



MEMORANDUM

DATE: July 9, 2009

TO: Montgomery County Planning Board

VIA: Larry Cole, Highway Coordinator *LC*
Move/Transportation Planning Division

FROM: Ed Axler, Planner/Coordinator (301) 495-4525 *EA*
Move/Transportation Planning Division

SUBJECT: Abandonment Case: AB 724 – Pedestrian Tunnel Closure under Stedwick Road
Montgomery Village/Airpark Policy Area

This memorandum presents staff's review of a request for Planning Board comments on the proposed abandonment of pedestrian underpass/tunnel under Stedwick Road that once connected the Center Court Condominium Association open space to the former YMCA. The abandonment is requested by the applicant of the pending Preliminary Plan No. 120090090 and Site Plan No. 820090060, Montgomery Village Marketplace. The existing tunnel was closed with the demolition of the YMCA in July 2008.

RECOMMENDATIONS

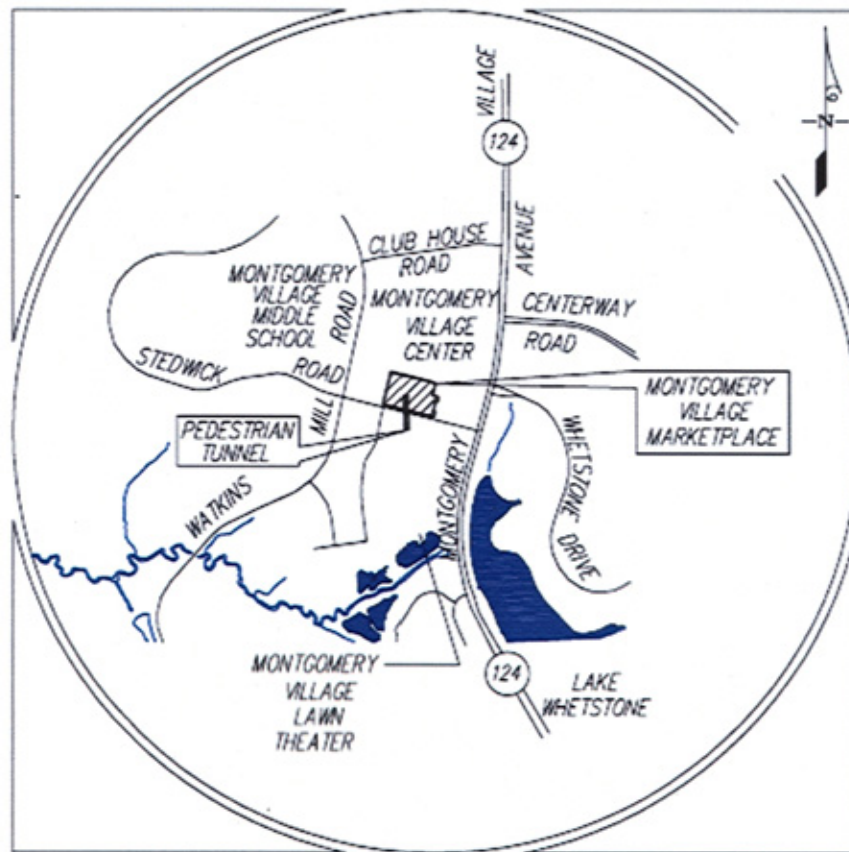
Staff recommends that the Planning Board **supports approval** of the proposed abandonment with the following conditions:

1. Remove the tunnel and provide marked crosswalks across Stedwick Road as approved by the Montgomery County Department of Transportation (MCDOT).
2. Provide for the removal of PEPCO's electric line that is no longer needed to light the tunnel in coordination with MCDOT.
3. Create the necessary deeds to transfer ownership of the tunnel's public right-of-way beyond Stedwick Road's right-of-way limits as follows:

- a. On the north side of the Stedwick Road right-of-way to the applicant of the Montgomery Village Marketplace.
- b. On the south side of the Stedwick Road right-of-way to the Center Court Condominium Association.

DISCUSSION

The proposed abandonment was referred by MCDOT for comment per Section 49-62 of the Montgomery County Code. The record of the County Executive's public hearing is scheduled to be left open until at least July 27, 2009. Attachment No. 1 includes MCDOT memorandum describing the Abandonment Case AB724, which requests the abandonment of approximately 440 square feet extending the north and south of the Stedwick Road right-of-way. The total public right-of-way is 1,903 square feet with approximately 1,463 square feet under the Stedwick Road public right-of-way: an approximately 198 square foot bumpout on the north side of the Stedwick Road right-of-way extending into existing Lots 15 and 18, Village Center Montgomery Village, and an approximately 242 square foot bumpout on the south side of the Stedwick Road right-of-way extending into the existing Center Court Condominium Association's property. The site's general vicinity map is shown below. Attachment No. 2 shows the existing public right-of-way to be abandoned.



Vicinity map of the pedestrian tunnel

The tunnel was built as a pedestrian underpass under Stedwick Road between the Center Court Condominium Association property on the south side and the former YMCA site on the north side as part of the original layout of Montgomery Village. On the south side of Stedwick Road, an existing sidewalk connects the Center Court, Center Stage, and Heron's Cove communities and leads to the tunnel's southern opening. An access easement exists for Center Stage and Heron's Cove residents to use the sidewalk located on the Center Court Condominium Association property.

The current commercial area on the north side of Stedwick Road is an attractive destination for pedestrians living on the south side of Stedwick Road. This commercial area contains a supermarket, a pharmacy, a post office, and other businesses serving the local neighborhood needs. In addition, transit passengers use Ride-On routes 59, 60, and 65 that operate along Stedwick Road. Existing bus stops are located near the corners of the four intersections along Stedwick Road with Mills Choice Road/western driveway into the shopping center, the eastern driveway into the shopping center, Montgomery Village Avenue, and Watkins Mill Road. Based on traffic data collected in May 2008, 15 pedestrians in the weekday morning peak hour and 23 pedestrians in the weekday morning peak hour were observed crossing Stedwick Road at the intersection with Mill Choice Road/western driveway into the shopping center.

When the tunnel was opened, the residents expressed their concern that using the tunnel was more dangerous than crossing Stedwick Road at-grade. Residents did not use the tunnel because of the lack of a clear line of sight to see the area surrounding the opposite opening and limited escape routes at the tunnel openings for a pedestrian to avoid any potential criminal activity. Crossing Stedwick Road at-grade was preferred because the lines of sight are wide open and not restricted.



