



# ROCKVILLE

City of Rockville □ Maryland Avenue at Vinson □ Rockville, Maryland 20850 □ (301) 424-8000

0092-167-82

August 12, 1982

Miller, Miller and Canby  
200-B Monroe Street  
Rockville, Maryland 20850

Re: Planned Residential Unit Detailed Application  
PRU-16A-82, Carter Property

Gentlemen:

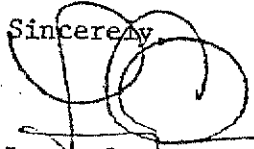
At its meeting of August 11, 1982, the City of Rockville Planning Commission reviewed and conditionally approved the referred Application for a 64-dwelling Planned Residential Unit development on the remainder of the Carter family property on West Ritchie Parkway. Approval is subject to the following conditions:

- 1) Submission, for approval by the Director of Planning, of eight copies of the site and grading plan revised to show:
  - a. Sidewalk on primary street leading to Ritchie Parkway;
  - b. Islands in cul-de-sacs designated as "common area";
  - c. Lot lines adjusted to maintain minimum 7,000 square foot lot area and 60 foot lot width;
  - d. Dimensions on townhouse parking spaces;
  - e. Pavement specifications for townhouse parking areas;
  - f. Locations of street lights; and,
  - g. Sidewalks relocated four feet away from curb, except in townhouse area;
- 2) Submission, for approval by the Planning Commission of Final Record Plat Applications, including all necessary easements for public improvements;
- 3) That detailed site grading plans, based on the approved development plan, be submitted to the Department of Public Works for review and approval;
- 4) Submission, for approval by the Department of Public Works and Montgomery Soil Conservation Service, of a soil erosion and sediment control plan;

- 5) That all utility and paving plans be modified to satisfy Public Works' comments (in the Planning Department file) and resubmitted to the Department of Public Works for review and approval;
- 6) Submission, for approval by the Director of Planning, of eight copies of the landscape plan revised to show:
  - a. The proposed "street trees" spaced not more than 40 feet on centers, and specified not less than 2½ inch caliper;
  - b. A landscaped berm along the southern boundary of proposed Parcel "D" (parkland parcel); and,
  - c. Trees planted in the front yards (1) and rear yards (2) of the detached homes, in accordance with Section 7-707 (b) of the Subdivision Regulations;
- 7) That architectural plans be resubmitted for Planning Commission approval at such time as a developer is selected;
- 8) That alternate street names be submitted to the Planning Department for approval;
- 9) That bonds be posted with the Department of Public Works for all proposed improvements in the common areas, in accordance with Section 7-202 of the Zoning and Planning Ordinance;
- 10) That all agreements be executed for the construction and installation of all public improvements required for this development, including posting bonds and obtaining permits;
- 11) That all common areas and public open spaces be conveyed in accordance with requirements of Sections 5-506 through 5-509 of the Zoning and Planning Ordinance; and,
- 12) That the proposed homeowners' association's legal documents be modified to include requirements of the City Attorney (in the Planning Department file).

Your attention is directed to Section 5-426 of the Zoning and Planning Ordinance which specifies that this approval becomes void if Final Record Plats are not filed and construction has not commenced within a period of one (1) year from the date of approval.

Sincerely,

  
Larry Owens  
Chief Planner

LO/ms

cc: Henry, Hilton and Robert Carter  
IPDS, Ltd.  
Public Works - License and Inspections - Zoning Inspector

CITY OF ROCKVILLE PLANNING DEPARTMENT  
STAFF REPORT

August 6, 1982

SUBJECT:

Planned Residential Unit Detailed Application PRU-16A-82

Applicant: Miller, Miller and Canby, Attorneys for  
Henry, Robert and Hilton Carter  
200-B Monroe Street  
Rockville, Maryland 20850

Filing Date: May 28, 1982

REQUEST:

The applicant seeks approval of a detailed application for a planned residential unit development on the remainder of the Carter property, east of West Ritchie Parkway. (See attached location map.)

PREVIOUS RELATED ACTION:

- Planned Residential Unit Exploratory Application PRU-16-81, approved by Mayor and Council - June 1, 1981.

