	2	2006.02 mod.
Woodglen Dr ***	Nicholson Ln	Marshall Rd	B-3	60	2	2006.02 mod.
Woodglen Dr ***	Marshall Rd	Mid-Pike Ramp (B-16)	B-3	78	2	2006.02 mod.
new street ***	Chapman Ave	Nebel St	B-18	78	2	2006.02
new street ***	Nicholson Ln	Executive Blvd Extended	B-19	78	2	2006.02

\*The number of planned through travel lanes for each segment, not including turning, parking, acceleration, deceleration, or other auxiliary lanes.  
 \*\* The Rochville Pike 150-foot right-of-way can be expanded to 162 feet (additional feet to be obtained through reservation).  
 \*\*\* New streets B-18, B-19, Huff Court Extended (B-4), and the portion of Woodglen Drive (B-3) north of Nicholson Lane may be constructed as private streets subject to use assessments meeting the requirements described in the Plan text.  
 \*mod.\* indicates that some modification is needed in the referenced design standard to reflect planned elements such as transit priority, bike lanes, or turn lanes.  
 The target speed for all major planned roadways in the Plan area is 25 m.p.h., except for Monroe Parkway with a target speed of 35 m.p.h. in the Plan area.

Sector Plan, pgs. 51, 55.

Thus, the Abandonment furthers the Sector Plan's recommendation to narrow the width of Huff Court's right-of-way from 80 feet to 70 feet with 2 lanes, parking on both sides by abandoning the Abandonment Area along Huff Court's eastern curb at the Eisinger Site's western boundary. The abandonment of the remaining 5 foot section south of the Abandonment Area along Huff Court's eastern curb at 11501 Huff Court, as well as the 5 foot section along Huff Court's western curb may be pursued when abutting property owners are ready to proceed with further redevelopment plans. The anticipated realization of the Sector Plan's recommended 70 foot right-of-way width is shown on the Huff Court Right-of-Way Abandonment Exhibit Ultimate Condition, which is attached hereto as Exhibit "G".



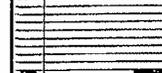
The Honorable Isiah Leggett  
September 12, 2014  
Page 7

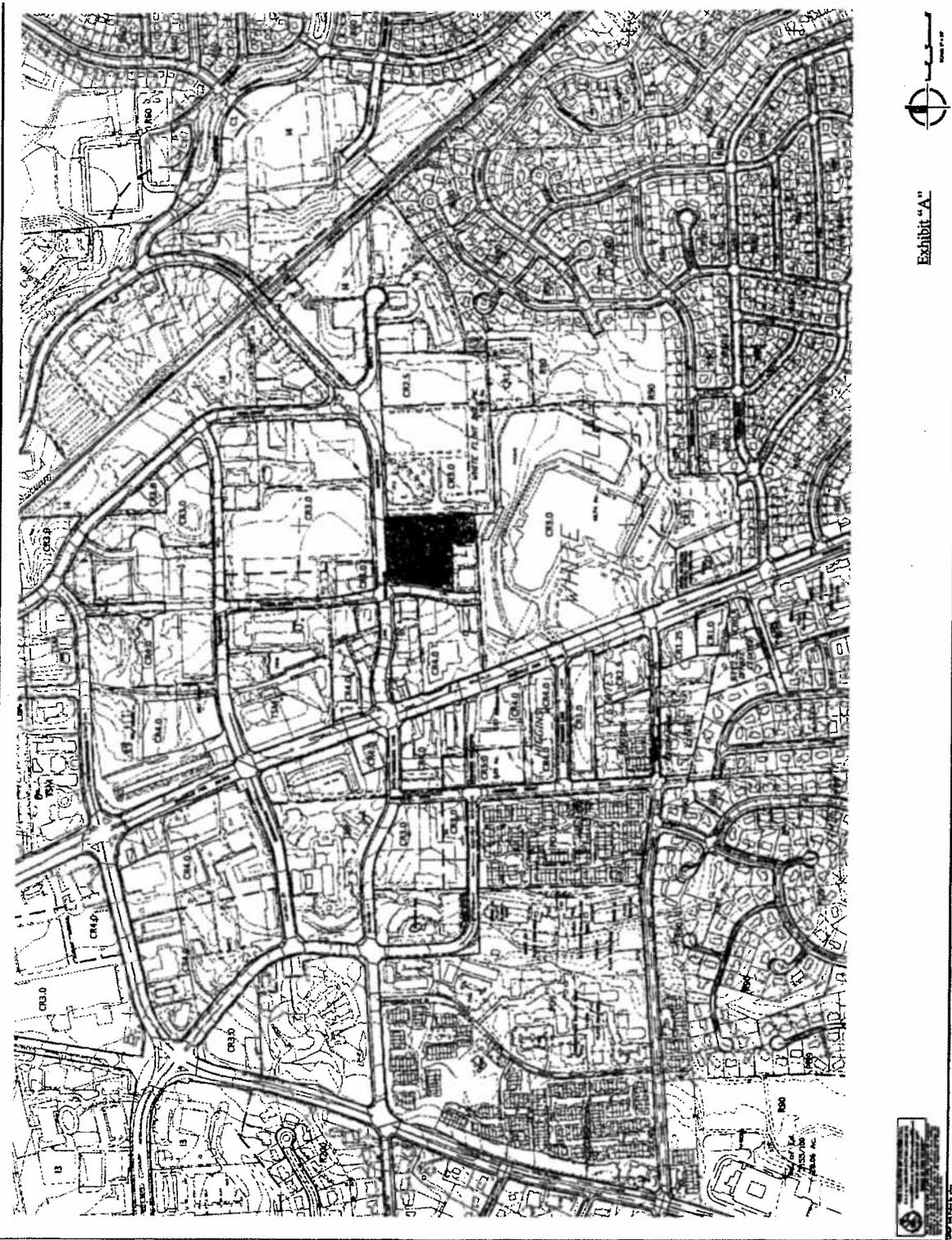
the Sector Plan, including narrowing the right-of-way width of Huff Court, enhancing the existing streetscape, and realizing the redevelopment potential of the Eisinger Site.

The overall post-abandonment configuration is shown on the Huff Court Post Abandonment Condition Exhibit attached hereto as Exhibit "H", which depicts, among other things, the proposed 75 foot right-of-way width with 43 feet of paving, 19 feet of paving to the curb line on the eastern side of Huff Court along the Eisinger Site (with 1 travel lane and on-street parking), and the approximately 78 foot long tapered transition along the frontage of 11501 Huff Court. Proposed paving markings are shown in greater detail on the Huff Court Proposed Pavement Parking Plan, which is attached hereto as Exhibit "I". Anticipated fire truck circulation post-abandonment is also illustrated on the Huff Court Proposed Circulation Exhibit, which is attached hereto as Exhibit "J".

As discussed in a letter prepared by Promark's traffic engineering consultants, Gorove / Slade, a copy of which is attached hereto and made a part hereof as Exhibit "K" (the "Gorove Letter"), the Abandonment Area is no longer necessary for present public use or anticipated public use in the foreseeable future. The post-Abandonment conditions with a five foot reduction in curb to curb paving will allow traffic along Huff Court to function as it currently does while maintaining a similar lane configuration (2 northbound lanes and 1 southbound lane), accommodating roadway operations at acceptable levels of service, and enhancing pedestrian safety. Additionally, the proposed transition between the narrower Huff Court segment and the existing 80 foot right-of-way width to remain south of Promark's property will be achieved by striping and providing a lateral shift through a tapered transition approximately 78 feet in length. The Gorove Letter notes this proposed configuration creates a safe and efficient roadway reconfiguration and minimizes disturbance to existing intersections. Furthermore, the Gorove Letter states that the narrower roadway achieved by the Abandonment will provide additional benefits such as traffic calming, shorter pedestrian crossing distances, and new space for activated streetscaping.

Finally, all public utilities that currently exist in the Abandonment Area, as shown on the Existing Utilities Plan, which is attached hereto and made a part hereof as Exhibit "L", will be relocated appropriately, as shown on the Proposed Utility Plan attached hereto and made a part hereof as Exhibit "M". Therefore, the Abandonment Area is also not necessary for use by public utilities.

