

October 29, 2003

MEMORANDUM

TO: Montgomery County Planning Board

VIA: John Carter, Chief *JC*
Community-Based Planning
Dan Hardy, Supervisor *DKH*
Transportation Planning

FROM: Shahriar Etemadi, Coordinator
Transportation Planning (301) 495-2168

SUBJECT: Mandatory Referral # 03815-DPW&T-1, Proposed sale of approximately 2,537 square feet of County-owned property along Woodmont Avenue right of way in Bethesda

RECOMMENDATION

Staff recommends approval of the request to sell the portion of right-of-way that lies outside the Sector Plan right-of-way for Woodmont Avenue (80-foot right-of-way proposed)

Previous Action and Schedule

This mandatory referral is associated with the approval process of rezoning classification No. G-808 and subsequent project and preliminary plans for 21,101 square feet of land located at 4811 Battery Lane in Bethesda.

The Planning Board recommended approval of Local Map Amendment No. G-808 for reclassification of 21,101 square feet of land from C-T Zone to the PD-75 Zone on October 10, 2003. Battery Lane, LLC sought the rezoning to build 11 townhouses on the site.

The Hearing Examiner is holding the record open in the rezoning application to include the Planning Board's review and recommendation of this requested Mandatory Referral.

Background

Battery Lane, LLC, the owner of the property, wants to purchase approximately 2,537 square feet of County-owned right-of-way property along Woodmont Avenue north of Battery Lane. The Applicant will incorporate the subject land into its project to provide for the construction of 11 townhouse units in Bethesda. Exhibit 1 shows the site location.

Discussion

The property owner is seeking to purchase right-of-way along the site frontage of Woodmont Avenue. Exhibit Two identifies this right-of-way area, defined as the "requested purchase area". The request was reviewed by the Montgomery County Department of Public Works and Transportation, which concluded that there is no current transportation need for right-of-way beyond two (2) feet outside of existing improvements.

The requested purchase area is a triangular piece of County-owned right-of-way along Woodmont Avenue just north of Battery Lane. The eastern edge of the requested purchase area was defined as a line 35 feet from the centerline of Woodmont Avenue.

The Bethesda CBD Sector Plan classifies Woodmont Avenue as a business district roadway with an 80-foot right-of-way, as indicated in Exhibit Three. The DPWT design standard for a business district roadway with an 80-foot right-of-way includes 50 feet of pavement and 15-foot-wide sidewalks on either side. In the vicinity of the site, Woodmont Avenue currently has 50 feet of paving and right-of-way to accommodate 10-foot wide sidewalks. Staff finds that the additional five-foot width on either side of the roadway is warranted to achieve pedestrian access, safety and streetscape objectives described in the Sector Plan. The western limit of the future Woodmont Avenue right-of-way should therefore be 40 feet from the centerline rather than 35 feet.

The project associated with this rezoning case will provide an attractive transition from the green campus of the National Institutes of Health to the north end of the Bethesda CBD. The rezoning case applicant will have to recalculate the on-site open space and make adjustments to their development plans accordingly.

Staff therefore finds that DPWT should retain the portion of the requested purchase area required to achieve the recommended 80-foot right-of-way. Staff supports the sale of the portion of the requested purchase area that lies outside of the recommended 80-foot right-of-way. The area of sale supported by staff is indicated in Exhibit Four.

