



PLANNING COMMISSION

Wednesday, October 14, 2020

7:00 PM

Meeting No. 18-2020

AGENDA

Charles Littlefield, Chair

Anne Goodman
Sarah Miller
John Tyner, II

Don Hadley
Suzan Pitman
Rev. Jane E. Wood

Jim Wasilak, Staff Liaison
Nicholas Dumais, Assistant City Attorney

**Virtual Meeting via WebEx –
See page 3 for information**

- 1. Review and Action**
 - A. Final Record Plat PLT2020-00586, for the Resubdivision of Property at 905 Maple Avenue to Create Three Record Lots in the R-60 Zone; RCG Development LLC, Applicant**

 - 2. Commission Items**
 - A. Staff Liaison Report**

 - B. Old Business**

 - C. New Business**

 - D. Minutes Approval**
 - 1. July 25, 2020**
-

2. **September 9, 2020**

3. **September 23, 2020**

E. FYI/Correspondence

3. **Adjourn**

PLANNING COMMISSION ONLINE MEETING and PUBLIC HEARING PROCEDURES

I. Meeting Platform: Webex

- A. Applicant Access: Provided by Planning and Development Services/IT
- B. Access for Oral Testimony and Comment: Provided by PDS/IT (see below)

II. Pre-Meeting Preparations/Requirements:

A. Written Testimony and Exhibits –

Written testimony and exhibits may be submitted by email to Jim Wasilak, Staff Liaison to the Planning Commission, at jwasilak@rockvillemd.gov, or by mail to:

Charles Littlefield, Chair
Rockville Planning Commission
111 Maryland Avenue
Rockville, MD 20850

and must be received no later than nine (9) days in advance of the hearing in order to be distributed with the Planning Commission briefing materials.

Written testimony and exhibits received after this date until 4:00 pm on the day before the hearing will be provided to the Planning Commission by e-mail.

B. Webex Orientation for Applicants

Applicants must contact the planning case manager assigned to the Application no later than five (5) days in advance of the hearing in order to schedule Webex orientation, which must be completed prior to the hearing.

C. Oral Testimony by Applicants and the Public

- i. Applicants – Applicants must provide to the planning case manager a list of presenters and witnesses who will testify on behalf of the Application. The list must be provided to the PDS Staff project manager no later than five (5) days prior to the date of the hearing.
- ii. Public Testimony/Comment on an Application – Any member of the public who wishes to comment on an Application must submit their name and email address to the Staff Liaison to the Planning Commission Jim Wasilak (by email at jwasilak@rockvillemd.gov) no later than 9:00 am on the day of the hearing to be placed on the testimony list. Members of the public who seek technical assistance from City staff must submit their name and email address to Jim Wasilak no later than two (2) days in advance of the hearing so that an orientation session may be scheduled.

If a member of the public is unable to meet the deadline to be placed on the testimony list, they can submit written testimony to the Staff Liaison to the Planning Commission by email to jwasilak@rockvillemd.gov.

III. Conduct of Online Meeting and Public Hearing:

A. Rules of Procedure –

The Meeting and Public Hearing will be held in accord with the Planning Commission Rules of Procedure, including the order of testimony and applicable time limits on testimony. The Rules may be viewed here: <https://www.rockvillemd.gov/DocumentCenter/View/2023/Planning-Commission---Rules-of-Procedure?bidId=>

B. Oral Testimony –

During the hearing, the Chair will sequentially recognize each person on the testimony list and ask the host to allow the speaker to speak. Each speaker must wait to be specifically recognized by the Chair before speaking.

If during the hearing a party wishes to speak or a speaker wishes to request the opportunity to engage in cross-examination following specific testimony, the party must contact the Staff Liaison/Host by email at jwasilak@rockvillemd.gov or by text at (202) 839-0305 with the specific request. The Host/Staff Liaison will inform the Commission. The Chair will determine if the party may be heard.

C. Continuance of Hearing –

The Planning Commission, at its discretion, reserves the right to continue the hearing until another date.

HELPFUL INFORMATION FOR STAKEHOLDERS AND APPLICANTS**I. GENERAL ORDER OF SESSION FOR DEVELOPMENT APPLICATIONS**

1. Staff presentation
2. City Board or Commission comment
3. Applicant presentation (10 min.)
4. Public comment (3 min, or 5 min for the representative of an association)
5. Planning Commission Discussion and Deliberation
6. Decision or recommendation by vote

The Commission may ask questions of any party at any time during the proceedings.

II. PLANNING COMMISSION BROADCAST

- Watch LIVE on Comcast Cable Rockville Channel 11 and online at: www.rockvillemd.gov
- Replay on Comcast Cable Channel 11:
 - Wednesdays at 7:00 pm (if no live meeting)
 - Sundays at 7:00 pm
 - Mondays, Thursdays and Saturdays at 1:00 pm
 - Saturdays and Sundays at 12:00 am (midnight)
- Video on Demand (within 48 hours of meeting) at: www.rockvillemd.gov/VideoOnDemand.

III. NEW DEVELOPMENT APPLICATIONS

- For a complete list of all applications on file, visit: www.rockvillemd.gov/DevelopmentWatch.

VI. ADDITIONAL INFORMATION RESOURCES

- Additional resources are available to anyone who would like more information about the planning and development review process on the City's web site at: www.rockvillemd.gov/cpds.

Maryland law and the Planning Commission's Rules of Procedure regarding ex parte (extra-record) communications require all discussion, review, and consideration of the Commission's business take place only during the Commission's consideration of the item at a scheduled meeting. Telephone calls and meetings with Commission members in advance of the meeting are not permitted. Written communications will be directed to appropriate staff members for response and included in briefing materials for all members of the Commission.



Agenda Item #:	A
Meeting Date:	October 14, 2020
Responsible Staff:	Nicole Walters

SUBJECT: Final Record Plat PLT2020-00586, for the Resubdivision of Property at 905 Maple Avenue to Create Three Record Lots in the R-60 Zone; RCG Development LLC, Applicant

RECOMMENDATION
(Include change in law or Policy if appropriate in this section): **Staff recommends approval of PLT2020-00586, for the reasons stated in this report.**



Overview

Case: PLT2020-00586

Location: 905 Maple Avenue
Rockville, MD 20850

Staff: Nicole Walters
Planning and Development Services
240-314-8215
nwalters@rockvillemd.gov

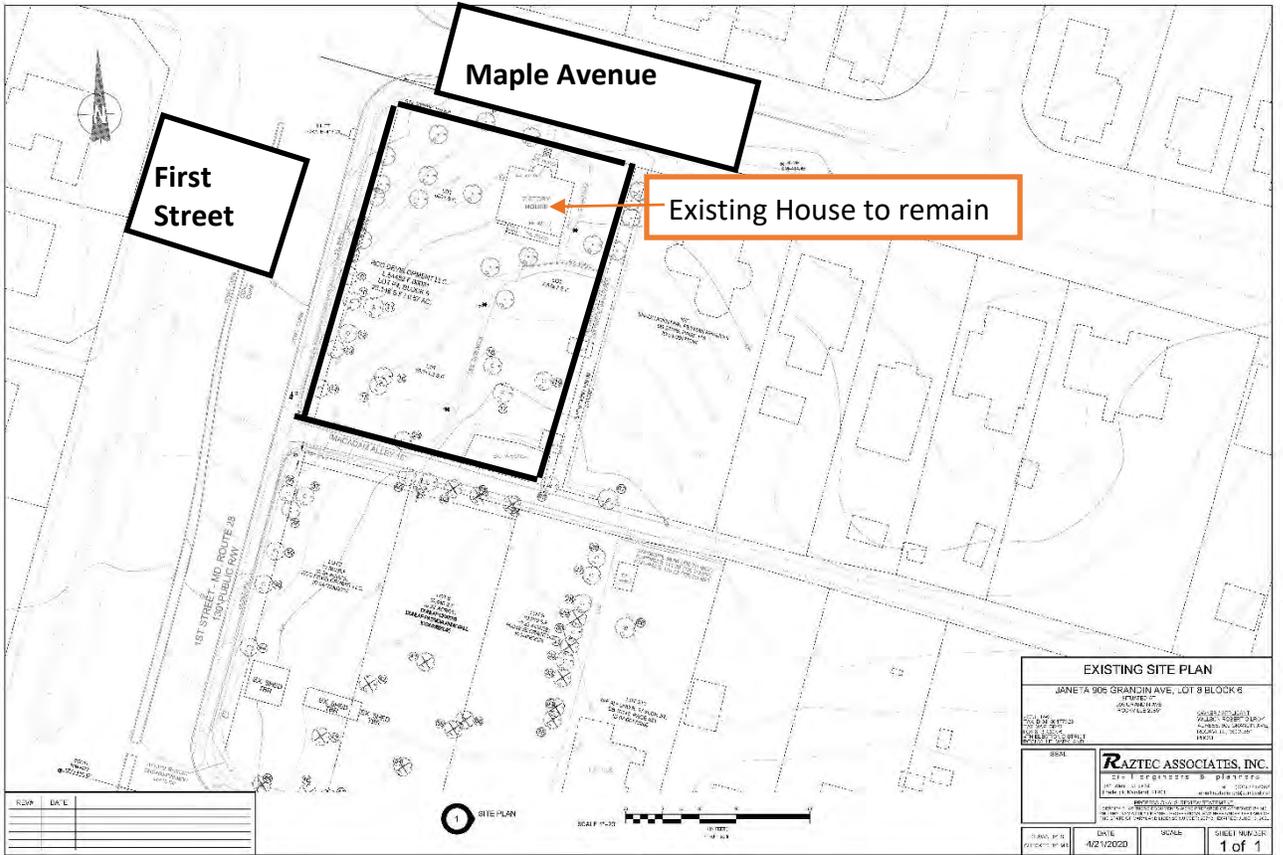
Applicant: Robert Gilroy
RCG Development LLC.
416 North Stonestreet Avenue
Rockville, Maryland 20850

Filing Date: February 20, 2020

Executive Summary: The applicant, Robert Gilroy proposes to resubdivide an existing 0.58 acre parcel into 3 new record lots in the Janeta subdivision. The property currently contains a single-family dwelling that will be retained as part of the resubdivision proposal.

Project Description & Background

The Property consists of Part of Lot P4 and Lot 5, Block 6 in the Janeta subdivision. The Janeta lots were created in 1887 and recorded as a plat shortly thereafter. The subject property was purchased by the current owner in 2019. The existing house is wood frame and approximately 2,160 square feet in floor area and will be retained on Lot 11.