	<b>PLANNING AND DESIGN</b> MARCUS & MILNER, LLC 1000 W. BROADWAY, SUITE 100 DENVER, CO 80202 TEL: 303.733.1100 WWW.MARCUSMILNER.COM		<b>EAST VILLAGE AT NORTH BETHESDA GATEWAY</b> MDC # 130140240 LOCAL AREA MAP	<b>MARCUS &amp; MILNER, LLC</b> # 130140240 LOCAL AREA MAP	<b>1 OF 1</b>
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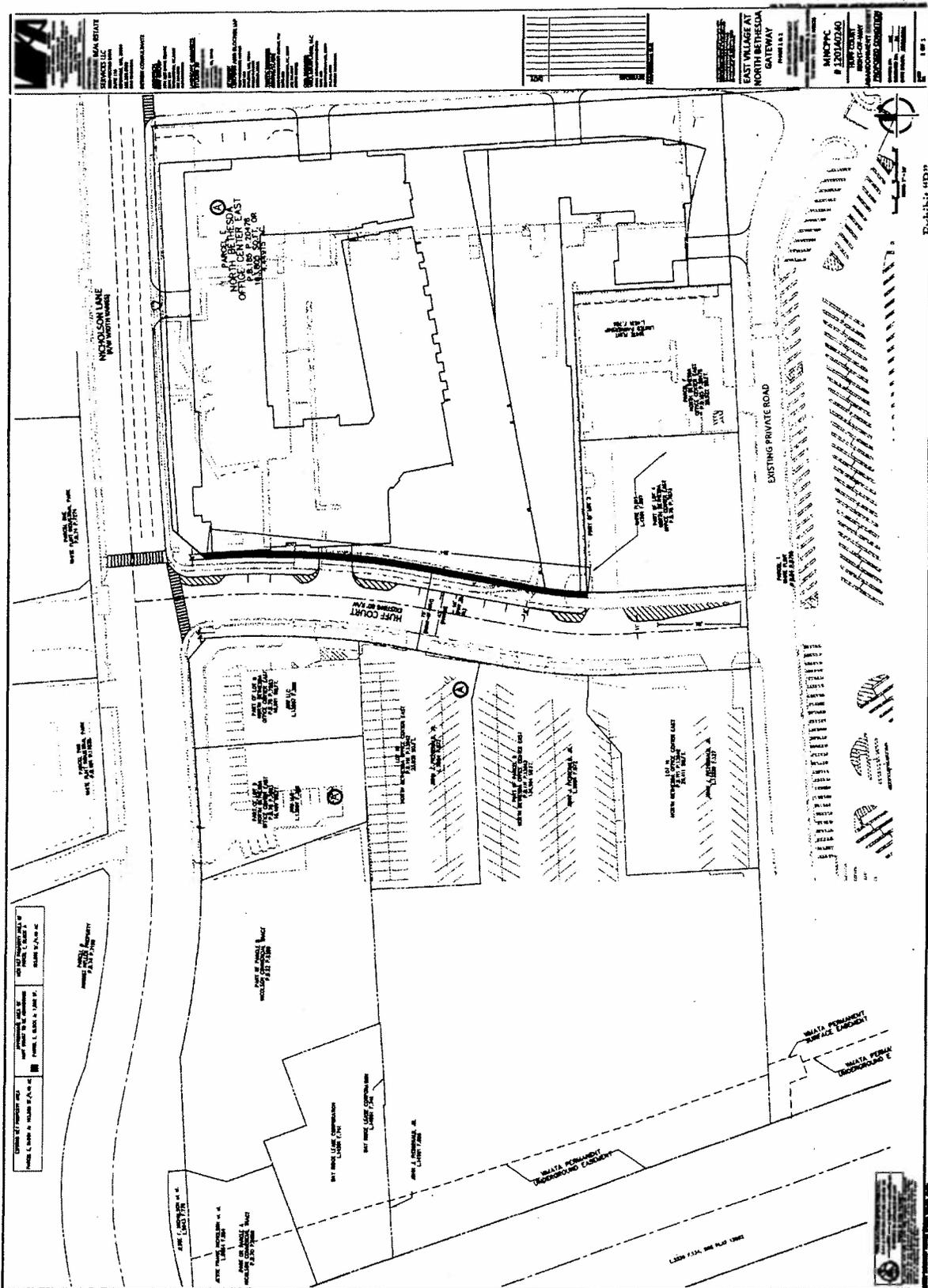
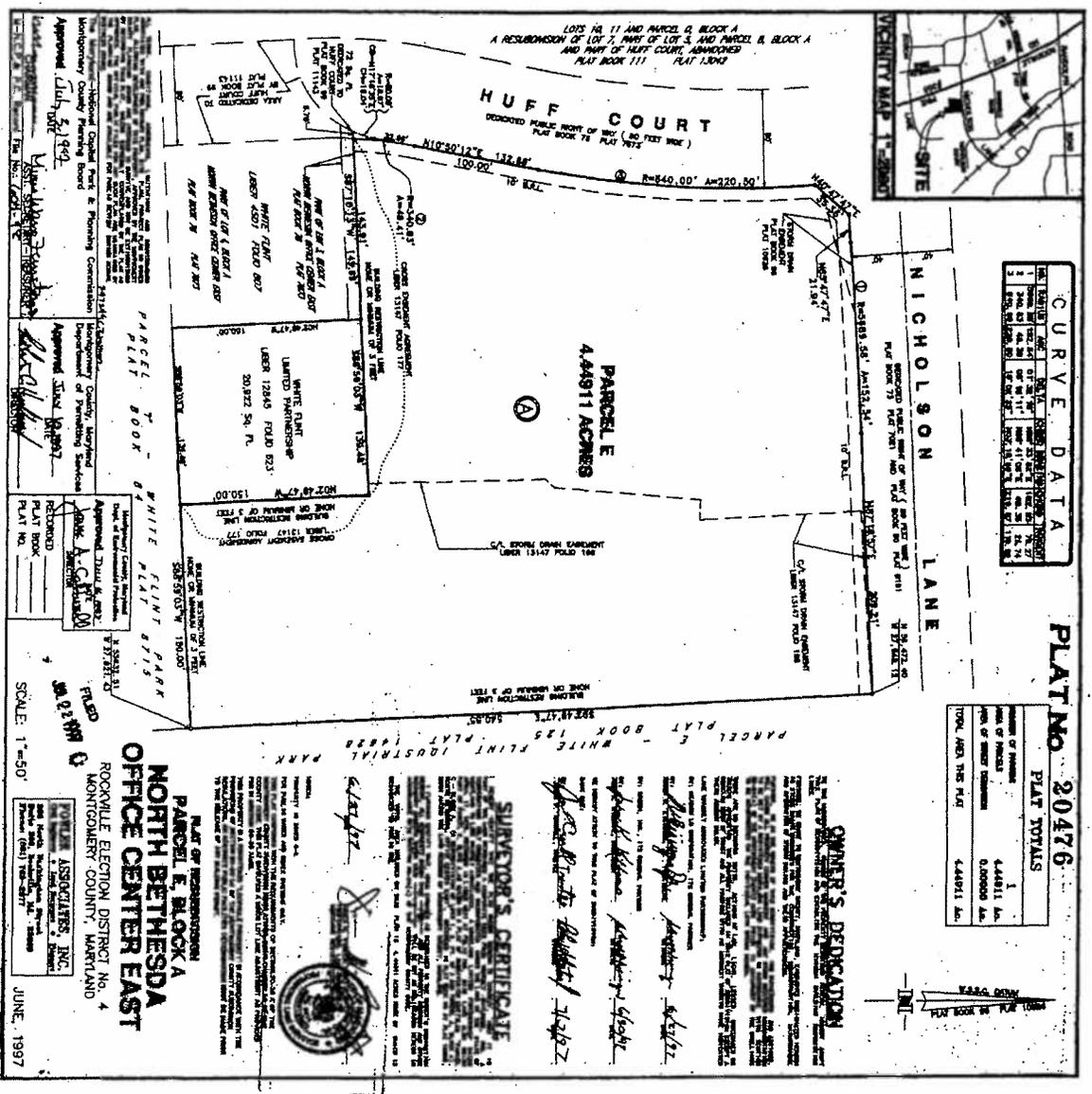
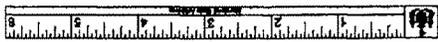


Exhibit "B"

MAA RETAIL SERVICES LLC  
 11000 N. BETHESDA AVENUE, SUITE 100  
 NORTH BETHESDA, MD 20854  
 TEL: 301-461-1100  
 FAX: 301-461-1101  
 WWW.MAARETAIL.COM

EAST VILLAGE AT NORTH BETHESDA GATEWAY  
 PHASE 1.1.1  
 11000 N. BETHESDA AVENUE, SUITE 100  
 NORTH BETHESDA, MD 20854  
 TEL: 301-461-1100  
 FAX: 301-461-1101  
 WWW.MAARETAIL.COM

MAA RETAIL SERVICES LLC  
 11000 N. BETHESDA AVENUE, SUITE 100  
 NORTH BETHESDA, MD 20854  
 TEL: 301-461-1100  
 FAX: 301-461-1101  
 WWW.MAARETAIL.COM



**CURVE DATA**

NO.	STARTING POINT	ENDING POINT	CHORD BEARING	CHORD DIST.	ARC BEARING	ARC DIST.
1	100.00	100.00	N 89° 59' 12" E	100.00	89° 59' 12"	100.00
2	100.00	100.00	S 89° 59' 12" W	100.00	89° 59' 12"	100.00
3	100.00	100.00	N 89° 59' 12" E	100.00	89° 59' 12"	100.00

**PLAT NO. 20476**

**CURVE TOTALS**

Sum of Interior Angles	444911.46
Sum of Exterior Angles	0.000000
TOTAL AREA THIS PLAT	4.4911 AC.

**OWNER'S DEDICATION**

ROCKVILLE ELECTION DISTRICT No. 4  
MONTGOMERY COUNTY, MARYLAND

*[Signatures]*

**SURVEYOR'S CERTIFICATE**

I, the undersigned, being a duly licensed Surveyor in the State of Maryland, do hereby certify that the foregoing is a true and correct copy of the original plat as the same appears in my office.