STAFF RECOMMENDATION:

Approval, subject to the following conditions:

- 1) Submission, for approval by the Director of Planning, of eight copies of the site and grading plan revised to show:
  - a. Sidewalk on primary street leading to Ritchie Parkway;
  - b. Islands in cul-de-sacs designated as "common area;"
  - c. Lot lines adjusted to maintain minimum 7,000 square foot lot area and 60 foot lot width;
  - d. Dimensions on townhouse parking spaces;
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  - f. Locations of street lights; and,
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- 2) Submission, for approval by the Planning Commission of Final Record Plat Applications, including all necessary easements for public improvements;
- 3) That detailed site grading plans, based on the approved development plan be submitted to the Department of Public Works for review and approval;

- 4) Submission, for approval by the Department of Public Works and Montgomery Soil Conservation Service, of a soil erosion and sediment control plan;
- 5) That all utility and paving plans be modified to satisfy Public Works' comments (in the Planning Department file) and resubmitted to the Department of Public Works for review and approval;
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  - a. The proposed "street trees" spaced not less than 40 feet on centers, and specified not less than 2½ inch caliper;
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  - c. Trees planted in the front yards (1) and rear yards (2) of the detached homes, in accordance with Section 7-707.(b) of the Subdivision Regulations;
- 7) That architectural plans be resubmitted for Planning Commission approval at such time as a developer is selected;
- 8) That alternate street names be submitted to the Planning Department for approval;
- 9) That bonds be posted with the Department of Public Works for all proposed improvements in the common areas, in accordance with Section 7-202 of the Zoning and Planning Ordinance;
- 10) That all agreements be executed for the construction and installation of all public improvements required for this development, including posting bonds and obtaining permits;
- 11) That all common areas and public open spaces be conveyed in accordance with requirements of Sections 5-506 through 5-509 of the Zoning and Planning Ordinance; and,
- 12) That the proposed homeowners association's legal documents be modified to include requirements of the City Attorney (in the Planning Department file).

ANALYSIS:

The Property - The subject property contains 15.85 acres and is all of the remaining undeveloped Garter family land. The property is in the R-90, One-Family Detached, Restricted Residential Zone. A tributary to Watts Branch crosses the northern edge of the property and also runs just off-site to the east and northeast. There is a small flood area on the property associated with

August 6, 1982

this stream. On the far east edge is a rock outcrop that is unique to this area. Topography ranges from nearly level to steep slopes adjacent to the stream. The land is mostly clear, with some wooded areas existing around the northern and eastern boundaries. A landscaped berm has been developed along the entire Ritchie Parkway frontage as part of the design requirements for that road. The northern half of the property is traversed by five major gas transmission mains and a Rockville water transmission main located in the rights-of-way and easements.

The Proposal - The Applicant proposes to create a project on this site with a mix of dwelling types and both public and private open space. Thirty-two detached homes and thirty-two townhouses are planned. The lot sizes and development standards for the detached dwellings will be reduced from the normal requirements of the R-90 Zone. All development will be located on the southern two-thirds of the site and away from the stream valley and utility lines.

Several cul-de-sac roads will provide vehicular access to the units via a short primary street connection to West Ritchie Parkway. The cul-de-sac streets will be public roads constructed to secondary residential street specifications (twenty-six feet wide) in a reduced width right-of-way. The right-of-way will be approximately thirty feet wide to accommodate the street pavement and a sidewalk on one side only. The entrance road will be constructed to the standard for a primary residential street.

Approximately 6.14 acres of land is proposed to be conveyed to the City as public parkland. This includes a large useable area adjacent to Glenora park, and conservation areas adjacent to the stream and rock outcrop. Privately owned open space and common areas will include parking areas for the townhouses, internal walkways, and a small "tot lot" for the younger children in the development.

All homes will be offered for resale. A homeowners association will be established for ownership and maintenance of the common areas.

Requirements - Article 5 of the Zoning and Planning Ordinance (Special Development Procedures) contains the regulations for approval and development of a planned residential unit.

