



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item _____
May 17, 2007



MEMORANDUM

DATE: April 20, 2007

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Catherine Conlon, Supervisor *CC*
Development Review Division

FROM: *DK*
Dolores Kinney, Senior Planner (301) 495-1321
Development Review

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Subdivision of Parcel 442

PROJECT NAME: Southlawn

CASE #: 120070300

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: I-2

LOCATION: Located on the southeast side of Southlawn Lane, approximately
330 feet east of the intersection with Incinerator Lane

MASTER PLAN: Upper Rock Creek

APPLICANT: Montgomery County

ENGINEER: Loiderman Soltesz Associates, Inc.

FILING DATE: October 26, 2006

HEARING DATE: May 17, 2007

STAFF RECOMMENDATION: Approval, pursuant to Chapter 50 of the Montgomery County Subdivision Regulations, and subject to the following conditions:

- 1) Development on this property is limited to a concrete plant or an equivalent industrial use that generates no more than 26 peak-hour trips within the weekday morning (6:30 to 9:30 a.m.) peak period, and no more than 28 peak-hour trips within the evening (4:00 to 7:00 p.m.) peak period.
- 2) The Applicant must comply with the conditions of the MCDPS stormwater management approval dated March 6, 2007.
- 3) The Applicant must comply with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 4) The Applicant must comply with conditions of the MCDPWT letter dated December 1, 2006, unless otherwise amended.
- 5) Access and improvements as required to be approved by DPWT prior to issuance of access permits.
- 6) Other necessary easements must be shown on the plat.

SITE DESCRIPTION:

Located in the Upper Rock Creek watershed, the Subject Property, identified as Parcel 442 ("Subject Property"), is located on the southeast side of Southlawn Lane, approximately 330 feet east of the intersection with Incinerator Lane (Attachment A). The property contains 1.99 acres and is zoned I-2. The property contains a small stand of Virginia pine trees, but no environmentally sensitive areas.

PROJECT DESCRIPTION:

This is an application to subdivide the Subject Property for development as a 4,524 square foot concrete plant. Access to the proposed lot will be directly from Southlawn Lane. Public water and public sewer will serve the property.

ANALYSIS AND FINDINGS

Master Plan Compliance

The Upper Rock Creek Master Plan did not specifically address the Subject Property but did provide general guidance and recommendations for development patterns and density. The plan reconfirms the industrial areas adjacent to the City of Rockville. The preliminary plan complies with the master plan goal in that it proposes an industrial concrete plant.

Transportation

Adequacy of the Public Transportation Facilities

Based on the submitted traffic statement, the proposed industrial concrete plant would generate the following peak hour trips within the weekday morning peak period (6:30 to 9:30 a.m.) and the weekday evening peak period (4:00 to 7:00 p.m.):

Type of Vehicular Trip	Morning Peak Hour			Evening Peak Hour		
	In	Out	Total	In	Out	Total
Concrete Mixer Trucks ¹	8	8	16	8	8	16
Supply Trucks ²	4	4	8	4	4	8
Employees ³	2	0	2	2	2	4
Total Weekday Vehicular Trips			26	28		

The following assumptions were made to estimate the site trip generation:

- ¹ With the current industrial technology for concrete plants, it takes 10 minute to load a concrete mixer truck. Thus, six trucks can be loaded in 60 minutes or one hour. The number of trucks was increased to eight to account for future expansion or improved technology.
- ² A typical supply truck takes 15 minutes to unload its materials. Thus, four trucks can be unloaded in 60 minutes or one hour. However, typical deliveries occur during the weekday off-peak hours.
- ³ The hours of operation are initially proposed to be between 6:30 a.m. and 3:30 p.m., so the concrete plant closes before the start of the evening peak hours. On occasions, the plant could continue to operate into the evening peak hours to satisfy a high demand for concrete. When the plant closes later, the two employees working 8 hours during the day will leave and be replaced by two other arriving employees.

A traffic study was not required to satisfy Local Area Transportation Review (LATR) because the proposed industrial development generates fewer than 30 peak hour trips during the weekday evening peak hour.

Master-Planned Recommended Roadway

In accordance with the current 2004 *Upper Rock Creek Master Plan*, Southlawn Lane is designated as an industrial roadway, I-1, with a minimum recommended 70-foot right-of-way and no master-planned bikeway. Southlawn's current alignment along this property is within a prescriptive right-of-way that does not reflect the right-of-way

dedication shown on three nearby recorded plats. These record plats were prepared based on an 80-foot right-of-way shifting to the west of the existing road alignment that was recommended in the *1968 Master Plan*. Southlawn Lane was reclassified from an arterial, A-5, with an 80-foot right-of-way to the current 70-foot industrial road right-of-way, with the adoption of the *1985 Master Plan*. In addition, environmental constraints associated with the existing stream buffer prohibits realigning the existing road to the west. Existing Southlawn Lane is not built to industrial-roadway standards and a final alignment of the roadway will be determined by the county in the future. Right-of-way for this future road will be accommodated outside the property.