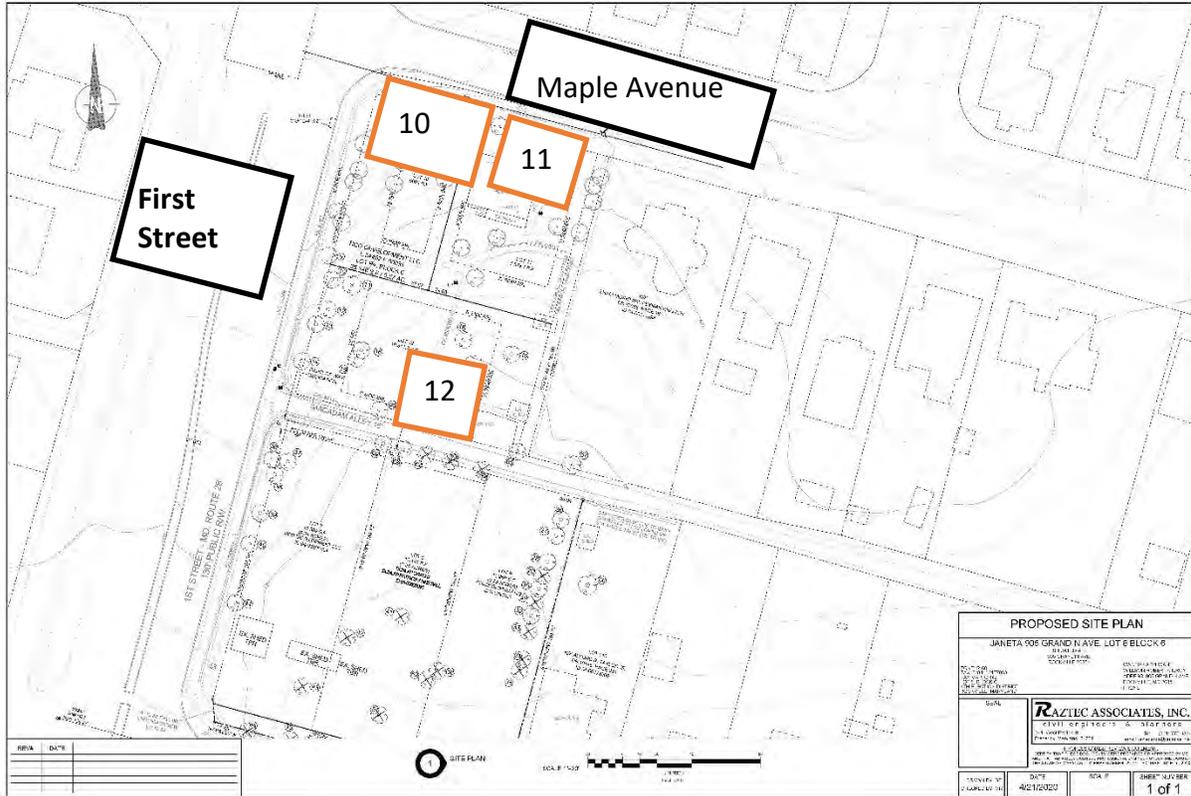


Existing Conditions

Project Proposal

Robert Gilroy (the “Applicant”) proposes to resubdivide the property into 3 lots. The new lots would be described as follows:

Lot	Lot Area	Lot Width	Description
10	7,146 sq. ft.	69.3 feet	The lot would be a corner lot fronting both Maple Avenue and First Street
11	7,146 sq. ft.	69.3 feet	The existing single-family dwelling will be retained, and the lot would front on Maple Avenue.
12	10,855 sq. ft.	77.6 feet	The lot would front First Street and border an alley for access.



Proposed Lot Subdivision

Site Description

- Master Plan Land Use: Detached Residential (High Density Over 4 Units Per Acre)
- Zoning District: R-60, Single Unit Detached Dwelling
- Existing Use: Detached Residential High Density (Over 4 Units Per Acre)
- Parcel Area: 25,147 Square feet or .58 acres (the "Property")
- Subdivision: Janeta
- Dwelling Units: Three (3) record lots proposed, with two new dwelling units

Project Vicinity

Surrounding Land Use and Zoning

	Zoning	Planned Land Use	Existing Use
North	R-60 Zone, Single Unit Detached Dwelling, Residential Zone	Density Residential (High Density Over 4 Units Per Acre)	Single Unit Detached Residential
East	R-60 Zone, Single Unit Detached Dwelling, Residential Zone	Density Residential (High Density Over 4 Units Per Acre)	Single Unit Detached Residential
South	R-60 Zone, Single Unit	Density Residential	Single Unit Detached

	Detached Dwelling, Residential Zone	(High Density Over 4 Units Per Acre)	Residential
West	R-60 Zone, Single Unit Detached Dwelling, Residential Zone	Density Residential (High Density Over 4 Units Per Acre)	Single Unit Detached Residential

Previous Related Actions

- BLD2019-23862- to construct a 22’ by 22’ detached garage at the rear of the property.

Project Analysis

Master Plan

The Property is located in Planning Area 8 in the Twinbrook neighborhood and is designated “Detached Residential (High Density Over 4 Units Per Acre)” on the Planned Land Use Map. The Comprehensive Master Plan makes no specific recommendations for this Property. The Twinbrook Neighborhood Plan recommends that the residential areas be maintained and that enhancements should advance “the residential character of the Twinbrook neighborhoods to ensure continued viability and sustainability.” The Janeta subdivision appears to be one of the earliest subdivisions in Planning Area 8 and contains some of the oldest houses in the planning area.

Adequate Public Facilities Standards (APFS)

Minor subdivisions, defined by the Zoning Ordinance as the division of land into not more than three (3) lots, are exempt from the requirements of the Adequate Public Facilities Ordinance (APFO) for school capacity and transportation requirements. Final adequacy of water and sewer will be determined at the building permit stage.

Forest and Tree Preservation

The properties that make up the plat are subject to the Forest and Tree Preservation Ordinance (FTPO). FTPO Section 10.5-11 requires that “... a person filing an application for a covered permit or approval shall submit a Forest Stand Delineation (FSD) and a Forest Conservation Plan (FCP) as part of, or in connection with, the application.” Exceptions are made for, among others, “single dwelling residential lots with construction or land disturbing activity *not involving subdivision...*” (emphasis added). Since this proposal involves a subdivision, a Forest Stand Delineation, which was submitted on August 21, 2020 and approved, and a Forest Conservation Plan are required. Staff has recommended a condition of approval in this report that the Applicant must receive approval of an FCP in coordination with sediment control and stormwater management to be provided for new construction. Staff has also recommended conditions of approval to ensure that the zoning requirement for trees per residential lot and street trees are provided. Existing trees to be retained may count toward this requirement.

Zoning Ordinance Compliance

The Property is located in the R-60, Single Unit Detached Dwelling, Residential Zone. The requirements for this proposed resubdivision are the following:

- **Section 25.10.02 – Zones Established** – Lots in the R-60 zone must have a minimum of 6,000 square feet in land area and be a minimum of 60 feet in width at the front setback line.
- **Section 25.21.22.b. – Resubdivision of Existing Lots** – “In any resubdivision of developed or undeveloped lots within an existing residential area, the plat must maintain, to the extent feasible, the average area and frontage of existing lots within 500 feet of the proposed resubdivision. This requirement supersedes the minimum lot size and frontage requirements of the applicable zone, except where the average lot size or frontage of the existing lot is smaller than the minimum requirements of the zone, in which case the minimum requirements of the zone apply.”

All of the proposed lots meet the minimum requirements regarding lot area and lot width in the R-60 Zone. However, two of the three proposed lots would be substandard in size pursuant to Section 25.21.22.b; more specifically, they fall below the average lot area of existing lots within 500 feet of the proposed resubdivision.

Community Outreach

Public Notification of the Final Record Plat was made pursuant to the requirements of Section 25.21.11.d (“Notice”). Mailed notification was provided by the Applicant to all residents and property owners within the required 750-foot radius. Per Section 25.21.11, all interested parties are given 15 days from the date of the applicable letter (September 8, 2020) to provide comments. Additionally, no posting of signs on the property was required.

At the time of the report, Staff has received the following written testimony (see Attachment 5). Written testimony from Robert and Penny Dixon Gumm (collectively, “Dixon”) expressed concerns with the proposal. Several submissions, dated March 17, 22, and 24 and September 10, 2020, raised issues of density, parking, and drainage, among others. Concerning density and parking, Dixon voiced concern that three new lots would exacerbate drainage issues and lead to greater on-street parking pressures. The Department of Public Works responded to several of Dixon's concerns relating to alley access, alley improvements, traffic, and drainage. Of particular note, drainage issues are a long-standing issue for some of the lots in the neighborhood, and DPW indicated designs are currently being created to address drainage issues arising from the alley between Grandin Avenue and Maple Avenue. However, DPW provided that the proposed lots are not located in the drainage area contributing to the drainage concerns experienced by nearby residents and would not exacerbate existing drainage issues. DPW further indicated that the Applicant will not be required to conduct alley improvements beyond those necessary to provide safe access to the proposed lots, and driveway access to the alley would be reviewed at the time of a future public works permit application. (See Attachment 6). The Department of Public Works will continue to work with the community on addressing these issues.

Written testimony was received from Lauren Milone (“Milone”) of 919 Maple Avenue on April 8, 2020. The testimony raised several concerns, including excessive use of the alley, lack of

notification, inappropriate lot configuration, and drainage. Concerning the use of the alley, staff notes that only one of the proposed lots would border the alley and any future single dwelling unit would have an on-site parking requirement. Notice has been provided to property owners of the Planning Commission hearing, including to Milone’s address, and no community meetings are required for Final Record Plat Applications. For drainage, the DPW analysis of the drainage issues discussed previously provided that the proposal would not exacerbate existing drainage issues. Concerning the lot configuration, staff addresses the compatibility of the proposed layout in the “Recommendation” section of this report. Staff also notes that the proposal is not a zoning change, but rather a Final Record Plat Application under existing zoning. Final record plats do not require pre-application meetings. The testimony further asked about the status of the existing home, which the Applicant proposes to retain, and the retention of trees on site, which the applicant will be required to submit a Forest Conservation Plan for the property prior to construction.

Recommendation

The key element for Planning Commission consideration is that any resubdivision “must maintain, to the extent feasible, the average area and frontage of existing lots within 500 feet of the proposed resubdivision” (Sec. 25.21.22.b). Staff finds that the application satisfies this standard as follows:

- R-60 Standards are satisfied
The proposed new lots all exceed the minimum lot standards of the R-60 zone, which calls for a minimum lot width of 60 feet¹ and a minimum lot area of 6,000 square feet. Lots 10 and 11 would each exceed the R-60 width standard by 9.3 feet, while Lot 12 would be 17.6 feet wider than required. Similarly, Lots 10 and 11 would each exceed the R-60 lot area standard by 1,146 square feet, and Lot 12 would be 4,855 square feet larger than the minimum required.
- Comparison to average of lots within 500 feet
The Applicant’s assessment of lots within 500 feet of the property shows that the average lot frontage is 63.2 feet (3.2 feet greater than the minimum lot width in the zone), and the average lot area is 9,268 square feet.² As such, the lots satisfy the lot frontage standard, but 2 of the lots (Lots 10 and 11) fall short of the average lot area of existing lots within 500 feet. The overall Property is too small, by 2,657 square feet, to accommodate 3 lots compliant to the lot area average regardless of configuration. See Attachment 7.

