

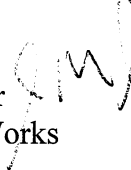


Howard County

Internal Memorandum

Subject: Testimony on Council Resolution No. 28 - 2013
Resolution for the Closure of Sterling Drive

To: Sheila Tolliver, Executive Secretary
County Council

From: James M. Irvin, Director 
Department of Public Works

Date: April 4, 2013

The Department of Public Works has reviewed the proposed legislation concerning the closing of Sterling Drive. In accordance with Section 18.204(g) of the Howard County Code, the department is required to develop a report of the closing of a portion of Sterling Drive. The department's findings are as follows:

1. The Department of Planning and Zoning has indicated the road closure to facilitate development of the adjacent Emerson Mixed Use development is consistent with the General Plan and County Zoning Districts. The Department of Planning and Zoning therefore has no objection to the resolution.
2. The Department of Public Works has reviewed the legislation and the following is provided:
 - a. Howard County, Maryland is the fee simple owner of Sterling Drive by deed dated December 27, 2005, and recorded in the Land Records of Howard County, Maryland in Liber 9749, Folio 684.
 - b. The right of way of Sterling Drive is of variable width, from 60 to 84 feet wide and .16 miles in length from Stephens Road north to the end. The road closure was posted on Monday March 11, 2013.
 - c. The Traffic Engineering Division evaluated the closure with respect to pedestrian and vehicular traffic circulation. Sterling Drive was constructed to serve the Revitz Property and Emerson subdivisions, commercial developments near Laurel. A section of Sterling Drive from the proposed closure north was previously closed by Council Resolution 112-2011. The road is posted with a speed limit of 35 miles per hour and serves as the only access to 3 office buildings and a gated government campus. The government campus is proposed to be expanded to the intersection of Stephens Road to include the office buildings. The intersection with Stephens Road is currently controlled by a stop sign. Once the government campus is further developed the intersection will require a traffic signal and a second left turn lane.

The asphalt paved curbed roadway measures approximately 38 feet wide and 848 feet long. Sterling Drive has sidewalk on both sides for the entire length and County street lights on both sides. The roadway is a dead end with little activity and no reported accidents or record of traffic volume. There are no alternate routes or school crossings affected or impacted by this closure.

- d. The Bureau of Utilities maintains water and sewer mains within Sterling Drive, including:
 - A 12" water line and 8" sewer line constructed under contract 24-4014-D.
 - An 8" water line constructed under contract 44-4506-D.

Water, sewer and utility easements for the existing water and sewer mains and fire hydrants will be required prior to the conveyance of the road bed.

- e. The Bureau of Environmental Services has indicated the closure will not affect curbside trash and recycling collection.

- f. Council Resolution No. 153-2012 to surplus the roadbed has been submitted to the County Council for consideration. Upon approval, the roadbed will be transferred to Emerson Development Homeowners Association LLC. The transfer will be subject to easements for the County's existing water and sewer facilities and for existing phone and electric facilities maintained by the Baltimore Gas & Electric Company and Verizon.

3. The attached Memorandum to Stephen LeGendre, Executive Secretary, County Council, indicates that the adjacent property is owned by Emerson Development II LLC, Emerson Development IV LLC, Emerson Development VI LLC, Emerson Development VIII LLC, Emerson Community Association, Inc., Emerson Development Homeowners Association LLC, and Howard County, Maryland.

4. The Howard County Police Department has evaluated the proposed closing and indicated that the closure will have no adverse impact on response times or public safety.

5. The Department of Fire and Rescue Services has evaluated the proposed closing and supports the closure subject to the condition that access will be maintained for use by the department.

6. The Baltimore Gas & Electric Company (BGE) indicated that their records show they have underground electric facilities located within the area of the proposed closing. BGE is currently checking if these facilities are covered by existing agreements. If BGE does not have existing agreements the company will object to the road closure until such time that they receive a right of way agreement or arrangements are made to relocate the facilities.

