



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item No. 1
4-25-2002

April 19, 2002

MEMORANDUM

TO: Montgomery County Planning Board

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

FROM: Janet E. Gregor, Planner/Coordinator *JEG*
Transportation Planning

SUBJECT: DPWT Docket No. AB-654
Abandonment of Kimball Place and a Portion of Coleridge Drive
Kensington, Maryland

RECOMMENDATION

Staff recommends the following condition related to approval of the subject abandonment:

That the proposed abandonment become effective simultaneously with the creation of either: a single parcel through the recording of a new deed, or a single lot or parcel through the recording of a plat of subdivision, from the several separate Washington Metropolitan Area Transit Authority (WMATA) properties with access to those portions of Kimball Drive and/or Coleridge Drive to be abandoned. Kimball Drive and Coleridge Drive are needed to provide access to these separate properties until recordation is complete.

DISCUSSION

This abandonment, shown in Exhibit 1, is for portions of two "paper streets" that have previously been incorporated into the parking lot for the Forest Glen Metrorail Station. These streets provide no access to land use other than the Metro Station parking lot, and all relevant properties are now owned by WMATA. The portions of these two streets proposed for abandonment, therefore, do not currently serve a public access function. However, subdivided lots that predated the WMATA parking area have never been legally incorporated into the WMATA property. This abandonment provides an opportunity to put the land records in proper order by consolidating lots. Without

consolidation, staff must find the proposed abandonment inconsistent with Section 49-63 (f) of the County Code, which states "A right-of-way which is the sole means of access to any property must not be abandoned or closed."

WMATA has not previously petitioned for abandonment of these lots because the transaction completing their purchase was delayed until January 31, 2001 due to estate and corporate reorganization issues involving the seller of the property now known as Carl M. Freeman Associates, Inc.

Executive order 37-02 describing the abandonment is included as Attachment "A".

JG:cmd

Attachments

Abandonment AB-654 Kimball Place Portion of Coleridge Drive.doc



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Albert J. Genetti, Jr., P.E.
Director

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

March 5, 2002

RECEIVED
020319
MAR 06 2002

Mr. Arthur Holmes, Jr., Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

RE: AB654 - Abandonment of Kimball
Place and a Portion of Coleridge
Drive, Kensington, Maryland

Dear Mr. Holmes:

Enclosed for review by the Maryland National Capital Park and Planning Commission under Article 28, Section 7-112 Annotated Code of Maryland and referred to as Mandatory Referral are Executive Order No. 37-02 describing the above-captioned abandonment proposal, location map, and one copy of the petitioners' letter requesting the abandonment.

Please submit the Planning Board's comments to the Property Acquisition Section at the address stated below to be considered at the Public Hearing scheduled for Thursday, May 16, 2002.

Thank you for expediting this matter.

Very truly yours,

Gayle Libby Curtiss
Gayle Libby Curtiss, Esq.
Chief, Property Acquisition Section

GLC:ww
AB654

Enclosures



COPY



MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject: AB 654: Abandonment of Kimball Place and a Portion of Coleridge Drive, Kensington, Maryland	Executive Order No. 37-02	Subject Suffix PAS
Originating Department Public Works and Transportation	Department Number AB 6-02	Effective Date 2/25/02

AB 654

ABANDONMENT OF KIMBALL PLACE AND A PORTION OF COLERIDGE DRIVE

- Pursuant to Section 49-62 of the Montgomery County Code 1994, the County Executive or his Designee shall conduct a Public Hearing

at 10:00 a.m. on Thursday, May 16, 2002
 101 Monroe Street, EOB Lobby Auditorium
 Rockville, Maryland 20850

To consider a petition submitted by Washington Metropolitan Area Transit Authority (WMATA), to abandon Kimball Place and a portion of Coleridge Drive, Kensington, Maryland, located on Tax Map JP 122, and as more fully described on Exhibits, which are available for examination at the Office of the Montgomery County Department of Public Works and Transportation, Division of Engineering Services, Property Acquisition Section, 101 Monroe Street, 6th Floor, Rockville, Maryland 20850.

- After the aforesaid Hearing, the Hearing Officer Shall report his findings and recommendations to the County Executive for further consideration as prescribed by the County Code.