Proposed Lot	Lot Area	Average Lot Area within 500 Feet	Deviation
10	7,146 sq. ft.	9,268 sq. ft.	-2,122 square feet (or 22.9%

¹ The standard is “width at front setback line.”
² Note that the numbers have been revised since the original submission, now incorporating corrections and additional lots.

			deficient)
11	7,146 sq. ft.	9,268 sq. ft.	-2,122 square feet (or 22.9% deficient)
12	10,855 sq. ft.	9,268 sq. ft.	+1,587 square feet (or 17.1% surplus)
Total	25,147 sq. ft.	27,804 sq. ft.	-2,657 square feet (or 10.74% deficient)

Nonetheless, a deeper analysis of the 68 residential lots within 500 feet of the subject property is revealing. As a starting point, the subject property is exceptionally large for the area. At 25,147 square feet, it is nearly 6,900 square feet larger than the next largest residential lot within 500 feet. This unique size has the following consequences:

- Dividing the Property into two new lots of equal size (12,574 square feet) would create lots that are exceedingly large for the area. More specifically, a 2-lot subdivision would create lots that are larger than 93% of the existing lots within 500 feet. Such lot sizes, although conceivable, would be inconsistent with the average lot size within 500 feet.
- Dividing the Property into 3 lots, as proposed, would create lots more in character with the lot area of existing lots within 500 feet. Lots 10 and 11, proposed at 7,146 square feet each, would be roughly larger than a quarter of the existing lots within 500 feet, and Lot 12 at 10,855 square feet would exceed the 75% percentile of existing lots within 500 feet. In other words, the 3 new lots would span in size between roughly around the first and third quartile of sizes based on the survey of the surrounding properties. A three-lot subdivision is the design that allows it to most closely adhere to the average lot size within 500 feet compared to a two-lot design.

Quartile	Result (sq. ft. of lot area of residential lots within 500 feet)	Notes
0	4,935	Min Value
1	7,229	25th Percentile
2	9,000	50th Percentile
3	10,752	75th Percentile
4	18,260	Max value

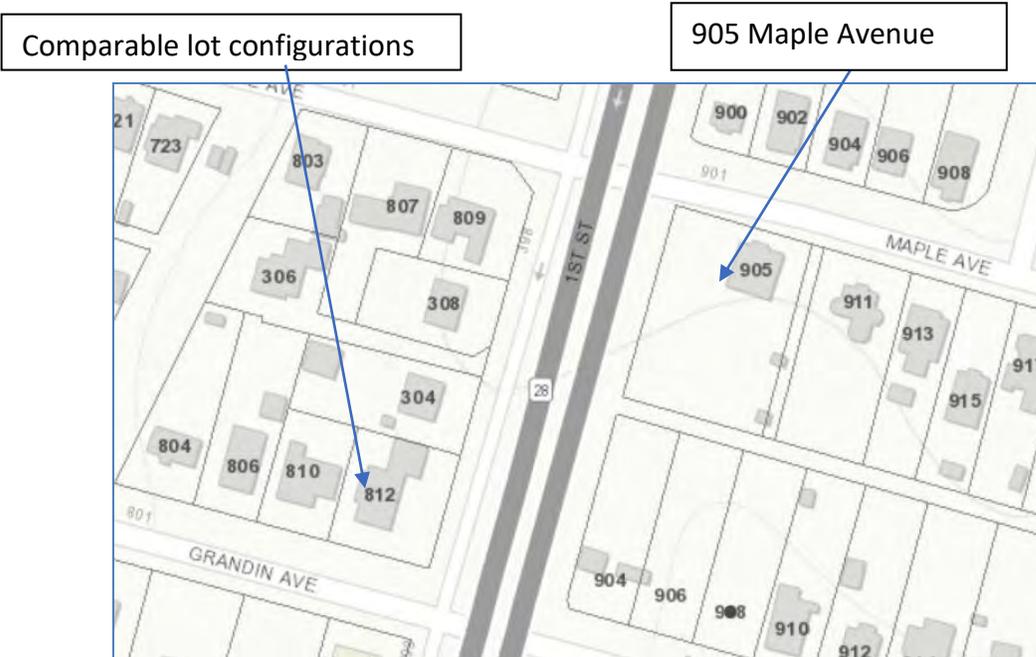
*Note: 3 equally sized lots would measure 8,382 square feet.

- Property to the south granted resubdivision waiver
In September 2017, the Planning Commission approved a resubdivision (PLT2018-00562) at 908 Grandin Avenue, which is located immediately across the alley to the south of the

property, for three lots. Each of the lots measured less in width relative to the average lot width within 500 feet, with one that also fell below the minimum R-60 width requirement.

- Proposed lot layout is not inconsistent

The proposed lot configuration orients the deepest lot fronting and perpendicular to First Street, with shallower lots fronting Maple Avenue. This lot design would differ from the lot configuration of the resubdivision at 908 Grandin Avenue (PLT2018-00562) to the south, where the 3 lots front Grandin Avenue, or the lots to the east along Maple Avenue, where the lots extend from Maple Avenue to a rear alley. However, along First Street, there are other comparable lot configurations similar to the proposal. Most specifically, similar layouts can be found southwest of the Property across First Street (MD 28), with the deeper lot at 304 First Street and shallower lots at 810 and 812 Grandin Avenue, as well to the west of the property at 308 First Street and 807 and 809 Maple Avenue.



STAFF CONCLUSION AND RECOMMENDATION:

Based on the above, staff recommends approval of PLT2020-00586 for the proposal to subdivide the property into 3 lots, based on the finding that the subdivision meets, to the extent feasible, the average of the lot areas and lot widths of properties within 500 feet of the subject property, subject to the conditions listed below.

Conditions

Approval is recommended, subject to compliance with the following conditions of approval:

1. Prior to recordation by the City, the Applicant must revise the plat to reflect any modifications/additions identified by the Planning Commission.
2. In coordination with sediment control and stormwater management for new construction, the Applicant must submit for review and receive approval of a Final Forest Conservation

Plan (FCP) for each lot. Approval of this resubdivision is conditioned on compliance with the approved FCP.

3. Each record lot must include one tree in the front yard and two trees in the rear yard, in accordance with Section 25.21.21.b of the Zoning Ordinance. In addition, street trees must be provided in accordance with Section 25.21.21.a. Existing trees to be preserved may count toward both of these requirements.
4. The Applicant must submit the Final Record Plat in an appropriate electronic format as specified in Section 25.21.10.d of the Zoning Ordinance.

Attachments

Attachment 1.A.a:	Planning Commission Exhibit A	(PDF)
Attachment 1.A.b:	Aerial Map	(PDF)
Attachment 1.A.c:	Land Use Map	(PDF)
Attachment 1.A.d:	Zoning Map	(PDF)
Attachment 1.A.e:	Applicant's submission packet	(PDF)
Attachment 1.A.f:	Public Testimony	(PDF)
Attachment 1.A.g:	Staff Response to Mr. Dixon's public testimony	(PDF)
Attachment 1.A.h:	500' Analysis Area by applicant	(PDF)

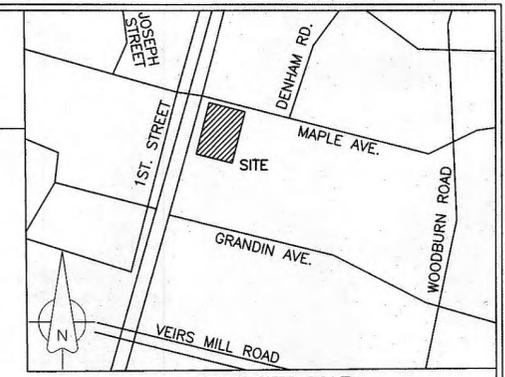
Willson SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF THE LAND CONVEYED FROM RCG DEVELOPMENT LLC TO ROBERT WILSON GILROY BY A DEED DATED DECEMBER 19, 2018 AND RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN DEED BOOK 57156, PAGE 23.

I HEREBY CERTIFY THAT ALL IRON PIPES SHOWN THUS WILL BE PLACED AS INDICATED TO THE APPROVED FINISH GRADE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 25.21.25 OF THE ROCKVILLE CITY CODE. THE TOTAL AREA INCLUDED IN THIS PLAT IS 25,147 SQUARE FEET OR 0.5773 ACRES OF LAND.

DATE _____
MITCHELL E. GOODE
PROPERTY LINE SURVEYOR
MARYLAND REG. NO. 444
LICENSE EXPIRATION DATE: 12\10\2020

PLAT NO. _____



OWNER'S CERTIFICATE

WE, THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAT OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND GRANT THE PUBLIC UTILITY EASEMENT (P.U.E.) TO THE PARTIES NAMED IN THE DOCUMENT ENTITLED "DECLARATION OF TERMS AND CONDITIONS OF PUBLIC UTILITY EASEMENT" AS RECORDED IN LIBER 4834 AT FOLIO 457 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND AND THAT, AS OWNERS OF THE PROPERTY, WE, OUR SUCCESSORS AND ASSIGNS WILL CAUSE ALL PROPERTY CORNERS AS SHOWN TO BE SET BY ENGAGING A LICENSED MARYLAND LAND SURVEYOR.

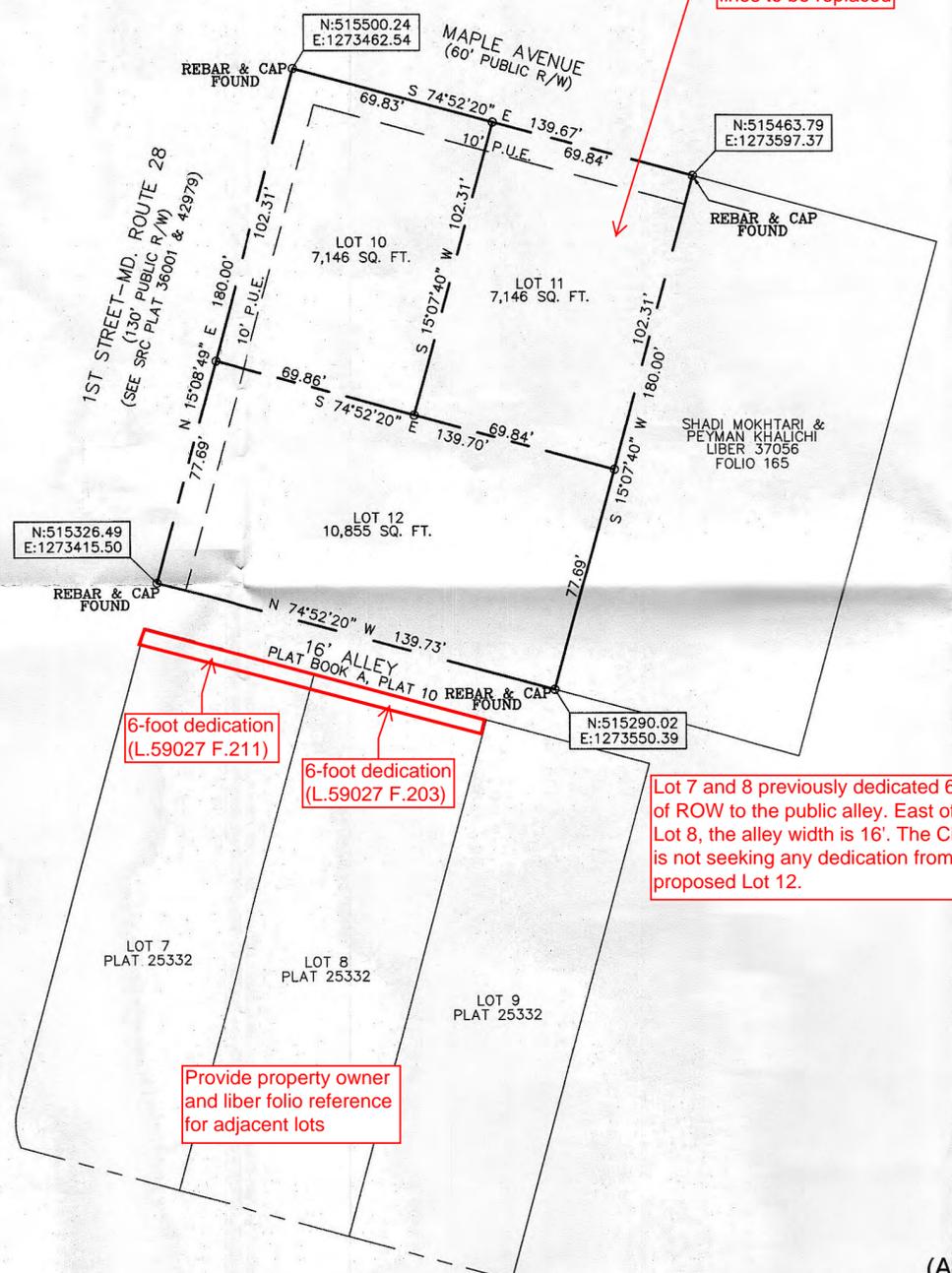
THERE ARE NO SUITS, LIENS OR LEASES, MORTGAGES OR TRUST AFFECTING THE PROPERTY SHOWN HEREON, EXCEPT AS SHOWN BELOW, AND ALL PARTIES IN INTEREST THERETO HAVE BELOW INDICATED THEIR ASSENT.