Nearest Available Transit Service

Transit service is not available along Southlawn Lane. The nearest bus route is Ride-On route 59 that operates along East Gude Drive.

Pedestrian Facilities

No sidewalks exist along Southlawn Lane and none are proposed with this subdivision. As subdivisions are approved along Southlawn Lane, sidewalks should be constructed when Southlawn Lane is upgraded in the future. Provisions for pedestrian access is not needed at this time.

Environment

The site includes 0.59-acres of forest dominated by 2 to 6 inch diameter Virginia pine trees. Unforested portions of the site are used as a gravel parking lot for vehicle parking, truck container storage, and other storage.

Forest Conservation

The preliminary forest conservation plan proposes the removal of 0.17 acres of existing forest. The Applicant will retain 0.42 acres of forest on site and protect this forest with a Category I Conservation Easement. The preliminary forest conservation plan indicates the need for a 0.02-acre forest planting which the Applicant proposes to meet by paying the in-lieu-fee. The plan meets all applicable requirements of the county Forest Conservation Law.

Stormwater Management

On March 6, 2007, the MCDPS Stormwater Management Section approved the project's stormwater management concept which includes vegetation stabilization, the submission of stormwater management computations and an engineered sediment control plan for water quality control.

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. Access and public facilities will be adequate to support the proposed lot and use. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lot was reviewed for compliance with the dimensional requirements for the I-2 zone as specified in the Zoning Ordinance. The lot as proposed will meet the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of who have recommended approval of the plan.

Citizen Correspondence and Issue

This plan submittal pre-dated new requirements for a pre-submission meeting with neighboring residents, however, written notice was given by the applicant and staff of the plan submittal and the public hearing. As of the date of this report, one citizen letter was received.

Mr. Thomas Daly, President of the Warehouse Condominium and owner of 15131 Southlawn Drive, sent an e-mail to the Development Review Division in which he expressed concerns regarding traffic volume, the ability of the roads to accommodate the weight of heavy trucks, maintenance of the roads, and dust/debris and potential structural damage from the operation of the concrete plant. Staff responded and explained that less than 30-peak hour trips will be generated from the development, therefore no local area transportation study will be required and the impact on existing traffic is anticipated to be minimal. Staff also advised that maintenance of Southlawn Lane would be the responsibility of the Department of Public Works and Transportation (DPWT). Staff further responded that dust/debris and potential structural damage from the operation of the concrete plant would be the responsibility of the two property owners to address.

CONCLUSION:

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance, and complies with the recommendations of the Upper Rock Creek Master Plan. Access and public facilities will be adequate to serve the proposed lot, and the application has been reviewed by other applicable county agencies, all of which have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

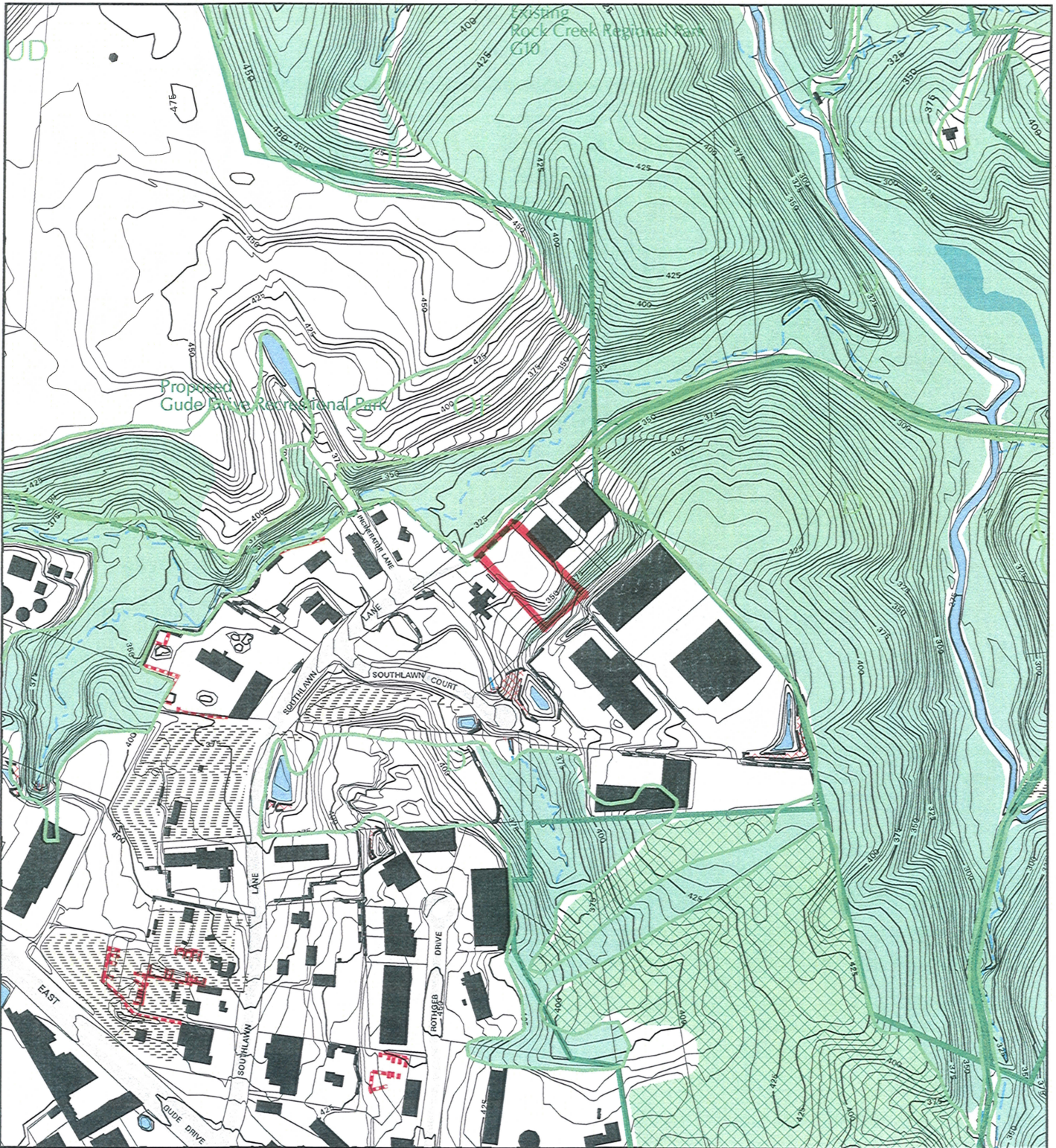
ATTACHMENTS:

Attachment A	Vicinity Map
Attachment B	Preliminary Plan
Attachment C	Correspondence

TABLE 1**Preliminary Plan Data Table and Checklist**

Plan Name: Southlawn				
Plan Number: 120070300				
Zoning: I-2				
# of Lots: 1				
# of Outlots: 0				
Dev. Type: 4,524 square foot concrete plant				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	Not Specified	86,684 sq.ft. is minimum proposed	<i>Dmr</i>	April 20, 2007
Lot Width	Not Specified	208 feet	<i>Dmr</i>	April 20, 2007
Lot Frontage	Not specified	208 feet	<i>Dmr</i>	April 20, 2007
Setbacks				
Front	10 ft. Min.	Must meet minimum	<i>Dmr</i>	April 20, 2007
Side	0	75 ft./95 ft.	<i>Dmr</i>	April 20, 2007
Rear	0	212 ft.	<i>Dmr</i>	April 20, 2007
Height	70 ft. Max.	May not exceed maximum	<i>Dmr</i>	April 20, 2007
Max FAR per Zoning	Not specified	Not specified	<i>Dmr</i>	April 20, 2007
Site Plan Req'd?	No	No	<i>Dmr</i>	April 20, 2007
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes	Yes	<i>Dmr</i>	April 20, 2007
Road dedication and frontage improvements	Dedication	No	DPWT/SHA	Dec. 1, 2006/ Nov. 17, 2006
Environmental Guidelines	Yes	Yes	ENVIRONMENTAL PLANNING	Jan. 8, 2007
Forest Conservation	Yes	Yes	ENVIRONMENTAL PLANNING	Jan. 8, 2007
Master Plan Compliance	Yes	Yes	<i>Dmr</i>	April 20, 2007
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes	Yes	DPS	March 6, 2007
Water and Sewer (WSSC)	Yes	Yes	WSSC	Nov. 6, 2006
Local Area Traffic Review	Yes	Yes	TRANSPORTATION PLANNING	May 1, 2007
Fire and Rescue	Yes	Yes	MCDFRS	Jan. 19, 2007

SOUTHLAWN (120070300)



Map compiled on November 09, 2006 at 2:51 PM | Site located on base sheet no - 220NW06

NOTICE

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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