Summary

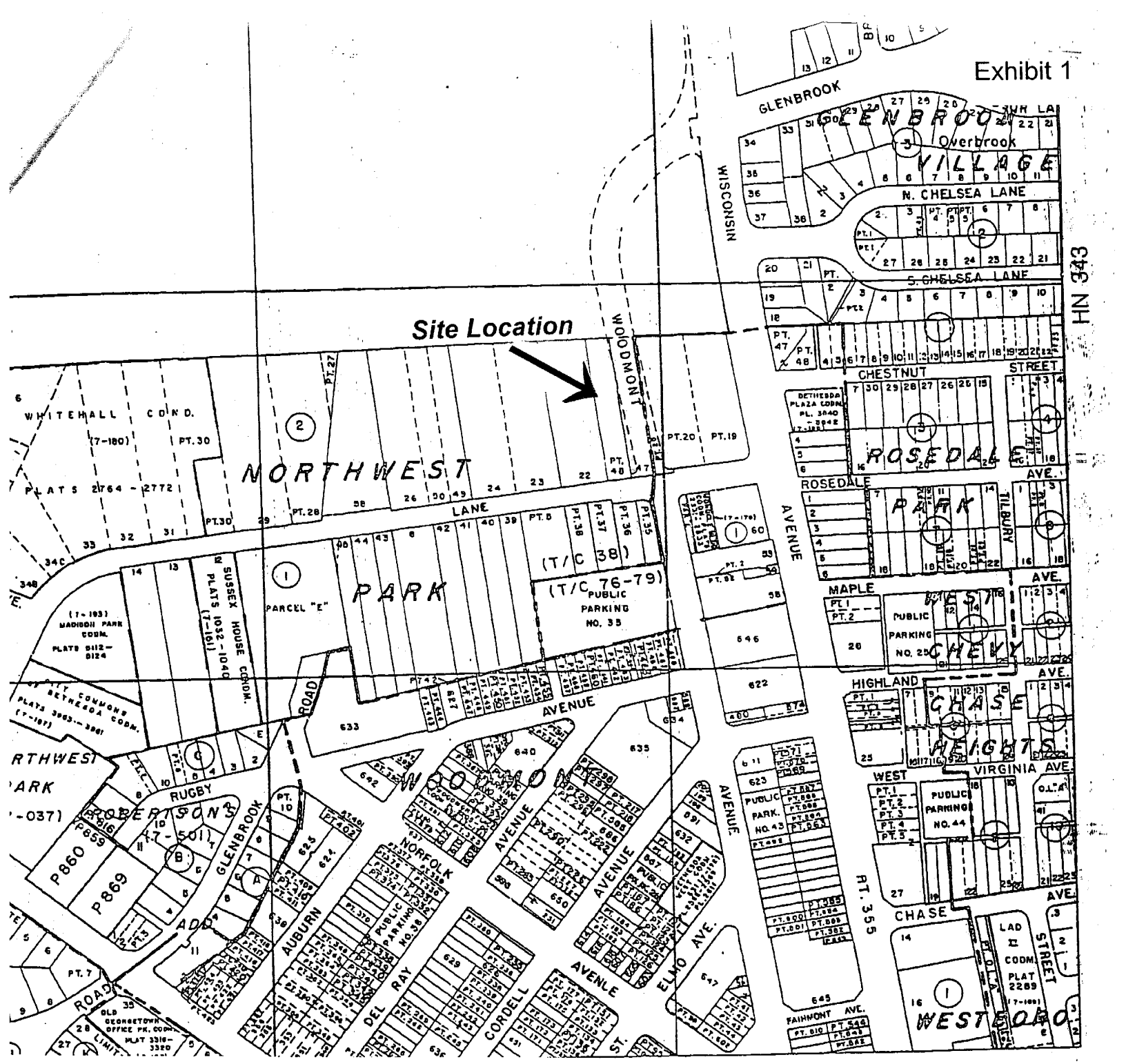
Staff supports the sale of only that portion of the requested purchase area that lies outside the Sector Plan recommended 80-foot right-of-way.

SE:kcw

mmo to mcpb MR 03815 Woodmont.doc

HN 343

Site Location



WHITEMALL COND.
(7-180) PT.30
PLATS 2764 - 2772

NORTHWEST

PARK

ROSEDALE

PARK

MAPLE

CHEVY

HIGHLAND

CHASE

WEST

CHASE

WEST

GLENBROOK VILLAGE
Overbrook
N. CHELSEA LANE
S. CHELSEA LANE

CHESTNUT STREET

ROSEDALE AVENUE

MAPLE AVENUE

HIGHLAND AVENUE

FAIRMONT AVENUE

WILSON

WILSON

WILSON

WILSON

WILSON

MADISON PARK COOP.
PLATS 5112 - 5124

WILSON COMMONS
PLATS 3963 - 3981

ROBERTSON

OLD GEORGETOWN OFFICE PK. COOP.
PLAT 3316 - 3320

DEL RAY

CORDELL

ELVO AVE.

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U.S.A.
L 1230 F. 83

2ND LINE
L.4931 F.404
(S10°43'30"W
50.618' DEED)
S10°46'07"E
50.62'

P.O.B.
14.75' TIE
TRUE
P.O.B.



David Weber
JAN. 15, 2003

LOT 23

LOT 22, BLOCK 2
NORTHWEST PARK
PLAT BOOK 1 PLAT No. 83

WOODMONT AVENUE
(VARIABLE WIDTH)

S10°51'14"E 270.60'
N07°03'57"W 287.89'

PART OF
LOT 48, BLOCK 2
NORTHWEST PARK
P.B. 2 PLAT No. 134
L 16423 F. 480

2,573 sq.ft. or
0.0591 Ac.