In a planned residential unit development a number of standard requirements of the Ordinance may be waived or modified by the Mayor and Council, including: use restrictions; development standards; parking, access and loading requirements; and screening and landscaping requirements.

A planned residential unit development is processed in two stages. The first stage is the exploratory application which is basically a concept proposal and requires a public hearing and action by the Mayor and Council. In June, 1981 the Mayor and Council approved the Exploratory Application for the subject development. In so doing the basic concept was established, some special requirements were imposed and some normal development standards were modified. The following requirements and modifications are included in the Mayor and Council's approval:

- 1) That the subsequent detailed application and/or applications be substantially in accordance with the proposed development plan, identified as Planning Commission Exhibit "A" except that the site locations shall be determined by the Planning Commission at the time of the detailed application review;
- 2) That all conservation areas and open space, except that immediately adjacent to the townhouse area, be conveyed to the City; and
- 3) That the storm water management contribution be waived in consideration of the conveyance of parkland, including the area on which a community storm water management facility will be located.

Development standards for the detached lots are also reduced as follows:

	<u>Normal</u>	<u>Proposed</u>
Lot Size	9,000 square feet	7,000 square feet
Lot Width	80 feet	60 feet
Lot Coverage	25 percent	30 percent
Front Setback	30 feet	15 feet
Side Setback (Street Abutting)	20 feet	15 feet
Side Setback (Land Abutting)	11 feet	5 feet
Rear Setback	25 feet	15 feet

The reduced standards would not be applied uniformly throughout the development, but are intended to allow flexibility of the design.

The second stage, detailed application, is subject to the Planning Commission's review and approval. The application submission contains specific plans and detailed material on such items as lot sizes, house locations, site grading and utility plans, and legal documents for the conveyance and maintenance of the private open space. A detailed application is reviewed for compliance with requirements normally associated with both a use permit application (where applicable) and a preliminary subdivision plan application. The only additional considerations relate to compliance with the Mayor and Council's conditions of approval imposed on the exploratory application.

Staff Comments - On March 3, 1982, the Planning Commission reviewed and approved a request from the Applicant to adjust the location of the townhouse cluster. This adjustment was found to be not a substantial deviation from the plan approved by the Mayor and Council. The detailed application as now submitted complies substantially with the Mayor and Council's approved exploratory application, as adjusted. The plans also comply substantially with requirements for approval of a use permit and a preliminary subdivision plan.

A number of modifications/additions are required for several of the plans and documents submitted, as recommended above as "conditions-of-approval." For the most part, these concerns normally require attention after plan approval, but prior to recordation of a final record plat or issuance of any building permits.

August 6, 1982

It is noted that the Applicants are not builders and will be conveying this project to others for actual construction. The architectural plans submitted should therefore be considered only tentative. The ultimate builder should submit final architectural plans to the Planning Commission for approval when this matter is determined.

This detailed application is the result of several years of planning efforts to achieve a satisfactory development for this remaining parcel of the Carter family property. The staff finds the development proposed to be a desirable alternative to a standard one-family detached subdivision on this tract. The property is ideally suited to a planned residential unit development for the following reasons:

- A large portion of the tract is affected by the existence of major gas and water transmission mains. Development over this area is severely restricted. House location, grading and construction of streets and other public services would be difficult and result in limited unit yield;
- The east and northeast perimeters of the tract contain unique natural features and is an area that is environmentally sensitive. This is the only wooded area on the tract and contains part of a natural stream valley. A small portion of the stream valley is a flood area; and, the slopes adjacent to the stream must be protected from development to prevent erosion. A unique rock outcrop, "Danger Mountain" is also located in this area. All of these features should be protected from grading and development and should be in the public domain to assure this;
- The adopted and approved Rockville Plan recommends that a large portion of this tract be used for public parkland and conservation area. A portion of the tract is also recommended to be the site of a public storm water management facility. These recommendations can be achieved either through public purchase or through the dedication of the desired area in conjunction with a planned residential unit development; and,
- Given the natural and man-made development restrictions placed upon this property, including the City's desire to obtain a significant portion for public purposes, the only way a reasonable development yield can be achieved is through the clustering of dwelling units in a planned residential unit concept.