In conclusion, the Department of Public Works supports the legislation to close a portion of Sterling Drive. The department recommends that the County retain ownership to the abandoned portion of Sterling Drive until such time as the following items have been accomplished:

1. Transfer of easements as required for access to the County's public utilities.
2. Transfer of County street lighting.
3. Reservation of any easements for BGE's existing electric facilities, and Verizon's telephone facilities.

Sheila Tolliver

Page – 3

April 4, 2013

There will be no fiscal impact to the County. The petitioner will be required to file all necessary subdivision plans, site development plans and developer agreements with the County and perform all construction activities.

Should you have any questions concerning this matter, please contact me on Extension 4401.

JMI/ck

Attachments

cc: Jennifer Sager, Legislative Coordinator
Marsha S. McLaughlin, Director, Planning & Zoning
William Goddard, Fire Chief
Office of the Fire Marshal
William McMahan, Chief of Police
File

tar/legislation/road closures/SterlingDr/-testimony

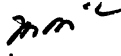


Howard County

Internal Memorandum

Subject: *Sterling Drive Closure*

To: *Jim Irvin, Director
Department of Public Works*

From: *Marsha McLaughlin, Director* 
Department of Planning and Zoning

Date: March 27, 2013

The Dept of Planning and Zoning has reviewed the proposal to close a portion of Sterling Drive. This closure has been long anticipated and the Department has no objections.

Please contact Chuck Dammers (ext. 3364) if you have any questions.

cc: John R. Byrd, Director, Department of Recreation and Parks
Chuck Dammers, Chief, Development Engineering Division
Karl Catenkemp, DPW, Division of Real Estate Services

Attachment

Resolution for the Closure of a portion Sterling Drive

TO: William Mackey, Division Chief
Division of Comprehensive and Community Planning

FROM: Benjamin Pickar, Chief
Transportation Planning

DATE: March 22, 2013

Per the email request of March 11, 2013 to the Director of DPZ regarding the closure of Sterling Drive, the following comments are offered by Transportation Planning.

Transportation Planning offers no objection to this road closure petition.

Closure of the segment of Sterling Drive indicated in the drawing attached to the e-mail request and described in the Council Resolution is compatible with the Howard County General Plan or the Regional Long Range Transportation Plan.

Previously, Sterling Drive, formerly a County road, terminated at a cul-de-sac approximately 2555 linear feet from Stephens Rd, the sole intersecting road. Subsequent to this complete public road status all properties which abut Sterling Drive were acquired by the Sterling Drive Closure Petitioner.

Prior to this proposed closure, a segment of Sterling Drive, from the cul-de-sac to the Emerson One access road, was closed as a public road. Closure of the segment described in this petition in conjunction with the prior closure, will result in approximately ninety-five percent (95%) of Sterling Drive receiving a private road status. These closures will have no negative impacts on the Countywide road system nor will the closures negatively impact traffic operations at the intersection of Stephens Rd and Sterling Drive, the closest public intersection.

Closure of this segment of Sterling Drive, in conjunction with the prior closure, will facilitate the development of the Emerson Mixed Use development (MXD), a land use consistent with the General Plan and the County Zoning Districts.

cc: Diane Schwarzman, Assistant to the Director,
Howard County Department of Public Works

Kim Flowers, Deputy Director,
Department of Planning and Zoning (DPZ)

File: MD 32


Howard County
Internal Memorandum

Subject: Closing of Sterling Drive

To: Marsha M. McLaughlin, Director, Department of Planning & Zoning
William J. McMahon, Chief, Howard County Police Department
William F. Goddard, III, Chief, Howard County Fire Department
John R. Byrd, Director, Department of Recreation & Parks

From: James M. Irvin, Director
Department of Public Works



Via: Email and Inter-office Mail

Date: March 5, 2013

The Howard County Council has advised this office that it proposes to introduce a Resolution to close Sterling Drive. The road is located in the Revitz Property subdivision northwest of Stephens Road. The developer of the adjacent proposed government campus intends to extend the secured area of the campus. Copies of the Resolution and plat showing the area to be closed are attached for your review and use.