*[Signature]*

APPROVED: *[Signature]*  
DATE: 6/1/97

APPROVED: *[Signature]*  
DATE: 6/1/97

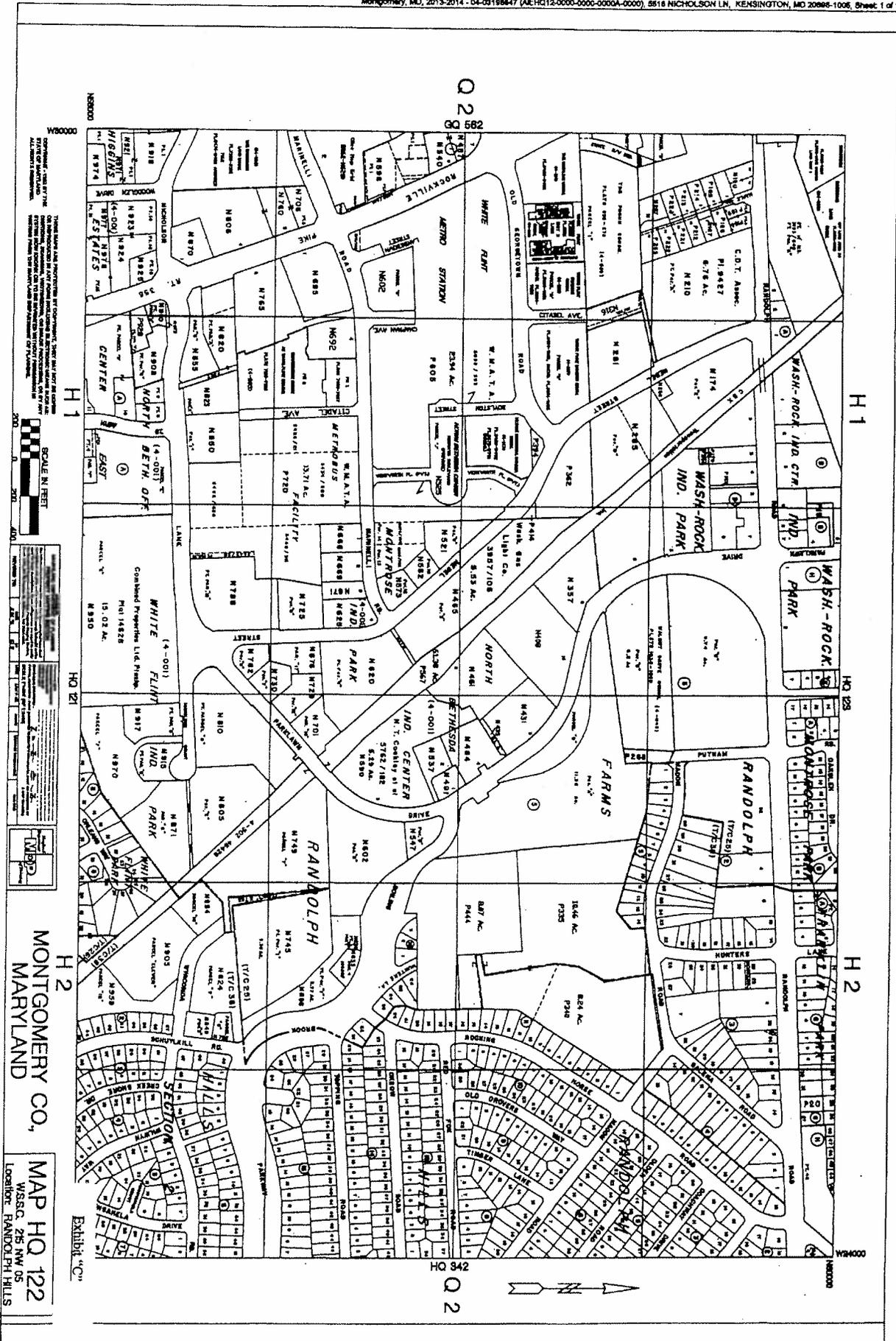
APPROVED: *[Signature]*  
DATE: 6/1/97

APPROVED: *[Signature]*  
DATE: 6/1/97

SCALE: 1"=50'

JUNE, 1997

Ms0 SCA 1a49-7897-2



MONTGOMERY CO.,  
 MARYLAND  
 MAP HQ 122  
 WSS.C. 25 NW 05  
 Location: RANDOLPH HILLS  
 Exhibit 'C'

**LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS**  
(Updated 9/10/2014)

Tax Account No.	Name	Address	Lot/Parcel	Block
<b>Subject Property</b>				
04-03198647	Lake Waverly Associates	c/o Eisinger Kilbane 16220 Frederick Road, #325 Gaithersburg, MD 20877-4016	Parcel E	A
<b>Adjoining and Confronting Property Owners</b>				
04-01809714	Ralph H. Brown, et al.	5145 Westpath Way Bethesda, MD 20816-2352	N823 Parcel 2	
04-00052903	Naples Commercial LLC	Quantum Building 4912 Del Ray Avenue Bethesda, MD 20814-2517	N850 Parcel 1	
04-01928395	Washington Metropolitan Area Transit Authority	600 5 <sup>th</sup> Street, NW Washington, DC 20001	P720	
04-02361673	Combined Properties Ltd. Partnership	c/o Combined Properties, Inc. 1025 Thomas Jefferson St., NW Suite 700 East Washington, DC 20007	N950 Parcel E	
04-03198636	White Flint Ltd. Partnership	c/o Lerner Corporation 2000 Tower Oaks Boulevard 8th Floor Rockville, MD 20852-4284	Parcel F	A
04-00049608	White Flint	c/o Lerner Corporation 2000 Tower Oaks Boulevard 8th Floor Rockville, MD 20852-4284	P4 & PT LT 3	A
04-00089524	White Flint Associates LLC	c/o Lerner Corporation 2000 Tower Oaks Boulevard 8th Floor Rockville, MD 20852-4284	Parcel 1	
04-01999164	905 North Frederick Road LLC	11411 Rockville Pike Kensington, MD 20895	11	A
04-01999142	905 North Frederick Road LLC	11411 Rockville Pike Kensington, MD 20895	PT Parcel D	A
04-01999153	905 North Frederick Road LLC	11411 Rockville Pike Kensington, MD 20895	10/ Parcel D	A
04-00056056	JWW LLC	7740 Legere Court McLean, VA 22102	P8	A
<b>Homeowners and Civic Associations</b>				
	Allied Civic Group	William Anderson, Jr. 160 Norwood Road Silver Spring, MD 20905		
	Allied Civic Group	Michael Diegel, President P.O. Box 13238 Silver Spring, MD 20911		
	Bentley Place Condominium	Marc Meltzer, President 11206 Whisperwood Lane Rockville, MD 20852		

**LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS**  
(Updated 9/10/2014)

<b>Tax Account No.</b>	<b>Name</b>	<b>Address</b>	<b>Lot/Parcel</b>	<b>Block</b>
	Bentley Place Condominium	Giner Fitzpatrick, Manager 8701 Georgia Avenue, Suite 300 Silver Spring, MD 20910		
	Bethesda Park A Condominium	Lynn Malloy, General Manager 12413 Braxfield Court, #T-1 Rockville, MD 20852		
	Bethesda Park A Condominium	Hirsch Davis, President 12413 Braxfield Court, #T-1 Rockville, MD 20852		
	Bethesda-Chevy Chase CC	Ginanne Italiano, Exec. Director 7910 Woodmont Ave., #1204 Bethesda, MD 20814		
	Cherington Condominium	Glen Loveland Abaris Realty, Inc. 12009 Nebel Street Rockville, MD 20852		
	Clarksburg Village Forum	David Stein, Chair MD		
	Clarksburg Village Forum	Ilene Lillian, Recording Secretary MD		
	Coalition of Kensington Communities	Liz Brennan 4324 Dresden Street Kensington, MD 20895		
	East County Citizens Advisory Board	Chair 3300 Briggs Chaney Road Silver Spring, MD 20904		
	Edson Lane Citizens Assn.	John Wolf, Jr., President 4901 Montgomery Lane Bethesda, MD 20814		
	Fallstone Condominium	Sarah Fitzpatrick, President 11321 Morning Gate Drive Rockville, MD 20852		
	Fallstone Condominium	Quantum Management Property Manager 5101 River Road, Suite 101 Bethesda, MD 20816		
	Fallswood Condominium Assn.	Stephan Willyard ComSource Management 16 Executive Park Court Germantown, MD 20874-2645		
	Fallswood Condominium Assn.	Dan Lowery ComSource Management, Inc. 3414 Morningwood Drive Olney, MD 20832		
	Fallswood Condominium Assn.	Matthew Herrmann, President 5800 Nicholson Lane Rockville, MD 20852		

**LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS**  
(Updated 9/10/2014)

<b>Tax Account No.</b>	<b>Name</b>	<b>Address</b>	<b>Lot/Parcel</b>	<b>Block</b>
	Forum Council of Co-Owners	Gary Digges 11801 Rockville Pike Rockville, MD 20852		
	Gables on Tuckerman Condo. Association	Ruwan Salgado, President 5800 Inman Park Circle Rockville, MD 20852		
	Garrett Park Citizens Association	Mario Grande, President Box 456 Garrett Park, MD 20896		
	Garrett Park Citizens Association	John King WFCC/WFIAC MD		
	Garrett Park Estates – White Flint	Natalie Goldberg, President 11111 Jolly Way Kensington, MD 20895		
	Georgetown Village Condominium	Ed Reich 11309 Commonwealth Drive Apt. 102 N. Bethesda, MD 20852		
	Georgetown Village Condominium	Community Management Corp. 11400 Commonwealth Drive N. Bethesda, MD 20852		
	Luxmanor Citizens Association	Della Stolsworth Planning and Development Chair 11400 Hollow Tree Lane Rockville, MD 20852		
	Midtown Bethesda North Condominium	Robert Brunelle, Gen. Manager 5750 Bou Avenue North Bethesda, MD 20852		
	Midtown Bethesda North Condominium	Lester Goldberg, President 5750 Bou Avenue, Unit 1801 North Bethesda, MD 20852		
	Midtown Bethesda North Condominium	Mo Ghahhari, Secretary 5750 Bou Avenue North Bethesda, MD 20852		
	Midtown Bethesda North Condominium	Jack Rogers, Treasurer 5750 Bou Avenue North Bethesda, MD 20852		
	Midtown Bethesda North Condominium	John Stuckey, Vice President 5750 Bou Avenue North Bethesda, MD 20852		
	Montgomery County Air Park	John Luke, Manager 7940 Airpark Road Gaithersburg, MD 20879		
	Montgomery County Civic Federation	Carol Ann Barth, President 10602 Lockridge Drive Silver Spring, MD 20901		

**LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS**

(Updated 9/10/2014)