A view looking north through the tunnel before it was barricaded

The residents' safety concern is supported by the Montgomery County Police Department, Sixth District. The tunnel was not easily accessible by police to monitor because of its isolated location. The Police Department reported numerous incidents where criminals fled through the tunnel from the shopping center to avoid apprehension before it was closed to the public. Numerous assaults and robberies have occurred in the area around the Stedwick Road tunnel. Specifically, in the "Police Reporting Area No. 546," 37 street robberies were reported between June 2006 and June 2009 and 161 assaults were reported during the same time frame. Hence, the Montgomery County Police Department strongly supports the closing of this tunnel.

The Center Court Condominium Association and YMCA regularly keep the tunnel clean and replaced burnout/broken lighting fixtures in the tunnel until approximately 2001 or 2002. When the Center Court Condominium Association and YMCA could no longer afford to maintain the tunnel, the conditions started to deteriorate with poor lighting and uncollected trash.



An example of a broken lighting fixture

The tunnel was reportedly used for criminal activities and police reported that there were several “taggings” on the tunnel walls that indicated gang activity in the area.



An example of graffiti on the tunnel walls

As a result, residents complained to the police of feeling unsafe using the tunnel and it was rarely used by residents before it was boarded up with the demolition of the YMCA in July 2008.

The Montgomery County Police Department, the Montgomery Village Foundation, the adjacent Center Court Condo Association, and various community members are in support of the tunnel closure. Attachments No. 3 and 4 are two letters from community groups supporting the closure of the tunnel.

The permanent closure of the pedestrian tunnel meets principles of Crime Prevention through Environmental Design (CPTED). By circulating at street level rather than underground, pedestrians will benefit from the continual surveillance of passing vehicular traffic. The visibility of pedestrians is maximized at street level by creating a positive social interaction among legitimate users, increasing the awareness of safety concerns to dissuade potential criminal activity.

The permanent closing of the tunnel under Stedwick Road is linked to the proposal for Montgomery Village Marketplace commercial to redevelop the former YMCA site. The proposed redevelopment consists of three commercial structures,

totaling approximately 25,000 square feet. The closure of the tunnel includes filling it in and installing bulk heads at the openings. For the area beyond the northern and southern openings, the tunnel structure is to be removed, covered with soil, seeded, and landscaped.

On the north side, the applicant of the Montgomery Village Marketplace proposes to create a new commercial center. This redevelopment could activate Stedwick Road by having the buildings pulled as close as possible to the road (given the existing utility easements) and providing plazas with outdoor sitting between the buildings and the road. By activating Stedwick Road, this proposal would encourage pedestrian circulation and activity at street level, which will have a positive impact on the speed of vehicular traffic on Stedwick Road. Motorists' awareness of the commercial activity and associated pedestrian movements should result in them reducing their speed, which in turn also creates a safer pedestrian environment. With a more vibrant street-level pedestrian environment, pedestrian safety would be improved according to CPTED principles. On the south side, the existing sidewalks on Center Court Condominium Association property lead to the tunnel.



The sidewalks leading into the tunnel on the south sides

To replace the function of the tunnel, the applicant of the Montgomery Village Marketplace proposes to provide two designated at-grade pedestrian crossings of Stedwick Avenue at the western driveway into the shopping center (i.e., for direct pedestrian path to the Post Office) and midblock between the eastern and western

driveways (i.e., for a pedestrian path into the center of the YMCA site). The applicant proposes to reconfigure the existing sidewalks to redirect pedestrians to the proposed at-grade designated crosswalks across Stedwick Road. However, the Montgomery Village Foundation's Transportation Development and Public Facilities Committee did not review this latest plan because the applicant is waiting for MCDOT approval of the revised plan. Instead, the Committee reviewed the previous plan with three different at-grade crossings of Stedwick Road. The midblock pedestrian crossing proposed by Montgomery Village Marketplace is shown below.



A citizen has also expressed concern about the safety crossing Stedwick Road at the intersection of Montgomery Village Avenue. Accident data from MCDOT identified only 2 accidents involving a pedestrian between 2003 and 2007 for the segment of Stedwick between Montgomery Village Avenue and Watkins Mill Road. We believe that the provision of marked crosswalks would improve pedestrian safety in this area.

The right-of-way to be abandoned contains a PEPCO electrical line that was maintained by MCDOT to operate the lights within the tunnel. With the closure of the tunnel, the electric line would no longer be required. The area of the tunnel right-of-way proposed to be abandoned contains no wetlands or any other environmental or cultural constraints.

In conclusion, we find that with the conditions described above, the public right-of-way proposed for abandonment is not needed for present or future public use. Alternatively, the tunnel closure would be a benefit to the community. The acquisition of the public right-of-way will enable the applicant of the Montgomery Village Marketplace on the north side to improve the plan design by permitting plazas with outdoor seating be placed between the proposed buildings and Stedwick Road.

EA:tc
Attachments

Cc: Michael Cassedy
Mohammad Din
Sue Edwards
Greg Leck/Sam Farhadi
Kevin Foster
Erin Grayson
Jody Kline
Sharon Levine
Toni Negro
Sandra Pereira
Leslie Saville
Mark Terry
Diane Tillery

mmo to MCPB AB734.doc



ATTACHMENT 1

DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

June 1, 2009

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

RE: Request for Comments on Proposed
Closure
AB724 – Stedwick Road Pedestrian
Tunnel
Montgomery County Village

Dear Mr. Hanson:

The purpose of this letter is to request M-NCPPC comments on the proposed closure of a pedestrian tunnel underneath Stedwick Road in Montgomery County Village. The request for this closure was made by Miller, Miller & Canby on behalf of its client, JDC Village Development, LLC, the Applicant. This closure was suggested by the Montgomery County Planning Board and is associated with Preliminary Plan No. 120090090 and Site Plan No. 820090060.

I would greatly appreciate receiving your comments by July 13, 2009 (the date of the public hearing); however, the record of the public hearing will be left open until at least July 27, 2009. If your staff need more time to comment, please let me know, and I will ask the hearing officer to extend the time limit further.