This Resolution will be pre-filed for March and the public hearing will be held on Monday April 15, 2013. Testimony is required to be forwarded to the Chief Administrative Officer by April 5, 2013. It would be appreciated if your office would review the attached information and process your comments to this office no later than **April 1, 2013**.

If you require any further information concerning this matter or have any additional questions, please contact me at extension 4401 or Tina D. Hackett, Chief, Real Estate Services Division at extension 3260.

Attachments

cc: File

T:\Admin\REAL\LEGISLATION\RoadClosures\Sterling Drive\rd closing.depts.doc

RECEIVED

MAR - 7 2013

DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING



Howard County

Internal Memorandum

Subject: Proposed Council Resolution to Close Sterling Drive
Verification of Adjacent Property Owners

To: Stephen LeGendre, Executive Secretary
County Council

From: Tina D. Hackett, Chief *Tina D. Hackett*
Real Estate Services Division

Date: February 15, 2013

The following information is provided relative to the resolution to close Sterling Drive:

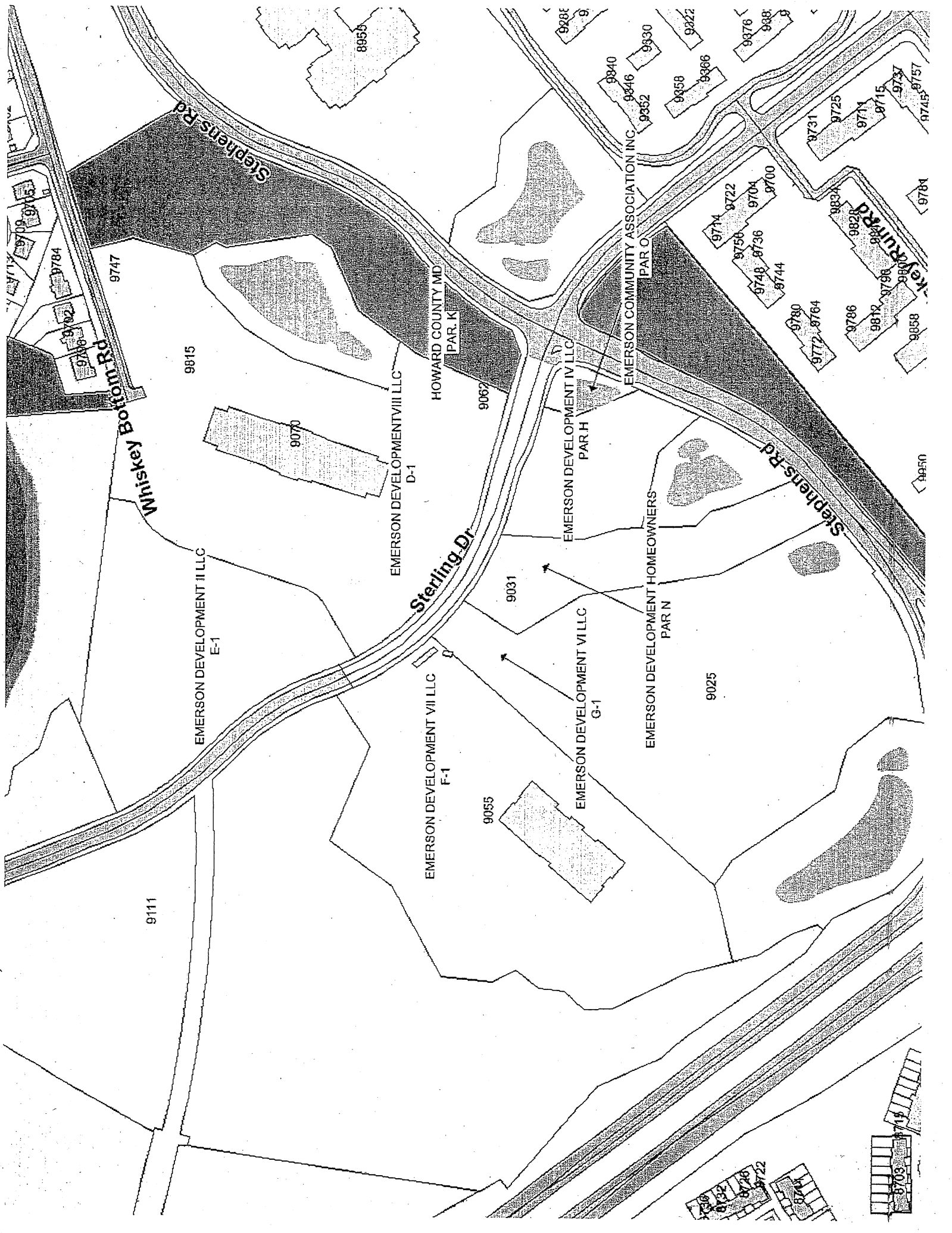
1. Howard County, Maryland is the fee simple owner of Sterling Drive by deed dated December 27, 2005, and recorded in the Land Records of Howard County, Maryland in Liber 9749, Folio 684. Sterling Drive is approximately 60 to 80 feet wide and .31 miles in length.
2. Emerson Development VIII LLC, 1 Texas Station Court, Suite 200, Timonium, Maryland 21093 owns the adjacent property shown on Tax Map 47, Parcel 165, Parcel D-1.
3. Emerson Development II LLC, 1 Texas Station Court, Suite 200, Timonium, Maryland 21093 owns the adjacent property shown on Tax Map 47, Parcel 165, Parcel E-1.
4. Emerson Development VII LLC, 1 Texas Station Court, Suite 200, Timonium, Maryland 21093 owns the adjacent property shown on Tax Map 47, Parcel 165, Parcel F-1.