Approved as to Form and Legality
 Office of the County Attorney

APPROVED

By: *Giles J. Baseman*
 Date: 2/25/2002

Paul Folkers
 Paul Folkers
 Assistant Chief Administrative Officer

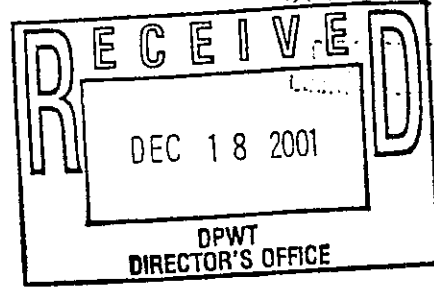
Distribution:
 Department of Public Works and Transportation
 Department of Finance

DPWT-05

DEC 14 2001

DEC 17 2001

DEC 17 2001



The Honorable Douglas M. Duncan
County Executive
Montgomery County, Maryland
101 Monroe Street, 2nd Floor
Rockville, Maryland 20850

Dear Mr. Duncan:

In accordance with Montgomery County procedures, the Washington Metropolitan Area Transit Authority requests the abandonment of Kimball Place and a portion of Coleridge Drive in Montgomery County, Maryland. The areas to be abandoned are shown highlighted in yellow and described by metes and bounds on the enclosed Plat of Survey and legal description respectively.

The Authority is requesting abandonment as these are "paper streets" which have been incorporated into the Forest Glen Metrorail Station parking lot.

Since WMATA is an agency and instrumentality of the State of Maryland, we request that the \$1,500.00 filing fee be waived.

If you have any questions, please do not hesitate to contact me at (202) 962-1504 or have a member of your staff contact Mr. Mark Meister of this office at (202) 962-1589. Thank you for your assistance and favorable consideration of this matter.

Sincerely,

Denton U. Kent
Director
Office of Property Development
and Management

Enclosures

cc: Gayle Libby Curtiss, Esq.

P. HIGI

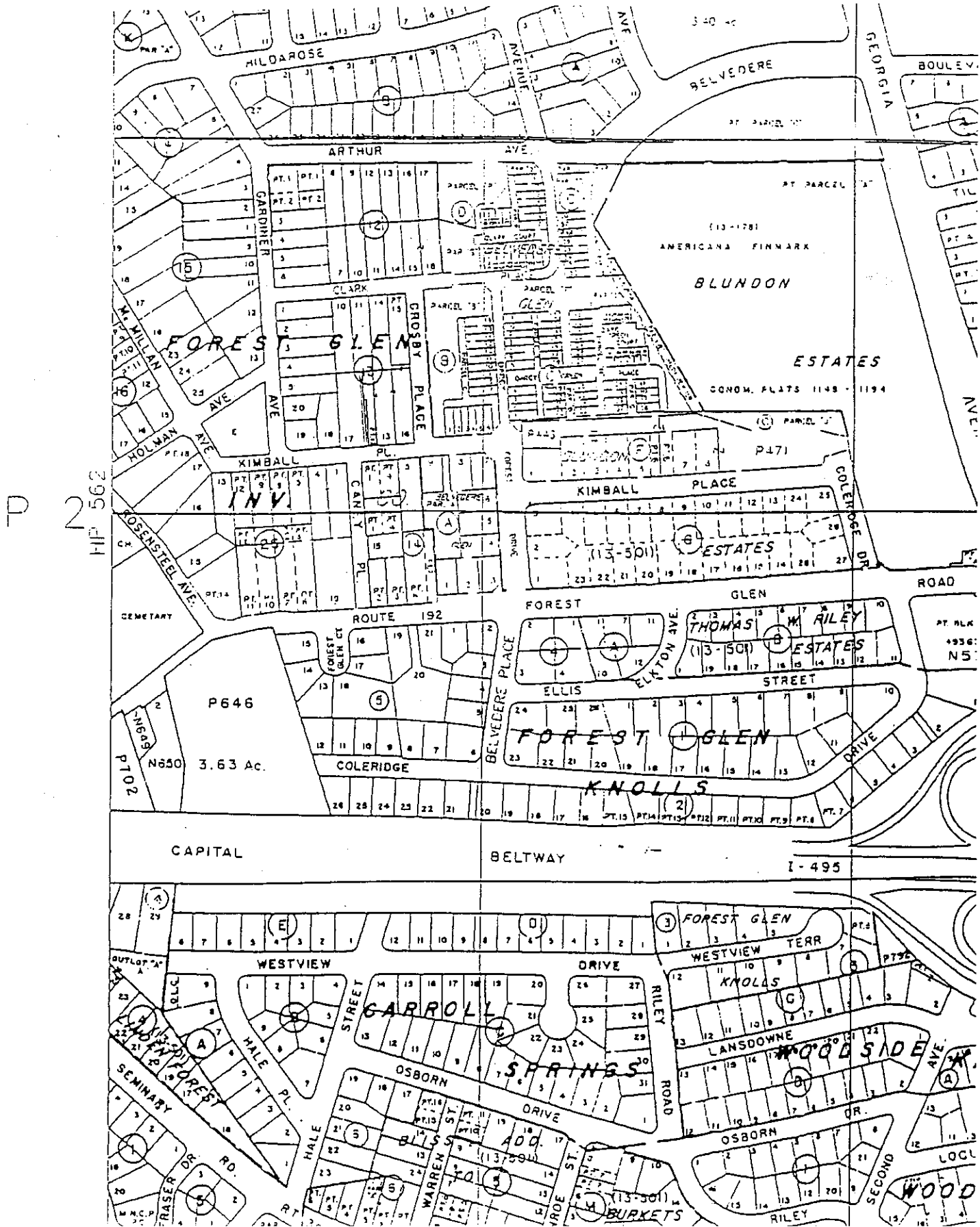
Washington
Metropolitan Area
Transit Authority