The staff finds this application represents the satisfactory achievement of a variety of objectives affecting the use of this tract and clearly addresses the intent of the Special Development Procedures of the Zoning and Planning Ordinance.

Attachment

OFFICIAL RECEIPT



MAYOR AND COUNCIL  
CITY OF ROCKVILLE  
MARYLAND AND VINSON STREET  
ROCKVILLE, MARYLAND 20850

PHONE: 424-8000

DEPARTMENT	CODE	AMOUNT
CLIENT	AT44	
T.C.	<input checked="" type="checkbox"/>	
R.C.	F	
FUND		
DEPT.		
DIV.		
ACCT.		
PROJECT		
PROGRAM		
VENDOR NO.		
REFERENCE NO.	77074	
AMOUNT		

RECEIVED OF: Jerry T. Rourke

ADDRESS: 1700 Fume Extension  
PK 11 16A-82

check MAYOR AND COUNCIL  
OF ROCKVILLE  
RECEIVED BY: H. 1099 E-11  
CASHIER

11-3-77 25.00

NO. B 11111111

Application

PRD-16A-82 (CARTER PROPERTY)  
DETAILED APPLICATION

Review Requested By:

Date & Initial

6/21/82 / JSP

Public Works

W.M.A.T.A.

Licenses & Inspection

Mont. Co. D.O.T.

Assessment Office

Form Letter  
Civic Assoc. } ROCKSHIRE  
GLENORA HILLS  
CARTER HILLS

S.H.A.

Other } POLICE } GREAT PINES  
Rockingham ?? IF ANY  
JEFFERSON PLACE

Special Instructions

\_\_\_\_\_  
\_\_\_\_\_

**OFFICIAL RECEIPT**



**MAYOR AND COUNCIL  
CITY OF ROCKVILLE**  
MARYLAND AND VINSON STREET  
ROCKVILLE, MARYLAND 20850

PHONE: 424-8000

DEPARTMENT	CODE	AMOUNT
CLIENT	A144	
T.C.	<input checked="" type="checkbox"/>	
R.C.	F	
FUND		
DEPT.		
DIV.		
ACCT.		
PROJECT		
PROGRAM		
VENDOR NO.		
REFERENCE NO.		
AMOUNT		

RECEIVED OF: Henry Carter

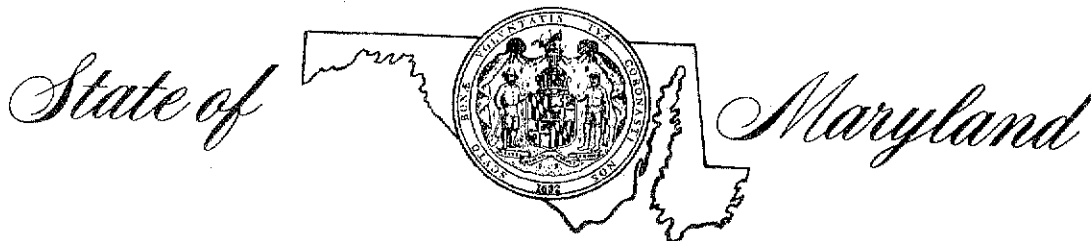
ADDRESS: PK 4 - 16-80

**MAYOR AND COUNCIL  
OF ROCKVILLE**

RECEIVED BY: [Signature]

CASHIER

No. B  
667703



ENVIRONMENTAL HEALTH ADMINISTRATION

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

201 WEST PRESTON STREET • BALTIMORE, MARYLAND 21201 • Area Code 301 • 383-2764

Harry Hughes, Governor

Charles R. Buck, Jr., Sc.D. Secretary



May 23, 1983

City of Rockville  
City Hall  
Maryland at Vinson  
Rockville, Maryland 20850

RE: File No. 83-SW-324  
Carter PRU 16-80  
Montgomery County

Dear Applicant:

This is to acknowledge receipt of documents pertaining to the above referenced project. These documents appear to be in order and are being forwarded to our Technical Review Section for processing. You will receive an appropriate communication regarding action taken on this submittal in the near future.