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

Sincerely,

Michael S. Cassidy

Enclosures

cc: Dan Hardy

**Division of Transportation Engineering
Property Acquisition Section**



LAW OFFICES
MILLER, MILLER & CANBY
CHARTERED

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JAMES L. THOMPSON (DC)
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ROCKVILLE, MARYLAND 20850
(301) 762-5212
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MICHAEL G. CAMPBELL (DC, VA)
SOO LEE CHO (CA)
AMY C. GRASSO

** All attorneys admitted in Maryland and where indicated*

JSKLINE@MMCANBY.COM
SLCHO@MMCANBY.COM

March 27, 2009

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

RE: Application for Closure of Pedestrian Path Underneath Stedwick Road in Montgomery Village

Dear Mr. Leggett:

This letter is an application seeking closure of a pedestrian path/tunnel located beneath the Stedwick Road right-of-way located within Montgomery Village, Maryland.

We represent JDC Village Development, LLC (hereinafter "JDC"), owner/developer of property located adjacent to the northern end of the pedestrian path/tunnel. JDC has submitted Preliminary Plan (No. 120090090) and Site Plan (No. 820090060) applications for approval by the Maryland-National Capital Park & Planning Commission for redevelopment of its property. The proposed redevelopment consists of three (3) commercial structures, totaling 26,222 square feet of floor area. (A reduced copy of the Site Plan for the proposed "Montgomery Village Marketplace" is enclosed for your information). The plans contemplate closure of the existing pedestrian tunnel.

In connection with the review of the above referenced Preliminary Plan and Site Plan by M-NCPPC, JDC has been requested to make application to the County to close the existing pedestrian path/tunnel underneath Stedwick Road and to provide an alternative means of pedestrian access across Stedwick Road. (Improvements to the area pedestrian circulation system are incorporated in the Applicant's plans.) In the past several years, the path/tunnel has become a serious security concern for the residents of Montgomery Village and its retention is inconsistent with good community design principles for the new retail center. Therefore, it is hereby requested that the existing pedestrian

path/tunnel be permanently closed by the County for the safety and welfare of residents in the surrounding neighborhood, pursuant to the provisions and procedures of Chapter 49, Article 6 of the Montgomery County Code.

In support of this application, enclosed is a legal description and sketch of the pedestrian path/tunnel in question, along with a check for the required filing fee of \$2,500.00 (the original of which is being sent directly to Michael Cassedy of MCDOT for processing). Also enclosed is a copy of Montgomery Village, Plat 9, which shows a plan of dedication for Stedwick Road extending from Watkins Mill Road to Montgomery Village Avenue. (Note: The pedestrian path/tunnel is not referenced on this plat nor does it appear on any other plat that we have researched relative to the surrounding properties, but nonetheless, the path/tunnel exists and has been confirmed by the County Department of Transportation to be part of the public right-of-way.)

Thank you for your attention to this matter.

Sincerely yours,

MILLER, MILLER & CANBY

JODY KLINE

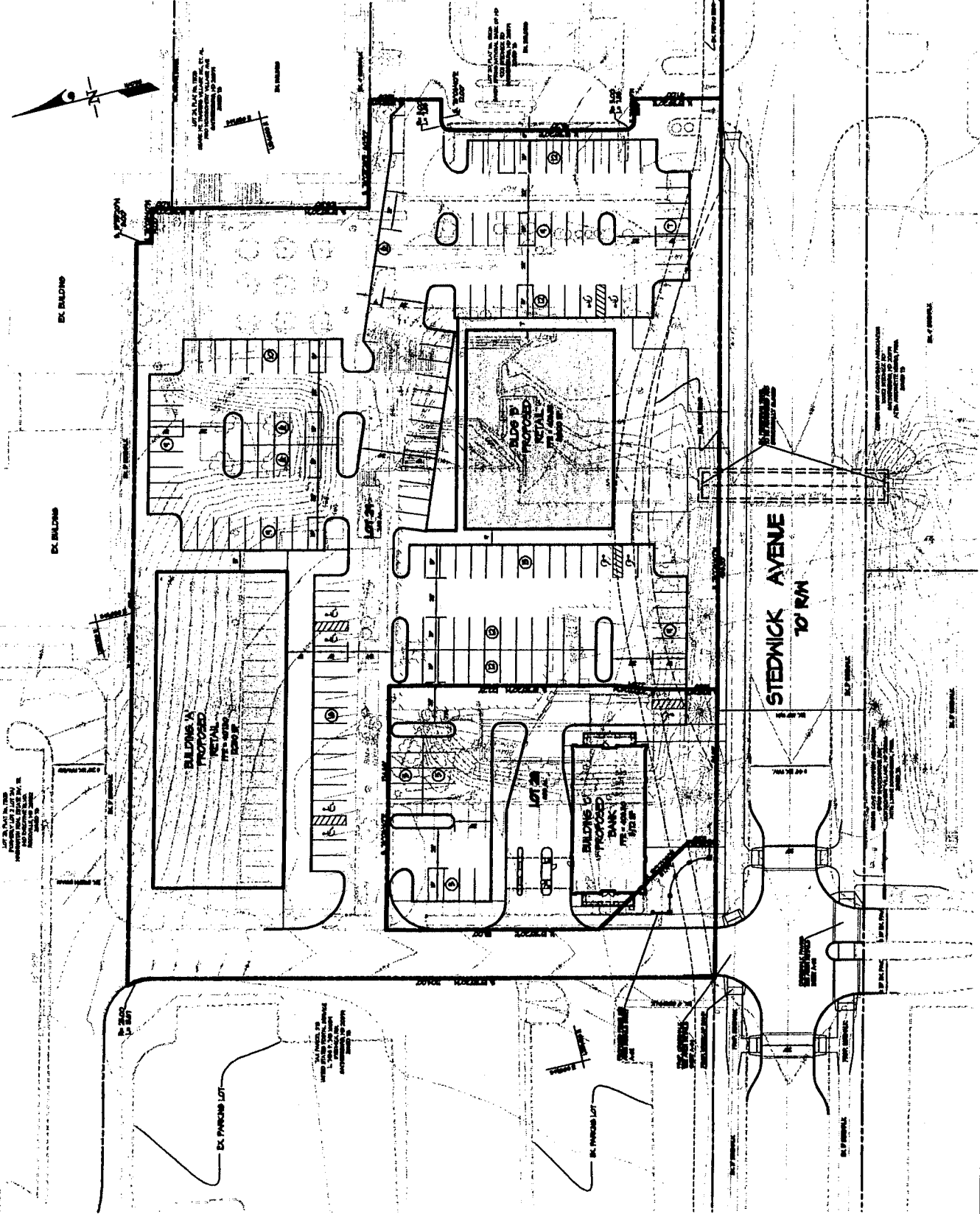
Jody S. Kline


Soo Lee-Cho

cc: Michael Cassedy
Linda Duhamel
Cathy Conlon
Erin Grayson
Leslie Saville
David Humpton
Sharon Levine
Jay Donegan
David Weber
Frank Watkins
Mike Workosky
Seth Fisher