Key Map



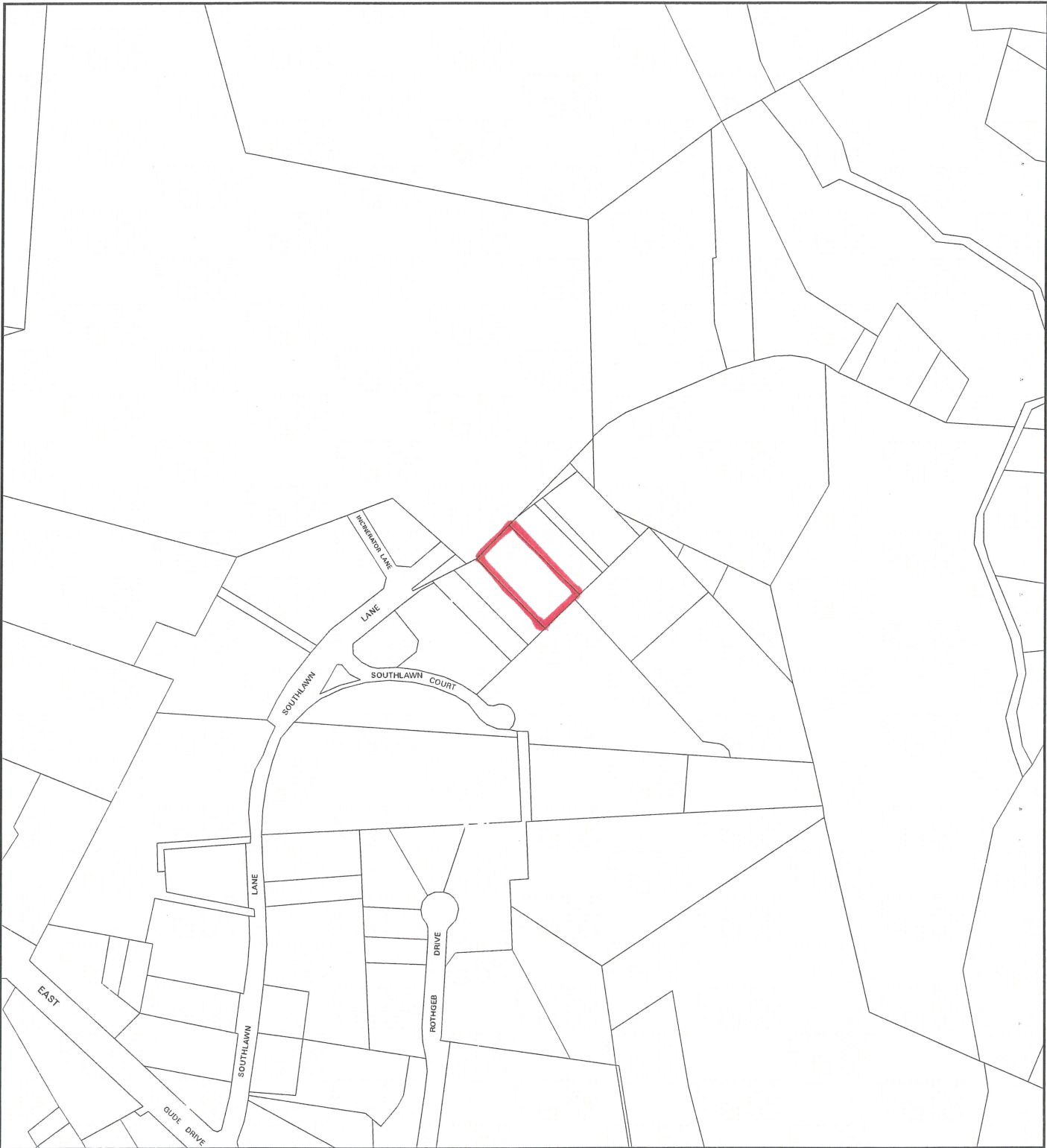
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Research & Technology Center

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 1 inch = 600 feet
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SOUTHLAWN (120070300)



Map compiled on November 09, 2006 at 2:55 PM | Site located on base sheet no - 220NW06


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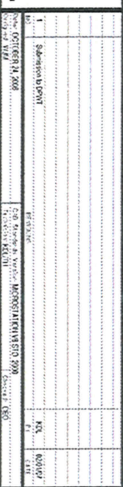




Research & Technology Center



1 inch = 600 feet
1 : 7200



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MISS UTILITY NOTE

MISS UTILITY NOTE

ROCKVILLE CORPORATE LIMITS

ZONE
SERVICE INDUSTRIAL
DOWNSHIP
LOT 1-5
PLAT 2266
SECTION 14 AND 22 OF TOWNSHIP 1 NORTH, RANGE 2 WEST, COUNTY OF ROCK, MARYLAND

ZONE
SERVICE INDUSTRIAL
DOWNSHIP
LOT 1-5
PLAT 2266
SECTION 14 AND 22 OF TOWNSHIP 1 NORTH, RANGE 2 WEST, COUNTY OF ROCK, MARYLAND

[illegible]

OWNER
KONTERRA, LLP
C/O JOEL CHERNIGON
14504 GREENVIEW DRIVE,
SUITE 210
LAUREL, MD 20708
(443) 604-0608

LEGEND

- PROPOSED TREELINE
- EXISTING TREELINE
- SITE BOUNDARY
- LIMIT OF DISTURBANCE
- PERMANENT AND PERENNIAL STREAMS

ADDITIONAL INFORMATION:

The site is located within the 1.2-acre lot. The proposed building footprint is shown in black. The existing treeline is shown in green. The proposed treeline is shown in blue. The site boundary is shown in red. The limit of disturbance is shown in yellow. The permanent and perennial streams are shown in blue.

VICINITY MAP
SCALE: 1" = 200'

The vicinity map shows the site's location relative to the intersection of MD 207 and LA 1404. The site is located on the north side of MD 207, east of LA 1404. The map includes a scale bar and a north arrow.