<b>Tax Account No.</b>	<b>Name</b>	<b>Address</b>	<b>Lot/Parcel</b>	<b>Block</b>
	Montgomery County Renters Alliance Inc.	Matthew Losak, Director 1001 Spring Street, #316 Silver Spring, MD 20910		
	Montgomery County Taxpayers League	Joan Fidler, President 7400 Pyle Road Bethesda, MD 20817		
	Montgomery Preservation, Inc.	Judith Christensen, Director 6 Walker Avenue Gaithersburg, MD 20877		
	Montrose Civic Association	Charlotte Joseph, President 4 Lorre Court Rockville, MD 20852		
	Northern Montgomery County Alliance	Julius Cinque, Chair 22300 Slidell Road Boyd's, MD 20841		
	Old Georgetown Village Condo. Assn.	11400 Strand Drive Rockville, MD 20852		
	Old Georgetown Village Condo. Assn.	Karen Harris, Site Mgr.'s Office 11400 Strand Drive Rockville, MD 20852		
	Old Georgetown Village Condo. Assn.	Thomas Willis Zalco Realty, Inc. 8701 Georgia Avenue Silver Spring, MD 20910		
	Old Georgetown Village Homeowners	Beatrice Chester, Vice President 11200 Empire Lane N. Bethesda, MD 20852		
	Penbrooke Community Assn.	Zalco Realty, Property Manager 8701 Georgia Avenue Silver Spring, MD 20910		
	Randolph Civic Association	Daniel Hoffman 4602 Wilwyn Way Rockville, MD 20852		
	Randolph Civic Association	Kevin Kline, Executive Secretary 4808 Randolph Road North Bethesda, MD 20852		
	Randolph Civic Association	Chad Salganik, President P.O. Box 2202 Rockville, MD 20852		
	Rockville Chamber of Commerce	Andrea Jolly 1 Research Court, Suite 450 Rockville, MD 20850		
	Sierra Club – Montgomery County Group	Jim Fary, Chair 2836 Blue Spruce Lane Silver Spring, MD 20906-3166		
	Strathmore Avenue Ped. Bike Traffic Safety Coalition	George Nolfi, Chair 5113 Strathmore Avenue North Bethesda, MD 20895		

**LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS**  
(Updated 9/10/2014)

<b>Tax Account No.</b>	<b>Name</b>	<b>Address</b>	<b>Lot/Parcel</b>	<b>Block</b>
	Strathmore Avenue Ped. Bike Traffic Safety Coalition	Kelly McMullin, Vice-Chair 10901 Orleans Way North Bethesda, MD 20895		
	Strathmore Avenue Ped. Bike Traffic Safety Coalition	Sheila Levin, Vice-Chair 5226 Strathmore Avenue North Bethesda, MD 20852		
	Strathmore Avenue Ped. Bike Traffic Safety Coalition	Steve Shriver, Vice-Chair 5201 Strathmore Avenue North Bethesda, MD 20895		
	Strathmore Place Homeowners Assn.	Sara Brodie Allied Realty Corp., Prop. Mgr. 7605 Arlington Road, #100 Bethesda, MD 20814		
	Strathmore Place Homeowners Association	Melvin Dickover 5355 Strathmore Avenue Kensington, MD 20895		
	The Mains Homeowners Assn.	Lydia Cummins, Community Mgr. 8701 Georgia Avenue, Suite 300 Silver Spring, MD 20910		
	The Mains Homeowners Assn.	Ronald Venezia, President 10904 Bloomingdale Drive N. Bethesda, MD 20852		
	Timberlawn Homeowners Association	Davies Scott, President 5613 Sugarbush Lane Rockville, MD 20852		
	Timberlawn Homeowners Association	Doris Lavine, Secretary 11109 Snowshoe Lane Rockville, MD 20852		
	Timberlawn Homeowners Association	Jean Decker, Vice President 5712 Magic Mountain Drive Rockville, MD 20852		
	Town of Garrett Park	Jack Mandel, Councilmember P.O. Box 84 Garrett Park, MD 20896		
	Town of Garrett Park	Hans Wegner, Councilmember P.O. Box 84 Garrett Park, MD 20896		
	Town of Garrett Park	Chris Keller, Mayor P.O. Box 84 Garrett Park, MD 20896		
	Town of Garrett Park	Edwin Pratt, Jr. Town Administrator P.O. Box 84 Garrett Park, MD 20896		
	Tuckerman Station Condominium	Craig Windham, President 10717 Kings Riding Way, #201 Rockville, MD 20852		

**LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS**  
(Updated 9/10/2014)

<b>Tax Account No.</b>	<b>Name</b>	<b>Address</b>	<b>Lot/Parcel</b>	<b>Block</b>
	Tuckerman Station Homeowners Association	Richard Skobel 9 Park Avenue Gaithersburg, MD 20877		
	Tuckerman Station Homeowners Association	Shireen Ambush Abaris Realty, Inc. 12009 Nebel Street Rockville, MD 20852		
	Tuckerman Station Homeowners Association	Martin Rush, Chairman Community Relations Comm. 10820 Brewer House Road North Bethesda, MD 20852		
	Washington Metropolitan Area Transit Authority	Shyam Kannan 600 Fifth Street, NW Washington, DC 20001		
	Wheaton & Kensington Chamber of Commerce	Vicky Surles, Administrator 2401 Blueridge Avenue, #101 Wheaton, MD 20902		
	Wickford Community Assn.	Dennis Cassidy, President 11101 Waycroft Way Rockville, MD 20852		
	Wisconsin Condo Homeowners Assn.	Paul Meyer, President 5809 Nicholson Lane, #116 Rockville, MD 20852		
<b>Public Schools and Libraries</b>				
	Garrett Park Elementary School	Mrs. Elaine Chang-Baxter Principal 4810 Oxford Street Kensington, MD 20895		
	Tilden Middle School	Mrs. Irina LaGrange, Principal 11211 Old Georgetown Road Rockville, MD 20852		
	Walter Johnson High School	Ms. Jennifer Baker, Principal 6400 Rock Spring Drive Bethesda, MD 20814		
	Davis Library / Special Needs Library	6400 Democracy Boulevard Bethesda, MD 20817		
	Kensington Park Library	4201 Knowles Avenue Kensington, MD 20895		
	Detention Center Library	1307 Seven Locks Road Rockville, MD 20854		
<b>Parties of Record</b>				
	Ed Reich	11309 Commonwealth Drive Apt. 102 Rockville, MD 20852		
	Merry Elrod	11305 Commonwealth Drive Rockville, MD 20852		
	Kyleigh Quinn	5238 Nicholson Lane Kensington, MD 20895		

**LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS**

(Updated 9/10/2014)

<b>Tax Account No.</b>	<b>Name</b>	<b>Address</b>	<b>Lot/Parcel</b>	<b>Block</b>
	Ruwan Salgado	5800 Inman Park Circle, #400 N. Bethesda, MD 20852		
	Matthew Herrmann	Fallswood Condominium 5800 Nicholson Lane, #1008 Rockville, MD 20852		
	Jeff Bergman	Fallswood Condominium 5800 Nicholson Lane, #1008 Rockville, MD 20852		
	Mariana Castellanos	Fallswood Condominium 5800 Nicholson Lane, #1008 Rockville, MD 20852		
<b>Other</b>				
	The Maryland-National Capital Park and Planning Commission	Intake Section 8787 Georgia Avenue Silver Spring, MD 20910		
	Linowes and Blocher LLP	Barbara A. Sears, Esquire 7200 Wisconsin Ave., Suite 800 Bethesda, MD 20814	(301) 961-5157	
	Soltesz	James Chapman 2 Research Place, Suite 100 Rockville, MD 20850		







**JWW LLC**  
7740 Legere Ct  
McLean, VA 22102

April 17, 2014

Mr. Rob Eisinger  
PROMARK Real Estate Services LLC  
1390 Piccard Dr Suite 120  
Rockville MD 20850

Re: Abandonment of a Portion of Huff Court

Dear Rob,

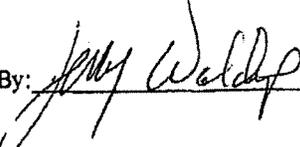
The purpose of this letter is to express the consent of JWW LLC to the abandonment of a portion of Huff Court between Executive Boulevard Extended and Nicholson Lane. We understand that a full width 80-foot right-of-way was dedicated for public use by record plats 7873, 11143, and 13042 in 1965, 1975, and 1980, respectively. As a result of the recently adopted White Flint Sector Plan, the recommended ROW has been reduced to 70 feet. Our property abuts a portion of this right-of-way. The abandonment will propose the abandonment of approximately 5 feet on the outer edges of the right-of-way to reduce the right-of-way to 70 feet in conformance with the Sector Plan. We are currently proposing redevelopment of our property through the CR optional method and believe that the abandonment will enhance our ability to create an urban design consistent with the goals of the Sector Plan.

In view of the above, we believe that the area to be abandoned is no longer necessary for public use and is in the public interest. Finally, we understand that if abandoned, the area abandoned abutting our property will be conveyed through resolution and plat to us as a result of the abandonment.

If you should require further information, please feel free to contact us. Thank you.

Very truly yours,

JWW LLC

By:  \_\_\_\_\_

905 North Frederick Road LLC

May 5, 2014

Mr. Rob Eisinger  
PROMARK Real Estate Services LLC  
1390 Piccard Dr Suite 120  
Rockville MD 20850

Re: PROMARK Petition for Abandonment of a Portion of Huff Court

Dear Mr. Eisinger:

The purpose of this letter is to express the consent of 905 North Frederick Road LLC, owner, and Wells Fargo Bank, mortgagor, to the abandonment of that portion of Huff Court between Executive Boulevard Extended and Nicholson Lane as identified in the Petition and as depicted on Exhibit A. We understand that a full width 80-foot right-of-way was dedicated for public use by record plats 7873, 11143, and 13042 in 1965, 1975, and 1980, respectively. As a result of the recently adopted White Flint Sector Plan, the recommended ROW for Huff Court has been reduced to 70 feet. Our real property interests abut a portion of this right-of-way. The Petition for Abandonment will propose the abandonment of approximately 5 feet +/- along the common boundary of our real property interests and the existing Huff Court right-of-way to reduce the right-of-way to 70 feet in conformance with the Sector Plan. We are currently proposing redevelopment of our property through the CR optional method and believe that the abandonment will enhance our ability to create an urban design consistent with the goals of the Sector Plan.

In view of the above, we believe that the area to be abandoned is no longer necessary for public use and is in the public interest. Finally, we understand that if abandoned, the area abandoned abutting our real property interests will be conveyed to 905 North Frederick Road LLC or its successors in title through resolution and plat to us as a result of the abandonment.

If you should require further information, please feel free to contact us. Thank you.

Very truly yours,

905 NORTH FREDERICK ROAD LLC

Wells Fargo Bank, N.A.

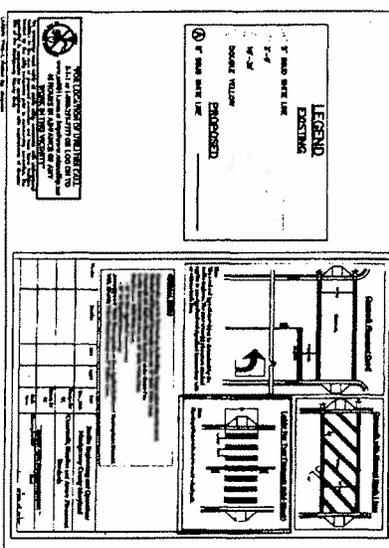
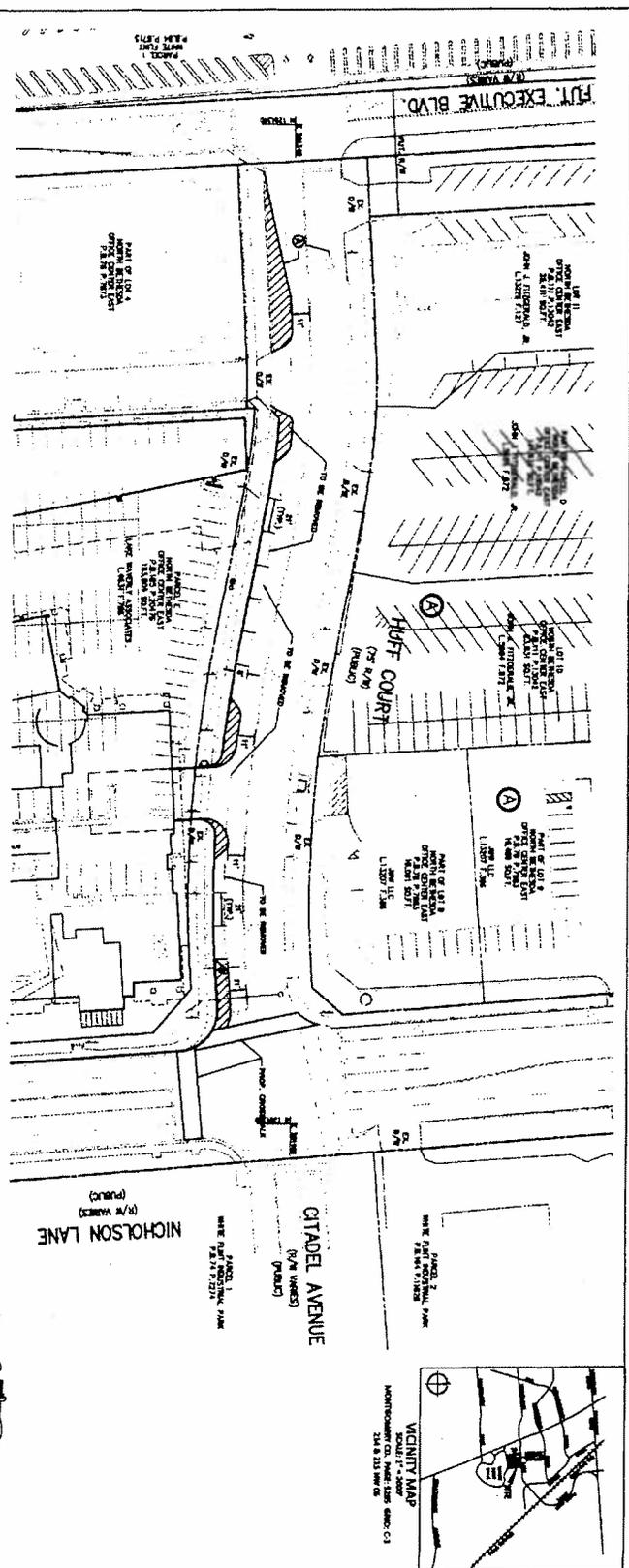
By: 

By: \_\_\_\_\_

John J. Fitzgerald, Jr., Manager







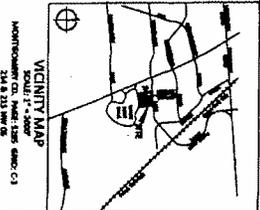
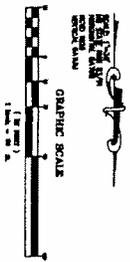
Planned pavement shall be as shown.

**GENERAL NOTES FOR PAVEMENT & MARKING PLANS**

1. All pavement markings shall be in accordance with the specifications.
2. Pavement markings shall be in accordance with the specifications.
3. All markings shall be installed in accordance with the specifications.
4. All markings shall be installed in accordance with the specifications.
5. The proposed pavement markings shall be in accordance with the specifications.
6. The proposed pavement markings shall be in accordance with the specifications.
7. The proposed pavement markings shall be in accordance with the specifications.
8. The proposed pavement markings shall be in accordance with the specifications.
9. The proposed pavement markings shall be in accordance with the specifications.
10. The proposed pavement markings shall be in accordance with the specifications.

**ADDITIONAL NOTES:**

1. All markings shall be installed in accordance with the specifications.
2. All markings shall be installed in accordance with the specifications.
3. All markings shall be installed in accordance with the specifications.



DATE	REVISED
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**HUFF COURT PROPOSED PAVEMENT MARKING PLAN**

**EAST VILLAGE AT NORTH BETHESDA GATEWAY**  
 8TH ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND

**VIFA**  
 VILLAGE INVESTMENT FUNDING AUTHORITY  
 100 WASHINGTON LLC  
 1000 COUNTY ROUTE 202, SUITE 200, WASHINGTON, MARYLAND 20006  
 (301) 291-2000 • FAX (301) 291-2000  
 WWW.VIFA.MD

Exhibit 177

1/23/2011





1140 Connecticut Avenue NW  
Suite 600  
Washington, DC 20036  
202.296.8625

## TECHNICAL MEMORANDUM

To: Rob Eisinger  
Josh Etter

From: Jim Watson, PTP  
Erwin Andres, P.E.  
Peter Kaufmann, E.I.T.

Date: September 11, 2014

Subject: North Bethesda Gateway – Huff Court Abandonment Assessment

PROMARK Real Estate Services LLC  
Foulger Pratt Development, LLC

### ***Introduction***

This memorandum is intended to assess the proposed abandonment of five feet of right of way (ROW) along the eastern curb of Huff Court along the western edge of the planned North Bethesda Gateway development, as shown on Figure 1. This abandonment would occur along the eastern side of Huff Court and would be bounded by Nicholson Lane to the north and the Lake Waverly project limits to the south. Striping would be added south of the site to create a transition between the existing 80 foot ROW and the proposed reduced section to the north. As discussed below, abandonment is appropriate as the five feet of ROW along Huff Court's eastern curb is no longer necessary for present public use or anticipated public use in the foreseeable future.

### ***Abandonment and Roadway Reconfiguration***

Currently, Huff Court occupies 80 feet of ROW with 48 feet of curb to curb paving allowing for three travel lanes. The three travel lanes are currently striped to allow two 12 foot northbound lanes and a single 24 foot southbound lane. At its intersection with Nicholson Lane, Huff Court is currently marked for a northbound right turn lane, a northbound shared left-through lane, and a single southbound lane. At its intersection with the existing White Flint Mall Ring Road, Huff Court is currently marked for a single southbound lane and two northbound lanes.

With the proposed 5 foot right of way abandonment, the total right of way would be reduced to 75 feet while the total curb to curb paved width would be reduced to 43 feet adjacent to the site. Striping would be added around the existing driveway serving the adjacent 11501 Huff Court property to the south to create a safe and efficient lateral shift between the existing 48 foot curb to curb width to the south of the property line and the proposed 43 foot curb to curb width to the north. This lateral shift would be achieved through a tapered transition approximately 78 feet in length, commencing from tangent of the intersection with the White Flint Mall Ring Road (or future Executive Boulevard Extended) to minimize the disturbance to that existing intersection.

The 43 feet of proposed curb to curb pavement width could still accommodate three travel lanes, similar to Huff Court's current orientation. The White Flint Sector Plan identifies that the subject segment of Huff Court is planned to have a 70 foot ROW width with two traffic lanes in the future. Even with the abandonment of 5 feet of the eastern curb of Huff Court, the roadway and right-of-way width would still exceed these planned dimensions. In addition, the proposed paved

width of Huff Court would allow for traffic to either function along the roadway as it does today, with a similar three-lane configuration, or as a two-lane roadway as planned. Thus, the proposed five feet of ROW along Huff Court's eastern curb is no longer necessary for present public use or anticipated public use in the foreseeable future.

### Impact Assessment

A capacity analysis review of the northbound Huff Court approach to Nicholson Lane and the southbound Huff Court approach to the existing White Flint Mall Ring Road (or future Executive Boulevard Extended) shows that both approaches would operate at acceptable levels of service, similar to current conditions, with the addition of North Bethesda Gateway site and background traffic as noted below on Table 1. Total future traffic volumes were obtained from the previously submitted "North Bethesda Gateway – Response to Montgomery County Department of Transportation Comments" memorandum, dated August 27, 2014, and are attached in the appendix.

Maintaining the three-lane section at the intersection with Nicholson Lane offers some minimal improvement to future delay and queuing conditions compared to the planned two-lane alignment, resulting in a one to two second improvement in delay and an improvement of less than a car length in vehicle queueing. No differences were noted in delay or queuing at the Huff Court intersection with the existing White Flint Mall Ring Road (or future Executive Boulevard Extended). Overall, delay and queuing along Huff Court are anticipated to be similar at either intersection whether the existing three-lane alignment is maintained or the planned two-lane alignment is implemented at Huff Court's approaches to either intersection. Figure 1 notes the existing lane use while Figure 2 shows Total Future 2017 traffic volumes with the development of North Bethesda Gateway.

