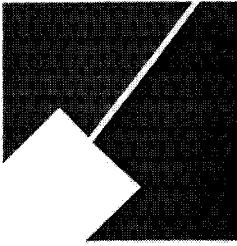


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

MCPB
ITEM NO. 3
4-7-05

March 28, 2005

MEMORANDUM

TO: Montgomery County Planning Board

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

FROM: Maureen Decker, Planner Coordinator
Transportation Planning *M*

SUBJECT: DPWT Docket No. AB 672
Abandonment of an unused portion of Highland Avenue in Block A in the Rock
Creek Park Watershed, as it relates to the National Park Seminary redevelopment
North and West Silver Spring Master Plan
Silver Spring/Takoma Park Policy Area

RECOMMENDATION

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

1. That the proposed abandonment become effective simultaneously with the recordation of the record plat for the development of the National Park Seminary property to facilitate the historic preservation and adaptive reuse redevelopment consisting of 280 residential dwelling units.

DISCUSSION

This abandonment is for a generally unused portion of Highland Avenue, consisting of 42,253 square feet, in Block A in the Rock Creek Watershed, per Plat Book A, Page 13, and as shown in Attachment A. The Highland Avenue right-of-way, for the most part, is located in an environmentally sensitive area known as the "Glen". The Glen is located on the northern portion of the property and much of the abandonment will be preserved in a Conservation Easement. Other than sewer and water lines that bisect the abandonment, the right-of-way is unimproved, and has not been put to public use. The right-of-way to be abandoned is not needed to serve any existing public use or proposed development on the property. The applicant intends to grant Washington Suburban Sanitary Commission an easement for the existing sewer and water lines that bisect the right-of-way.

The abandonment is requested on behalf of the Forest Glen Venture, LLC (comprised of Alexander Company and Eakin Youngentob Associates), the developer selected by the County Executive to develop the National Park Seminary property. The redevelopment plans for the National Park Seminary property are concurrently being reviewed as part of Preliminary Plan # 1-05054 and Site Plan # 8-05024.

The County Executive is anticipated to hold a public hearing on abandonment case AB 672 within the next several weeks. Comments from the Planning Board's review of the abandonment will be forwarded for inclusion into the Executive's record of the public hearing.

MD:gw
Attachment

mno to MCPB re AB-672 Highland NPS.doc

LERCH
EARLY &
BREWER
CHARTERED

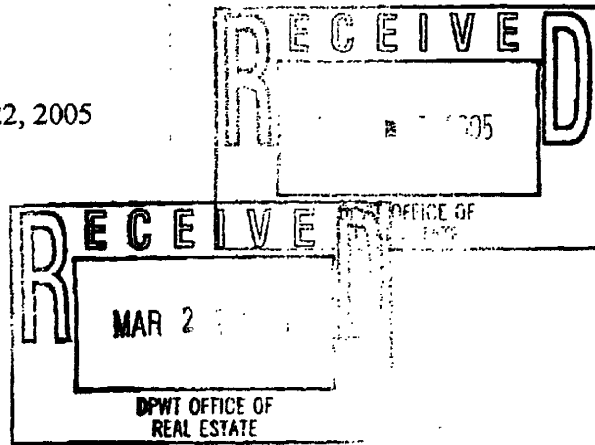
SUITE 460 | 3 BETHESDA METRO CENTER | BETHESDA, MD 20814-5367 | TEL 301.986.1300 | FAX 301.986.0332 | WWW.LERCHEARLY.COM

ATTORNEYS

March 22, 2005

BY HAND DELIVERY

Ms. Cynthia L. Brenneman
Mr. Michael Cassedy
Property Acquisition Section
Montgomery County Department of
Public Works and Transportation
101 Monroe Street, 6th Floor
Rockville, Maryland 20850



**Re: Road Abandonment – Unimproved Portion of Highland Avenue
within the National Park Seminary Property**

Dear Ms. Brenneman and Mr. Cassedy:

On behalf of Forest Glen Venture, LLC, please accept this letter as a formal petition to the County Executive and County Council for abandonment of an unused portion of Highland Avenue, consisting of 42,253 square feet, in Block A in the Rock Creek Watershed. The right of way for this proposed road was previously dedicated on Plat Book A / Page 13. The property that is the subject of this abandonment is more fully depicted on the attached plat (2 copies enclosed).

Forest Glen Venture, LLC (comprised of the Alexander Company and Eakin Youngentob Associates) was selected by the County Executive to develop the National Park Seminary property. The proposed historic preservation/adaptive reuse redevelopment consists of 280 units in a combination of multi-family residential structures, townhouses and single-family homes. Many of the units are located in the historic structures that are being preserved on the property. The Highland Avenue right of way that is the subject of this abandonment proceeding, for the most part, is located in an environmentally sensitive area better known as the "Glen." The Glen is located on the northern portion of the property and will be preserved in a Conservation Easement. The Highland Avenue right of way is unimproved, generally has not been put in public use and does not conflict with any of the proposed redevelopment on the property. There is a sewer and water line that bisects the right of way – WSSC already has an easement for the sewer line and we fully intend to grant WSSC an easement for the water line in that same location, if necessary. Abandoning the right of way can be accomplished without compromising any rights and is very much in the public interest (in that much of the abandoned right of way will be added to the Conservation Easement area).