DEED OF TRUST DATED DECEMBER 19, 2018 AND RECORDED IN DEED BOOK 57156 AT PAGE 31.

WITNESS DATE ROBERT WILSON GILROY
Willson

WE HEREBY ASSENT TO THIS PLAT OF SUBDIVISION QUICKEN LOANS INC.

WITNESS DATE ALEXIS ALAN TRUSTEE



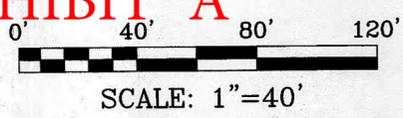
Liber 3834

NOTE
1. THIS PROPERTY IS ZONED R-60, AND WILL BE DEVELOPED WITH SINGLE FAMILY RESIDENTIAL DWELLINGS.

THE CITY OF ROCKVILLE PLANNING COMMISSION
ROCKVILLE, MARYLAND
APPROVED: _____
WITHOUT COMMITMENT AS TO INSTALLATION OF SEWER, WATER AND STREETS
CHAIR CITY MANAGER

RECORDED: _____
PLAT NO. _____

PLT2020-00586
PLANNING COMMISSION
EXHIBIT "A"

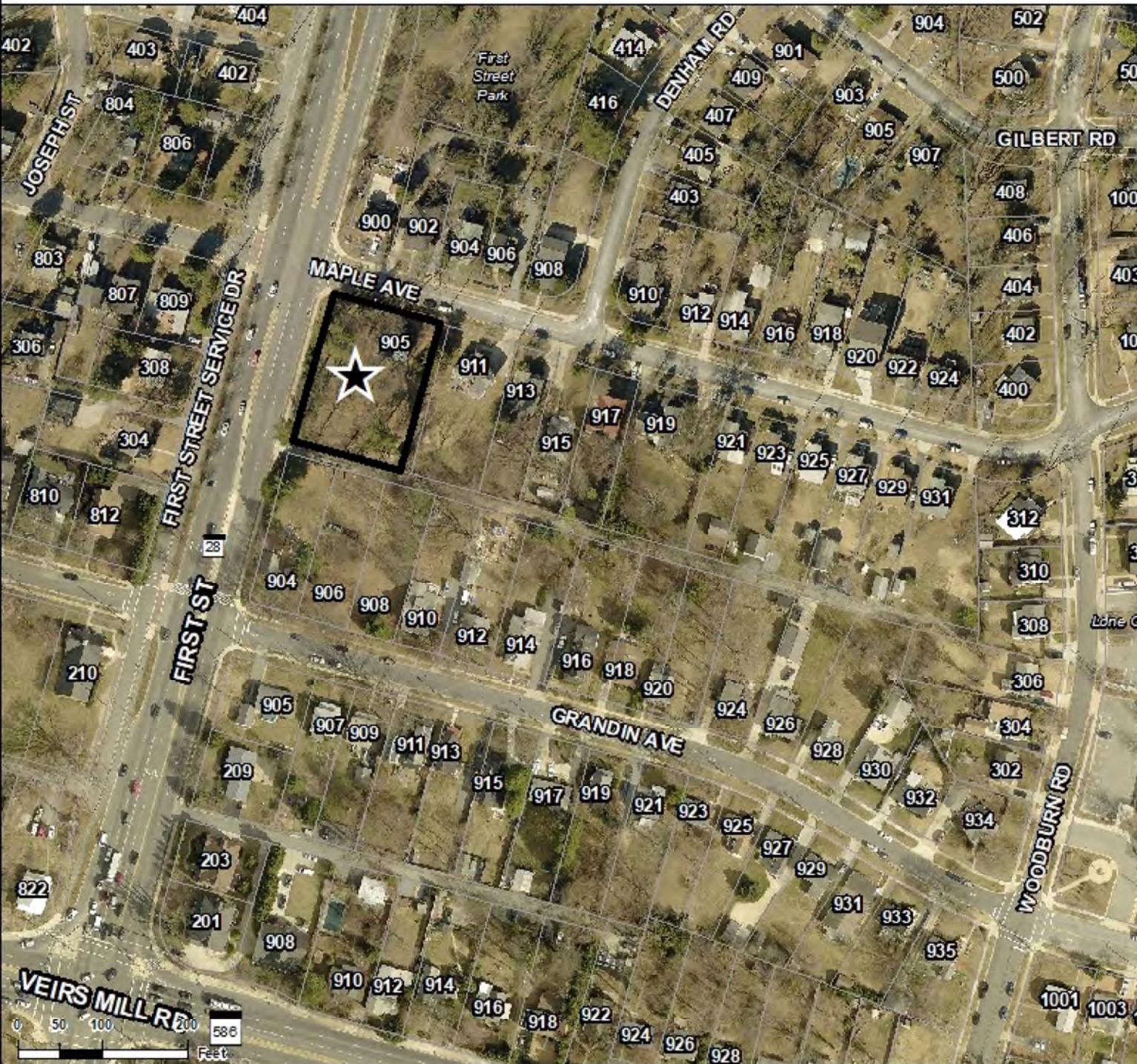


PLAT OF SUBDIVISION
JANETA
LOT 10,11,12, BLOCK 6
(A RESUBDIVISION OF LOTS 4 & 5)
CITY OF ROCKVILLE, FOURTH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1"=40' FEBRUARY, 2020

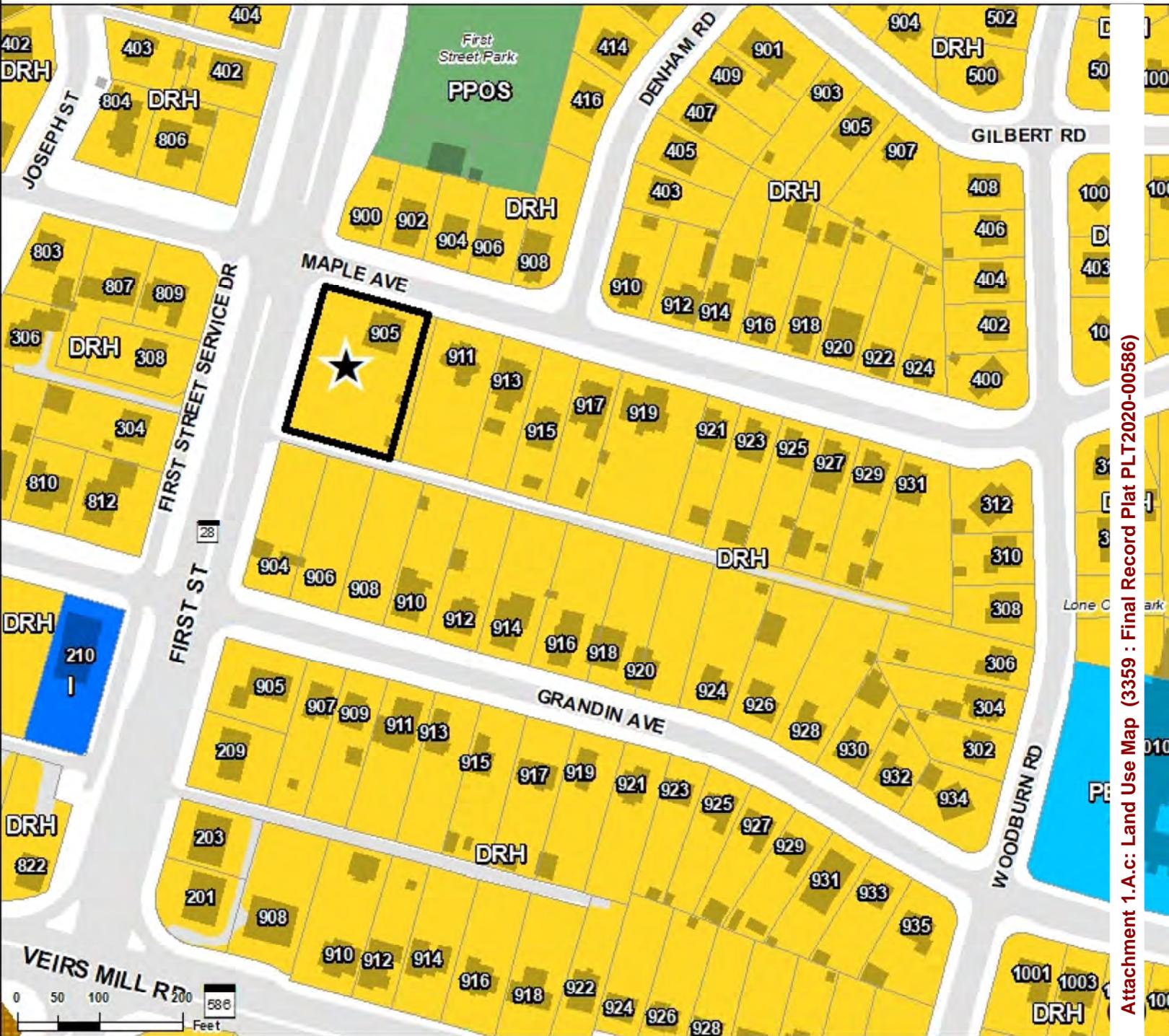
GOODE SURVEYS, LLC
P.O. BOX 599
DAMASCUS, MD 20872
PHONE: (301)368-3700
FAX: (301)368-3703

Planning & Development Services Dept.
Received
FEB 20 2020

Attachment 1.A.a: Planning Commission Exhibit A (3359 : Final Record Plat PLT2020-00586)