CORRESPONDENCE

12/12/06 TUE 10:19 FAX 2407772080

TRAFFIC ENGR

002



DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

December 1, 2006

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-20070300
Southlawn

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 10/24/06. This plan was reviewed by the Development Review Committee at its meeting on 11/20/06. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Show/label all existing planimetric and topographic details specifically paving on the preliminary plan.
2. Necessary dedication for Southlawn Lane in accordance with the Master Plan and improving it to 70' R/W commercial/industrial roadway standards along the site frontage.
3. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
4. We did not receive complete analyses of the capacity of the downstream public storm system(s) and the impact of the post-development runoff on the system(s). As a result, we are unable to offer comments on the need for possible improvements to the system(s) by this applicant. Prior to approval of the record plat by the Department of Permitting Services (DPS), the applicant's consultant will need to submit this study, with computations, for review and approval by DPS. Analyze the capacity of the existing downstream public storm drain system and the impact of the post-development ten (10) year storm runoff on same. If the proposed subdivision drains to an existing closed section street, include spread and inlet efficiency computations in the impact analysis.

Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
240-777-6000 • 240-777-6013 TTY • 240-777-6030 FAX
www.montgomerycountymd.gov

Ms. Catherine Conlon
Preliminary Plan No. 1-20070300
Date December 1, 2006
Page 2

5. Perform the necessary adjustments so driveway aprons do not cross the property lines.
6. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
7. Revise the preliminary plan to provide a minimum of one hundred (100) feet of space between the driveways along the Southlawn Lane (Industrial/commercial classification roadway).
8. In accordance with Section 49-35(e) of the Montgomery County Code, sidewalks are required to serve the proposed subdivision. Sidewalks are to be provided along the site frontage according to associated DPWT standard street section unless the applicant is able to obtain a waiver from the appropriate government agency.
9. The parking layout plan will be reviewed by the Department of Permitting Services at the site plan or building permit stage, whichever comes first. To facilitate their review, that plan should delineate and dimension the proposed on-site travel lanes, parking spaces, curb radii, handicap parking spaces and access facilities, and sidewalks. The applicant may wish to contact Ms. Sarah Navid of that Department at (240) 777-6320 to discuss the parking lot design.
10. For safe simultaneous movement of vehicles, we recommend a driveway pavement width of no less than twenty four (24) feet to allow vehicles to enter and exit the site without encroaching on the opposing lanes. This pavement width will permit an inbound lane width of fourteen (14) feet and an exit lane width of ten (10) feet.
11. Curb radii for intersection type driveways should be sufficient to accommodate the turning movements of the largest vehicle expected to frequent the site. However Driveways curb returns should not cross the property lines. Also provide proper spacing between the driveways curb returns and public utilities features.
12. The parking lot travel lanes are to be designed to allow a WB-50 truck to circulate without crossing the centerline nor the curbline.
13. The applicant needs to submit a truck circulation plan for review by the M-NCPPC and MCDPS. This plan should delineate the proposed movements on-site between the anticipated access locations, the proposed truck loading spaces, and the proposed dumpsters. The truck circulation pattern and loading position should be designed for counter-clockwise entry and for a left-side backing maneuver. Passenger vehicle travel ways should be separated from the expected truck patterns and storage areas. The applicant may also need to provide documentation of their proposed delivery schedules. Also coordinate with David Wagaman at 240-777-6400 Division of Solid Waste about their requirements for recycle/trash truck access and movement.
14. Truck loading space requirements to be determined in accordance with the County's "Off-Street Loading Space" policy.
15. On the site plan, delineate the location and dimensions of the proposed truck loading and/or dumpster spaces.
16. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the

Ms. Catherine Conlon
Preliminary Plan No. 1-20070300
Date December 1, 2006
Page 3

Americans With Disabilities Act.

17. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
18. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
19. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
20. Trees in the County rights of way - species and spacing to be in accordance with the applicable DPWT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.
21. Please coordinate with Department of Fire and Rescue about their requirements for emergency vehicle access.
22. Provide driveway access for the stormwater management facilities per associated DPS guidelines.
23. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - A. Street grading, paving, curbs and gutters, sidewalks and handicap ramps, storm drainage and appurtenances, and street trees along Southlawn Lane per item#2 above.
 - B. Improvements to the existing public storm drainage system, if necessitated by the previously mentioned outstanding storm drain study. If the improvements are to be maintained by Montgomery County, they will need to be designed and constructed in accordance with the DPWT Storm Drain Design Criteria.
 - C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - D. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
 - E. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

12/12/06 TUE 10:20 FAX 2407772080

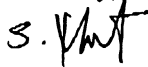
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Ms. Catherine Conlon
Preliminary Plan No. 1-20070300
Date December 1, 2006
Page 4

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Sincerely,



Sam Farhadi, P.E., Senior Planning Specialist
Development Review Group
Traffic Engineering and Operations Section
Division of Operations

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Enclosures (1)

cc: Bernie Fitzgerald, Montgomery County
Joel Cherington, Konterra
Bill Musico, Loiederman Soltesz Associates
John Breitenberg, Attorney at Law
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Preliminary Plan Folder
Preliminary Plans Note Book