For information concerning the status of the project, you may contact this office at 301-383-2764. Please refer to file number 83-SW-324.

Respectfully,

*John C. Stewart*

John C. Stewart  
Applications and Permits Section  
Division of Planning

JCS:pal

cc: Sharon Martin

DHMH 1568

Rev. 1980

DETAILED  
APPLICATION TO THE CITY OF ROCKVILLE

PLANNED RESIDENTIAL UNIT(PRU)

RESIDENTIAL TOWNHOUSE DEVELOPMENT(R-TH)

THIS APPLICATION MUST BE TYPEWRITTEN OR PRINTED AND NOTARIZED AND SUBMITTED TO THE PLANNING DEPARTMENT FOR FILING. ALL ITEMS MUST BE COMPLETED AND THE REQUIRED DOCUMENTS AND FILING FEE MUST ACCOMPANY THIS APPLICATION.

MILLER, MILLER & CANBY, attorneys

For:

Henry, Hilton & Robert Carter

DO NOT WRITE IN THIS SPACE

Application No. PRU-16A-82

Filing Date MAY 28, 1982

Filing Fee \$1140.00

Decision/Date Approved Aug. 11, 1982

Name of Applicant

26 Guy Court, Rockville, MD 20850

Address

(301) 762-4481

Telephone Number

Owner (If Other than Applicant)

see above

Address

Telephone Number

IPDS, LTD.  
Architect/Engineer

802 Sligo Ave., Silver Spring, MD 20910  
Address

(301) 585-5676  
Telephone Number

APPLICATION IS HEREBY MADE WITH THE CITY OF ROCKVILLE PLANNING COMMISSION FOR APPROVAL OF A DETAILED APPLICATION FOR THE PROPERTY DESCRIBED BELOW:

Location of Property: N/E Quadrant of Dundee Road & West Ritchie Parkway

Present Zone(s): PRU Size(sq. feet): \_\_\_\_\_ No. of Dwelling Units: 64

Name of Subdivision: CARTER PRU 16-80 Size (GFA) of non-residential buildings: N/A

THE FOLLOWING DOCUMENTS ARE FURNISHED AS PART OF MY APPLICATION:

1. A plan (8 copies) at 100' scale, or larger, showing:

A. The location & dimensions/specifications of all existing and proposed buildings and facilities.

B. Lines of subdivision, indicating areas to be dedicated or reserved for public use, areas to be placed in common ownership for the residents and individual lots to be created.

(OVER)

- C. Existing and proposed topography with contours at five foot intervals for slopes averaging ten per cent or greater and at two foot intervals for land of lesser slope.
  - D. Existing and proposed streets, easements, water courses, bridges, culverts, drain pipes, location of existing utility systems and any natural features such as wooded areas and rock formations.
  - E. Rights-of-way and roadway widths, grades and gradients. Approximate finished grades of streets shall be indicated in the plan.
  - F. Proposed improvements of common and/or public areas.
2. Plans of typical multiple family, townhouses or similar units & non-residential buildings to be constructed including:
    - A. Site improvements showing building, landscaping, walls, fences, patios, walks and parking areas, driveways and paving specifications.
    - B. Elevations, floor plans and renderings of typical buildings.
    - C. Demonstration that party walls of attached or semi-detached units are soundproof.
  3. A landscape plan (8 copies) showing type, size & quantity of all plant material, including existing trees.
  4. Storm and sanitary drainage study and plans for sanitary and water lines, including easements. Where applicable, a one hundred(100) year flood plain diagram and data, and erosion area diagram and data.
  5. Final drafts of legal agreements and documents which will be used to satisfy the requirements of Article 5, Division 5 of the Ordinance.
  6. Estimates of the costs of maintenance of common facilities and means of financing.
  7. A final Schedule of Development (PRU only).

MILLER, MILLER & CANBY, attorneys for Applicant

By: [Signature]  
Signature of Applicant

Subscribed and sworn before me this 28 day of May 1982

My Commission Expires 7-1-82

M. Katherine Self  
Notary Public