5. Emerson Development VI LLC, 1 Texas Station Court, Suite 200, Timonium, Maryland 21093 owns the adjacent property shown on Tax Map 47, Parcel 165, Parcel G-1.
6. Emerson Development IV LLC, 1 Texas Station Court, Suite 200, Timonium, Maryland 21093 owns the adjacent property shown on Tax Map 47, Parcel 165, Parcel H.
7. Howard County Maryland owns the adjacent property shown on Tax Map 47, Parcel 165, Parcel K.
8. Emerson Development Homeowners Association LLC, 1 Texas Station Court, Suite 200, Timonium, Maryland 21093 owns the adjacent property shown on Tax Map 47, Parcel 165, Parcel N.
9. Emerson Community Association, Inc., P.O. Box 833, Columbia, Maryland 21044 owns the adjacent properties shown on Tax Map 47, Parcel 165, Parcel O.

Stephen LeGendre
Page - 2
February 15, 2013

A copy of the tax map identifying the location of the road and the adjacent properties is attached for your use. If you require any additional information, please contact me on extension 3260.

Attachment
cc: File

T:\Admin\REAL\LEGISLATION\RoadClosures\Sterling Drive\rd closing-Council.doc



Stephens Rd

Winkley Bottom Rd

Sterling Dr

Stephens Rd

Winkley Bottom Rd

9111

9815

9747

9070

9067

9055

9031

9025

EMERSON DEVELOPMENT II LLC
E-1

EMERSON DEVELOPMENT VIII LLC
D-1

EMERSON DEVELOPMENT VII LLC
F-1

EMERSON DEVELOPMENT VI LLC
G-1

EMERSON DEVELOPMENT IV LLC
PAR H

EMERSON DEVELOPMENT HOMEOWNERS
PAR N

EMERSON COMMUNITY ASSOCIATION INC
PAR O

HOWARD COUNTY MD
PAR K

8855

928E

9840

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9330

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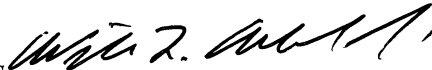
Howard County

Internal Memorandum

Subject: *Closing of Sterling Drive*

To: *James M. Irvin, Director
Department of Public Works*

From: *William Malone, Bureau Chief
Highways-Department of Public Works*



Date: *March 14, 2013*

As requested by your office we have posted the road closure signs with the hearing date of April 15, 2013 on Sterling Drive on March 11, 2013.