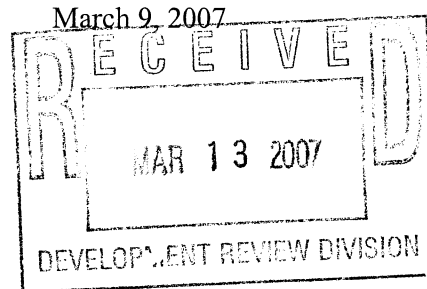


DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760



RE: Preliminary Plan #1-20070300
Southlawn, Amended

Dear Ms. Conlon:

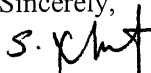
As you requested, we have reconsidered the comments in our December 1, 2006 letter regarding the right of way dedication and improvements along Southlawn Lane. As a result, we wish to modify the following conditions of our prior approval for the above preliminary plan as follows (all conditions of that letter that are not mentioned herewith remain in effect as stated):

Condition 2 is to be modified as:

“ The owner will be required to furnish this office with a recorded covenant whereby said owner agrees to pay a prorata share for the future construction or reconstruction of Southlawn Lane (including sidewalk), whether built as a Montgomery County project or by private developer under permit, prior to DPS approval of the record plat. The deed reference for this document is to be provided on the record plat.”

Also condition 23 item A is to be deleted.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Sincerely,


Sam Farhadi, P.E., Senior Planning Specialist
Development Review Group
Traffic Engineering and Operations Section
Division of Operations

Division of Operations

Ms. Catherine Conlon
Preliminary Plan No. 1-20070300
Date March 9, 2007
Page 2

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cc: Bernie Fitzgerald, Montgomery County
Joel Cherington, Konterra
Bill Musico, Loiederman Soltesz Associates
John Breitenberg, Attorney at Law
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Preliminary Plan Folder
Preliminary Plans Note Book



DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

March 21, 2007

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-20070300
Southlawn, Amendment # 2

Dear Ms. Conlon:

As requested, we have reconsidered the comments in our December 1, 2006 and March 9, 2007 letters regarding the right of way dedication and improvements along Southlawn Lane. As a result, we wish to further modify the following condition of our prior approval letters for the above preliminary plan as follows (all conditions of that letter that are not mentioned herewith remain in effect as stated):

Condition 2 is to be modified as:

“The applicant (their successors or assignees) may be subject to a future assessment if the County constructs the re-aligned road under a CIP project.”

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Sincerely,

Sam Farhadi, P.E., Senior Planning Specialist
Development Review Group
Traffic Engineering and Operations Section
Division of Operations

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cc: Bernie Fitzgerald, Montgomery County
Joel Cherington, Konterra
Bill Musico, Loiederman Soltesz Associates
John Breitenberg, Attorney at Law
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Preliminary Plan Folder
Preliminary Plans Note Book **Division of Operations**



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Reginald Jetter
Acting Director

March 6, 2007

Mr. Andrew Mueller, P.E.
Loiederman Soltész Associates, Inc.
2 Research Place, Suite 100
Rockville, MD 20850

Re: Stormwater Management **CONCEPT** Request
for Southlawn Lane Concrete Plant
Preliminary Plan #: 120070300
SM File #: 228953
Tract Size/Zone: 1.99 Ac./ I-2
Total Concept Area: 1.99 Ac.
Parcel: P 442
Watershed: Upper Rock Creek

Dear Mr. Mueller:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site channel protection measures and water quality control via a surface sandfilter basin with structural pretreatment. On-site recharge is not required since this is considered to be a redevelopment project.

The following **conditions** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. A subsurface drainage system must be designed and provided within the stormwater management basin area to address the presence of groundwater encountered in the geotechnical exploration.

This list may not be all-inclusive and may change based on available information at the time.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way



unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Mike Geier at 240-777-6342.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard R. Brush". The signature is fluid and cursive, with a large initial "R" and "B".

Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm CN228953.Southlawn Lane Concrete.mjg.doc

cc: C. Conlon
S. Federline
SM File # CN 228953

QN -on-site; Acres: 2
QL - on-site; Acres: 2
Recharge is not provided



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MEMORANDUM

TO: Cathy Conlon, Supervisor, Development Review

FROM: Mark Pfefferle, Planning Coordinator, Environmental Planning *MP*

DATE: January 8, 2007

SUBJECT: Preliminary Plan 120070300
Southlawn

The Environmental Planning staff recommends Planning Board approval of the preliminary plan of subdivision with following condition:

1. Compliance with the conditions of approval of the preliminary forest conservation plan.

BACKGROUND

The 1.99-acre parcel is located outside of Rockville near Gude landfill site and approximately 360 feet northeast of the intersection of Southlawn Lane and Incinerator Lane. The land slopes up, approximately 70 feet, from the Southlawn Lane street frontage to the back of the property. The site includes 0.59-acres of forest dominated by 2 to 6 inch diameter Virginia pine trees. Unforested portions of the site are used as a gravel parking lot for vehicle parking, truck container storage, and other storage. There are no specimen trees or environmental buffers on the subject property.

