



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Montgomery County Department of Park and Planning

MCPB
Item No. 12
June 2, 2005

May 25, 2005

MEMORANDUM

TO: Montgomery County Planning Board

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

FROM: Cherian Eapen, Planner/Coordinator *CE*
Transportation Planning
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SUBJECT: DPWT Docket No. AB-668
Abandonment of an Unimproved Portion of Somerset Lane Right-of-Way between Orchard Way and Berkeley Road (Between Lot 10, Block D and Lot 1, Block F Colesville Farms Estates East of New Hampshire Avenue, Silver Spring White Oak Master Plan; Fairland/White Oak Policy Area

This memorandum presents Transportation Planning staff's review of the subject Abandonment case pertaining to the abandonment of a portion of unimproved Somerset Lane right-of-way between Orchard Way to the north and Berkeley Road to the south, within the Fairland/White Oak Policy Area in an R-200 Zone.

RECOMMENDATION

Staff recommends that the Planning Board support approval of the subject Somerset Lane abandonment request with the following condition:

1. That the proposed abandonment become effective simultaneously with the recordation of a complete record plat for the proposed re-subdivision of the properties (Preliminary Plan No. 1-05004; Colesville Farm Estates), which would reflect a new 15-foot wide unimproved right-of-way between Orchard Way to the north and Berkeley Road to the south (as "Parcel A" – between proposed lots three and four, and to the south of proposed lots two and three, as shown on Preliminary Plan dated May 4, 2005).

DISCUSSION

The subject abandonment comes under the review of the County Council since an overhead utility line currently serving one of the existing lots crosses the subject right-of-way. The abandonment is therefore proceeding via the Montgomery County Department of Public Works and Transportation (DPWT) per Section 49-62(a) of the Montgomery County Code. DPWT Docket No. AB-668, describing the proposed abandonment, is included as Attachment No. 1.

The abandonment applicant currently owns the two lots on either side of the section of Somerset Lane requested to be abandoned. The applicant intends to incorporate the two existing lots and the abandoned right-of-way into a new record plat to re-subdivide the property into three new lots. The subdivision application, if approved, would also reflect a new 15-foot wide unimproved right-of-way between Orchard Way to the north and Berkeley Road to the south as "Parcel A", between proposed lots three and four, and to the south of proposed lots two and three on a new record plat. The proposed plan is included as Attachment #2.

Somerset Lane functions as a secondary residential street and has a right-of-way width of 60 feet. The section of Somerset Lane to the north of Orchard Way is currently improved with a 20-foot wide roadway and connects to Hobbs Drive. In the vicinity of this intersection, a 15-foot wide right-of-way exists between Hobbs Drive and Upper Paint Branch Park. Public access to Upper Paint Branch Park is also available via the eastern end of Orchard Way, approximately 1,200 feet east of the subject right-of-way. Colesville Local Park and community services in the old Colesville Elementary School are located along Hobbs Drive near New Hampshire Avenue (MD 650). Both Hobbs Drive and Orchard Way are secondary east-west streets between MD 650 and Upper Paint Branch Park. To the south of Orchard Way, Somerset Lane is unimproved, and extends past Berkeley Road to the west to MD 650. The portion of Somerset Lane requested to be abandoned is between Orchard Way to the north and Berkeley Road to the south (between existing lot ten, Block D and existing lot one, Block F). Somerset Lane and Berkeley Road provide the only direct connection between the Colesville Farm Estates and Paint Branch Farms subdivisions.

FINDINGS

Per Section 49.63(e) of the Montgomery County Code, staff recommends approval of the Somerset Lane abandonment with the finding that the subject right-of-way may be abandoned with the dedication of an alternative 15-foot wide right-of-way through the assembled property.

The staff finding is based on the assessment that the subject right-of-way would not be needed to serve any present or anticipated future motor vehicle circulation for the immediate residential neighborhoods of Colesville Farm Estates and Paint Branch Farms, which has remained fairly true to their original platted forms for over 50 years. However, staff finds that an alternative 15-foot wide right-of-way should be created as part of referenced Preliminary Plan to preserve a viable pedestrian connection option for both the transportation and recreation needs of the community. This right-of-way, being dedicated by the applicant as part of the subdivision, is essential since the only other north-south connection between the two subdivisions is New Hampshire Avenue, approximately 2,000 feet west of the subject property. In summary, staff finds that the right-of-way provides a needed local pedestrian connection for the Paint Branch Farms community to reach Upper Paint Branch Park, Colesville Local Park, the Colesville Elementary School site, and neighbors in the Colesville Farm Estates community.

Since the property is in the Upper Paint Branch Special Protection Area, staff does not recommend creating a formal paved, impervious path within the proposed right-of-way. Staff, however, is recommending appropriate delineation of the right-of-way to prevent any future encroachment and landscaped barriers at either end to prevent use of the right-of-way by unauthorized vehicles.

CE:gw

Attachments

cc: Mike Cassedy
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Dolores Kinney
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Larry Cole
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