The portion of Sterling Drive that is proposed for closure has the following characteristics:

- The asphalt paved curbed roadway is 38 feet wide and 2,000 feet long from Stephens Road to the end at a cul-du-sac. The description for this closure is for the section which begins at Stephens Road and goes 848 feet to the approximate midpoint length of Sterling Drive.
- Sterling Drive is posted for 35 mph and is the only access to a 3 large office buildings.
- There is sidewalk on both sides of the road.
- The eastern end is currently controlled by a stop sign with Stephens Road, the developer is responsible for the installation of a traffic signal and to open the second northbound left turn lane in the future.
- There is roadway lighting along both sides of Sterling Drive.
- There are no alternate routes or affected school crossings.
- Since the road is a dead end, there is no record of traffic volumes and accidents.

The back portion of Sterling Drive, from the cul de sac to the point of this requested closure, was closed on July 28, 2011. If you have any questions, please do not hesitate to contact me at ext. 7470.

2013 MAR 21 PM 2:11

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DIRECTOR'S OFFICE



Howard County

Internal Memorandum

Subject: Closing of a Portion of Sterling Drive

To: James M. Irvin, Director
Department of Public Works

From: Don Campbell,
DPW/Bureau of Utilities

Date: April 1, 2013

We have reviewed the proposed resolution to close a portion of Sterling Drive.

The proposed public ROW to be abandoned encompasses public water and sewer facilities constructed under Contracts 24-4014-D and 44-4506-D. Water and sewer utility easements will be required to provide for continued public ownership and maintenance.

Below are the recommended easement acquisitions as specified for water and sewer mains in Howard County Design Manual, Volume 2, Section 5.3B and for fire hydrants on Standard Detail W-1.13. :

1. An existing 12-inch diameter water main and 8-inch diameter sewer main run parallel along the centerline of Sterling Drive. The minimum specified width for a utility easement containing both water and sewer mains is 30 feet. However, approximately two-thirds of the sewer main along this length of Sterling Drive is deep, with depths ranging from 17 to 21 feet deep. The depth of the sewer main significantly increases the area that will be required for repairs. The width of the water & sewer utility easement should be increased to 40 feet wide to encompass the 12-inch water main and 8-inch sewer main.
2. There are existing 8-inch diameter water and sewer mains and water and sewer service connections that branch from the main lines in Sterling Drive. Easements containing these branch lines will contain a single utility and should be acquired as 20-foot wide easements.
3. A-15 ft. by 15 ft. easement should be acquired for each fire hydrant along the road.

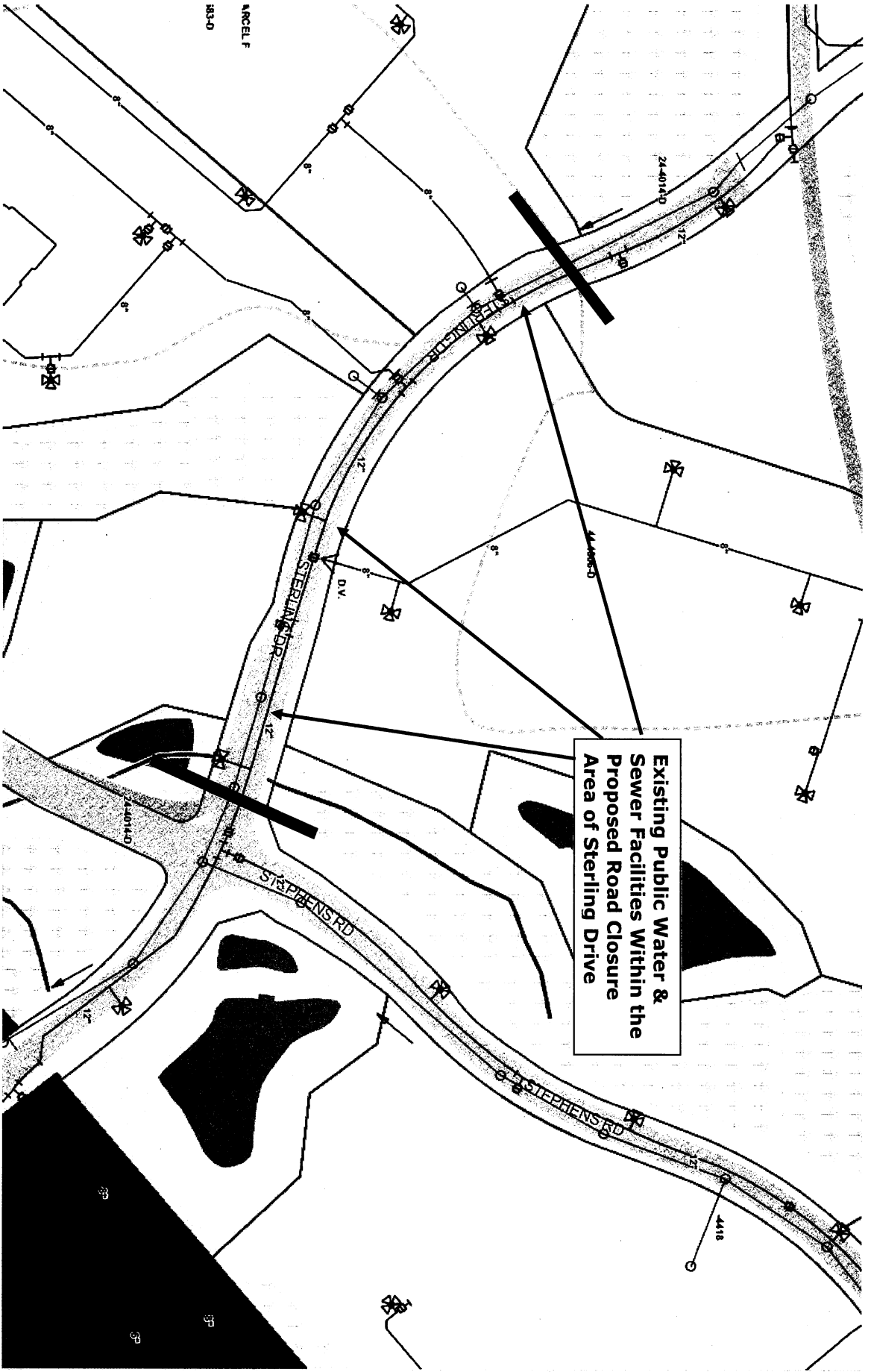
Attached is a view of the Howard County GIS that shows existing water and sewer facilities within the proposed ROW closure area of Sterling Drive.

Should there be any questions regarding these comments, I may be contacted at extension 1438.

Attachments

Sterling Drive W&S Utilities.pdf

Cc: Steve Gerwin



**IMPACT OF PROPOSED RESOLUTION TO CLOSE STERLING DRIVE
ON HOWARD COUNTY PUBLIC WATER AND SEWER UTILITIES**

North Laurel Area

April 1, 2013



HOWARD COUNTY DEPARTMENT OF PUBLIC WORKS

6751 Columbia Gateway Drive, Suite 514 ■ Columbia Maryland 21046 ■ 410-313-6444

Mark DeLuca, P.E., Deputy Director
Chief, Bureau of Environmental Services
mdeluca@howardcountymd.gov

FAX 410-313-6490
TDD 410-313-2323

MEMO TO: Jim Irvin, Director
Department of Public Works

FROM: Mark Deluca
Chief, Bureau of Environmental Services

THROUGH: Mark A. Kreis
Chief, Collections Division

DATE: March 12, 2013

SUBJECT: Closure of Sterling drive

2013 MAR 13 P 2:42
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The county has no curbside trash or recycling collection along this portion of Sterling Drive. Closure will not impact the collection process in any way.