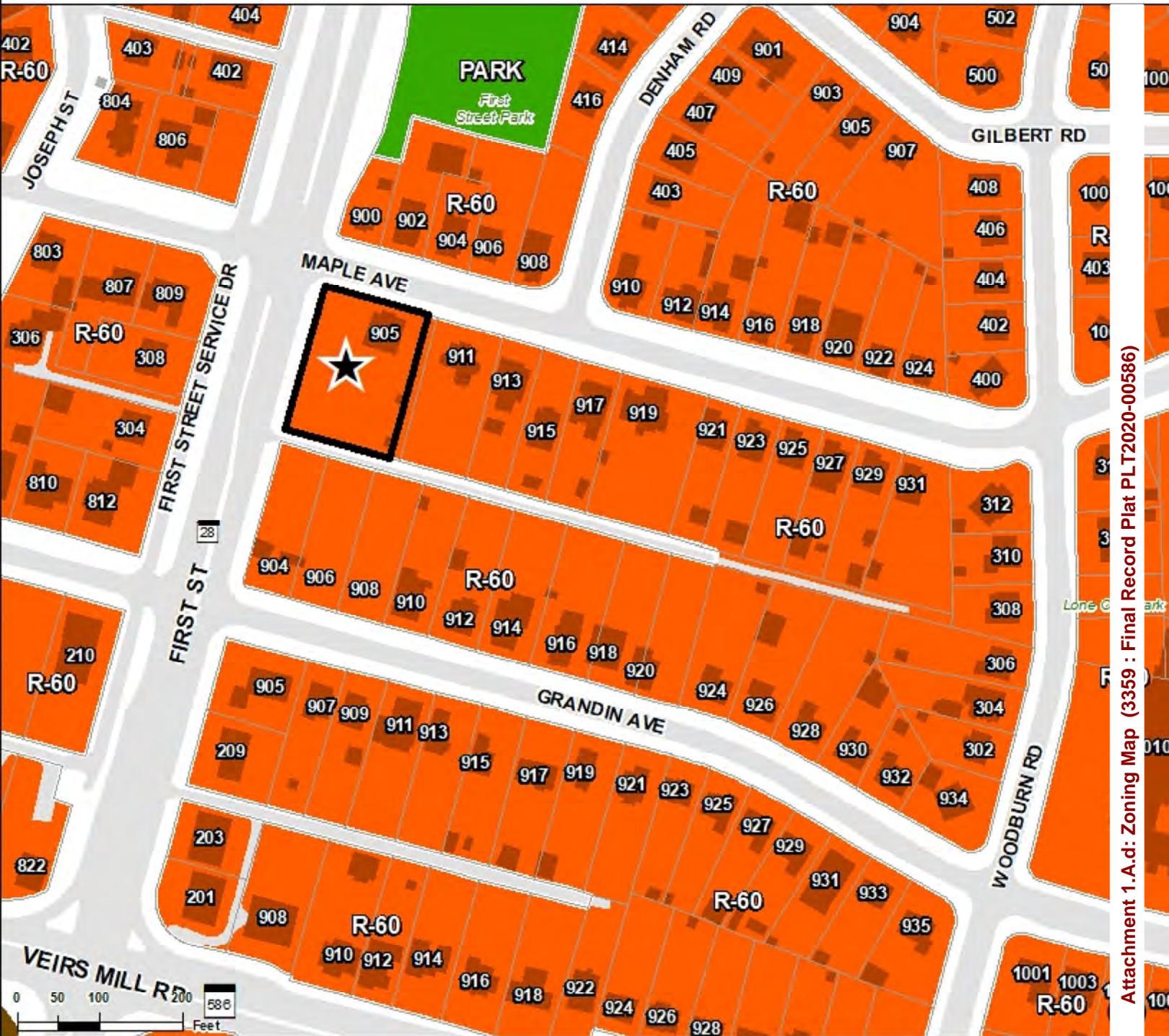


Attachment 1.A.b: Aerial Map (3359 : Final Record Plat PLT2020-00586)



Attachment 1.A.c: Land Use Map (3359 : Final Record Plat PLT2020-00586)

Master Plan Land Uses					
	DRL - Detached Residential (Low Density)		PRMF - Preferred Residential - Multi-family		PRCA - Private Recreational and Conservation Area
	DRM - Detached Residential (Medium Density)		PC - Preferred Commercial		POS - Private Open Space
	DRH - Detached Residential (High Density)		POLW - Preferred Office/Live Work Space		PPOS - Public Park and Open Space
	GA - Garden Apartments		PO - Preferred Office		RPCMUD - Rockville Pike Corridor Mixed-Use Development
	AR - Attached Residential		MUPO - Mixed-Use Preferred Office		RP-N - Rockville Pike Neighborhood
	HRA - High Rise Apartments		MUPR - Mixed-Use Preferred Residential		RP-CD - Rockville Pike Corridor
	NC - Neighborhood Commercial		MR - Mixed Residential		RP-CE - Rockville Pike Center
	GC - General Commercial		MUC - Mixed Use Commercial		RP-CR - Rockville Pike Core
	EC - Entertainment Corridor		MUD - Mixed Use Development		CPD - Comprehensive Planned Development
	PRSF - Preferred Residential - Single-family Detached		MUI - Mixed Use Industrial		RIOP - Restricted Industrial / Office Park
	PRSFA - Preferred Residential - Single-family Attached		PBF - Public Buildings and Facilities		SI - Service Industrial
	PRSFAD - Preferred Residential - Single-family Attach/Detach		PI - Public and Institutional		RRW - Rail Right-of-Way
			I - Institutional		



Attachment 1.A.d: Zoning Map (3359 : Final Record Plat PLT2020-00586)

Zoning Overlays		Zoning Districts	
	Town Center Performance District		R-400 - Residential Estate
	South Pike		R-200 - Suburban Residential
	Rockville Pike Core		R-150 - Low Density Residential
	Twinbrook Metro Performance District		R-90 - Single Unit Detached Dwelling, Restricted Residential
	Lincoln Park Conservation District		R-75 - Single Unit Detached Dwelling, Residential
	Planned Developments		R-60 - Single Unit Detached Dwelling, Residential
	Residential Clusters		R-40 - Single Unit Semi-detached Dwelling, Residential
	Local Historic Districts		RMD-10 - Residential Medium Density
	Special Exceptions		RMD-15 - Residential Medium Density
			RMD-25 - Residential Medium Density
			MX B - Mixed-Use Business
			MX C - Mixed-Use Commercial
			MX CT - Mixed-Use Corridor Transition
			MX CD - Mixed-Use Corridor District
			MX E - Mixed-Use Employment
			MX NC - Mixed-Use Neighborhood Commercial
			MX T - Mixed-Use Transition
			MX TD - Mixed-Use Transit District
			PARK - Park Zone
			IL - Light Industrial
			PD - Planned Development



Application for

Subdivision Plan

ATTACHMENT 4

Planning & Development Services Dept.
Received

1.A.e
PLT
2/09

FEB 20 2020

City of Rockville

Department of Planning and Development Services

111 Maryland Avenue, Rockville, Maryland 20850

Phone: 240-314-8200 • Fax: 240-314-8210 • E-mail: pds@rockvillemd.gov • Web site:

www.rockvillemd.gov

Type of Application Minor Subdivision

Preliminary Plan _____ Ownership Plat _____ Final Record Plat ^x _____ Cluster Development _____

Please Print Clearly or Type

Property Address Information 905 MAPLE AVE, ROCKVILLE, 20851

Property Size (square feet) 25,146 Lot (S) P4

Zoning R-60 Tax Account (S) 04, 00177923

Proposed Subdivision JANETA Lot 10,11,12 Block 6

Applicant Information:

Please supply Name, Address, Phone Number and E-mail Address

Applicant RCG DEVELOPMENT LLC, (240)428-1355 rob@rcghomes.com

416 N. STONE STREET AVE, ROCKVILLE, MD 20850

Property Owner RCG DEVELOPMENT LLC, (240)428-1355 rob@rcghomes.com

416 N. STONE STREET AVE, ROCKVILLE, MD 20850

Architect _____

Engineer Raztec Associates, Inc. c/o - Mike Razavi (301) 775-4394

341 West Patrick St. Frederick, Maryland 21701- email:mike@raztecengineers.net

Attorney _____

STAFF USE ONLY

Application Acceptance:

Application # PLT 2020-00586

Date Accepted _____

Staff Contact _____

Application Intake:

OR Date Received 2/20/2020

Reviewed by _____

Date of Checklist Review _____

Deemed Complete: Yes No

Attachment 1.A.e: Applicant's submission packet (3359 : Final Record Plat PLT2020-00586)

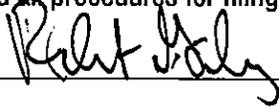
Project Identification _____

Application is hereby made with the City of Rockville Planning Commission for appeal of a Subdivision Plan for the property described on page 1.

A letter of authorization from the owner must be submitted if this application is filed by anyone other than the owner.

I hereby certify that I have the authority to make this application, that the application is complete and correct and that I have read and understood all procedures for filing this application.

Please sign here _____



Comments on Submittal: (For Staff Use Only):

Attachment 1.A.e: Applicant's submission packet (3359 : Final Record Plat PLT2020-00586)

Attached, hereto and made a part of this application, I submit the necessary plans, specifications and other data or explanatory material as required by the Subdivision Regulation (Chapter 25, Article XV). All applications must include the original mylar and six (6) prints, showing the following:

- 1. Surveyor's Certificate**
 - a. Show all recordation of conveyance with dates.
 - b. Establish pipes and monuments.
 - c. Give area of street dedication in square feet and acreage.
 - d. Plan is certified correct and is sealed by a Maryland registered surveyor.

- 2. Owner's Dedication**
 - a. Owner adopts plan of subdivision.
 - b. Dedicate all streets to public use and/or to public use and private maintenance.
 - c. Grant land as shown on the subdivision plan to proper HOA entity, Mayor and Council, etc.
 - d. Establish minimum building restriction lines.
 - e. All necessary easements to be established by plat including PUE's, (with PUE recordation information), grading and slope easements, sidewalk/bike path/pedestrian easements, utility easements, ingress/egress easements, etc.

- Note:** SWM easements to be shown on subdivision plan and locations verified with maintenance agreement location sketch. Forest Conservation easements are also established by a separate document but location should be shown on plat.

- 3. Easements and Rights of Way**
 - a. Show all existing easements.
 - b. Abandon all unnecessary easements, rights of way by separate document, and reference on plat.
 - c. Locations of new utilities or other public improvements outside of rights-of-way match locations of new easements being established or shown as future/recorded on plat.
 - d. Establish 10 PEUs along all public roadways.

- 4. Datum and North Arrow**
 - a. Datum to be NAD 83/91 for new subdivisions, WSSC, original plat datum or other approved datum.
 - b. North Arrow is shown on plat with datum and scale (maximum scale is 1" = 100').
 - c. Show three (3) property corner coordinate values per plat.
 - d. Minimum of two (2) monuments per block.

- 5. Adjacent Parcels**
 - a. Show all adjacent plat/deed and owner information.

