



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

MEMORANDUM

September 22, 2021

TO: Tiara McCray, Real Estate Specialist
Property Acquisition Section
Division of Transportation Engineering

VIA: Rebecca Torma, Manager RT
Development Review Team
Transportation Policy

FROM: Deepak Somarajan, Engineer III DS
Development Review Team
Transportation Policy

SUBJECT: AB770, Abandonment of Portion of Kensington Boulevard

Thank you for the opportunity to review the proposed Abandonment of Portion of Kensington Boulevard Right-of-Way and was reviewed in terms of the Development Review process. This abandonment application was requested by Banc Realty LLC.

We recommend approval of the requested abandonment for a portion of Kensington Boulevard subject to the following conditions:

- a) MCDOT along with other agencies determined that a roadway connection between East Avenue and Veirs Mill Road is not feasible due to the existing grade.
- b) The applicant shall abandon the requested area except for the area which provides access to existing Lot 11. Revise the limit of the right-of-way abandonment from the northern limit of the existing right-of-way to the existing Lot 11 (with a temporary turnaround at the terminus) for the following reasons:
 - i. Maintain access to existing Lot 11.
 - ii. Provide a temporary turnaround at the terminus per MC-223.01 within the right-of-way per Montgomery County Code Section 49-33(c) & (g).
 - iii. Kensington Boulevard and East Avenue are both classified as a Residential Roadway. With the abandonment request limits as submitted it would be a right-angle (90°) bend

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which does not meet the horizontal centerline radius per Montgomery County code Section 50-4.3(E)(2)(g).

- c) The ingress/access easement, if required, for the property to the northeast of the Kensington Boulevard and East Avenue intersection will be evaluated during the preliminary plan.
- d) The applicant submitted an exhibit with the abandonment application that proposes a pedestrian/bicycle path in place of the roadway to comply with the Master Plan requirements. The proposed pedestrian/bicycle path have stairs and bicycle runnels which are non-ADA compliant due to the existing grades. There are existing water and sewer mains in an existing sixty-foot WSSC easement in the requested abandonment area. Due to the proximity of the existing water and sewer mains to the proposed pedestrian/bicycle path with stairs and bicycle runnels, WSSC approval will be required to install the improvements.
- e) The exhibit shows the proposed pedestrian path within a proposed 20-foot-wide portion of the right-of-way. The proposed right-of-way dedication area should be removed from the exhibit. The proposed right-of-way dedication limits within the abandonment area will be determined during the preliminary plan process.
- f) All existing utilities along the proposed abandoned portions of Kensington Boulevard shall remain in place within a proposed public utility easement or relocated at the applicant's expense. If the existing utility is relocated, it should be within the right-of-way or a proposed public utility easement.
- g) The existing storm drain system along the proposed abandoned portions of Kensington Boulevard shall remain in place within a proposed storm drain easement or relocated at the applicant's expense. If the existing storm drain system is relocated, it should be within the right-of-way or a proposed storm drain easement.

Thank you for cooperation and assistance. If you have any questions regarding this memo, please contact me at your earliest convenience.

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