Forest Conservation

The applicant submitted a preliminary forest conservation plan for review and approval with the preliminary plan of subdivision. The applicant is proposing to remove 0.17-acres of existing forest on the subject property. The applicant will retain 0.42 acres of forest on site and protect this forest with a category I conservation easement. The preliminary forest conservation plan indicates a 0.02-acre forest planting which the applicant proposes to meet by paying the in-lieu-fee. Environmental Planning recommends the Planning Board approve the preliminary forest conservation plan.

Environmental Guidelines

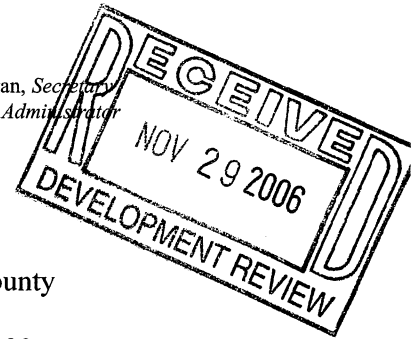
There are no environmentally sensitive areas on the subject property.

Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor



Robert L. Flanagan, Secretary
Neil J. Pedersen, Administrator

November 17, 2006



Ms. Catherine Conlon
Supervisor, Development Review
Subdivision Division
Maryland National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Re: Montgomery County
Southlawn
File #: 1-20070300
MD 28 - General

Dear Ms. Conlon:

The State Highway Administration (SHA) appreciates the opportunity to review the preliminary plan application for the Southlawn development. We offer the following comment:

- Proposed access to this site is from a County-maintained road and is subject to the permit process and requirements of the Montgomery County Department of Public Works and Transportation.

If you have any questions or require additional information, please contact Raymond Burns at 410-545-5592 or by using our toll free number in Maryland only at 1-800-876-4742.

Very truly yours,

for

Steven D. Foster, Chief
Engineering Access Permits Division

SDF/rbb/jab

cc: Mr. Bernie Fitzgerald / Montgomery County / 101 Monroe Street, Rockville, MD 20850
Mr. Bill Musico / Loiederman Soltesz Associates, Inc. / 2 Research Place, Suite 100,
Rockville, MD 20850
Mr. Richard Weaver / M-NCPPC
Mr. Shahriar Etemadi / M-NCPPC
Mr. Sam Farhadi / Montgomery County DPW&T
Mr. Jeff Wentz *sent via e-mail*
Ms. Kate Mazzara *sent via e-mail*

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

May 1, 2007

MEMORANDUM

TO: Dolores Kinney, Planner
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning

FROM: Ed Axler, Planner/Coordinator EA
Transportation Planning

SUBJECT: Preliminary Plan No. 120070300
Southlawn
Derwood Policy Area

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject preliminary plan in the I-2 zone.

RECOMMENDATION

We recommend the following condition as part of the APF test for transportation requirements related to the subject preliminary plan case:

The proposed development must be limited to a concrete plant or an equivalent industrial use, that generates the same or fewer than 26 peak-hour trips within the weekday morning peak period (6:30 to 9:30 a.m.) and 28 peak-hour trips within the evening peak period (4:00 to 7:00 p.m.).

DISCUSSION

Site Location and Vehicular Access Point

The subject industrial site is located on the east side of Southlawn Lane between East Gude Drive and Avery Road. The vehicular access point is proposed from Southlawn Lane.

Nearest Available Transit Service

Transit service is not available along Southlawn Lane. The nearest bus route is Ride-On route 59 that operates along East Gude Drive.

Master-Planned Recommended Roadway

In accordance with the current 2004 *Upper Rock Creek Master Plan*, Southlawn Lane is designated as an industrial roadway, I-1, with a minimum recommended 70-foot right-of-way and no master-planned bikeway. Southlawn's current alignment is within a prescribed right-of-way and does not reflect the right-of-way dedication shown on three nearby recorded plats. These record plats were prepared based on an 80-foot right-of-way, shifting to the west of the existing road alignment that was recommended in the 1968 *Master Plan*. Southlawn Lane was reclassified from an arterial, A-5, with an 80-foot right-of-way to the current 70-foot right-of-way industrial roadway with the adoption of the 1985 *Master Plan*. However, environmental constraints associated with the existing stream buffer would prohibit realigning the existing road to the west. In addition, Southlawn Lane is not built to industrial-roadway standards.

Pedestrian Facilities

No sidewalks exist along Southlawn Lane. As subdivisions are approved along Southlawn Lane, sidewalks should be constructed when Southlawn Lane is upgraded in the future.

