

FLOATING ZONE MAP AMENDMENT STATEMENT

**Pulte Home Company, LLC
5906 Halpine Road
October 17, 2023**

Pulte Home Company, LLC (the “Applicant”) submits this Floating Zone Map Amendment Statement in response to the Mayor and Council’s recent adoption of Zoning Text Amendment TXT2023-00261 (the “ZTA”), which allows for approval of a Floating Zone Map Amendment to implement the recommendations of the *City of Rockville 2040 Comprehensive Plan* (the “2040 Comprehensive Plan”). The ZTA provides for a Floating Zone Map Amendment to implement the 2040 Comprehensive Plan recommendations through an interim floating zone prior to the City’s adoption of both a revised Zoning Code and a corresponding comprehensive rezoning.

Pursuant to Zoning Ordinance Section 25.06.01.b.4, the Applicant is submitting the Floating Zone Map Amendment concurrently with a Project Plan application (a Site Plan application will be subsequently filed) for the proposed redevelopment of the 1.51-acre property located at 5906 Halpine Road, at the southwest corner of Halpine Road and Ardennes Avenue (the “Property”). This Floating Zone Map Amendment Statement is submitted in support of the Applicant’s request to rezone the Property from its current R-60 Zone to the Mixed Use Neighborhood Commercial (MXNC) Zone, in accordance with the recommendations of the 2040 Comprehensive Plan. A separate Statement of Justification is submitted concurrently with the Project Plan and provides additional detail on the Property and the proposed development.

I. Property Description, Zoning, and Surrounding Community

A. Existing Use & Conditions

The Property consists of 1.51 acres (65,577 square feet of gross tract area) and is currently improved with the Twinbrook Community Church that includes a 60-student child care center. The existing Twinbrook Community Church and child care center is housed in an aging one-story brick structure located in the center northern portion of the Property. Due to a continuing decreasing congregation, the Church has determined it is time to “right-size,” by selling the Property and relocating to a smaller more appropriately sized facility.

B. Zoning and Proposed Use

The Property is currently zoned R-60. The 2040 Comprehensive Plan land use designation for the Property is residential flexible (RF) and the recommended zoning is Residential Medium Density-15 (RMD-15) or MXNC. In accordance with the ZTA that provides that where the Comprehensive Plan recommends another zone (other than RMD-15), the other zone shall be the equivalent zone, the subject Floating Zone Map Amendment proposes to rezone the Property to MXNC to accommodate the development of 36 two-over-two ownership units on the Property, in

two rows, running parallel to Ardennes Avenue (the “Project”). The Project will serve as a transitional use, bridging the more intensive uses to the south and east of the Property and the lesser intensive single family detached homes to the north.

II. ZTA Floating Zone Map Amendment Required Findings

The Project satisfies the required findings that the Mayor and Council must make to approve a Floating Zone Map Amendment application, pursuant to Zoning Ordinance Section 25.06.01.e.2. Analysis of compliance with each required finding is provided below:

(a) [The application] is consistent with the Plan and implements the Land Use Policy Map and applicable description of the land use category found in the Rockville 2040 Comprehensive Plan as adopted by the Mayor and Council on August 2, 2021;

The Project is consistent with the 2040 Comprehensive Plan and implements the residential flexible (RF) land use designation for the Property. To this point, the subject Floating Zone Map Amendment recognizes the urban infill nature of the site and the appropriateness of the Property for higher density housing by requesting application of the 2040 Comprehensive Plan’s recommended MXNC Zone, with a maximum height of 50 feet. Specifically, the Project satisfies the following site-specific recommendations and guidelines:

- *Rezone the property from R-60 (Single Unit Detached Dwelling) to RMD-15 (Residential Medium Density) or MXNC (Mixed-Use Neighborhood Commercial) to allow for attached residential or multi-unit residential development and ancillary commercial uses (page 344).*

Comment: The Applicant is utilizing the ZTA to develop the Property consistent with the MXNC Zone. The proposed two-over-two product responds directly to the recommendation for attached residential or multi-unit residential development on the Property.