Address: 25 N. 2nd St.
 City: Montgomery, AL
 State: AL
 Zip: 36102
 Project No.: 25-00000000-0000-0000
 Date: 11/11/2011

- LEGEND**
- [Symbol] PROPOSED CURB & GUTTER
 - [Symbol] PROPOSED LIGHT
 - [Symbol] PROPOSED SPOT DRIVE
 - [Symbol] PROPOSED STORM DRAIN, SEWER & WATER
 - [Symbol] EXIST. SLOPES
 - [Symbol] EXISTING TOPOGRAPHY
 - [Symbol] PROPOSED TOPOGRAPHY
 - [Symbol] EXISTING STRUCTURES
 - [Symbol] PROPOSED PAVING
 - [Symbol] PROPOSED SIGN/POST
 - [Symbol] LIMIT OF DISTURBANCE
 - [Symbol] PROPOSED TREES & SHRUBS
 - [Symbol] PROPOSED STRUCTURE
 - [Symbol] PROPOSED CONC. BLOCK WALLING



THE INFORMATION CONTAINED HEREIN IS FOR THE USE OF THE CLIENT ONLY AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.

PROPOSED FOR:
 25 N. 2ND ST.
 MONTGOMERY, AL 36102

PREPARED BY:
 [Signature]
 [Title]

DATE: 11/11/2011

SCALE: 1" = 20'

GLW GUYTON LITTLE & WATKINS, P.A.
 2000 W. WALKER BLVD., SUITE 200
 MONTGOMERY, AL 36102
 TEL: 334-265-1111 FAX: 334-265-1112

PROPOSED FOR:
 25 N. 2ND ST.
 MONTGOMERY, AL 36102

PREPARED BY:
 [Signature]
 [Title]

DATE: 11/11/2011

SCALE: 1" = 20'

SITE PLAN
 MONTGOMERY VILLAGE MARKETPLACE
 PROPOSED LOTS 23 & 25, VILLAGE CENTER, MONTGOMERY, VILLAGE

DESCRIPTION OF

CLOSURE OF PEDESTRIAN TUNNEL

**UNDER LOT 15, PLAT NO. 12618, LOT 19, PLAT NO. 13328, STEDWICK ROAD,
PLAT NO. 8208 AND CENTER COURT CONDOMINIUM, PLAT NO. 1349**

BEING a strip or parcel of land hereinafter described as running in, through, over and across Lot 15 as shown on a Plat of Subdivision entitled "PLAT 343, LOTS 15 & 16, BEING A RESUBDIVISION OF LOT 1 M.V. PLAT 74, PART OF SECTION II-A, VILLAGE CENTER MONTGOMERY VILLAGE" and recorded as Plat No. 12618, also running in, through, over and across Lot 19 as shown on a Plat of Subdivision entitled "PLAT 364, LOTS 19 & 20, BEING A RESUBDIVISION OF LOT 16, VILLAGE CENTER MONTGOMERY VILLAGE" and recorded as Plat No. 13328, also running in, through, over and across Stedwick Road as shown on a Plat of Subdivision entitled "PLAT - 9, SHOWING A PLAN OF DEDICATION OF PART OF STEDWICK ROAD THROUGH MONTGOMERY VILLAGE" and recorded in Plat Book 80 as Plat No. 12618 and also running in, through, over and across Center Court Condominium as shown on a Condominium Plat entitled "SECTION - TWO, CENTER COURT CONDOMINIUM, MONTGOMERY VILLAGE" and recorded in as Plat No. 1349, all among the Land Records of Montgomery County, Maryland and being more particularly described in the meridian as established by the Maryland State Grid as defined by the North American Datum of 1983 and adjusted in 1991 (NAD 83/91) as follows:

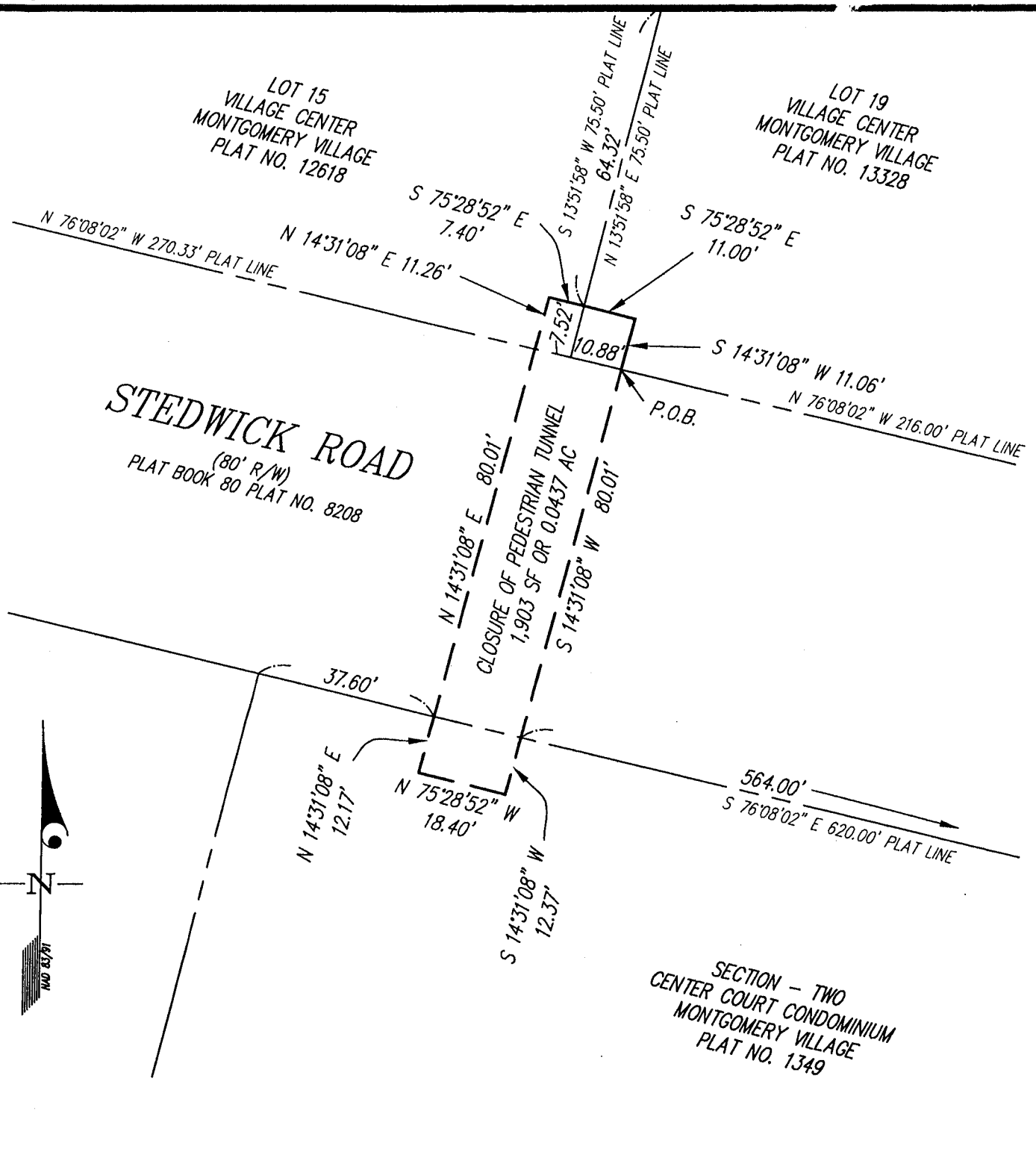
BEGINNING for the said strip or parcel of land at a point on the southwesterly or North 76°08'02" West, 216.00 feet line of said Lot 19, 10.88 feet from the northwesterly end thereof, said point also being on the northeasterly or South 49°57'49" East, 1135.88 feet right of way line of said Stedwick Road and thence leaving said lines and running in, through, over and across said Stedwick Road