- 6. General Plat Information**
 - a. Show all proposed or previously dedicated street names, and right-of-way widths. Give recordation information if applicable.
 - b. Show all curve and line data.
 - c. Show all lot numbers, blocks, and lot areas.
 - d. Show all parcel letters, blocks, and parcel areas.
 - e. All information shown on title block is correct and consistent with any predetermined subdivision name.
 - f. Certification block for Planning Commission and City Manager.

- 7. Plat of Corrections**
 - a. For correction plats, all previous information to be corrected should be clearly identified as such (with the use of dashed lines, stippled numbers, etc.), and all new information to be established uses heavier line weights or other methods to clarify its intent.
 - b. Final plat to be accompanied by digital submission (DWG or DXF format).

Attachment 1.A.e: Applicant's submission packet (3359 : Final Record Plat PLT2020-00586)

From: [Bob Dixon-Gumm](#)
To: [Nicole Walters](#)
Subject: Re: Raztec 900 Block Maple Avenue Proposal
Date: Thursday, September 10, 2020 9:28:14 PM

Dear Ms. Walters,

We have received a packet from Raztec Associates for their proposed Maple Avenue subdivision.

We have several concerns. First, there needs to be off-street parking for two cars on each lot. The entrance to Maple Avenue from First Street is too often congested, with landscape trailers and trucks creating a single lane passage. This presents a hazard to automobiles attempting to enter onto Maple Avenue. Additionally, the defacto subdivision of homes near the intersection will likely bring more congestion as time moves on.

Our second concern is the increased density of the community. Even a casual glance at the plan and the existing property would suggest that the developer is attempting to add as many little boxes onto the lot as possible.

Thank you for your assistance in this matter.

Sincerely,

Robert and Penny Dixon Gumm

On Thu, Apr 2, 2020, 3:00 PM Nicole Walters <nwalters@rockvillemd.gov> wrote:

Mr. Dixon-Gumm,

Over the last several weeks you have provide comments/concerns in reference to the above subdivision proposal. Many of the comments were under the purview of the Department of Public Works. As we move forward with review of this subdivision proposal we wanted to provide you a response to some of your concerns prior to the Planning Commission review of this application.

I am working with the applicant on obtaining some additional information to allow me to complete my review of the subdivision proposal. Those findings will be included in the final staff report. Once it is made available to the public I will send you the link. The Planning Commission hearing is now tentatively scheduled for May 27th. If anything changes I will let you know.

Hope all is well with you and your family.

Ignoring this critical safety issue not only puts residents who use the alley at risk, it also puts pedestrians, bicyclist, and vehicular traffic along Route 28 at risk. How many more garages on the Gilroy properties will the city permit? Why no house frontage driveways for consistency with the rest of the block? Why is this traffic burden being put on an unmaintained alley? Why haven't the retaining wall obstructions been addressed or the alley entrance widening been fixed?

Integrity of the Developer

When I met with Rob Gilroy regarding plans for the Grandin and Maple Ave. property he provided me a tour of the house built in 1898 and assured me that he would be renovating the house and that his son would be living in the home. Has that plan changed? Is the historic home being demolished? How can three houses fit on this property without demolishing the existing home? Has the City Historian been consulted with regards to the house demolition? What trees would be removed to accommodate this proposed development? With leaf scorch disease decimating the neighborhood trees what does the city arborist conclude are the impacts of additional tree loss?

Fairness

The developer obtained a zoning change for the Grandin Ave. property allowing three houses to be built with one house frontage reoriented from Route 28 to Grandin Ave. Now it appears the developer wants to do the opposite on the Maple Ave. portion of the property to squeeze in a third single family house only accessible via the alley and no street parking. How is the developer now justifying the opposite zoning change?

Additionally, allowing house to be built on the back of the property is not in keeping with all the other houses in the 900 blocks of Grandin and Maple Aves. and creates an inequity issue with the other property owners. If the city grants the developer this approval then it should extend that approval to all the property owners in the 900 block with property on the Grandin-Maple alley to build housing on the back of their lots too. Otherwise the developer's exception request should be denied.

Finally, the Grandin Ave. development over the last dozen years has caused damage and degradation of my property. In the 900 block of Grandin Ave. the city has permitted: 1) three new houses to be built with four new alley garages, 2) a second accessory building at 912, and 3) the construction and paving of driveways at 913, 915, 916, 917 and 919 all of which has caused chronic and significant flooding of my property and the degradation of western side of my property from a grassed and treed area to that of a perpetual wetland with overwatered dead trees. Additionally the city has also taken no action to rectify the earthen damns constructed along the back and eastern side of 917 Maple Ave. to divert the increased flooding onto my property. Two city engineers have inspected and acknowledged this violation yet taken no action to require its removal.

I request that this zoning request be tabled and until information about the developer's plans is adequately shared with the residents, the unsafe alley entrance is corrected, the drainage issues can be addressed, and the alley paving and maintenance issues are resolved.

Sincerely,

Lauren Milone

Nicole Walters

Development Services Supervisor

Planning and Development Services

nwalters@rockvillemd.gov

City of Rockville

111 Maryland Avenue

Rockville, Maryland 20850

240-314-8215 (direct)

240-314-8200 (CPDS main)

www.rockvillemd.gov



From: Bob Dixon-Gumm <drophatsausage@gmail.com>
Sent: Tuesday, March 24, 2020 1:53 PM
To: Nicole Walters <nwalters@rockvillemd.gov>
Cc: Penny Dixon Gumm <radiopenny@gmail.com>; Nansel@comcast.net;
tonja.nansel@gmail.com; Bonnie Willis <bonniewillis42@gmail.com>
Subject: Re: Raztec 900 Block Maple Avenue Proposal

Ms. Walters,

They looked at it six years ago, but their pre-study conclusion was that a culvert should be placed between either 915 and 917 or 917 and 919 Maple. The resident at 915 Maple didn't respond and the property owners at 917 and 919 refused to allow this, for, on a small scale, it would interfere with existing residential drainage systems and result in the destruction of existing structures and fences. In fact, both home owners would at the time only agree with the idea if the City were to purchase the needed land through eminent domain.

On a larger scale, the plan -- placing a storm grate in the alley -- simply would not work. It may have seemed a quick fix and appeared plausible on paper, but in reality would have

been completely ineffective. According to surveyors who looked at the neighborhood during a pre-study, a very large tract of land drains into the alley. Rainwater often cascades over the sidewalk on Grandin Avenue at the point where the speed indicator is located, scouring the backyard of Mr. and Mrs. Green, and picking up debris -- trash, toys, leaves, and wood -- as well as topsoil from adjoining properties. With current and projected extreme weather conditions, the accumulation of debris would result in the drain being frequently blocked. Since the homeowners along the alley would not be required to maintain and the City would in short time become inattentive to the grate, flooding would undoubtedly persist.

Two ideas have been discussed by the affected landowners: first, that the alley be paved with a permeable surface or simply left alone, and; second, that the City needs to construct storm drains on Maple and Grandin Avenues.

One other thought that is being shared between neighbors is that the builder, who has allowed the Hunter property to fall into disrepair, is only interested in making as much money as they can at the expense of the neighborhood.

I thank you for your continued attention to our concern.

Sincerely,

Robert Dixon

On Tue, Mar 24, 2020, 9:02 AM Nicole Walters <nwalters@rockvillemd.gov> wrote:

Mr. Dixon,

I am working with the Department of Public Works on your concerns.

Thank you,

Nicole

From: Bob Dixon-Gumm <drophatsausage@gmail.com>
Sent: Sunday, March 22, 2020 6:31 PM
To: Nicole Walters <nwalters@rockvillemd.gov>
Cc: Vicki Dorsey <vickid7@verizon.net>; Penny Dixon Gumm <radiopenny@gmail.com>; Bonnie Willis <bonniewillis42@gmail.com>; Nansel@comcast.net; tonja.nansel@gmail.com
Subject: Raztec 900 Block Maple Avenue Proposal

Dear Ms Walters,

Thank you for your reply.

I have been informed by neighbors that the Raztec builder has asked residents to press the city on the matter of "fixing the alley."

Beside undermining the planning normal processes that are intended to be transparent, the builder assumes that putting a layer of macadam might be for everyone's benefit and not merely his own.

As I mentioned in my previous email, there is an issue concerning drainage in the 900 blocks of Maple and Grandin. There are no storm drains on either street. The net result is that rainwater courses along the alley, through 915 - 921 Maple Ave, where it meets up with rainwater flowing down the 900 block of Maple. From there it gains volume and momentum as it flows to the nearest practical storm drain at the corner of Denham and Gilbert. There it is joined by water from the park between Denham and First Street. The park runoff, which includes drainage from the Hunter property and homes facing south between Maple and Denham, runs by easement through a private property and causes periodic flooding there. The easement culvert, like any other, is only good so long as it is maintained. Unfortunately, it is too often overlooked.

To date there has been much property damage along the outflow of water originating on the corners of Woodburn and Grandin/Maple. At present, two sump pumps run constantly at the home located at the north corner of Denham and Gilbert.

There is one other issue concerning the alley way. It is a dump. Literally. In the 1940's and 1950's it was common practice for neighbors to dispose of garbage by burning and

burying it there. Additionally, several farm out-buildings were demolished and buried there. One of the buildings was clad with concrete/asbestos siding. Bits of that siding continue to surface along the alley.

In addition to the asbestos hazard, there is a concern regarding the flow of herbicides, pesticides, and animal waste along the watercourse in question.

Would the builder be willing to assume the burden of clearing the alley and installing permeable pavement and rain gardens?

I thank you for your attention to this correspondence.

Sincerely,

Robert Dixon

Xx

On Wed, Mar 18, 2020, 10:56 AM Nicole Walters <nwalters@rockvillemd.gov> wrote:

Mr. Dixon,

Thank you for providing comment in reference to Final Record Plat Application PLT2020-00586. Your comments/concerns will be included in the staff report. This application is scheduled to be reviewed by the Planning Commission on April 8th. With the COVID-19 Pandemic shutting things down, this date is likely to change. I will keep you posted and I will share a copy of the staff report when it is ready for public view.

The process requires the applicant to provide a 15-day comment period on the project.

I have copied the link to the Final Record Plat Approval procedures.

<https://www.rockvillemd.gov/DocumentCenter/View/9675/Zoning-Ordinance---Article-21?bidId=> Final record plat approval procedures

Please do not hesitate to contact me if you have any questions and or additional concerns.

Nicole Walters

Senior Planner

Planning and Development Services, 2nd floor

111 Maryland Avenue

Rockville, Maryland 20850

240-314-8215 (direct)

240-314-8200 (CPDS main)

www.rockvillemd.gov

From: Bob Dixon-Gumm <drophatsausage@gmail.com>
Sent: Tuesday, March 17, 2020 11:48 PM
To: Nicole Walters <nwalters@rockvillemd.gov>
Cc: Penny Dixon Gumm <radiopenny@gmail.com>; Bonnie Willis <bonniewillis42@gmail.com>
Subject: Raztec Proposal

Dear Ms. Walters,

By way of introduction, I am Robert Dixon Gumm and I am a property owner in the 900 Block of Maple.

I have some concerns regarding the Raztec proposal for the Hunter property. First, the Citizens Guide to Development mentions that the first step in the proposal process is to notify the residents. Until we received the March 13 letter from Mike Razavi, we were not made aware of their intentions. It seems to many of us that the developer has not

made a determined effort to notify the residents.