S37°56'03"W
25.28'

BATTERY LANE
(VARIABLE WIDTH)

EXHIBIT "B"
SKETCH OF

PART OF WOODMONT AVENUE
RIGHT OF WAY TO BE ACQUIRED

BETHESDA ELECTION DIST. No. 7
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 : MCDOT PROJECT No. 673942
R/W ACQUIRED PER DEEDS RECORDED IN
L. 4584 F. 769, L. 4584 F. 772 AND L. 4584 F. 775

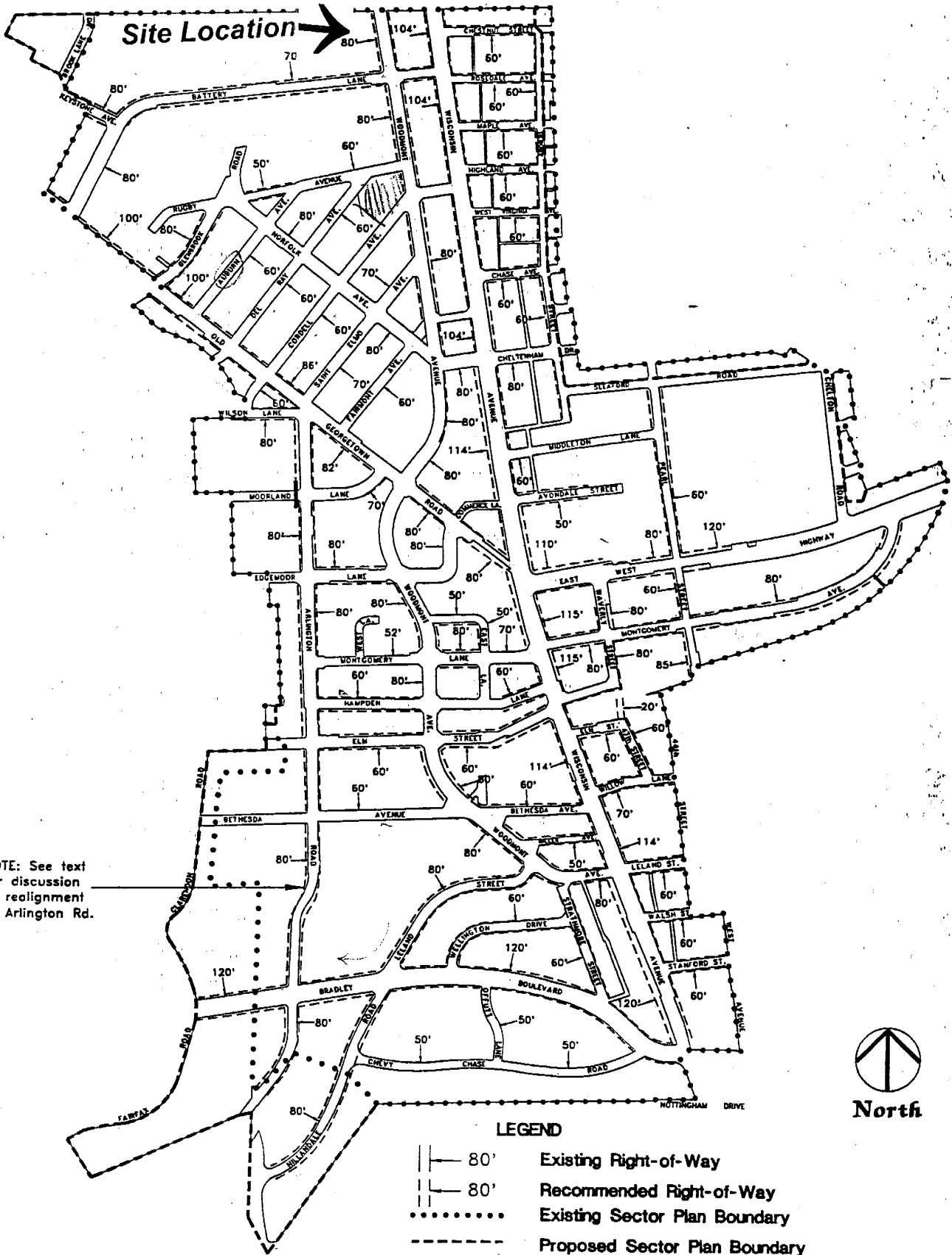
DRAWN BY : D.E.H. DATE : JANUARY 2003

CHECKED BY : SCALE : 1"=60'

GLW FILE No.

01-137

1137BNDY2.dwg



14.75' NE

TRUL
P.O.B.



Exhibit 4

David Weber
JAN. 15, 2003

WOODMONT AVENUE
(VARIABLE WIDTH)

N07°03'57" W 287.89'
S10°51'14" E 270.60'

PART OF
LOT 48, BLOCK 2
NORTHWEST PARK
P.B. 2 PLAT No. 134
L 16423 F. 480

2,573 sq. ft. or
0.0591 Ac.

35'

40'

S37°56'03" W
25.28'



The Areas of Sales
Supported by Staff

BATTERY LANE
(VARIABLE WIDTH)

"B"
OF

GLW GUTSCHICK LITTLE & WEBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK