

III Maryland Avenue | Rockville, Maryland 20850-2364 | 240-314-5000 www.rockvillemd.gov

Development Review Comments

July 25, 2023 PAM2023-00150 Submission Review Comments Address – 5906 Halpine Road

The following are Development Review comments from City of Rockville staff related to the project submission.

Reviewing Staff

Planning & Development Services (CPDS)

Project Manager:

Chris Davis (CRD), Senior Planner cdavis@rockvillemd.gov

Comprehensive Planning:

Katie Gerbes (KG), Comprehensive Planning Manager kgerbes@rockvillemd.gov

Forestry Reviewer:

Shaun Ryan (SR), Development Review Supervisor sryan@rockvillemd.gov

Fire Reviewers:

Shannon Patrick (SP), Fire Protection Engineer spatrick@rockvillemd.gov Charles Biggus (CB), Fire Plans Examiner cbiggus@rockvillemd.gov

Building Reviewer:

Chris Dempwolf (CD), Buildings Plan Examiner Supervisor cdempwolf@rockvillemd.gov

Dept. of Public Works (DPW)

Engineering Reviewer:

Dave Waterman (DW), Senior Civil Engineer dwaterman@rockvillemd.gov

Traffic and Transportation Reviewers:

Andrew Luetkemeier (AWL), Principal Transportation Engineer <u>aluetkemier@rockvillemd.gov</u>

Faramarz Mokhtari (FM), Senior Transportation Planner PAM2023-00150 Development Review Letter July 25, 2023 Page 2

fmokhtari@rockvillemd.gov

Housing and Community Development (HCD)

Housing Reviewer:

Punam Thukral (PT), Housing Specialist pthukral@rockvillemd.gov

Recreation and Parks (RPD)

Parks Reviewer:

Christine Henry (CH), Deputy Director chenry@rockvillemd.gov

CPDS Comments

Comprehensive Planning (KG)

This application is compliant with the City's Comprehensive Plan. The application is located within Planning Area 8. The site is specifically called out within the *Rockville 2040 Comprehensive Plan* as focus area 9. The section of this chapter dealing with the site includes the following recommendations and guidelines:

- "Rezone the property from R-60 (Single Unit Detached Dwelling) to RMD-15 (Residential Medium Density) or MXNC (Mixed-Use Neighborhood Commercial) to allow for attached residential or multi-unit residential development and ancillary commercial uses." page 344. The applicant is proposing utilizing the floating zone text amendment to develop the property consistent with the MXNC zone.
- "Allow a maximum height of up to 50 feet as an urban infill project within a quarter-mile of a high frequency transit station, the Twinbrook transit station." page 344. The applicant is proposing a maximum height of 50 feet, consistent with the Comprehensive Plan.
- "Any redevelopment of the property should provide a sensitive transition to the adjacent and confronting residential uses through height step-downs, massing articulation, and landscaping." page 344. The applicant is not proposing any step downs, however is planning on providing a buffer of 40 feet on the side yard that will be landscaped. Though full architectural plans have not been provided at this phase of the project, the rendered building elevations submitted in accordance with this application do provide several different façade materials and extrusions to add visual interest alter the massing of the building.

Furthermore, the application is consistent with other goals and visions set out in the Rockville 2040 Comprehensive Plan, specifically goals around the production of "missing middle" housing and transit-oriented development. A few specific compatibilities are:

- "Foster sufficient market-rate housing development to provide housing affordable for the wide range of those who live, and wish to live, in Rockville." page 192
- "Promote diversity in the supply of housing to meet market demand and the wide range of community needs and household incomes." page 198
- "Work with neighborhoods to promote small-scale infill and redevelopment projects that will diversify the housing stock and lower per unit land costs for new housing, including townhouses, rowhouses, duplexes, triplexes, fourplexes, and small multiple-unit properties." page 199
- "Allow new housing in locations where amenities and infrastructure already exist, and that are compatible with the existing neighborhood." page 200

• "Utilize an approach to development review that seeks to reduce vehicle miles traveled and promote a shift to alternative modes of travel." - page 72

Development & Zoning (CRD)

- 1. The purpose of a Pre-Application Meeting (PAM) with the Development Review Committee (DRC) is not to approve/disapprove aspects of a development plan. It is a meeting that provides an early opportunity for City Staff to give general advice to an applicant in the preparation of a site plan, project plan, or special exception, to discuss the application process and schedule going forward, and to address any concerns raised by the community. Staff strives to identify major issues but does not perform a full and complete review for compliance with all aspects of the code, which is done at the application phase.
 - a. The subject site is currently designated RF (Residential Flexible) by the Comprehensive Plan and is zoned R-60.
 - b. Attached dwelling (two-over-two) townhouses are proposed.
 - c. Per Sec. 25.10.03, attached dwellings are not a permitted use in the R-60 zone, but are a permitted use in the RMD-15 and MXNC zones.
 - d. As the MXNC zone is one of the recommended zoning classifications for this site by the Comprehensive Plan, application of the development standards for such zone are anticipated to be accommodated with the adoption of the pending interim comprehensive plan floating zone text amendment (ZTA) TXT2023-00261.
- 2. Per Sec. 25.07.02, the proposed development appears to have a point valuation of 6 and as shown below; however, in the case of this particular proposal, the required Project Plan review prescribed by the pending ZTA also prescribes a subsequent Level 2 site plan review per Sec. 25.07.07.21, regardless of the point valuation per Sec. 25.07.02.b.1.
 - a. Tract size of 1 or fewer acres = 2
 - b. 6 to 50 dwelling units = 2
 - c. Square Footage of Non-Residential Space = 0
 - d. Residential Impact Area = 21
 - e. Traffic Impact of fewer than 30 trips (reduction from previous use) = 0
 - f. Points Total = 6
- 3. The submitted statement of justification indicates a request to waive the side yard setback requirements of the MXNC for the side yard abutting the property line shared with the adjacent Cambridge Walk community. As indicated in the draft ZTA

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¹ Estimated using GIS

(TXT2023-00261), a waiver of the equivalent zone development standards can be sought if good cause is shown in consideration of four specific criteria including:

- 1. Whether the waiver of the development standard of the equivalent zone permits the application to meet the intent of the Plan.
- 2. Whether the waiver of the development standard results in development that is compatible with development on adjacent properties.
- 3. Whether applying the development standard of the equivalent zone is consistent with good planning and design principles; and
- 4. Such other factor as the Approving Authority reasonably deems appropriate.

If such criteria is incorporated with adoption of the pending ZTA, future submittals must address this criteria specifically with any waiver request to equivalent zone development standards.

- 4. The development standards for the MXNC zone require both a side and rear yard setback of 25 feet or the height of the building, whichever is greater, when abutting a residential land. The proposed height of the dwellings is 50 feet and the site plan shows a deficiency with this setback standard from the abutting 1101 Higgins Place property (The Alaire Apartments). Future submittals must demonstrate how the required setback will be satisfied or be inclusive of any waiver request submitted.
- 5. ZTA2023-00261, as currently drafted, includes proposes subsections f. (Aesthetic Standards) and g. (Public benefits) within the proposed Section 25.14.35 (Interim comprehensive plan floating zones). If the pending ZTA is adopted with such proposed requirements, future submittals must address how this project will specifically comply with the proposed aesthetic standards and public benefit requirements.

6. Land Use Planning Process:

- a. Concurrent Floating Zone Map Amendment and Project Plan Amendment applications are required following finalization of PAM2023-00150. Future approvals and reviews required for the proposed project include the following:
 - A valid approved Natural Resources Inventory (NRI) and Forest Stand Delineation (FSD) plan as set forth in the City's <u>Environmental Guidelines</u>.
 - ii. Evaluation for eligibility for historic designation.
- b. Following approval of the Floating Zone and Project Plan application, approval of a Level 2 Site Plan application will be required per Sec. 25.14.07.f (Site Plan Required) and Article 7 (Procedures for Site Plans and Project Plans, Special Exception and other permits). ZTA2023-00261 would allow the site plan

application to be submitted concurrently with the Floating Zone Map Amendment/Project Plan Amendment applications. The ZTA would also require notice specifying concurrent review of both the project plan and site plan applications.

- c. ZTA2023-00261 would also require a post-application area meeting for concurrent reviews of a project plan and site plan.
- d. Following approval of the Level 2 Site Plan application, a "signature set" will be required for final approval.

7. Land Use Review Timelines:

- a. Combined Floating Zone Amendment and Project Plan: initial submittal review by staff is 6 weeks; subsequent reviews are 3-4 weeks; final submittal due 7 weeks before the initial Planning Commission hearing. Final decision is by Mayor and Council.
- b. Level 2 Site Plan: initial submittal review is 6 weeks; subsequent reviews are 3-4 weeks; final submittal due 5 weeks before the initial Planning Commission hearing.
- c. Level 2 Site Plan Signature Set: initial submittal review is 2 weeks; subsequent reviews are 1-2 weeks.
- d. Total typical review timeline is highly variable depending on applicant submittal timelines and responsiveness to City comments and requests.
- 8. Upcoming zoning text and City code amendments that may impact the proposed development:
 - a. TXT2023-00261: establishes a floating zone application process to implement the land use recommendations of the Rockville 2040 Comprehensive Plan. These amendments would allow the applicant to request a zoning map amendment to apply either the RMD-15 zone or the MXNC zone to the subject site. Anticipated adoption and effective date September 18, 2023.
 - b. TXT2023-00262: as currently proposed, establishes requirements for parkland dedication for residential developments on sites of 5 or more acres and 20 or more dwelling units, which would not apply to this site. Anticipated adoption October or November 2023.
 - c. TXT2023-00263: allows one attached accessory dwelling unit/apartment for each residentially zoned lot as a conditional use unless prohibited by HOA. Anticipated adoption October 2023; anticipated effective date March 2023.
 - d. Amendment to Chapter 14 to adopt parkland impact fees: establishing impact fees for residential development, per dwelling unit. Anticipated adoption and effective date October 2023. The proposed fee for single attached dwellings is \$2,072 per unit due at the time of building permit issuance.

- 9. Adequate Public Facilities Standards (APFS)- Future plan submittals must demonstrate compliance with the city's Adequate Public Facilities standards, per Article 20 of the Zoning Ordinance, including adequate school facilities for any residential uses proposed. More information the city's APFS can be found online.
- 10. See plan markups for additional comments.

Forestry (SR)

1. See comments on Site Plan.

Fire (SP/CB)

1. See comments on Site Plan.

Building (CD)

- 1. Alterations to sites shall comply with all scoping requirements of the 2010 ADA, Chapter 2.
- 2. Where parking spaces are provided, the minimum number of accessible parking spaces shall be in accordance with <u>Table 208.2</u> of the 2010 ADA. Where more than one parking facility is provided on the site, the minimum number of accessible parking spaces shall be calculated for each facility.
- 3. For every six, or fraction of six, parking spaces required to be accessible, at least 1 space shall meet the requirements for an accessible van space.
- 4. State of Maryland HB830 and SB477 become effective on October 1, 2023. These regulations require the provision of a (1) an electric vehicle charging station capable of providing at least Level 2 charging; or (2) a dedicated electric line of sufficient voltage to support the later addition of an electric vehicle charging station capable of providing at least Level 2 charging for each detached dwelling or townhouse dwelling that is subject to the IRC and includes a dedicated driveway, carport, or garage. Full text here.

DPW Comments

Engineering (DW)

- 1. Please see site plan for review comments.
- 2. DPW comments on the SWM, SCP, and Safe Conveyance plans will be provided separately.

Traffic and Transportation (AWL/FM)

1. Special Exception SPX2001-00304: Approved by the Board of Appeals in 2001 to establish a childcare center on the subject church site with a total enrollment of 60 children. In 2007, the Special Exception SPX2007-00370 was approved by the Board of Appeals to establish a private educational institution (K-6 elementary school) on the ground level of the church with a total enrollment of 105 children. Since this later approval required filing of a subsequent use permit that was never done within the required timeframe as dictated by the special exception approval, the approval for larger enrollment figures expired and the site continued to operate under the 2001 special exception approval for the childcare center with total enrollment of 60 students.

Based on the above, the submitted scoping intake that indicates vested trips based on maximum enrollment of 75 needs to be revised and resubmitted using the approved total enrollment of 2001 SE approval.

HCD Comments

Housing (PT)

1. The applicant is proposing less than 50 residential units; this project doesn't require compliance with the MPDU regulations of Chapter 13.5.

RPD Comments

Parks (CH)

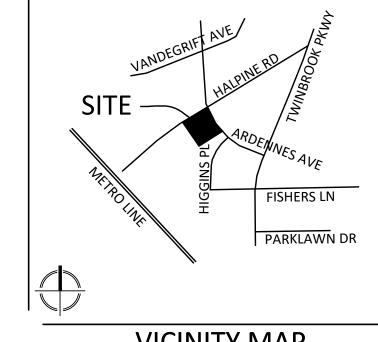
1. The Publicly Accessible Art in Private Development ordinance applies to the project. See link for details on the ordinance. https://www.rockvillemd.gov/DocumentCenter/View/3333/Implementation-Manual-

for-Art-in-Private-Development?bidId=

Note: At the time of the next submittal, the applicant will need to provide a pointby-point response letter noting how the staff review comments have been addressed. Comments provided in letter format can be addressed letter format. Comments provided in the plans should be addressed via plan markups rather than letter format. See attached example.

HALPINE ROAD

PRE-APPLICATION SITE PLAN ROCKVILLE (4TH.) ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND



VICINITY MAP SCALE: 1" = 2000'

Community Planning & Development Services

June 16, 2023

- THE PROPERTY IS 1.51 ACRES.
- THE SUBJECT PROPERTY COMPRISES THE FOLLOWING PROPERTIES:
 - PARCEL N091, TAX MAP GQ63, TAX ACCT NO. 04-00146900 (CITY OF ROCKVILLE)

- BOUNDARY AND TOPOGRAPHIC DATA PROVIDED BY VIKA 05/2023.
- THERE ARE NO WETLANDS LOCATED ON THE SITE.
- THERE ARE NO STATE/COUNTY CHAMPION TREES LOCATED ON-SITE.
- THERE ARE NO EXISTING BUILDINGS WITHIN THE INVENTORY AREA IDENTIFIED IN THE CITY OF ROCKVILLE HISTORIC BUILDINGS CATALOGUE MAP. THE CITY OF ROCKVILLE ONLINE GIS DATA WAS ACCESSED ON OCTOBER 28, 2021.
- EXISTING BUILDINGS ON THE PROPERTY PROPOSED FOR DEMOLITION ARE SUBJECT

Provide Datum

SCALE: 1"= 100'

Final engineering plans must be

in Datum (NAD 83/91, NGVD 88)

2. Please be advised there are forest conservation easements for both neighboring properties at Twinbrook Commons and Halpine Square. During the review process staff will be looking to ensure

GENERAL NOTES

- PARCEL N091 IS CURRENTLY ZONED R-60.
- THE SITE IS LOCATED ON WSSC MAP 216NW06.
- THERE IS NO 100 YEAR FLOODPLAIN LOCATED ON THE SITE.
- THERE IS NO STREAM VALLEY BUFFER LOCATED ON THE SITE.
- 'D' TAPE WAS USED TO MEASURE THE TREES.
- FIELD WORK WAS CONDUCTED BY VIKA MARYLAND, LLC STAFF, CHARLES CRISLIP AND ZARIA STEBBINS ON APRIL 4, 2023.
- NRI/FSD FTP2023-XXXX WAS SUBMITTED 06/09/2023.
- TO ZONING ORDINANCE SEC. 25. 07.02.4, HISTORIC REVIEW

. Staff anticipates that a Forest Conservation Plan will be required for this site, including Forest Conservation, Minimum Tree Cover and Significant Tree Replacement requirements.

credited trees in easements are preserved.

Current Zoning

Anticipated zoning **DEVELOPMENT TABULATIONS** |Property Information Floating Zone (Kesidential Flexible) 65.580 SF Tract Area Proposed Dedications 0 SF 0.00 AC Site Area 65,580 SF 1.51 AC lease include the development **Development Program** tandards (code citations) which Residential Units are being referenced for these 38 equirements Rear Loaded MF Townhomes (2 over 2) 38 **Building Height** Maximum Allowed Maximum Requested Townhomes 50' Proposed (minimum) Open Space Minimum Required Open Area (includes public use space) 15% 9,837 SF 15.0% 24,997 SF Public Use Space 6.558 SF 10.0% 6.880 SF **Building Setbacks** Minimum Required Proposed 256' Halpine, 272' Ardennes Minimum width at Frontline 10' Halpine, 10' Ardennes Setback abutting ROW 0' or 10' if provided Side abutting Non-Residential 0' or 10' if provided 10' 25' or height of building, 40' (1) Side abutting Residential whichever is greater 0' or 10' if provided Parking Minimum Required Proposed 76 Townhome, 💫 rear load (2 per unit) 76 76 Excess/Visitor Parking On-Street Parking

		7.0
		0.18 space per unit
Accessible Parking	Minimum Required	Proposed
Townhomes	0	0
Bicycle Parking	Minimum Required	Proposed
Short Term Parking	1	1
Long Term Parking	13	13

(1) 10 foot waiver from the side setback requirement pursuant to pending ZTA 2023-00261 will be pursued

Water & Sewer:

- A Water & Sewer Authorization must be approved prior to Site Plan approval. Submit completed Water & Sewer Authorization application with applicable fees.
- a. Modeling of the new water may be necessary. DPW will coordinate with consultant who provides water system modeling services for a time/cost estimate on the work.
- b. Generally dead-end water mains should be avoided.
- c. The City generally follows WSSC Pipeline Design Manual for sizing, structures, clearances, crossings etc.

Preliminary Sediment Control Plan must be approved prior to Site Plan approval. Submit application with applicable fees.

Provide layout per ordinance 25.17.03a. All underground lines and cables shall be placed in a public utility easement, or otherwise on private property No utilities may be placed in the public right-of-way or on City property without the express written permission of the City, and subject to such terms and conditions that the City may require.

Dry utilities may cross the ROW perpendicular. Applicant shall submit a conceptual dry utility plan that will be required to be approved by both the utility companies and DPW at Site Plan.

Pre-App SWM Concept is under review. Pre-App SWM Concept cannot be approved until the NRI/FSD is approved.

Applicant will apply for combined floating zone map

(anticipated 9/11/23). Future zoning to be determined

with approval of the floating zoning map amendment.

Per Sec. 25.13.05.b.1, rear setbacks abutting

specified setback as described here.

residential land must have a minimum setback of 25' or

height of building, whichever is greater. Site is abutting

residential on its non-frontage sides, requiring the

Per 25.16.05.b.7, the Approving

on private streets to be applied

appear that the applicant is

proposing this and it is unclear where the indicated street parking is

Authority may allow parking spaces

toward the total parking requirement

for the development in considering a

project plan or site plan. It does not

amendment and project plan once ZTA is adopted

Pre-App SWM Concept must be approved prior to submission of the Development SWM Concept. Site Plan cannot be submitted until the Pre-App SWM Concept is approved. The Pre-App SWM Approval letter will establish the study points of the safe conveyance analysis.

Development SWM Concept must be approved prior to site plan approval.

Safe Conveyance Study must be approved prior to site plan approval. The Pre-App SWM Approval letter will establish the study points of the safe conveyance analysis. However, this analysis may be concurrent with the Development SWM Concept.

OPEN AREA AND PUBLIC USE SPACE EXHIBIT

GARBAGE TRUCK MOVEMENT STUDY

STORMWATER MANAGEMENT CONCEPT PLAN CONCEPT SEDIMENT EROSION CONTROL PLAN ARCHITECTURE CONCEPTS

SHEET INDEX

COVER SHEET

EXISTING CONDITIONS

FIRE PROTECTION PLAN

PRE-APPLICATION SITE PLAN

SUPPORTING DOCUMENTS

LANDSCAPE CONCEPT PLAN



LAYOUT: COVER SHEET, Plotted By: schlatter



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COMPANY, LLC 9302 LEE HIGHWAY **SUITE 1000** FAIRFAX, VA 22031 703.934.9367 DAVID DeMARCO David.DeMarco@PulteGroup.com

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ATTORNEY LERCH, EARLY & BREWER.

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CONTACT: WILL ZEID

GOROVE SLADE 1140 CONNECTICUT AVE NW, SUITE 1010 WASHINGTON, DC 20036

REVISIONS	DATE
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HALPINE ROAD

CITY OF ROCKVILLE MONTGOMERY COUNTY, MARYLAND WSSC GRID: 216NW06 TAX MAP: GQ63

PRE-APPLICATION SITE PLAN **COVER SHEET**

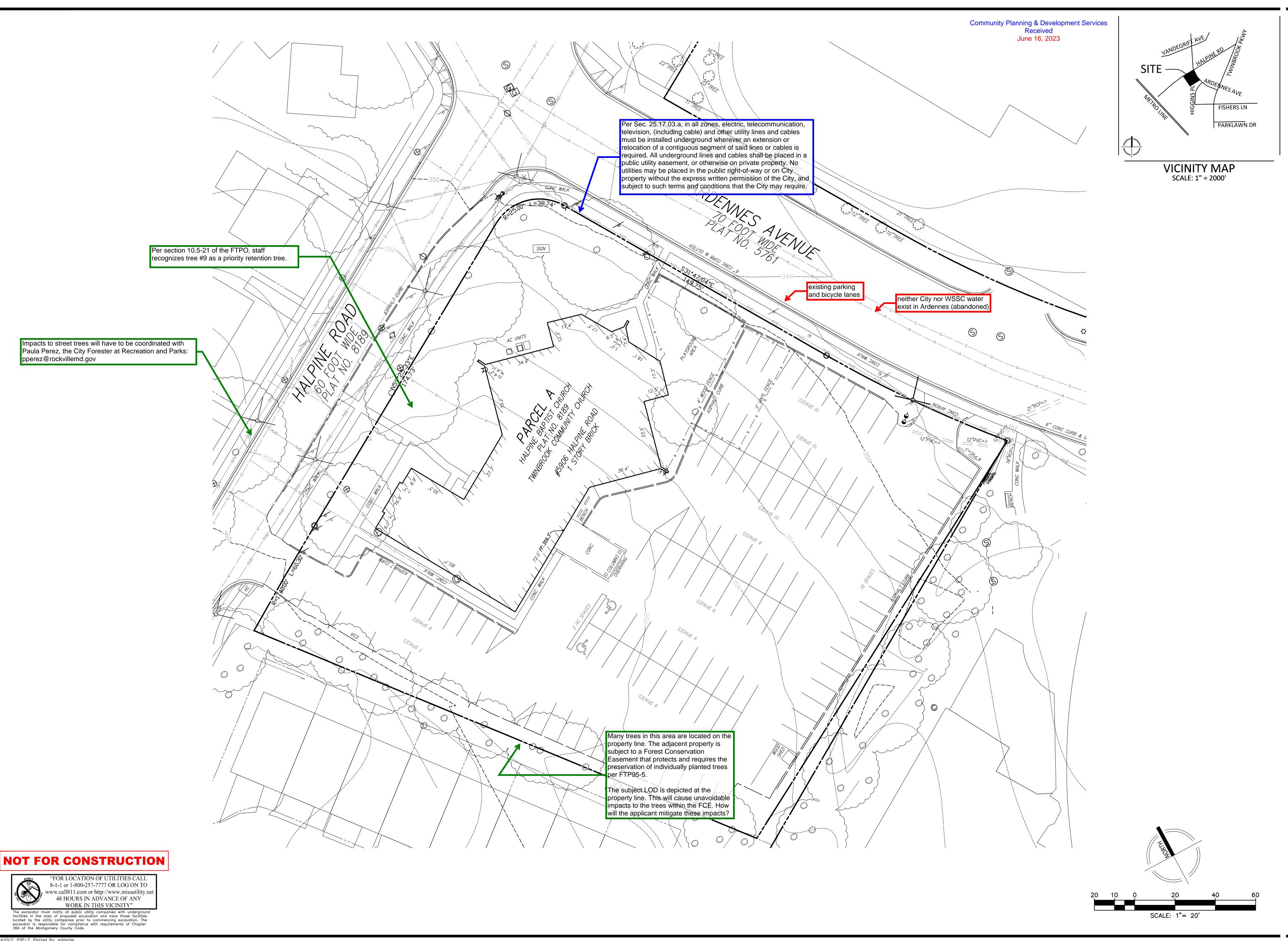


I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM UNDER THE LAWS OF THE STATE OF MARYLAND ENGINEER'S NAME: MICHAEL GOODMAN, P.I LICENSE No.: 27721 EXPIRATION DATE: JULY 19, 2024

DRAWINGS OR DOCUMENTS ARE PROPRIETARY TO VIK MARYLAND, LLC AND CONSTITUTE ITS PROPRIETARY INTELLECTUAL PROPERTY. THESE DRAWINGS AND/OR DOCUMENTS MUST NOT BE FORWARDED, SHARED, COPIED, DIGITALLY CONVERTED, MODIFIED OR USED FOR ANY PURPOSE, IN ANY FORMAT, WITHOUT PRIOR VIOLATIONS MAY RESULT IN PROSECUTION. ONLY APPROVED, SIGNED AND SEALED PLANS OR DRAWINGS MAY BE UTILIZED FOR CONSTRUCTION PURPOSES.

DRAWN BY: <u>EJS</u> DESIGNED BY: MBG DATE ISSUED: <u>04/10/2023</u>

50639A PROJECT



20251 Century Blvd., Suite 400 Germantown, MD 20874 301.916.4100 | vika.com Our Site Set on the Future.

PREPARED FOR: PULTE HOME COMPANY, LLC 9302 LEE HIGHWAY

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TRAFFIC ENGINEER GOROVE SLADE

1140 CONNECTICUT AVE NW, SUITE 1010 WASHINGTON, DC 20036 CONTACT: WILL ZEID

REVISIONS	DATE
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HALPINE ROAD

CITY OF ROCKVILLE MONTGOMERY COUNTY, MARYLAND WSSC GRID: 216NW06 TAX MAP: GQ63

EXISTING CONDITIONS



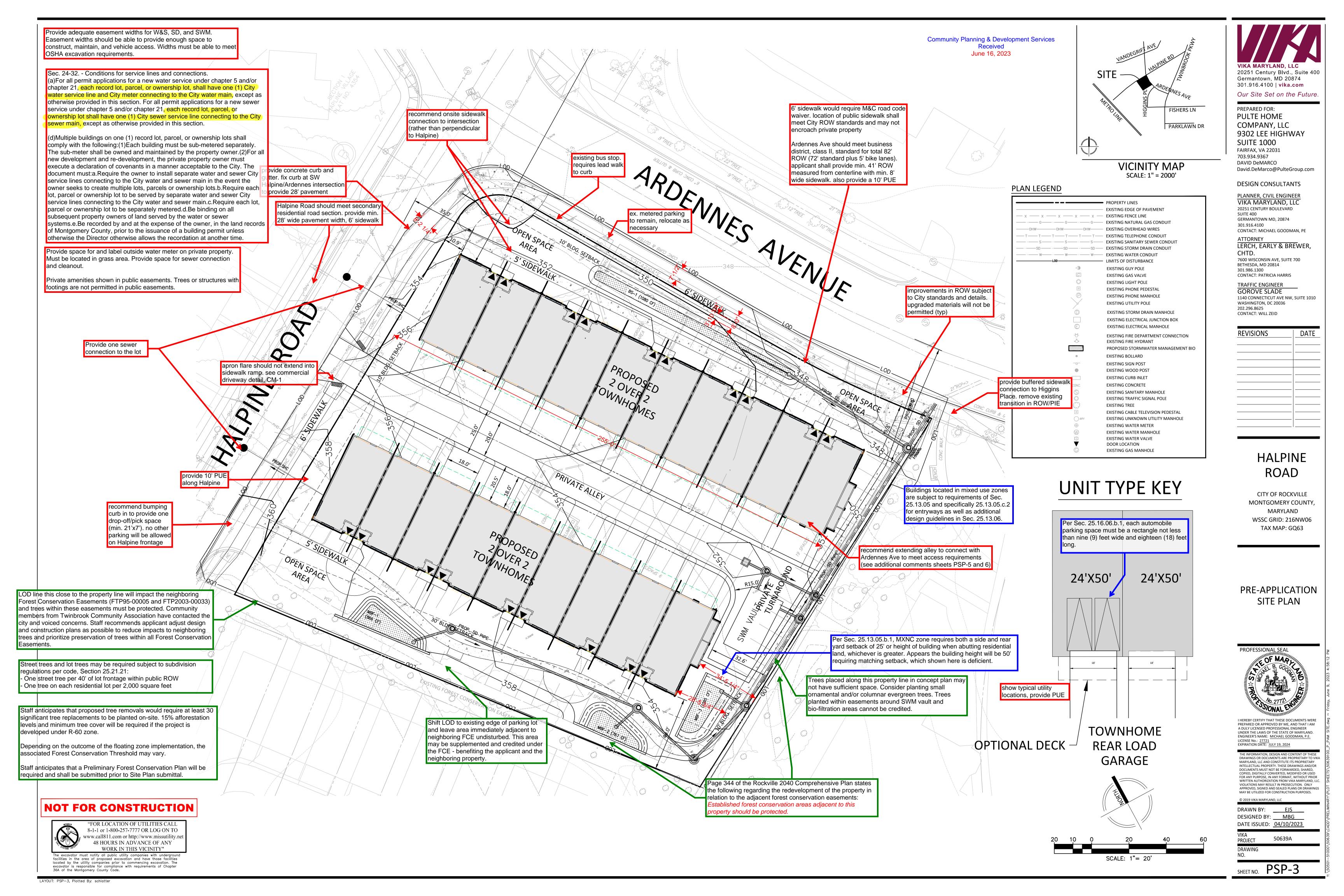
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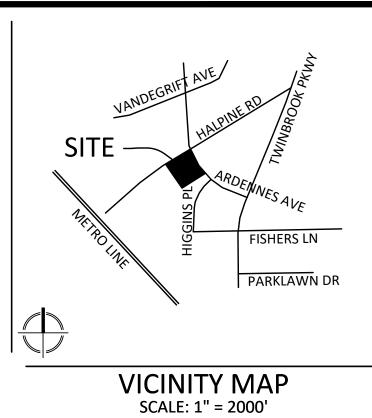
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50639A PROJECT

SHEET NO. PSP-2







LEGEND



OPEN AREA

PUBLIC USE SPACE



©	Open Space	М	inimum Required	Propose	ed (minimum)
	Open Area (includes public use space)	15%	9,837 SF	38.1%	24,997 SF
	Public Use Space	10%	6,558 SF	10.5%	6,880 SF

SCALE: 1"= 20'

LOCATIONS AND MEASUREMENTS OF AREAS SHOWN ARE APPROXIMATE. FINAL LOCATIONS AND MEASUREMENTS OF OPEN AREA AND PUBLIC USE SPACE WILL BE DETERMINED AT THE TIME OF SITE PLAN APPROVAL AND MAY BE REDUCED TO THE MINIMUM REQUIRED.

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REVISIONS	DATE

HALPINE ROAD

CITY OF ROCKVILLE MONTGOMERY COUNTY, MARYLAND WSSC GRID: 216NW06 TAX MAP: GQ63

OPEN AREA AND PUBLIC USE SPACE



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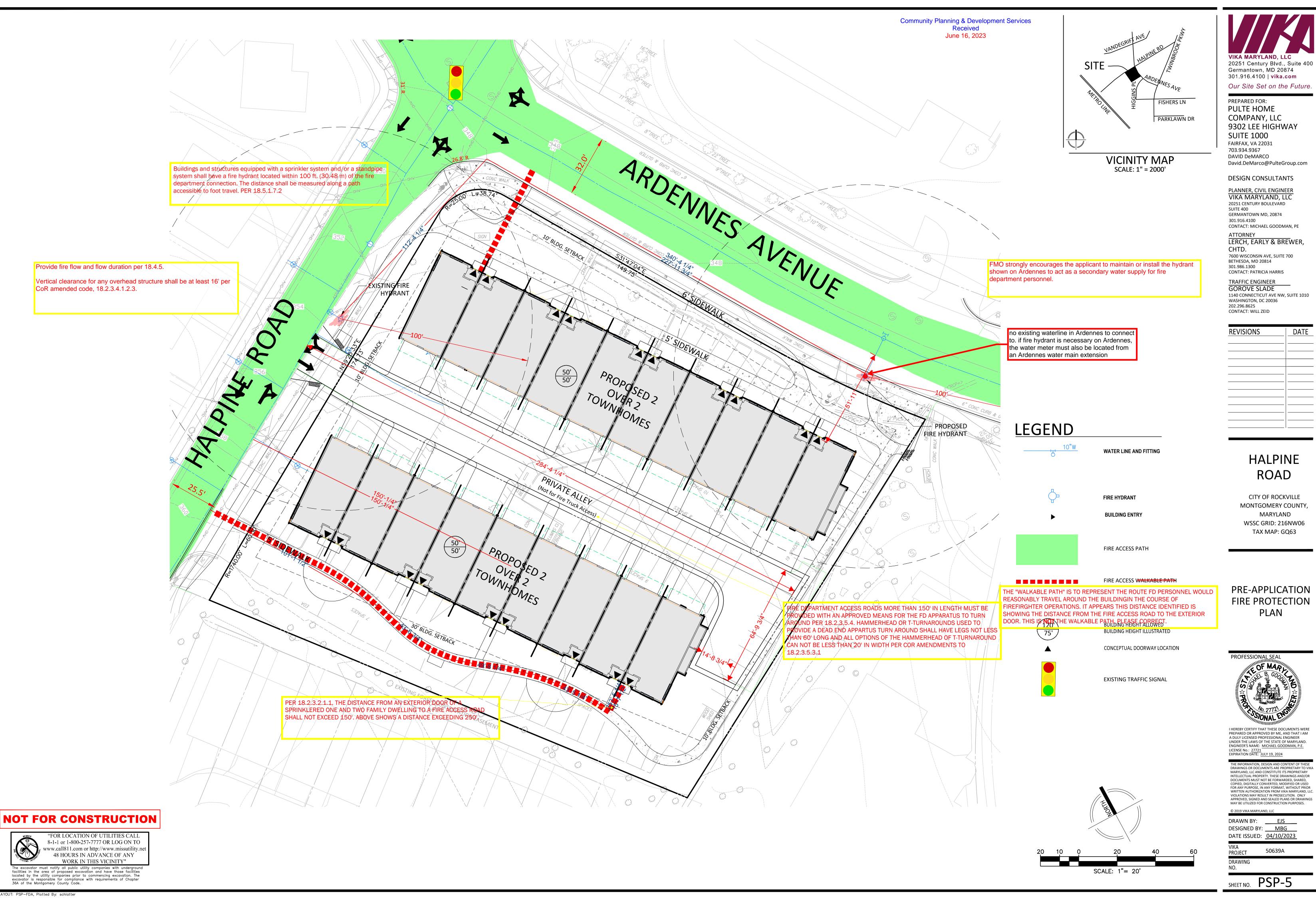
DRAWN BY: <u>EJS</u> DESIGNED BY: MBG DATE ISSUED: <u>04/10/2023</u>

PROJECT

SHEET NO. PSP-4

"FOR LOCATION OF UTILITIES CALL

8-1-1 or 1-800-257-7777 OR LOG ON TO www.call811.com or http://www.missutility.net 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY" The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.



