



July 22, 2005

**MEMORANDUM**

TO: Montgomery County Planning Board

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

FROM: Scott A. James, Planner/Coordinator *SAS*  
Transportation Planning

SUBJECT: DPWT Docket No. AB 667  
Abandonment of Public Alleyway located within Block D of Silver Spring CBD  
Between 13<sup>th</sup> Street and King Street  
Silver Spring Central Business District

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This memorandum is Transportation Planning staff's review of the subject abandonment case (AB 667), pertaining to the abandonment of a public alleyway located in Block D of the Silver Spring CBD. The abandonment request is related to preliminary plan # 1-05089 and project plan # 9-05005 for the proposed Galaxy RST development being reviewed concurrently by the Planning Board.

**RECOMMENDATION**

Staff recommends that the Planning Board support approval of the subject alleyway in Block D abandonment request with the following condition:

The proposed abandonment becomes effective simultaneously with the complete record plat for the proposed subdivision contained in the Galaxy RST development (Preliminary Plan # 1-05089).

**DISCUSSION**

The subject abandonment comes under the review of the County Council since the public right-of-way provided access to businesses located on 13<sup>th</sup> Street. 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 667, describing the proposed abandonment, is included as Attachment No. 1.

The alleyway was dedicated in two separate plats (numbers 2582 and 2063 respectively) resulting in a circular loop design with access points onto 13<sup>th</sup> Street. The applicant owns the lots adjoining the alleyway, with the exception of the easternmost portion, which would revert to the property owner of Lot 2. A diagram detailing the property boundaries is included as Attachment No. 2.

Per the proposed development, the alleyway would be abandoned and incorporated into a mixed-use development of 328 high-rise residential units and a structured public parking garage of 200 spaces. The portion of the alleyway not included in the development proposal will revert to the control of the property currently housing a car wash business. Said property owner is on record in support of the abandonment (see Attachment No. 3). Included in the proposed development is the provision of pedestrian access across the property between 13<sup>th</sup> Street and King Street. This connection is in accordance with the objectives for improved pedestrian access outlined in the Silver Spring CBD Sector Plan.

## **FINDINGS**

Per Section 49-63(e) of the Montgomery County Code, staff recommends approval of the 13<sup>th</sup> Street Block "D" alleyway abandonment with the finding that the subject right-of-way may be abandoned with the provision of pedestrian access through the assembled property.

The staff finding is based upon the assessment that the subject right-of-way is to be incorporated into a comprehensive redevelopment of Block D while responding to a public need for parking facilities and pedestrian access. There is a need for a north-south pedestrian connection in this location as identified in the Silver Spring CBD Sector Plan. The proposed development addresses this need with the provision of an Arts Walk, located along the eastern edge of the property to connect 13<sup>th</sup> Street with King Street. Provision of this Arts Walk will preserve pedestrian access at this location in perpetuity.

SJ:kcw  
Attachments

cc: Michael Cassedy  
Shahriar Etemadi  
Robert Kronenberg  
Dolores Kinney  
Miguel Iraola