Our second concern involves the size and configuration of the lots. The Hunter property lends itself to being divided into two lots with access to Maple Avenue. To tuck a third property behind two fronting the street raises some issues. First, the alley between Maple and Grandin is an alley and not a street. To place a property there would not conform to USPS routes and would make it difficult for emergency services to respond, given the narrowness and steep grade of the alley. Additionally, attempting to improve the alley in any usual way would result in significant property damage to five homes, 913 through 921 Maple, which are situated in a low elevation through which the runoff of approximately 16 acres must drain. The drainage problems would be further carried onto properties located on Denham Road.

That there has been significant flooding on Maple and Denham has been documented and discussed at great length with the city. At present there are no storm drains in the 900 block of Grandin, nor are there any in the alley. We have been informed that no drainage can be carried onto First Street as that is a state road. The result of heavy rainfall is basement flooding among properties on Maple, as well as scouring of topsoil from properties on the northern side of 900 Grandin.

Yet another issue is congestion on Maple. Although we have been zoned as single family occupancy, many homes have been divided along Maple, Denham, and Woodburn. This is reflected by ever increasing on street parking. Such an increase, coupled with the use of Maple and Grandin as shortcuts during peak traffic density on Viers Mill and First Street, as well unenforced speed limits in Janeta, presents a danger to children and residents.

Lastly, we have seen developers increase the population of our neighborhood. What we have not seen is any interest or effort to improve our neighborhood.

I appreciate your attention to these concerns, and will likely meet you at the hearing.

Sincerely,

Robert Dixon Gumm

From: [Jim Wasilak](#)
To: [Paul Goldstein](#); [Nicole Walters](#)
Subject: FW: COMMENTS: 7-8 pm, April 8, 2020 Meeting, Meeting No.08-2020
Date: Tuesday, October 6, 2020 10:30:00 AM

Please include in the public record. Thanks, Jim

From: Lauren Milone <milone.lauren@gmail.com>
Sent: Wednesday, April 8, 2020 8:40 AM
To: Planning Commission <Planning.Commission@rockvillemd.gov>
Cc: Lauren Milone <milone.lauren@gmail.com>
Subject: COMMENTS: 7-8 pm, April 8, 2020 Meeting, Meeting No.08-2020

ATTENTION:

City of Rockville Planning Commission

Charles Littlefield & Planning Commission Members

SUBJECT:

7-8 pm, April 8, 2020 Meeting, Meeting No. 08-2020

Final Record Plat PLT2020-00586 905 Maple Avenue

Action Request:

I hereby request that the Final Record Plat PLT2020-00586 905 Maple Ave. be tabled until further review due to serious safety violations along Route 28. The Gilroy brothers, RCG Homes, development on Grandin and Maple Avenues puts 12-15 extra vehicles in the alley seriously jeopardizing the safety of pedestrians, bicyclists and vehicular traffic and disturbing the peace in the alley that is rarely currently used due to house frontage driveways and the city's lack alley maintenance.

Integrity of the Process

Despite my publicly stated interest in the Gilroy property on Maple and Grandin Aves. , the first notification I received of the change in zoning request for 509 Maple Ave. was March 16, 2020. I sent numerous Public Information Requests; receiving only regrets that due to the COVID-19 state of emergency the city is unable to fulfill my request.

I question the integrity of the process that enables the change of zoning without the ability of the impacted residents to obtain information necessary to understand the request and to testify in an open, public meeting.

No information was provided to impacted residents during either the pre-application or application phase, thereby preventing meaningful engagement in the process. At the City Council zoning hearing for the Grandin Ave. development portion residents raised concerns about the alley entrance being unsafe and not in compliance with state regulations. Yet the city approved the construction of four garages on the alley with no correction of the hazard.

Ignoring this critical safety issue not only puts residents who use the alley at risk, it also puts pedestrians, bicyclist, and vehicular traffic along Route 28 at risk. How many more garages on the Gilroy properties will the city permit? Why no house frontage driveways for consistency with the rest of the block? Why is this traffic burden being put on an unmaintained alley? Why haven't the retaining wall obstructions been addressed or the alley entrance widening been fixed?

Integrity of the Developer

When I met with Rob Gilroy regarding plans for the Grandin and Maple Ave. property he provided me a tour of the house built in 1898 and assured me that he would be renovating the house and that his son would be living in the home. Has that plan changed? Is the historic home being demolished? How can three houses fit on this property without demolishing the existing home? Has the City Historian been consulted with regards to the house demolition? What trees would be removed to accommodate this proposed development? With leaf scorch disease decimating the neighborhood trees what does the city arborist conclude are the impacts of additional tree loss?

Fairness

The developer obtained a zoning change for the Grandin Ave. property allowing three houses to be built with one house frontage reoriented from Route 28 to Grandin Ave. Now it appears the developer wants to do the opposite on the Maple Ave. portion of the property to squeeze in a third single family house only accessible via the alley and no street parking. How is the developer now justifying the opposite zoning change?

Additionally, allowing house to be built on the back of the property is not in keeping with all the other houses in the 900 blocks of Grandin and Maple Aves. and creates an inequity issue with the other property owners. If the city grants the developer this approval then it should extend that approval to all the property owners in the 900 block with property on the Grandin-Maple alley to build housing on the back of their lots too. Otherwise the developer's exception request should be denied.

Finally, the Grandin Ave. development over the last dozen years has caused damage and degradation of my property. In the 900 block of Grandin Ave. the city has permitted: 1) three new houses to be built with four new alley garages, 2) a second accessory building at 912, and 3) the construction and paving of driveways at 913, 915, 916, 917 and 919 all of which has caused chronic and significant flooding of my property and the degradation of western side of my property from a grassed and treed area to that of a perpetual wetland with overwatered dead trees. Additionally the city has also taken no action to rectify the earthen damns constructed along the back and eastern side of 917 Maple Ave. to divert the increased flooding onto my property. Two city engineers have inspected and acknowledged this violation yet taken no action to require its removal.

I request that this zoning request be tabled and until information about the developer's plans is adequately shared with the residents, the unsafe alley entrance is corrected, the drainage issues can be addressed, and the alley paving and maintenance issues are resolved.

Sincerely,

Lauren Milone

919 Maple Ave.

Attachment 1.A.f: Public Testimony (3359 : Final Record Plat PLT2020-00586)

Mach 24, 2020

Nicole,

Please find DPW's response to Mr. Gumm's concerns. Please note that DPW has not offered a response to Mr. Gumm's other concerns raised in his correspondence as they are either not in DPW's purview or not relevant to the proposed subdivision.

Mr. Gumm,

The Department of Public Works has received your comments related to the proposed subdivision in the 900 block of Maple Avenue. We offer the following response:

Our second concern involves the size and configuration of the lots. The Hunter property lends itself to being divided into two lots with access to Maple Avenue. To tuck a third property behind two fronting the street raises some issues. First, the alley between Maple and Grandin is an alley and not a street. To place a property there would not conform to USPS routes and would make it difficult for emergency services to respond, given the narrowness and steep grade of the alley.

The proposed subdivision proposes two lots fronting Maple Avenue and a third lot fronting First Street. The subdivision plat does not require an applicant to delineate proposed driveway access locations to the lots. Access locations will be determined if and when the applicant submits plans to construct single family homes on the lots. For the lot fronting First Street, the applicant must request, through the submission of a public works permit application, permission to construct a driveway connecting to the alley. The Department of Public Works will consider the request once it's made and determine if any improvements are necessary to the alley to facilitate the driveway connection.

Additionally, attempting to improve the alley in any usual way would result in significant property damage to five homes, 913 through 921 Maple, which are situated in a low elevation through which the runoff of approximately 16 acres must drain. The drainage problems would be further carried onto properties located on Denham Road.

The proposed subdivision does not propose, nor require any improvements to the alley. As stated above, if DPW were to receive a permit application requesting driveway access off the alley, DPW would determine at that time if any improvements are necessary to the alley to facilitate the driveway connection. No improvements will be permitted that would adversely impact the adjacent properties.

For example, during the permitting review of the 3-lot subdivision on the 900 block of Grandin Avenue, the City received permit applications from the applicant to construct driveways connecting to the alley between Grandin Avenue and Maple Avenue. The locations of the driveways were required to be offset from the intersection with First Street. In addition, to improve safety and accessibility at the alley entrance, the applicant was required to grant to the City an additional 6-feet of right-of-way to allow the City to relocate a retaining wall and widen the alley near the intersection with First Street for approximately 40-feet in length. The City proposes to conduct this improvement in the spring of 2020, pending the status of COVID-19. Additional information will be provided to residents prior to the initiation of the proposed work. Questions about the alley entrance improvements can be directed to Mike Wilhelm, Chief of Construction Management at 240-314-8542 or mwilhelm@rockvillemd.gov. It is not anticipated that additional widening of the alley is necessary on the Maple Avenue side of the alley.

That there has been significant flooding on Maple and Denham has been documented and discussed at great length with the city. At present there are no storm drains in the 900 block of Grandin, nor are there any in the alley. We have been informed that no drainage can be carried onto First Street as that is a state road. The result of heavy rainfall is basement flooding among properties on Maple, as well as scouring of topsoil from properties on the northern side of 900 Grandin.

As I mentioned in my previous email, there is an issue concerning drainage in the 900 blocks of Maple and Grandin. There are no storm drains on either street. The net result is that rainwater courses along the alley, through 915 - 921 Maple Ave, where it meets up with rainwater flowing down the 900 block of Maple. From there it gains volume and momentum as it flows to the nearest practical storm drain at the corner of Denham and Gilbert. There it is joined by water from the park between Denham and First Street. The park runoff, which includes drainage from the Hunter property and homes facing south between Maple and Denham, runs by easement through a private property and causes periodic flooding there. The easement culvert, like any other, is only good so long as it is maintained. Unfortunately, it is too often overlooked. To date there has been much property damage along the outflow of water originating on the corners of Woodburn and Grandin/Maple. At present, two sump pumps run constantly at the home located at the north corner of Denham and Gilbert.

They looked at it six years ago, but their pre-study conclusion was that a culvert should be placed between either 915 and 917 or 917 and 919 Maple. The resident at 915 Maple didn't respond and the property owners at 917 and 919 refused to allow this, for, on a small scale, it would interfere with existing residential drainage systems and result in the destruction of existing structures and fences. In fact, both home owners would at the time only agree with the idea if the City were to purchase the needed land through eminent domain.

On a larger scale, the plan -- placing a storm grate in the alley -- simply would not work. It may have seemed a quick fix and appeared plausible on paper, but in reality would have been completely ineffective. According to surveyors who looked at the neighborhood during a pre-study, a very large tract of land drains into the alley. Rainwater often cascades over the sidewalk on Grandin Avenue at the point where the speed indicator is located, scouring the backyard of Mr. and Mrs. Green, and picking up debris -- trash, toys, leaves, and wood -- as well as topsoil from adjoining properties. With current and projected extreme weather conditions, the accumulation of debris would result in the drain being frequently blocked. Since the homeowners along the alley would not be required to maintain and the City would in short time become inattentive to the grate, flooding would undoubtedly persist.

