



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

MCPB
Item No. 7
12-13-07

November 29, 2007

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Daniel K. Hardy, Supervisor *DKH*
Transportation Planning

FROM: Ki H. Kim, Planner *KKK*
Transportation Planning

SUBJECT: MCPB 07-215 AB
Abandonment of Portion of Unimproved Redford Road
Bethesda

RECOMMENDATION

Staff recommends approval of the subject abandonment with the following condition.

- 1. The applicant retains a 10-foot wide maintenance easement for an existing utility use.**

DISCUSSION

This abandonment is for a portion of the dedicated right-of-way of unimproved Redford Road located north of Allandale Road and south of Little Falls Parkway as shown on the general location map (Attachment "A") and the detailed drawing (Attachment "B"). This abandonment of one block of a paper street is requested by the abutting property owners to the paper street. The portion of Redford Road being abandoned is 50.03 feet wide and 87.55 feet long.

Staff recommends approval of the requested abandonment based on our finding that the right-of-way being abandoned is not necessary for present public use or anticipated for future use in the foreseeable future except a 10-foot wide maintenance easement for utility company use. The Washington Gas Company requests an easement for utility maintenance. (A copy of their letter dated August 22, 2007 to Norman Knopf requesting this easement under cover of Mr. Knopf's September 7, 2007 transmittal to us is attached as Attachment "C".)

This portion of Redford Road was dedicated for public use as a part of the 1941 Green Acres Subdivision but the right-of-way has never been used by vehicles or pedestrians. Pedestrian access from Allendale Road to Little Falls Parkway is currently available through the existing pedestrian path on the Greenway Drive right-of-way approximately 300 feet to the north. Thus, staff finds that the proposed abandonment will not adversely affect the surrounding area.

Staff concludes that the right-of-way being abandoned is not necessary for present public use or anticipated for public use in the foreseeable future except retaining a 10-foot wide maintenance easement to be identified on record plat. We therefore recommend approval of the subject abandonment with the condition as described above.

Attachments


Redford Rd Abandonment






ATTACHMENT "A"



Map Compiled On 11-29-2007 at 10:03 AM
 Map Scale: 1 inch = 350 feet or 1:4200



 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-mnccppc.org>

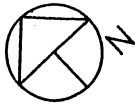
 Master Plan of Highways Centerline 2
 DPWT DIME 2000 Street Centerlines
 MCPDP Planimetric Street Centerlines
 Property
 Montgomery County

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.

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SKETCH PLAT

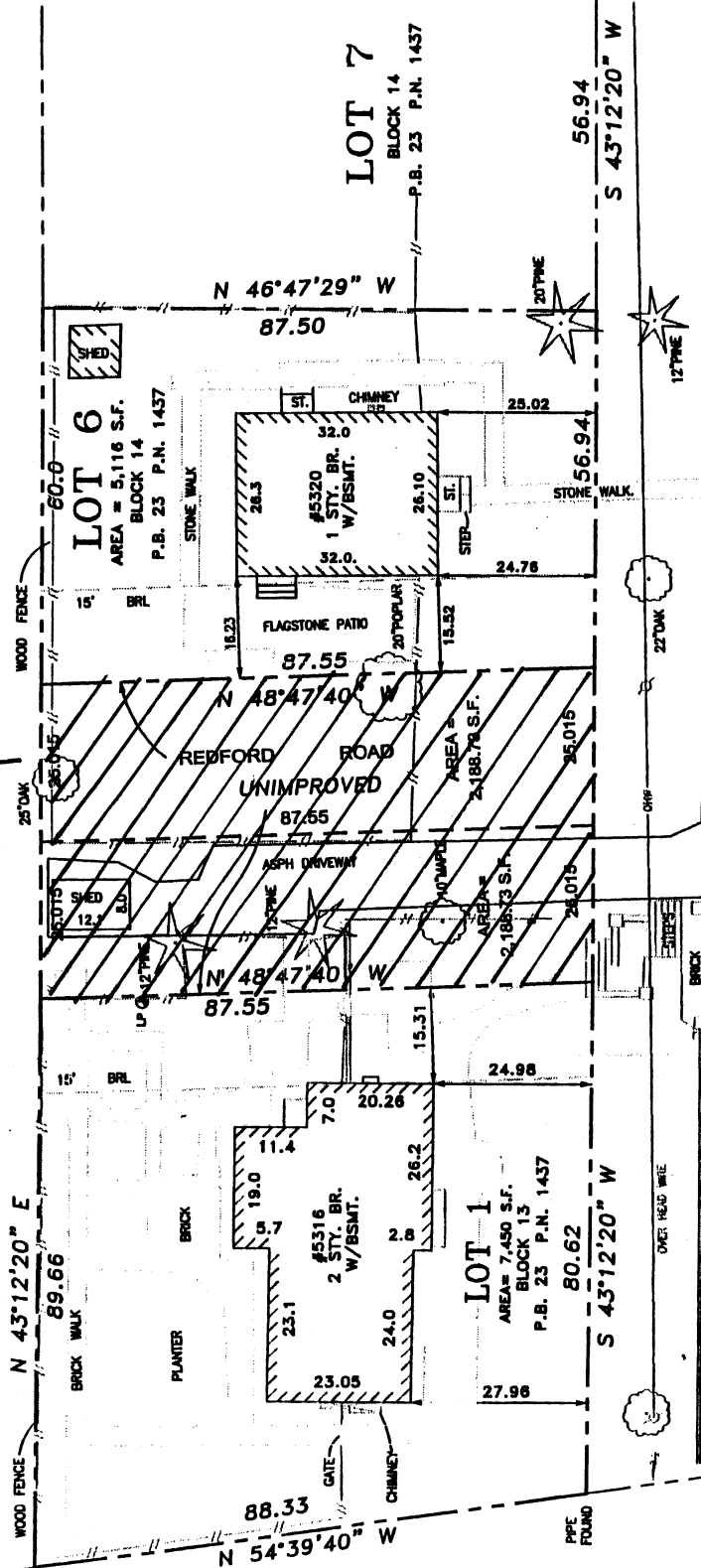
LOT 1 BLOCK 13, LOT 6 BLOCK 14

GREENACRES

PART OF BLOCKS 4, 11, 12, 13, 14, & 15
MONTGOMERY COUNTY, MARYLAND

MCPB 07-215

LITTLE FALLS PKWY



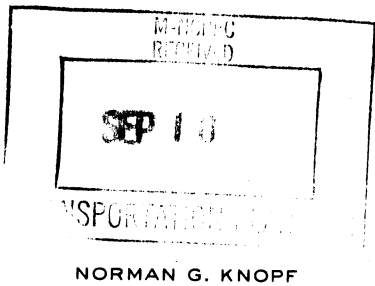
ROAD

(60' R.O.W.)

ALLANDALE

REDFORD ROAD

(50' R.O.W.)



ATTACHMENT "C"

LAW OFFICES OF
KNOPF & BROWN
401 EAST JEFFERSON STREET
SUITE 206
ROCKVILLE, MARYLAND 20850
(301) 545-6100

FAX: (301) 545-6103
E-MAIL KNOPF@KNOPF-BROWN.COM
WRITER'S DIRECT DIAL
(301) 545-6104

September 7, 2007

Dan Hardy, Supervisor
Transportation Division
Maryland National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Re: **Petition for abandonment of a portion
of Redford Road (a paper street)**

Dear Dan:

As we discussed yesterday by telephone, in response to the petition for abandonment, which I mailed to numerous agencies, Washington Gas sent me a letter, dated August 22, 2007, advising that there is a gas main in the area of the proposed abandonment. Washington Gas has no objection to the abandonment providing a 10' wide maintenance easement is given to the company. My clients have no objection to such an easement.

Note that while the letter is addressed to me, the salutation is addressed to "Dear Mike". It would thus appear that this letter has been forwarded to Mike Cassidy at DPW&T rather than to you or any other Planning Board staff member. As you requested, I am enclosing a copy of the letter.

When I received this letter, I called Washington Gas and spoke with the writer John Smith. He advised that the pipe is a stub to provide gas service for any future development (which is highly unlikely since the property beyond the pipe is Little Falls Park and Little Falls Parkway). He stated the pipe runs down the center of the right of way to be abandoned for approximately 50-75'. He cannot tell me the exact location because rules promulgated since 9/11 prevent disclosure of such information. However, he advised that when we prepare the record plat, our engineers can obtain that information from Ms. Utility.

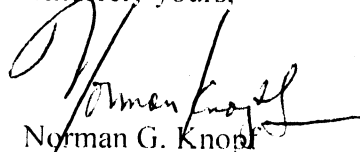
Finally, you have advised me that you hope to have all of the comments from the various agencies collected by the end of this month and perhaps a hearing before the Planning Board can be scheduled some time in October. You have confirmed that you

Dan Hardy, Supervisor
September 7, 2007
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will check with me before it is scheduled regarding my availability and the availability of my clients.

I again thank you for your cooperation.

Sincerely yours,



Norman G. Knopf

/enclosure

cc: Jeffrey and Wendy Cohen [5320 Allandale Road]
Lynn Smelkinson [5316 Allandale Road]



Washington
Gas

6801 Industrial Road
Springfield, Virginia 22151

8-22-07

To: Norman Knopf
Knopf & Brown
401 East Jefferson Street
Suite 208
Rockville, Maryland 20850

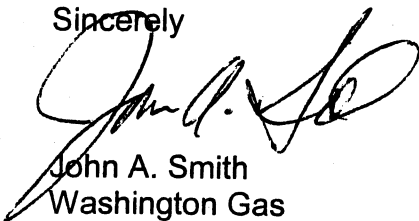
From: John Smith
Washington Gas
Supervisor Survey & Land Rights

Subject: Petition for Abandonment of One Block Portion of Redford Road a paper Street, Montgomery County, maryland

Dear Mike,

After review of our records and drawings and description and drawings sent to Washington Gas we have discovered have a gas main in the area of proposed abandonment and it will need to be protected by an easement. Or the petitioner may seek to have this pipe abandon at their sole cost and a easement will not be required. Therefore, we find this to be a conflict with Washington Gas and we must **OBJECT** to this proposal unless one of above conditions are met..

Sincerely



John A. Smith
Washington Gas
Supervisor Survey & Land Rights