**Table 1: Capacity Analysis Results**

Intersection	Approach	Available Storage	Total Future (2017) with Existing Lane Use				Total Future (2017) with White Flint Sector Plan Lane Use			
			AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
<b>Queues</b>										
1. Nicholson Ln & Huff Ct / Citadel Ave	Northbound	584'	24'	46'	55'	83'	25'	49'	63'	97'
2. Executive Blvd Extended & Huff Ct / White Flint Blvd	Southbound	584'	4'	24'	4'	19'	4'	24'	4'	19'
<b>Levels of Service</b>										
1. Nicholson Ln & Huff Ct / Citadel Ave	Northbound		D	40.2	D	39.2	D	40.7	D	41.2
2. Executive Blvd Extended & Huff Ct / White Flint Blvd	Southbound		B	10.4	B	11.2	B	10.4	B	11.3

Post abandonment, Huff Court would be designed to comply with County standards and would offer many other benefits that would be consistent with the Sector Plan's goals for transit oriented development, including:

- Shortening the crossing distance of Huff Court for pedestrians, creating a safer pedestrian environment;
- Slowing traffic along the block through traffic calming by means of narrower travel lanes; and
- Creating additional sidewalk space to allow for greater activation of the streetscape, thereby enhancing the pedestrian experience.

### Conclusions

In summary, the abandonment of five feet of right of way along the eastern curb of Huff Court along the western edge of the planned North Bethesda Gateway development will not detrimentally impact traffic conditions along Huff Court and will result in similar traffic operations whether striped as a three-lane section as currently exists or a two-lane sections as

North Bethesda Gateway – Huff Court Abandonment Assessment  
September 11, 2014

Page 3

contemplated in the White Flint Sector Plan. The proposed abandonment complies with County plans and standards and Sector Plan transit oriented development goals and will enhance the pedestrian experience by allowing for greater activation of the streetscape and narrower crossing distances across Huff Court. Based on the above analysis, therefore, the five feet of ROW along Huff Court's eastern curb is no longer necessary for present public use or anticipated public use in the foreseeable future.

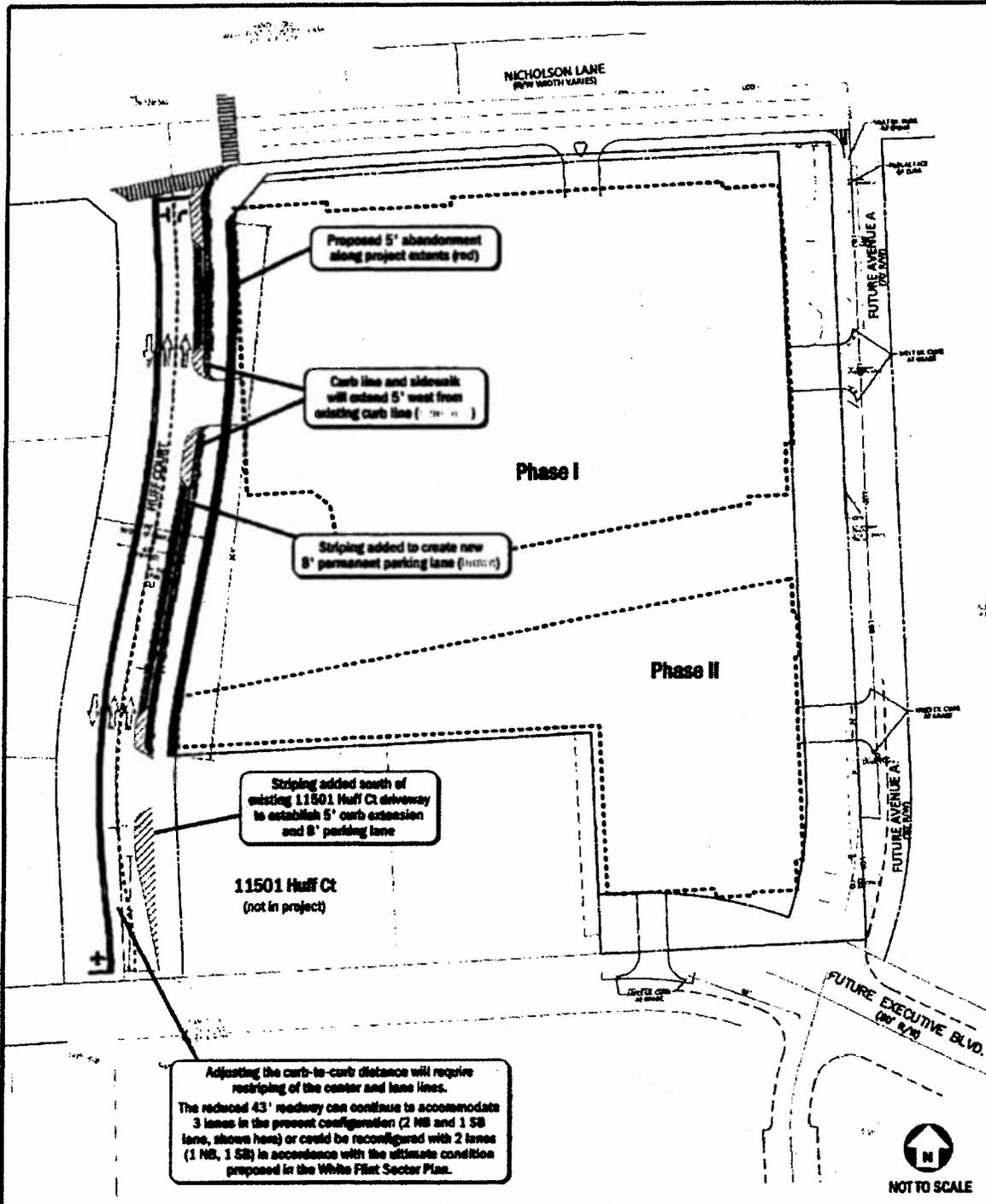
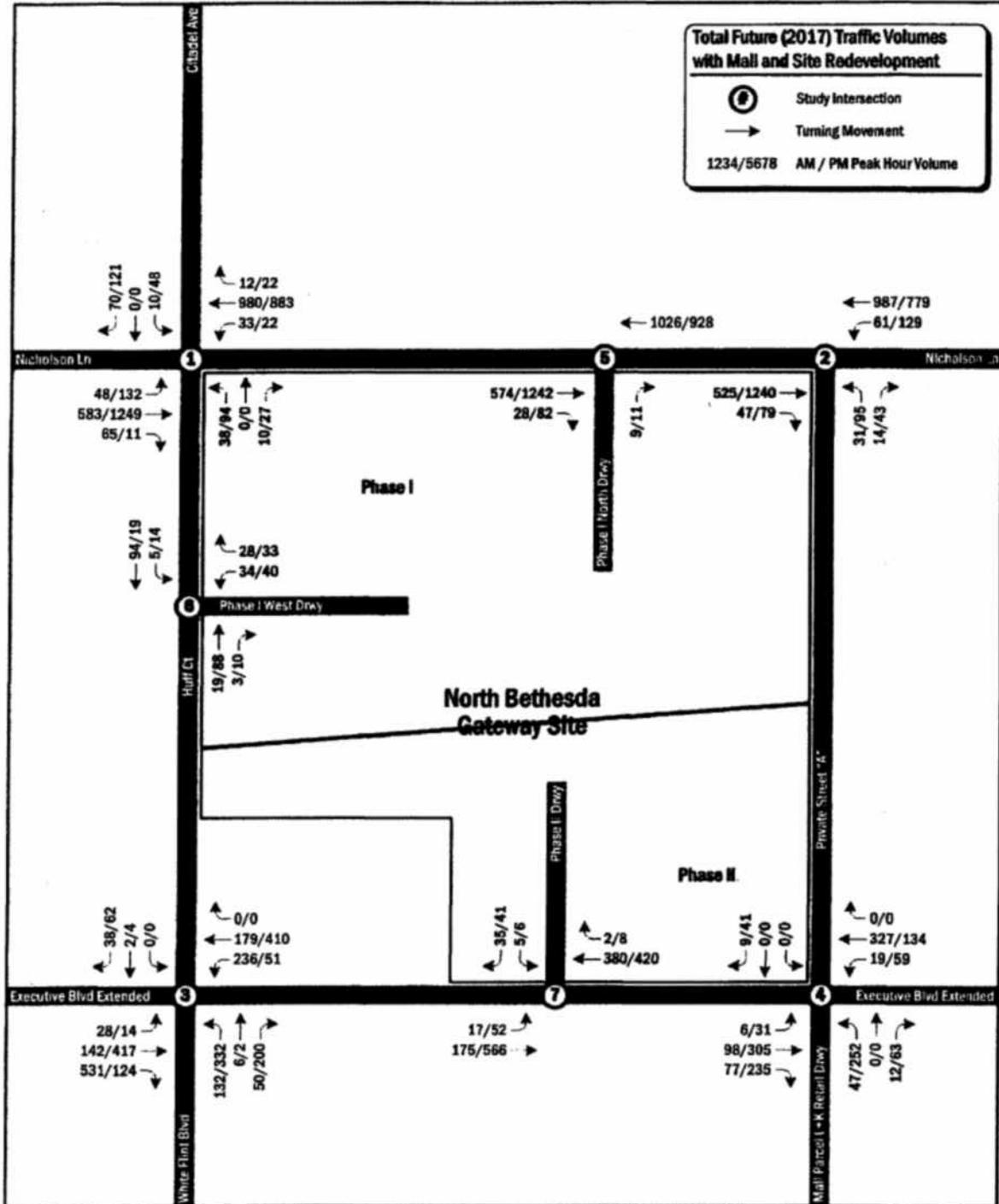


Figure 1: Huff Court Right-of-Way Abandonment



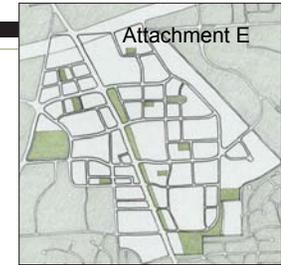
North Bethesda Gateway – Huff Court Abandonment Assessment  
September 11, 2014

Page 6

**Figure 2: Total Future (2017) Traffic Volumes**



# the vision



This Sector Plan vision establishes policies for transforming an auto-oriented suburban development pattern into an urban center of residences and businesses where people walk to work, shops and transit. Offices and plazas are full of workers during the day. At night and on weekends people attend the theater, visit galleries, and eat out. In the summer, people are out enjoying evening activities. Rockville Pike will be transformed from a traffic barrier dividing the center into a unifying multi-modal boulevard. White Flint will be a place where different lifestyles converge to make urban living interesting and exciting. The proposed cultural and retail destinations in and around the civic core, the open space system, and the walkable street grid unite to energize White Flint. From this energy, White Flint will become a vibrant and sustainable urban center that can adapt and respond to existing and future challenges.