1. South 14°31'08" West, 80.01 feet to a point on the northeasterly or South 76°08'02" East, 620.00 feet line of said Condominium Plat No. 1349, 564.00 feet from the southeasterly end thereof, said point also being on southwesterly or North 76°08'02" West, 1135.88 feet right of way line of said Stedwick Road ; thence leaving said lines and running in, through, over and across said Center Court Condominium, the following three (3) courses and distances
2. South 14°31'08" West, 12.37 feet to a point; thence
3. North 75°28'52" West, 18.40 feet to a point; thence

4. North $14^{\circ}31'08''$ East, 12.17 feet to a point on the northeasterly or South $76^{\circ}08'02''$ East, 620.00 feet line of said Condominium Plat No. 1349, 37.60 feet from the northwesterly end thereof, said point also being on southwesterly or North $76^{\circ}08'02''$ West, 1135.88 feet right of way line; thence leaving said lines and running in, through, over and across said Stedwick Road
5. North $14^{\circ}31'08''$ East, 80.01 feet to a point on the southwesterly or North $76^{\circ}08'02''$ West, 270.33 feet line of said Lot 15, 7.52 feet from the southeasterly end thereof, said point also being on the northeasterly or South $49^{\circ}57'49''$ East, 1135.88 feet right of way line of said Stedwick Road and thence leaving said lines and running in, through, over and across said Lot 15, the following two (2) courses and distances
6. North $14^{\circ}31'08''$ East, 11.26 feet to a point; thence
7. South $75^{\circ}28'52''$ East, 7.40 feet to a point on the southeasterly or South $13^{\circ}51'58''$ West, 75.50 feet line of said Lot 15, 64.32 feet from the northeasterly end thereof, said point also being on the northwesterly or North $13^{\circ}51'58''$ East, 75.50 feet line of said Lot 19; thence leaving said lines and running in, through, over and across said Lot 19, the following two (2) courses and distances
8. South $75^{\circ}28'52''$ East, 11.00 feet to a point; thence
9. South $14^{\circ}31'08''$ West, 11.06 feet to the point of beginning containing a computed area of 1,903 square feet or 0.0437 of an acre of land.

The licensee below was in responsible charge over the preparation of this metes and bounds description and the surveying work reflected in it, all in compliance with requirements set forth in COMAR Title 09, Subtitle 13, Chapter 06, Regulation .12.

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IDENTIFICATION PLAT

CLOSURE OF PEDESTRIAN TUNNEL

UNDER LOT 15, PLAT NO. 12618, LOT 19, PLAT NO. 13328, STEDWICK ROAD, PLAT NO. 8208 AND CENTER COURT CONDOMINIUM, PLAT NO. 1349

GAITHERSBURG DISTRICT NO. 9
MONTGOMERY COUNTY, MARYLAND

GLW GUTSCHICK LITTLE & WEBER, PA.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
BURTONSVILLE, MARYLAND 20866
TEL: 301-421-4024 BALT: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

REFERENCE :		
PLAT Nos.		1349, 8208, 12618 & 13328
DRAWN BY :	DATE :	JAN., 2009
CHECKED BY :	SCALE :	1"=30'
		G.L.W. FILE No. 07-049

OWNERS' DEDICATION

WE HEREBY DEDICATE TO THE PUBLIC THE PLAN OF SHOWING THE LOCATION OF PART OF STEDWICK ROAD THROUGH MONTGOMERY VILLAGE, MONTGOMERY COUNTY, MARYLAND, AS SHOWN ON THE ATTACHED MAP. WE AGREE TO HOLD THE LAND SO DEDICATED AS A PUBLIC HIGHWAY AND TO MAINTAIN AND REPAIR THE SAME AT ALL TIMES. WE AGREE TO ACCEPT THE BURDEN OF THE DEDICATION AS SHOWN ON THE ATTACHED MAP. WE AGREE TO HOLD THE LAND SO DEDICATED AS A PUBLIC HIGHWAY AND TO MAINTAIN AND REPAIR THE SAME AT ALL TIMES. WE AGREE TO ACCEPT THE BURDEN OF THE DEDICATION AS SHOWN ON THE ATTACHED MAP.