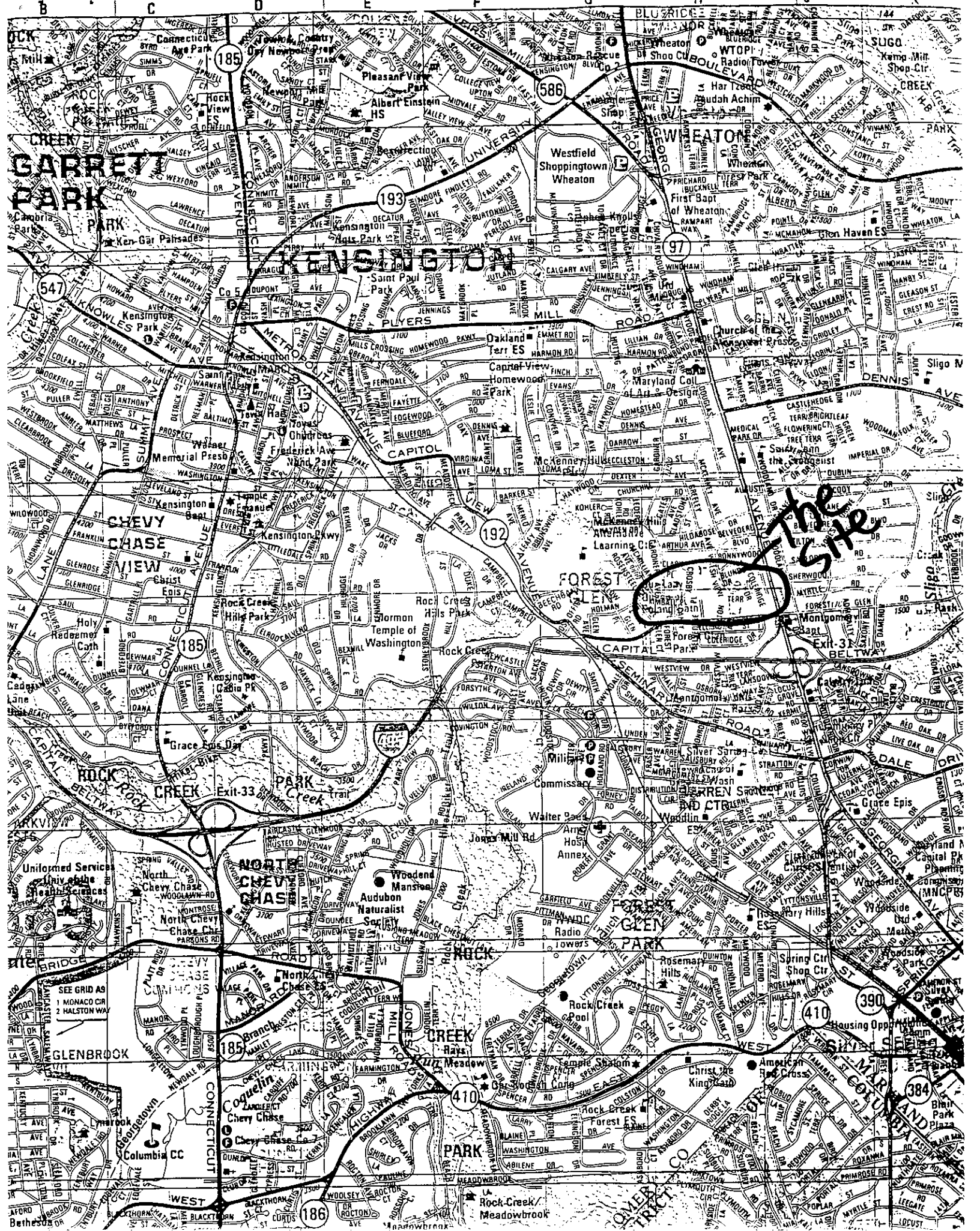
600 Fifth Street, NW
Washington, DC 20001
202/962-1234