There are few locations remaining in Montgomery County where excellent transit service and redevelopment potential coincide. The MD 355/I-270 Corridor (Map 1) is a historic travel and trade route that links communities in Montgomery County to those in Frederick County. In the last 30 years the corridor has emerged as a prime location for advanced technology and biotechnology industries with regional shopping and cultural destinations. White Flint fits squarely into Montgomery County's General Plan and long range policies as the place to accommodate a substantial portion of the region's projected growth, especially housing. This Plan recommends adding more residential capacity near existing transit facilities to balance land uses in the MD 355/I-270 Corridor. A substantial housing resource at White Flint is well situated to support the planned expansion of federal facilities in White Flint (Nuclear Regulatory Commission) and Bethesda (Walter Reed National Military Medical Center) and provide a sufficient supply of housing options to serve County residents throughout their stages of life.

White Flint was first proposed as an urban, mixed-use community at the center of North Bethesda more than 30 years ago with the extension of Metrorail service. Over the decades, the envisioned transformation from a suburban, car-oriented series of strip shopping centers into an urban, transit-oriented, mixed-use area has occurred slowly and in scattered pockets. The White Flint Mall, a regional shopping destination with three floors of shops and ample structured parking, was one of the early attempts to blend urban form with suburban needs. But, the automobile still dominates, especially along Rockville Pike and the pedestrian experience in most of White Flint is barely tolerable. Recent projects (the Conference

# midtown

# urban place

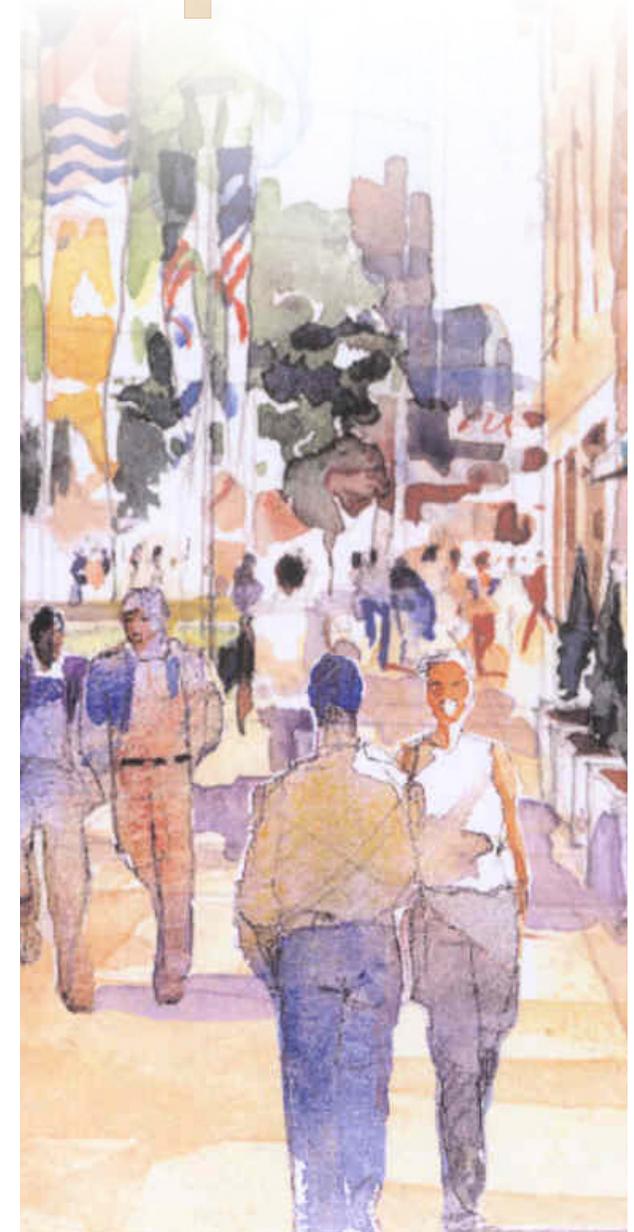


## Urban Form and the Public Realm

White Flint will be more than the sum of its parts. This Plan seeks to unify White Flint around an urban core where active public spaces, streets, public parks, and plazas organize the built environment and give it character and style. Land use may define the activity, but successful places rely on the quality of urban spaces and buildings. This requires a connected street grid and public use space system framed by buildings. The street grid creates walkable blocks with residences and local services. Two intersecting promenades, an east-west section along Market Street and a north-south section along Rockville Pike, will provide a unique environment for walking and biking throughout the Sector Plan. Pedestrian activity brings more people into the public spaces and increases the safety of all.

Redevelopment in the Sector Plan area may take 20 years or more and will occur property by property. Therefore, the Plan guides how the parts fit together as development occurs. The Planning Board must adopt the White Flint Urban Design Guidelines that provide greater detail for context-sensitive development, such as build-to lines, placement of sidewalks and streetscape, utilities, and other special features, to ensure implementation of the Plan vision.

<b>Core</b>	In the core, the community, the conference center, and commerce converge to express White Flint's special character. The highest density and tallest buildings at the Metro station will form an identifiable center.
<b>Mobility</b>	White Flint will have a walkable street system. Rockville Pike, transformed into a grand boulevard, will visually tie together the east and west sides of the Sector Plan area. Sidewalks, bikeways, trails, and paths will provide options for pedestrian circulation and connections to the existing and new neighborhoods and surrounding communities.
<b>Buildings</b>	White Flint will have buildings with podiums that line the street and slender towers that articulate the skyline. Architectural details will incorporate features that add interest at the ground level as well as the floors above.
<b>Public Use Spaces</b>	The compact development pattern includes a system of public use spaces where people can gather for events or enjoy recreational activities.
<b>Compatibility</b>	New development will decline in height and density from the center and Rockville Pike, providing compatible transitions as it approaches the surrounding neighborhoods.
<b>Sustainability</b>	New development must incorporate environmentally sensitive design to conserve and generate energy and make maximum use of resources and minimize disruption of the natural environment.



### Core

The core of White Flint is located between Marinelli Road and Old Georgetown Road and within a ¼-mile of the Metro station. Here density is high and buildings are tall. Two districts define the core: the Metro West District with the Conference Center, Wall Local Park, and civic green on the west side of Rockville Pike; and the Metro East District with two Metro entrances, a bridge over the Metro tunnel, and the North Bethesda Center development. Market Street connects the two districts across Rockville Pike. A secondary focal area lies along both sides of Rockville Pike between Montrose Parkway and Executive Boulevard (Extended), where existing and planned retail centers will continue to serve the regional market. Buildings along Rockville Pike take advantage of long views out as well as visibility from the northern and southern edges of the Sector Plan area (Map 7).