18 FEBRUARY, 1966
 KETTLER BROTHERS, INC.
 BY: *[Signature]*
 WITNESSES: *[Signatures]*

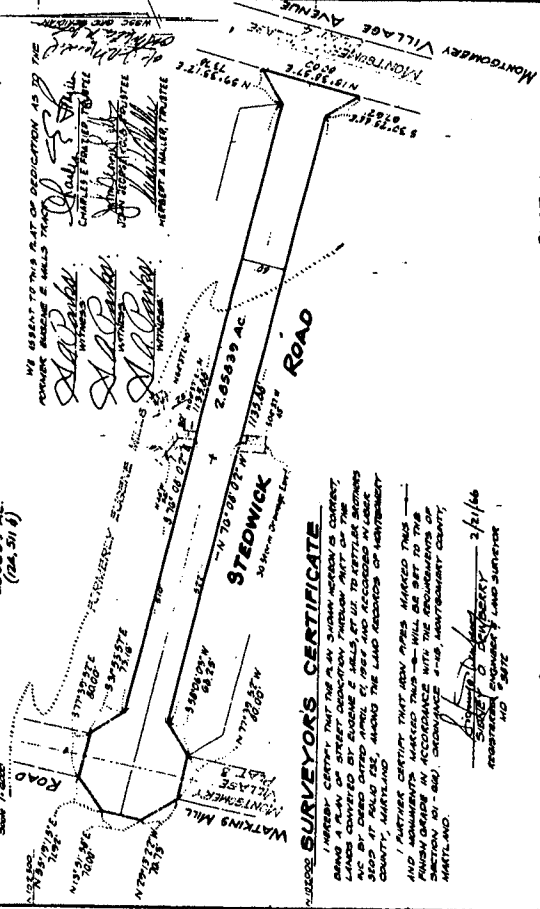
WE HEREBY CERTIFY THAT THE PLAN OF DEDICATION AS SHOWN ON THE ATTACHED MAP IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SO DEDICATED AS A PUBLIC HIGHWAY AND TO MAINTAIN AND REPAIR THE SAME AT ALL TIMES. WE AGREE TO ACCEPT THE BURDEN OF THE DEDICATION AS SHOWN ON THE ATTACHED MAP.

NOTES
 1. THE STREET DEDICATION HEREON IS IN ACCORDANCE WITH THE APPROVED PRELIMINARY PLAN NAMED "STEDWICK ROAD" WHICH IS FILED IN THE OFFICE OF THE COUNTY ENGINEER, MONTGOMERY COUNTY, MARYLAND. THE DEDICATION SHALL BE INSTALLED BY THE ENGINEER IN ACCORDANCE WITH THE COUNTY DEPT. OF PUBLIC WORKS. A PERMANENT MARKING AS SHOWN HEREON SHALL BE PLACED AT THE CORNER OF THE DEDICATED AREA AND THE ADJACENT ALLEYS AND STREETS IN THE COURSE OF DEVELOPMENT AND RECONSTRUCTION OF THE AREA HEREBY APPROVED.

TOTAL AREA DEDICATED = 2,658.99 AC.
 (24,514)



VICINITY MAP



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWING HEREON IS CORRECT, AND IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SO DEDICATED AS A PUBLIC HIGHWAY AND TO MAINTAIN AND REPAIR THE SAME AT ALL TIMES. I AGREE TO HOLD THE LAND SO DEDICATED AS A PUBLIC HIGHWAY AND TO MAINTAIN AND REPAIR THE SAME AT ALL TIMES. I AGREE TO ACCEPT THE BURDEN OF THE DEDICATION AS SHOWN ON THE ATTACHED MAP.

2/16/66
 [Signature]
 SURVEYOR

**PLAT 9
 SHOWING A PLAN OF DEDICATION OF PART OF STEDWICK ROAD THROUGH MONTGOMERY VILLAGE**

MONTGOMERY COUNTY, MARYLAND
 APPROVED: *[Signature]*
 COUNTY ENGINEER
 2/16/66

GREENMOUNT, CHESAPEAKE, DEMAREST & NEALON
 8111 ALEXANDRIA BLVD., BETHESDA, MARYLAND

FOR PUBLIC RECORD AND NOTICE PURPOSES ONLY
 MONTGOMERY COUNTY PLANNING BOARD
 APPROVED: *[Signature]*
 PLANNING BOARD
 2/16/66

2. 17 4.5

NOTICE/REQUEST FOR COMMENTS

BY JULY 27, 2009

AB724 STEDWICK ROAD PEDESTRIAN TUNNEL

MONTGOMERY VILLAGE SUBDIVISION

MONTGOMERY VILLAGE

This closure case was requested by Miller, Miller & Canby on behalf of its client, JDC Village Development, LLC, the Applicant. The subject pedestrian tunnel is under Stedwick Road between Montgomery Village Avenue and Watkins Mill Road in the Village Center area. The tunnel is approximately 80 feet long by 18.4 feet wide. The Montgomery County Planning Board requested the Applicant to seek the closure of this tunnel and to provide an alternative means of pedestrian access across Stedwick Road.

A public hearing will be held on

Monday, July 13, 2009, at 2:00 p.m.

Executive Office Building, Lobby Auditorium

101 Monroe Street

Rockville, MD 20850

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

Michael Cassedy

Department of Transportation

100 Edison Park Drive, 4th Floor

Gaithersburg, MD 20878

Phone 240-777-7254

Fax 240-777-7259

E-mail michael.cassedy@montgomerycountymd.gov

MAP 5047

A12 NW

B

C

11 NW D

E

F

G10 NW

ADC 5047

77°15'00" 730,000 FT

77°14'15"

77°13'30"

740,000 FT 77°12'45"

77°12'00"