KEN ULMAN
County Executive

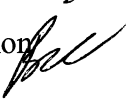


WILLIAM J. MCMAHON
Chief of Police

HOWARD COUNTY DEPARTMENT OF POLICE
3410 Courthouse Drive, Ellicott City, Maryland 21043

DATE: March 12, 2013

TO: Mr. James M. Irvin, Director
Department of Public Works

FROM: William J. McMahon 
Chief of Police

SUBJECT: Closing of Sterling Drive

The police department has reviewed the Resolution provided by your office regarding the closing Sterling Drive and has no concerns. The closure of this area will not affect response times or have an impact on public safety.

Thank you for allowing the police department the opportunity to provide input in this process. If you have any further questions, please contact my office at extension 2203.

2013 MAR 26 PM 2:50
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HOWARD COUNTY DEPARTMENT OF FIRE AND RESCUE SERVICES

6751 Columbia Gateway Drive, Suite 400, Columbia, Maryland 21046

410-313-6000

WILLIAM F. GODDARD, III, FIRE/EMS CHIEF

KEN ULMAN, COUNTY EXECUTIVE

March 27, 2013

To: Mr James Irvin
Director, Department of Public Works

From: Fire Chief William F Goddard, III
Fire Chief, Fire and Rescue

On behalf of Chief Goddard, the Office of the Fire Marshal has reviewed proposed Resolution CR28-2013 which will close a portion of Sterling Drive.

The Office of the Fire Marshal supports the proposed Resolution, upon the condition; access will be maintained for use by Fire and Rescue apparatus or personnel.



An accredited fire service agency since 1999

Katenkamp, Carl

From: Grove, Candace R [Candace.Grove@constellation.com]
Sent: Wednesday, April 03, 2013 9:46 AM
To: Katenkamp, Carl
Subject: RE: Sterling Drive Road closure

Hi Carl. I've reviewed the street closings for Sterling Dr. and Linden Church Road. It appears that BGE has underground electric facilities in the bed of Sterling Drive and gas and overhead electric in the bed of Linden Church Road. We are currently checking to see if we have existing right of way agreements that cover these facilities or if they were installed under franchise. If we don't have an agreement, BGE will object to the street closing until such time that we receive a right of way agreement or arrangements are made to relocate the facilities.

If we have an agreement that covers these facilities access to the facilities must be maintained and/or the facilities will need to be relocated at the petitioners expense.

I will send you a formal letter when we are finished our Right of Way research which should be the middle of next week.

Thanks,

Candace Grove
Property Development Analyst
410-470-6714

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

From: Katenkamp, Carl [<mailto:ckatenkamp@howardcountymd.gov>]
Sent: Monday, March 25, 2013 3:18 PM
To: Grove, Candace R
Subject: Sterling Drive Road closure

Ms. Grove, A public hearing for the closure of sections of Sterling Drive and Linden Church Road in Howard County is scheduled for next month. The attached requests were sent last month concerning the closures. I was wondering if BGE has had a chance review the proposed closures for any issues concerning your existing facilities?

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

From: savinscanner@howardcountymd.gov [<mailto:savinscanner@howardcountymd.gov>]
Sent: Monday, March 25, 2013 3:04 PM
To: Katenkamp, Carl
Subject:

This E-mail was sent from "RNP1484DE" (9240).

Scan Date: 03.25.2013 15:03:45 (-0400)

Queries to: savinscanner@howardcountymd.gov This e-mail and any attachments are confidential, may contain legal, professional or other privileged information, and are intended solely for the addressee. If you are not the intended recipient, do not use the information in this e-mail in any way, delete this e-mail and notify the sender. -EXCIP