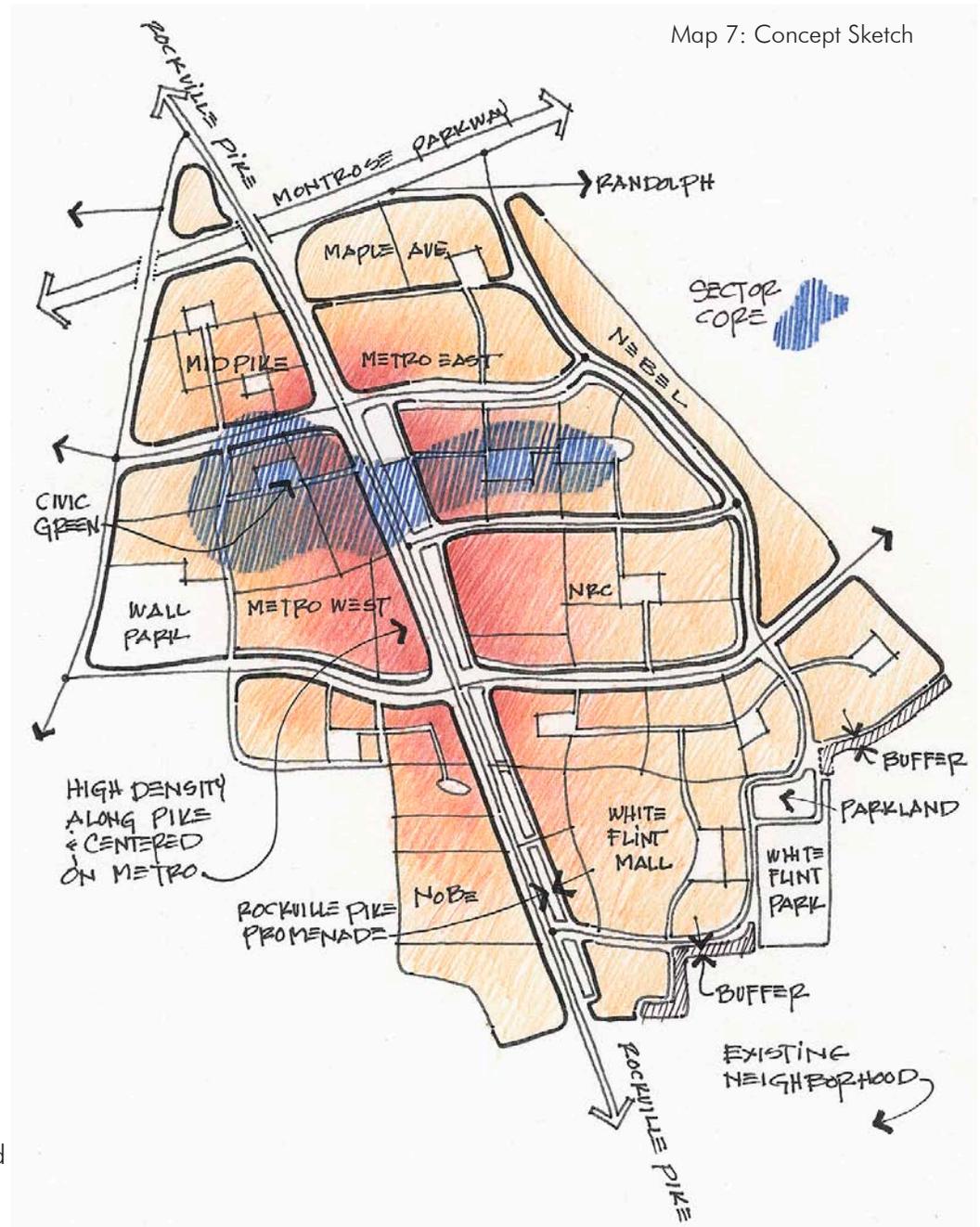
### Mobility

The key to transforming White Flint into a great urban place is reconfiguring its mobility system. The existing street network will be reconstituted into a hierarchical grid system and the proposed new streets will form smaller grids that provide access into the new development. The transit system will expand to include local as well as circulator bus service and convenient pedestrian access.

Street Hierarchy	
Rockville Pike Boulevard	
Business streets	
Private streets	
Promenades	
Bike paths and trails	
Recreation loop	

The success of White Flint as an urban center requires attention to the pedestrian experience. Existing conditions, high volumes of traffic, lack of streetscape, narrow sidewalks, and multiple turning lanes at wide intersections inhibit pedestrian movement.

Reconstructing the existing street network, especially along Rockville Pike, and using pedestrian-friendly cross sections will significantly improve the pedestrian environment. All the streets will be pedestrian-oriented and walkable. Rockville Pike, transformed into a grand boulevard, will visually tie together the east and west sides of the Sector Plan area. Sidewalks, bikeways, trails, and paths provide options for pedestrian circulation and connections to other communities.



### Block 1: Fitzgerald and Eisinger

This C-2 zoned block contains commercial properties located at the southwestern and southeastern corners of the intersection of Huff Court and Nicholson Lane. The Fitzgerald property has frontage along Rockville Pike while the Eisinger property is located at the southeastern intersection of Nicholson Lane and Huff Court. Uses include an automobile sales center, office buildings, and a commercial shopping center. New mixed-use development is anticipated for both blocks. The Eisinger property is anticipated to develop with more residential than non-residential development.

- Rezone land west of Huff Court (Fitzgerald property, a closed gas station, and some smaller properties) to CR 4: C 3.5, R 2.0, and H 250. Residential uses may not be as desirable along Rockville Pike as offices or hotel uses.
- Rezone land east of Huff Court (Eisinger property and two lots owned by Lerner/Tower) to CR 3: C 1.5, R 2.5, and H 200 to encourage residential development. Affordable housing, especially Workforce Housing, may be appropriate at this location in conjunction with redevelopment of the western portion of Block 1.

### Block 2: White Flint Plaza

White Flint Plaza is a commercial shopping center zoned C-2. The shopping center has surface parking and several single-story buildings. There are some long-term leases in this shopping center that may affect the timing of redevelopment. A new neighborhood green up to ½ acre is proposed when the shopping center is redeveloped. This block is under single ownership.

- A proposed local street will divide the property. Rezone the western portion to CR 3: C 1.5, R 2.5, and H 200. Rezone the eastern portion to CR 2.5: C 1.25, R 2.0 and H 70. The C 1.5 and C 1.25 designations will accommodate the existing shopping center. As shown on the Height and Density map, development on this property should transition between Block 1 and Block 3. Development on the western half should have 150-foot heights to ensure a transition between Block 1 and the eastern portion. The eastern portion should have a density of 2.5 FAR and a maximum height of 70 feet to ensure compatibility with Block 3.

**Table 4: Roadway Facility and Segment**

Street	From	To	Road Number	ROW (feet)	Lanes*	Road Code Standard
<b>Major Highways</b>						
<b>Old Georgetown Rd (MD 187)</b>	Nicholson Ln	Executive Blvd	M-4	150	6, divided	2008.02 mod.
	Executive Blvd	Rockville Pike (MD 355)	M-4	120	4, divided	2008.01 mod.
<b>Hoya St</b>	Executive Blvd	Montrose Pkwy	M-4a	120	4, divided	2008.01 mod.
<b>Rockville Pike (MD 355)</b>	Sector Plan southern boundary	Sector Plan northern boundary	M-6	150 (162**)	6, divided	2008.02 mod.
<b>Arterials</b>						
<b>Montrose Pkwy</b>	Hoya St	Sector Plan eastern boundary	A-270	300	4, divided	2007.01 mod.
<b>Randolph Rd</b>	Montrose Pkwy	Plan eastern boundary	A-90	100	4	2004.01 mod. / 2004.28 mod.
<b>Nicholson Ln</b>	Old Georgetown Rd (MD 187)	Sector Plan eastern boundary	A-69	90	4	2004.02 mod. 2004.26 mod.
<b>Business Roads</b>						
<b>Chapman Ave (Maple Ave)</b>	Marinelli Rd	Old Georgetown Rd	B-12	70	2	2005.02
	Old Georgetown Rd	Montrose Pkwy	B-12	70	2	2005.02
<b>Citadel Ave/Boylston St</b>	Nicholson Ln	Old Georgetown Rd	B-4	70	2	2005.02
<b>Edson Ln</b>	Woodglen Dr	Rockville Pike (MD 355)	B-5	70	2	2004.21 mod. / 2005.02 mod.
<b>Executive Blvd Extended</b>	Marinelli Rd	Nebel St Extended (B-5)	B-7	80	4	2004.01
<b>Huff Ct/ Huff Ct Extended</b>	Executive Blvd Extended	Nicholson Ln	B-4	70	2	2005.02
<b>Huff Ct/ Huff Ct Extended***</b>	Nebel St Extended (B-5)	Executive Blvd Extended	B-4	70	2	2005-02
<b>Station St</b>	Marinelli Rd	Old Georgetown Rd	B-11	70	2	2005.02
<b>Marinelli Rd</b>	Executive Blvd	Nebel St	B-6	90	4	2005.03 mod.
<b>Market St</b>	Old Georgetown Rd (MD 187)	Rockville Pike (MD 355)	B-10	70	2	2005.02
<b>McGrath Blvd</b>	Rockville Pike (MD 355)	Wentworth Pl (B-13)	B-10	70	2	2005.02
<b>Mid-Pike spine street</b>	Marinelli Rd	Old Georgetown Rd (MD 187)	B-15	80	4	2004.01
	Old Georgetown Rd (MD 187)	New Street (Mid-Pike rung) (B-16)	B-15	70	2	2005.02
<b>Nebel St Extended</b>	Randolph Rd	Plan northern boundary	B-5	80	4	2004.24 mod.
<b>Nebel St</b>	Nicholson Ln	Randolph Rd	B-5	80	2	2004.24 mod.
<b>Nebel St Extended</b>	Rockville Pike (MD 355)	Nicholson Ln	B-5	80	2	2004.01 mod. 2005.02 mod.
<b>new street (Mid-Pike rung)</b>	Hoya St	Rockville Pike (MD 355)	B-16	80	2	2005.02 mod.
<b>Nicholson Ct (realigned)</b>	Nebel St Extended	900 feet east of Nebel St Extended	B-14	70	2	2005.02
<b>Old Georgetown Rd</b>	Rockville Pike (MD 355)	Nebel St	B-2	90	4	2004.02 mod. / 2005.03 mod.
<b>Security Ln/Security Ln Extended</b>	Woodglen Dr	Huff Ct Extended (B-4)	B-17	70	2	2005.02
<b>Wentworth Pl</b>	Marinelli Rd	Nebel St	B-13	70	2	2005.02
<b>Woodglen Dr</b>	Edson Ln	Nicholson Ln	B-3	70	2	2005.02 mod.
<b>Woodglen Dr ***</b>	Nicholson Ln	Marinelli Rd	B-3	60	2	2005.02 mod.
<b>Woodglen Dr ***</b>	Marinelli Rd	Mid-Pike Rung (B-16)	B-3	70	2	2005.02 mod.
<b>new street ***</b>	Chapman Ave	Nebel St	B-18	70	2	2005.02
<b>new street ***</b>	Nicholson Ln	Executive Blvd Extended	B-19	70	2	2005.02

\*The number of planned through travel lanes for each segment, not including turning, parking, acceleration, deceleration, or other auxiliary lanes.

\*\* The Rockville Pike 150-foot right-of-way can be expanded to 162 feet (additional feet to be obtained through reservation).

\*\*\* New streets B-18, B-19, Huff Court Extended (B-4), and the portion of Woodglen Drive (B-3) north of Nicholson Lane may be constructed as private streets subject to use easements meeting the requirements described in the Plan text.

"mod." indicates that some modification is needed to the referenced design standard to reflect planned elements such as transit priority, bike lanes, or turn lanes.

The target speed for all master planned roadways in the Plan area is 25 m.p.h., except for Montrose Parkway with a target speed of 35 m.p.h. in the Plan area.