Joins Map 4929



227 NW
490,000 FT

226 NW
490,000 FT

225 NW
490,000 FT

224 NW
480,000 FT



MCA

PEN

WHETSTONE

GAITHERSBURG

GAITHERSBURG

GAITHERSBURG

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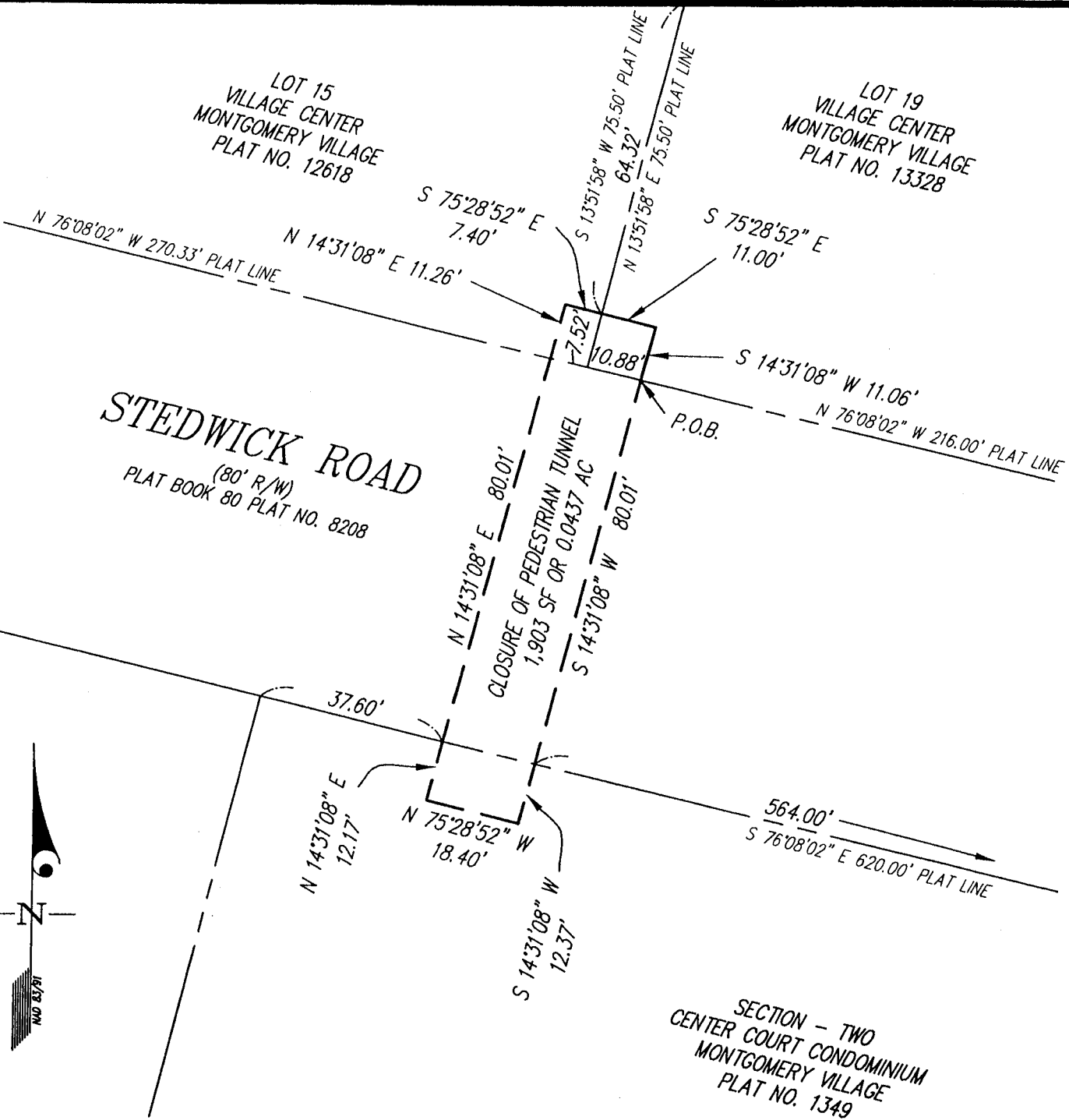


STEDWICK ROAD
 (80' R/W)
 PLAT BOOK 80 PLAT NO. 8208

LOT 15
 VILLAGE CENTER
 MONTGOMERY VILLAGE
 PLAT NO. 12618

LOT 19
 VILLAGE CENTER
 MONTGOMERY VILLAGE
 PLAT NO. 13328

SECTION - TWO
 CENTER COURT CONDOMINIUM
 MONTGOMERY VILLAGE
 PLAT NO. 1349



IDENTIFICATION PLAT

CLOSURE OF PEDESTRIAN TUNNEL

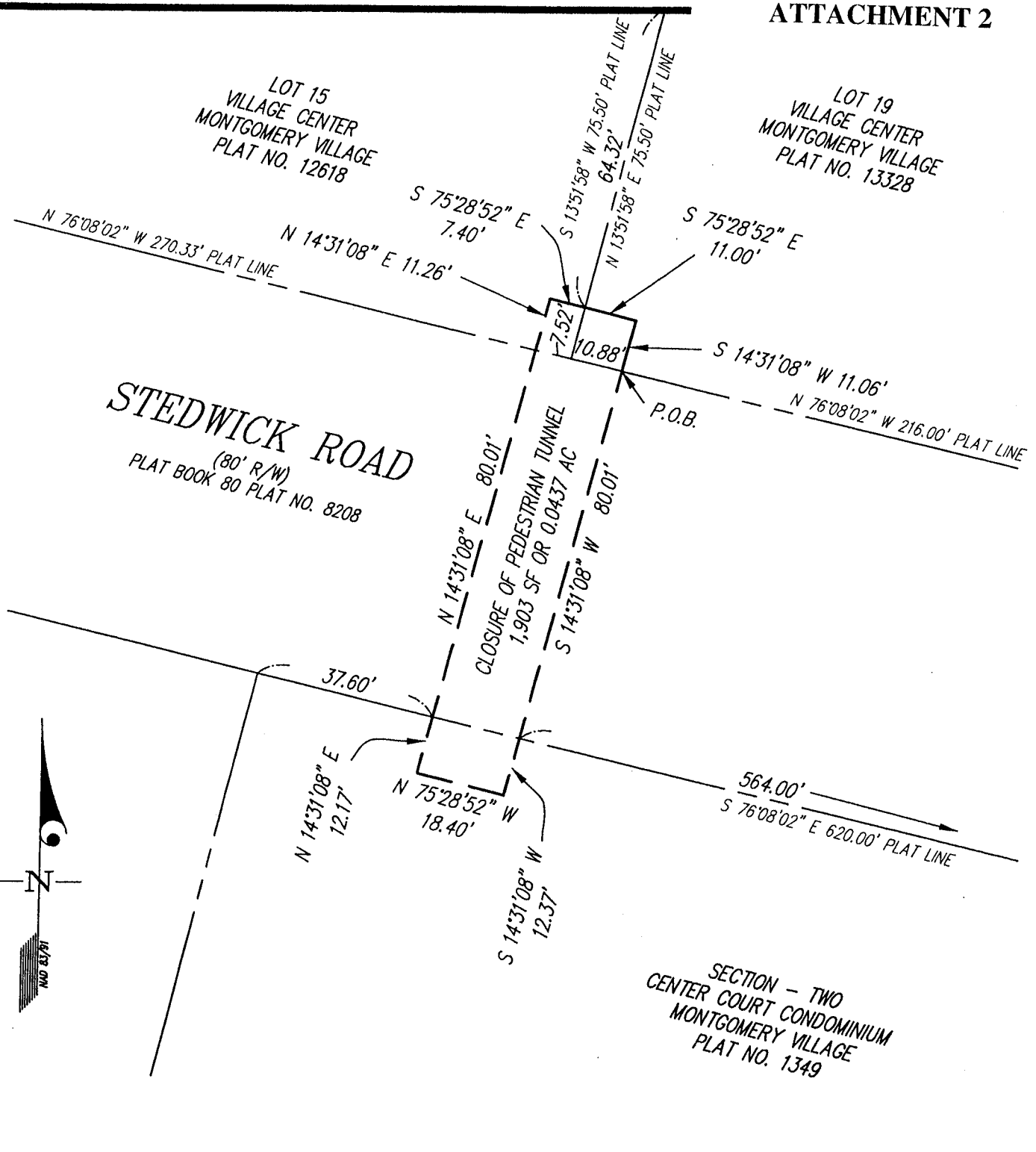
UNDER LOT 15, PLAT NO. 12618, LOT 19, PLAT NO. 13328, STEDWICK ROAD, PLAT NO. 8208 AND CENTER COURT CONDOMINIUM, PLAT NO. 1349