MARYLAND WSSC GRID: 216NW06 TAX MAP: GQ63

DATE

PRE-APPLICATION FIRE PROTECTION PLAN

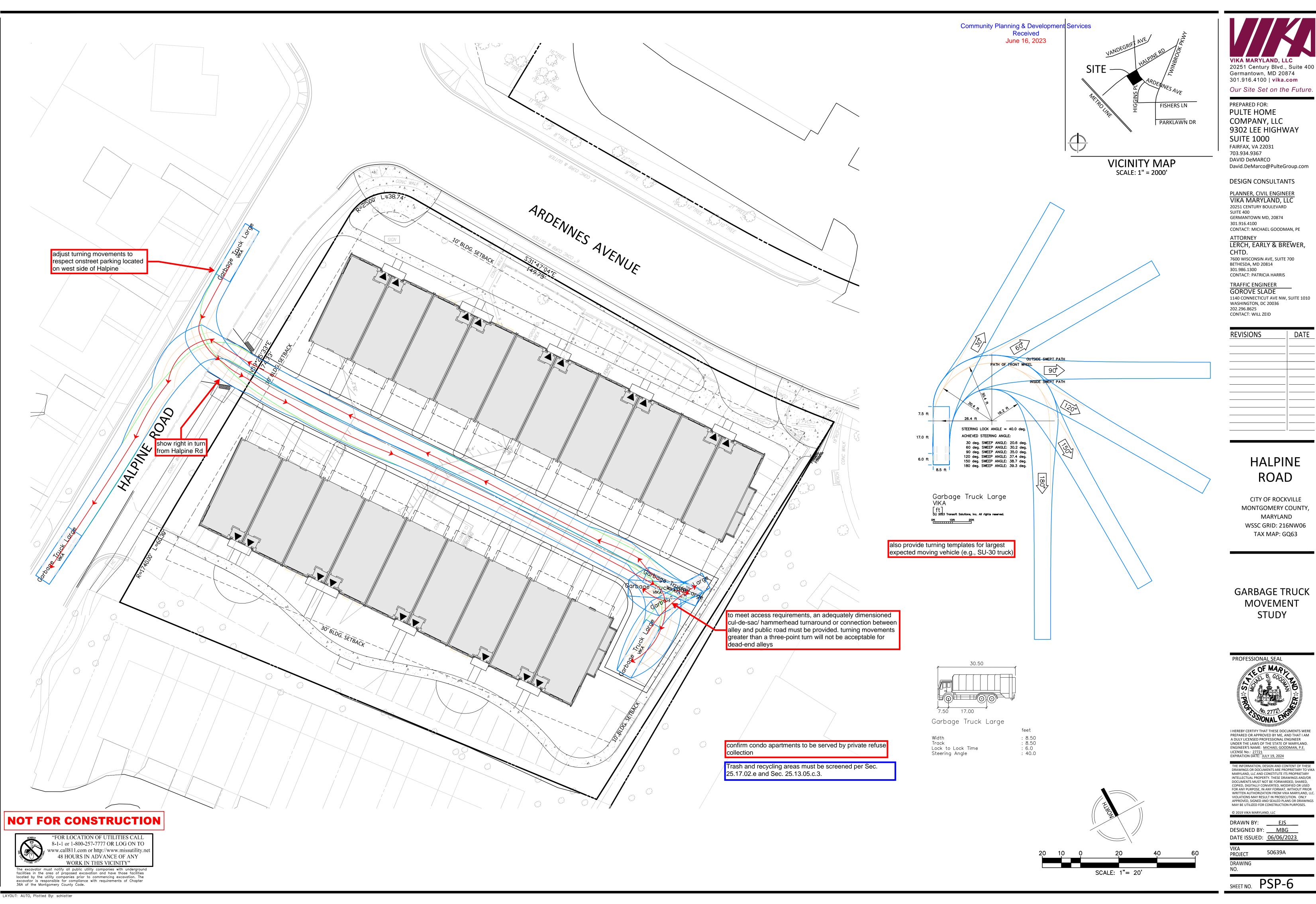
PROFESSIONAL SEAL

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. ENGINEER'S NAME: MICHAEL GOODMAN, P.E. LICENSE No.: 27721 EXPIRATION DATE: JULY 19, 2024

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REVISIONS	DATE

HALPINE ROAD

CITY OF ROCKVILLE MONTGOMERY COUNTY, MARYLAND WSSC GRID: 216NW06 TAX MAP: GQ63

GARBAGE TRUCK MOVEMENT



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