Adequacy of the Public Transportation Facilities

Based on the submitted traffic statement (attached), the proposed industrial concrete plant would generate during the following peak hour trips, within the weekday morning peak period (6:30 to 9:30 a.m.) and the weekday evening peak period (4:00 to 7:00 p.m.):

Type of Vehicular Trip	Morning Peak Hour			Evening Peak Hour		
	In	Out	Total	In	Out	Total
Concrete Mixer Trucks ¹	8	8	16	8	8	16
Supply Trucks ²	4	4	8	4	4	8
Employees ³	2	0	2	2	2	4
Total Weekday Vehicular Trips			26			28

The following assumptions were made to estimate the site trip generation:

- ¹. With the current technology, the longest phase in the loading process takes 10 minutes per concrete mixer trucks. Thus, six trucks can be loaded in 60 minutes or one hour. The number of trucks was increased to eight to account for future expansion or improved technology.
- ². A typical supply truck takes 15 minutes to unload its materials. Thus, four trucks can be unloaded in 60 minutes or one hour. However, typical deliveries occur during the weekday off-peak hours.
- ³. The hours of operation are initially proposed to be between 6:30 a.m. and 3:30 p.m.; thus, the concrete plant closes before the start of the evening peak hours. On occasions, the plant could continue to operate into the evening peak hours to satisfy a high demand for concrete. When the plant closes later, the two employees working 8 hours during the day leave and be replaced by two other arriving employees.

A traffic study was not be required to satisfy Local Area Transportation Review (LATR) because the proposed industrial development generates fewer than 30 peak hour trips during the weekday evening peak hour.

EA:tc
Attachment

cc: Fred Boyd
Wes Guckert
Barbara Kearney
Keeley Lauretti
Fiona Thomas

Crampton, Pamela

From: Kinney, Dolores
Sent: Tuesday, November 28, 2006 12:35 PM
To: 'Randy Daly'
Cc: 'bmusic@LSAssociates.net'; Crampton, Pamela
Subject: RE: 120070300 South Lawn

Mr. Daly,

Thank you for your inquiry regarding the Southlawn Preliminary Plan #120070300.

In response to your first question, Southlawn Lane is a public right-of-way and the Montgomery County Department of Public Works (DPWT) is responsible for maintaining the public right-of-way, i.e. clearing debris, etc.

Because Southlawn is a public right-of-way, it must be built to certain standards. Those standards are designed so that public roads may bear the weight of trucks. In reference to traffic volumes, it has been determined by the M-NCPPC Transportation staff that less than 30-peak hour trips will be generated from this development. Therefore, no local area transportation study will be required. The impact on existing traffic is anticipated to be minimal.

In response to your second question, clean-up of the exterior of your building from debris, or natural elements in the air is the responsibility of the property owner or homeowner's association, if applicable.

And the answer to your final question, any structural damage to your property as a result of the proposed project becomes a civil issue between property owners.

I hope this adequately responds to your questions. Should you have additional concerns or need further assistance, please do not hesitate to contact me at (301) 495-1321.

Dolores Kinney, Senior Planner
Development Review Division
M-NCPPC
(301) 495-1321

-----Original Message-----

From: Randy Daly [mailto:rdaly@rockvilleprinting.com]
Sent: Tuesday, November 28, 2006 11:51 AM
To: Crampton, Pamela
Cc: Kinney, Dolores
Subject: Re: 120070300 South Lawn

Dear Pamela,

Attached is a letter I wrote you concerning the proposed new cement plant on Southlawn Lane. Please read and respond at your earliest convenience.

Thank you,

Randy Daly

Crampton, Pamela wrote:

>

> Per your phone inquiry, I am sending this e-mail in order for
> you to voice any concerns and/or questions you may have regarding the
> above referenced preliminary plan.

>

> Dolores Kinney @ (301) 495-1321, is the assigned staff person

> to this project. When responding to this e-mail with your questions
> and/or concerns, please use the "REPLY ALL" function in your e-mail
> menu, to ensure that the necessary person(s) receive it.
>
> Thank you for your interest.
>
> */Pamela Crampton
> Development Review Division
> Maryland-National Capital Park & Planning Commission
> 301.495.4586/*
>

Thomas & Cynthia Daly
4301 Banff Springs Ct.
Rockville, MD 20853

Dear Pamela Crampton,

I recently received the information on the proposed new concrete plant to be located on Southlawn lane in Rockville. This property is next door to my building, so I do have a few concerns.

There are already several cement plants on Southlawn lane and they do present some problems for their neighbors and the road system. My concerns are....

1. Can the existing roads handle the additional traffic and the additional weight of the heavy loads and who is responsible for the daily clean up of the cement that falls of the trucks? . Currently there is long back up during rush hour on this road and the asphalt road does buckle under the weight of these trucks along with the cement that falls off the trucks into the road. Who pays for fixing the roads in the future and Is there a fine system in place for cement that falls of the trucks and is not cleaned up immediately?
2. Being right next door, I have concerns about the dirt, dust and chemicals that will blow over onto my property. Who is responsible for cleaning the sides of my building, my parking lots and all the cars that park in the lots. I am sure that my current tenants and future tenants will have a huge problem with this unless a very tall retaining wall and dust proof fence that must be required. This problem will substantially reduce the value of my property and rent ability of the warehouse units.
3. Lastly, I want to make sure that the additional vibration of the heavy trucks and equipment will not affect the structural soundness of my building, which is built directly on the property line.

Please let me know what the county will require in order that these problems are resolved.

Thank you for you help..

Sincerely,

Thomas R.Daly (Randy)
President
Southlawn Warehouse Condominium
Owner of 15131 Southlawn Drive
Rockville, MD 20850
240-620-1505