GAITHERSBURG DISTRICT NO. 9
 MONTGOMERY COUNTY, MARYLAND

GLW GUTSCHICK LITTLE & WEBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
 3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
 BURTONSVILLE, MARYLAND 20866
 TEL: 301-421-4024 BALT: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

REFERENCE :	PLAT Nos. 1349, 8208, 12618 & 13328	
DRAWN BY :	DATE : JAN., 2009	G.L.W. FILE No.
CHECKED BY :	SCALE : 1"=30'	07-049



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IDENTIFICATION PLAT

CLOSURE OF PEDESTRIAN TUNNEL

UNDER LOT 15, PLAT NO. 12618, LOT 19, PLAT NO. 13328, STEDWICK ROAD, PLAT NO. 8208 AND CENTER COURT CONDOMINIUM, PLAT NO. 1349

GAITHERSBURG DISTRICT NO. 9
MONTGOMERY COUNTY, MARYLAND

GLWGUTSCHICK LITTLE & WEBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
BURTONSVILLE, MARYLAND 20866
TEL: 301-421-4024 BAL: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

REFERENCE :		
PLAT Nos. 1349, 8208, 12618 & 13328		
DRAWN BY :	DATE : JAN., 2009	G.L.W. FILE No.
CHECKED BY :	SCALE : 1"=30'	07-049

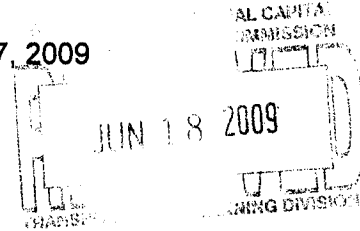


MONTGOMERY VILLAGE FOUNDATION, INC.

10120 APPLE RIDGE ROAD
MONTGOMERY VILLAGE, MARYLAND 20886-1000

(301) 948-0110 FAX (301) 990-7071 www.mvf.org

June 17, 2009



Royce Hanson, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Mr. Hanson:

I am writing on behalf of the Montgomery Village Foundation (MVF) Board of Directors to comment in support of the proposed closure of the Stedwick Road pedestrian tunnel (Case AB 724) in Montgomery Village. The subject tunnel closure is a prerequisite to the Montgomery Village Marketplace's Preliminary Plan No. 120090090 and Site Plan No. 82090060 for the proposed redevelopment of the former YMCA site.

Over the past several years, the perception by those who live in close proximity to the tunnel is that criminal activity often occurs there. Both the Herons' Cove and Center Court condominium boards of directors, representing the immediately adjacent communities, support closing this tunnel because of criminal activity, a problem that has unfortunately been confirmed numerous times.

As a matter of fact, at the very time when a group was meeting property owner Jay Donegan at the site to discuss alternative pedestrian crossings, they observed what appeared to be a drug deal taking place in the tunnel - in broad daylight.

In light of this and other reported incidents over the years, the MVF Board supports closing this pedestrian tunnel and creating a safe alternative, by providing an above ground pedestrian crossing on Stedwick Road. Thank you for considering our concerns.

Sincerely,

Bob Hydorn, President
MVF Board of Directors

cc: Glenn Kreger, Acting Chief, Community-Based Planning
Ed Axler, Transportation Planning Division
Mark Pfefferle, Acting Chief, Environmental Planning Division
Scott Whipple, Urban Design Division, Historic Preservation
Erin Grayson, Subdivision Plan Review, Dev. Review Div.
Sandra Pereira, Site Plan Review, Dev. Review Div.
Leslie Saville, Vision Div.
Larry Cole, Highway Coordinator
Jody Kline, Miller, Miller & Canby
MVF Presidents' Council
David B. Humpton, EVP, Montgomery Village Foundation

ATTACHMENT 3

ATTACHMENT 4

June 29, 2009

Christina M. Devlin, Ph.D.
18927 Mills Choice Road, #5
Montgomery Village, MD 20886

(240) 683-4508

Mr. Ed Axler
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

RE: AB724 Stedwick Road Pedestrian Tunnel Closing

Dear Mr. Axler:

I am a resident homeowner in the Heron's Cove Condominium in Montgomery Village. I am writing to support the permanent closure of the tunnel which is underneath Stedwick Road between Montgomery Village Avenue and Watkins Mill Road. The tunnel is not safe for citizens to use, is poorly maintained, and is no longer an appropriate amenity for the community. We need a safe, above-ground pedestrian crossing.

Although I am unable to attend the public hearing on July 16 in-person, I request that you include my submission when reviewing this matter.

Should you have any questions or need additional information from me, please feel free to contact me.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Ch M Devlin", with a long horizontal flourish extending to the right.

Christina M. Devlin, Ph.D.