Ms. Cynthia Brenneman / Mr. Michael Cassedy
March 22, 2005
Page 2

The development of the National Park Seminary property (the "Property") has been contemplated for some time and has finally come to fruition. As previously stated, Forest Glen Venture, LLC was selected to develop the property from among a number of prominent, nationally recognized developers. The community, the State of Maryland, and Montgomery County all support the project. The County, in particular, has pledged its support to the development and has designated the project a Green Tape development. This development will provide a unique complement of much needed affordable housing in Montgomery County in the midst of an extraordinary historic preservation effort.

Enclosed are: a topographic map of the Property (2 copies); an aerial photograph of the Property (2 copies); a compact disc of Highland Avenue Abandonment exhibits; a modified tax map of the Property (2 copies); a list of the adjoining and confronting property owners (2 copies); and two sets of mailing labels. It is our understanding that your Department will send the appropriate notice of this abandonment petition to the adjoining and confronting property owners and be responsible for advertising the abandonment petition in a local newspaper. In addition, your office will post the appropriate sign(s) along the Highland Avenue Right of Way (or in front of the property) advising users of the abandonment proceeding. Finally, enclosed is the filing fee of \$2,500 for the processing of this request. Please notify us of the date and time of the public hearing before the Hearing Examiner and other scheduled hearings relating to this proceeding.

If you need any other information, please do not hesitate to contact us.

Sincerely,



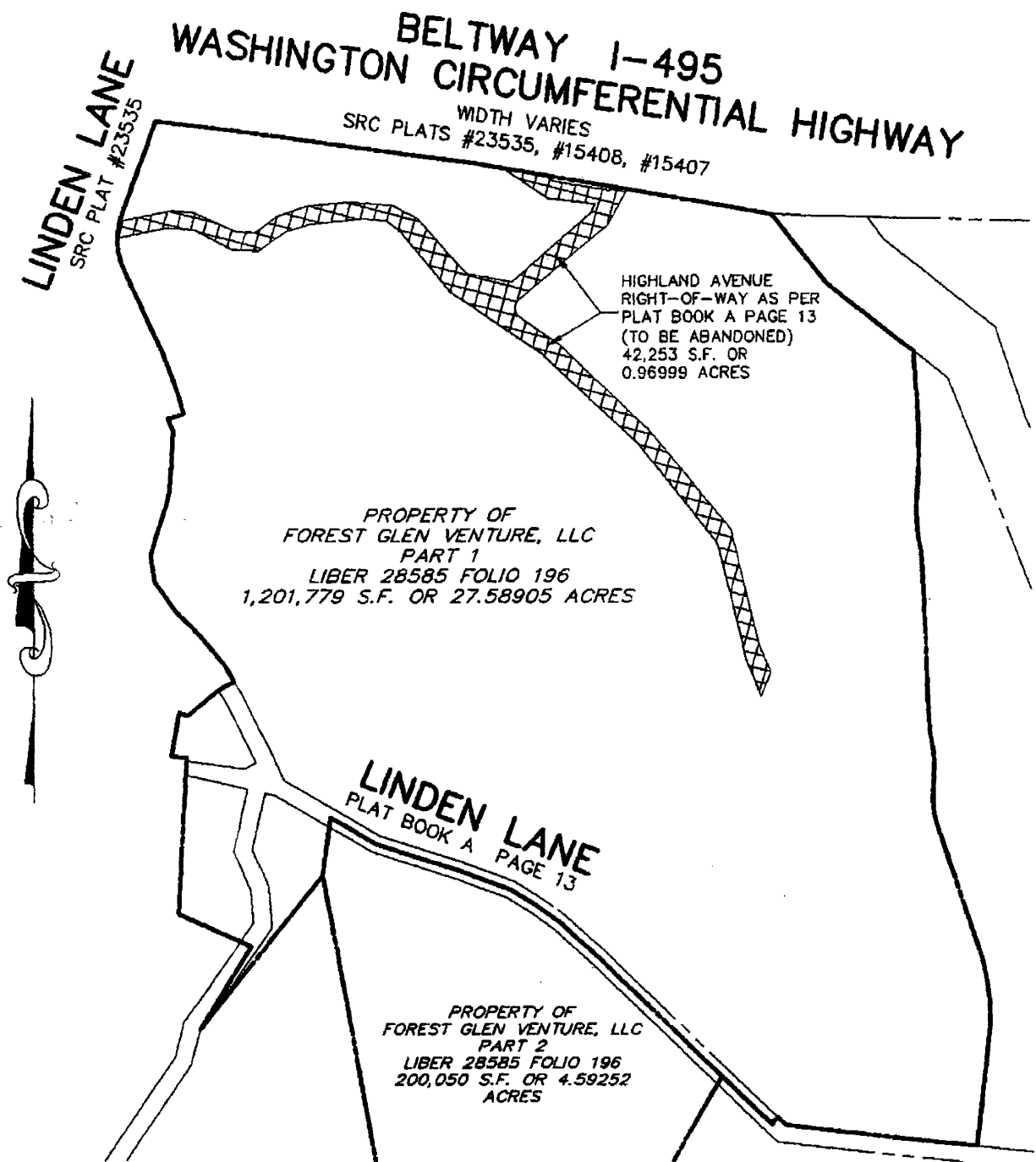
Steven A. Robins



Patrick L. O'Neil

Enclosures, as described

cc: Natalie Bock
David Vos
Matt Birenbaum
Chuck Irish



SKETCH SHOWING
 A PORTION OF
HIGHLAND AVENUE
 PLAT BOOK 'A' PAGE 13
 (TO BE ABANDONED)
 13TH ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1" = 200' MARCH 11, 2005



ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ GPS SERVICES
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 GERMANTOWN, MD. MCLEAN, VA. LEESBURG, VA.