By Metrorail:
Judiciary Square—Red Line
Gallery Place-Chinatown—
Red, Green and
Yellow Lines

By Metrobus:
Routes D1, D3, D6, P6,
70, 71, 80, X2

AB 654 Abandonment of Kimball Place
and a Portion of Coleridge Drive
Tax Map JP 122

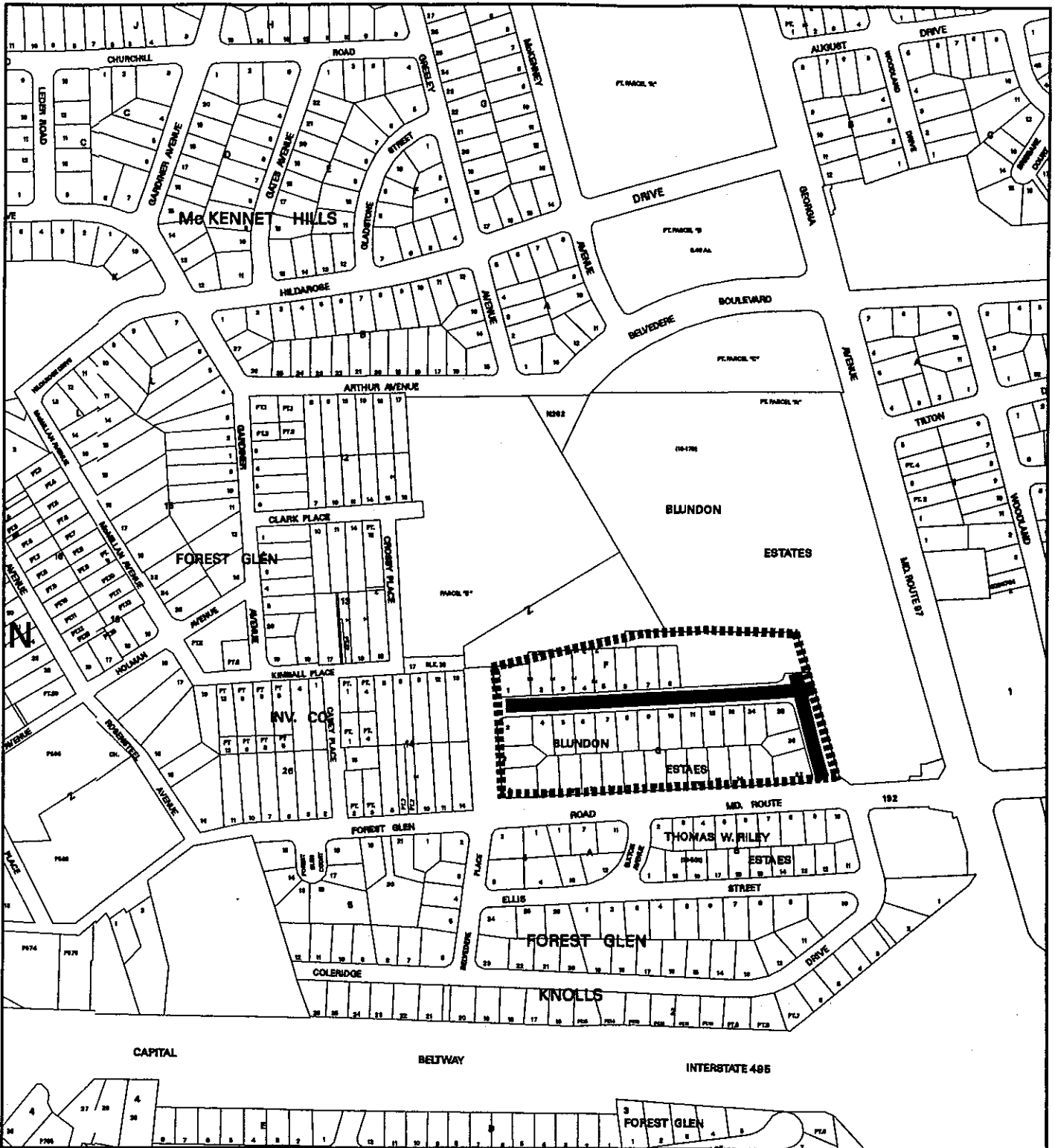




The Site

VICINITY MAP FOR

BELVEDERE GLEN (PREVIOUSLY BLUNDON ESTATES)



Map compiled on March 03, 2000 at 2:42 PM | Site located on base sheet no - Z12NW02

**Right-of-Way
to be abandoned** 

**WMATA
Parking Area** 

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LAND PLANNING

Key Map



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