Two ideas have been discussed by the affected landowners: first, that the alley be paved with a permeable surface or simply left alone, and; second, that the City needs to construct storm drains on Maple and Grandin Avenues.

The proposed lots in the subject subdivision plat are not located within the drainage area contributing to the drainage concerns within the alley or the adjacent properties on Maple Avenue and Denham Road. The proposed lots currently are located and will remain within a drainage area that conveys stormwater to the Maryland State Highway storm drain system in First Street. The impact of the proposed subdivision to this storm drain system is negligible, and with the incorporation of required stormwater management facilities on any newly constructed single family homes, the nominal impacts will be further mitigated. The City has previously stated that no additional drainage area could feasibly be routed to the First Street storm drain system; the proposed lots are already within this drainage area.

Without regard to the proposed subdivision, the City's Department of Public Works is preparing to conduct a Capital Improvement Project to improve the known drainage concerns from the alley between Grandin Avenue and Maple Avenue, north to the existing storm drain outfall near Denham Road and Edmonston Drive. The improvements are currently under design, and there will be community outreach regarding the project in the future. For questions about the storm drain improvements, and to discuss the specific drainage related questions, please contact Gabe Kosarek, Principal Civil Engineer at 240-314-8513 or gkosarek@rockvillemd.gov.

Yet another issue is congestion on Maple. Although we have been zoned as single family occupancy, many homes have been divided along Maple, Denham, and Woodburn. This is reflected by ever increasing onstreet parking. Such an increase, coupled with the use of Maple and Grandin as shortcuts during peak traffic density on Viers Mill and First Street, as well unenforced speed limits in Janeta, presents a danger to children and residents.

The zoning ordinance requires each single-family home to provide at least two on-site parking spaces. Any proposed single-family home proposed on these lots will be required to provide the necessary on-site parking spaces. If there are concerns about traffic volume or speed on City streets, please see the City's guidelines and submit a petition as described at <https://www.rockvillemd.gov/1190/Traffic-Petitions>.

There is one other issue concerning the alley way. It is a dump. Literally. In the 1940's and 1950's it was common practice for neighbors to dispose of garbage by burning and burying it there. Additionally, several farm out-buildings were demolished and buried there. One of the buildings was clad with concrete/asbestos siding. Bits of that siding continue to surface along the alley.

Upon the completion of the entrance improvements and drainage improvements, the City will resurface the alley. Any hazardous materials discovered during the improvement will be handled per the applicable regulations.

Would the builder be willing to assume the burden of clearing the alley and installing permeable pavement and rain gardens?

The Department of Public Works will not require the applicant to conduct alley improvements beyond those which will be necessary to provide safe access to the proposed lots.

Thank you, please contact me if you have additional questions related to the proposed subdivision.

-Jim

James Woods, P.E., PMP
 Engineering Supervisor
 Department of Public Works
jwoods@rockvillemd.gov
 City of Rockville
 111 Maryland Avenue
 Rockville, Maryland 20850

240-314-8521

www.rockvillemd.gov



500' Radius Analysis for Resubdivision of Jeneta Lots 10, 11, 12 Block 6

OWNER NAME	LOT	CITY-STATE	ZIP	WIDTH (FEET)	AREA (S.F)
Mary Lee & John P.Hancock	732 Grandin Avenue	ROCKVILLE, MD	220850	73.05	10,359
Pieter Mum ET AL	804 Grandin Avenue	ROCKVILLE, MD	220850	46	18,260
Brian W & Amy E TINDELL	806 Grandin Avenue	ROCKVILLE, MD	220850	93.19	8,280
Allan Tulchin & Judith Miller	807 Grandin Avenue	ROCKVILLE, MD	220850	87	14,400
Keith Ranta & Monique Nolan	810 Grandin Avenue	ROCKVILLE, MD	220850	67	7,370
Pleasant Grove Free Methodist Church of Rockville	811 Grandin Avenue	ROCKVILLE, MD	220850	80.67	144,000
Joseph S Parker & Jamie L Keller	812 Grandin Avenue	ROCKVILLE, MD	220850	89.53	10,356
Charles & Alexandra Gilroy	904 Grandin Avenue	ROCKVILLE, MD	220850	55.45	10,788
Sabino Flores	905 Grandin Avenue	ROCKVILLE, MD	220850	96.2	8,638
Craig B & Patricia Anne Ball Dunlap	906 Grandin Avenue	ROCKVILLE, MD	220850	60	10,806
Grzegorz Piszczek	907 Grandin Avenue	ROCKVILLE, MD	220850	50	9,000
Deirdre Robinsin	908 Grandin Avenue	ROCKVILLE, MD	220850	57	10,260
Aleksandr Flaks & Maria Juambel	909 Grandin Avenue	ROCKVILLE, MD	220850	50	9,000
Alford Taylor	910 Grandin Avenue	ROCKVILLE, MD	220850	55.5	9,990
Maryam A Aamouzegar & Kambiz Tavana	911 Grandin Avenue	ROCKVILLE, MD	220850	63.03	11,723
Bryan J Blundell	912 Grandin Avenue	ROCKVILLE, MD	220850	55.5	9,990
Allison Koski	913 Grandin Avenue	ROCKVILLE, MD	220850	58.17	10,722
Douglas Amspaugh	914 Grandin Avenue	ROCKVILLE, MD	220850	65.5	11,790
Tyler Abrams	915 Grandin Avenue	ROCKVILLE, MD	220850	58.17	10,800
Gail Kelley	916 Grandin Avenue	ROCKVILLE, MD	220850	66.5	11,790
Marcelo Decampos & Irma Bonetto	917 Grandin Avenue	ROCKVILLE, MD	220850	61.7	10,800
Charles Tung & Cecilia Tung	918 Grandin Avenue	ROCKVILLE, MD	220850	55	10,500
James Perszyk	919 Grandin Avenue	ROCKVILLE, MD	220850	62.1	10,818
Greene Family TR	920 Grandin Avenue	ROCKVILLE, MD	220850	75.66	13,018
Edward & Judy Romano	924 Grandin Avenue	ROCKVILLE, MD	220850	59	12,187
Selwyn Ramp & Margo Sussman	720 Maple Avenue	ROCKVILLE, MD	220850	55.1	8,246
Marcela Buss	721 Maple Avenue	ROCKVILLE, MD	220850	49.7	6,250
Richard E. Bisnett	723 Maple Avenue	ROCKVILLE, MD	220850	62	6,773
Jorge N & FM Mouco	803 Maple Avenue	ROCKVILLE, MD	220850	55	7,051
Rodolfo Zamora & Maria Salazar	804 Maple Avenue	ROCKVILLE, MD	220850	71	6,633
Harvey Belkin	806 Maple Avenue	ROCKVILLE, MD	220850	70	7,700
Richard Bisnett & Catherine Higgins- Bisnett	807 Maple Avenue	ROCKVILLE, MD	220850	86.34	12,060
Bruce Quesenberry	809 Maple Avenue	ROCKVILLE, MD	220850	50	7,563
Ivan & Ruth Ortiz	900 Maple Avenue	ROCKVILLE, MD	220850	54.5	4,935

Hans Adolfo Jorgensen	902 Maple Avenue	ROCKVILLE, MD	220850	54.5	10,506
Mark Rife	904 Maple Avenue	ROCKVILLE, MD	220850	54.5	5,995
William Krause & Thais Krause	906 Maple Avenue	ROCKVILLE, MD	220850	55	10,561
Natawut Aiamsubhab	908 Maple Avenue	ROCKVILLE, MD	220850	50	11,379
Michael & Tonja Nansel	910 Maple Avenue	ROCKVILLE, MD	220850	50	8,710
Shadi Mokhtari & Payman Kalichi	911 Maple Avenue	ROCKVILLE, MD	220850	85	15,300
Raphael Rodriguez	912 Maple Avenue	ROCKVILLE, MD	220850	55	7,425
Jun Zhu & Zheng Li	913 Maple Avenue	ROCKVILLE, MD	220850	50	9,000
William Mills	914 Maple Avenue	ROCKVILLE, MD	220850	50	10,323
Lisa Ryan	915 Maple Avenue	ROCKVILLE, MD	220850	50	9,000
Atanas Stoilov & Anastas Stoilov	916 Maple Avenue	ROCKVILLE, MD	220850	50	10,106
Dixon Gumm Robert Thomas Trustee	917 Maple Avenue	ROCKVILLE, MD	20851	50	9,000
Lauren Milone	919 Maple Avenue	ROCKVILLE, MD	20851	107	18,000
Brian & Anne Chiasson	920 Maple Avenue	ROCKVILLE, MD	20851	50	8,829
Earl Crigger	921 Maple Avenue	ROCKVILLE, MD	20851	50	9,000
Scott & Anong Roberson	923 Maple Avenue	ROCKVILLE, MD	20851	50	9,000
Alida Zuniga	925 Maple Avenue	ROCKVILLE, MD	20851	50	9,000
Pamela Taulbee	927 Maple Avenue	ROCKVILLE, MD	20851	50	9,000
Jerry Norton Trust	203 First Street	ROCKVILLE, MD	20851	75	7,182
Feng Lan Liao	209 First Street	ROCKVILLE, MD	20851	93.03	8,664
Church of God Iglesia De Dios of Rockville	210 First Street	ROCKVILLE, MD	20851	80.67	14,400
Stephen Clagett, c/o R. Clagett	304 First Street	ROCKVILLE, MD	20851	70	11,305
Jefferey Boradhurst	306 First Street	ROCKVILLE, MD	20851	85.02	10,762
Vicente Figueroa	308 First Street	ROCKVILLE, MD	20851	65	9,051
Bernard L & L A Horn	402 First Street	ROCKVILLE, MD	20851	70	7,000
Julie Turner	404 First Street	ROCKVILLE, MD	20851	60	6,600
Katherine Beckett	406 First Street	ROCKVILLE, MD	20851	60	6,600
German Gallo	408 First Street	ROCKVILLE, MD	20851	57.66	6,600
Nathan James Moskowitz & Tori Anne Hash	402 Joseph Street	ROCKVILLE, MD	20851	86	5,850
Jackie Cooper	403 Joseph Street	ROCKVILLE, MD	20851	76.62	5,909
Joseph Mcleod & Thuyvi Trinh	405 Joseph Street	ROCKVILLE, MD	20851	50	5,597
Julianna Chitwood	403 Denham Rd	ROCKVILLE, MD	20851	55	5,944
Alison Putnam	405 Denham Rd	ROCKVILLE, MD	20851	60	6,348
Robert J Frank	408 Denham Rd	ROCKVILLE, MD	20851	60	7,988
David C Morley & M M	409 Denham Rd	ROCKVILLE, MD	20851	55	6,875
Kelly Nugent & Lori A	412 Denham Rd	ROCKVILLE, MD	20851	50	6,211
Bonnie Willis	414 Denham Rd	ROCKVILLE, MD	20851	70	7,391

Michael J Finn	416 Denham Rd	ROCKVILLE, MD	20851	100	7,860
			AVARAGE:	63.19	9,268

NOTE: The averages do not include the two church sites at 210 Fist St and 811 Grandin Ave.

Attachment 1.A.h: 500' Analysis Area by applicant (3359 : Final Record Plat PLT2020-00586)