- *Allow a maximum height of up to 50 feet as an urban infill project within a quarter-mile of a high frequency transit station, the Twinbrook transit station (page 344).*

Comment: The Applicant is proposing a maximum height of 50 feet (whether the ultimate design is a flat roof or a gable roof) for this urban infill project within close proximity to high frequency transit at the Twinbrook Metro.

- *Any redevelopment of the property should provide a sensitive transition to the adjacent and confronting residential uses through height step-downs, massing, articulation, and landscaping (page 344).*

Comment: The Applicant is proposing a landscaped 39 foot buffer (minimum) along the side yard confronting residential uses. Varying façade materials, extrusions, and articulation are proposed to add visual interest and alter the massing of the proposed residences.

Additionally, the Project will further a number of the Comprehensive Plan's overall goals and objectives related particularly to housing and transportation, as follows:

- *Promote diversity in the supply of housing to meet market demand and the wide range of community needs and household incomes (page 198).*
- *Work with neighborhoods to promote small-scale infill and redevelopment projects that will diversify the housing stock lower per unit land costs for new housing, including townhouses, rowhouses, duplexes, triplexes, fourplexes, and small multiple-unit properties (page 199).*
- *Allow new housing in locations where amenities and infrastructure already exist, and that are compatible with the existing neighborhood (page 200).*
- *Utilize an approach to development review that seeks to reduce vehicle miles traveled and promote a shift to alternative modes of travel (page 72).*

Accordingly, the proposed Floating Zone Map Amendment and requested MXNC Zone complies with and advances the relevant goals, recommendations, and objectives of the Comprehensive Plan.

(b) [The application] satisfies the intent and standards of the proposed zone and meets all other applicable requirements of this Chapter;

The Project satisfies the intent of the proposed MXNC Zone and complies with the applicable development standards set forth in Sections 25.13.05 and 25.13.06, except with respect to the side yard set back and layback slope requirement from which the Applicant seeks waivers. The MXNC Zone is intended for low to moderate density development of retail, service, office and residential uses on sites in close proximity to single unit detached residential uses. The Project proposes moderate density residential development at an infill site designated for redevelopment in close proximity to single unit detached residential uses. The Project conforms with the applicable requirements of the MXNC Zone, save for the two recommended waivers – the granting of which would be appropriate given the proposed development at this location. Waivers from the MXNC Zone side yard setback and layback slope development standards are requested as part of the associated Project Plan application, pursuant to the ZTA. Please see the concurrently filed Project Plan Statement of Justification for a detailed justification of the Project's waiver requests and satisfaction of the applicable criteria.

(c) [The application] provides one or more public benefits that enhance or contribute to the objectives of the Plan and are proportionate to the scale of the proposed development; and

The Project provides public benefits that contribute to objectives of the Comprehensive Plan and are proportionate to the scale of the proposed development. The Project is providing needed housing at an appropriate, context-sensitive scale within a few minute walk of a metro station. The Project provides more than two times the amount of required open space and will enhance the overall neighborhood by providing two well designed pocket parks. The Project will also include frontage improvements with dedication to provide for the 82 foot Ardennes Avenue right-of-way, new sidewalks and associated pedestrian infrastructure where appropriate along both the Ardennes Avenue and Halpine Road frontages.

(d) [The application] is compatible with existing and approved adjacent development.

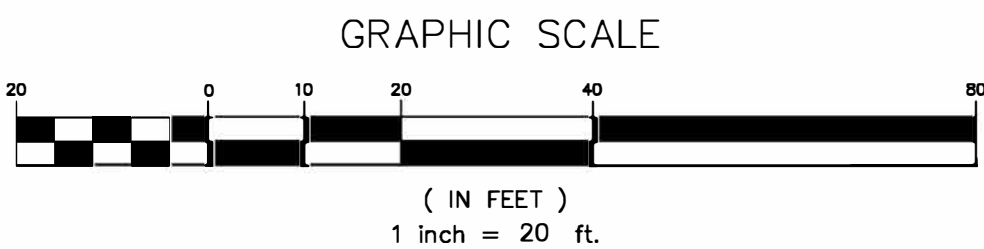
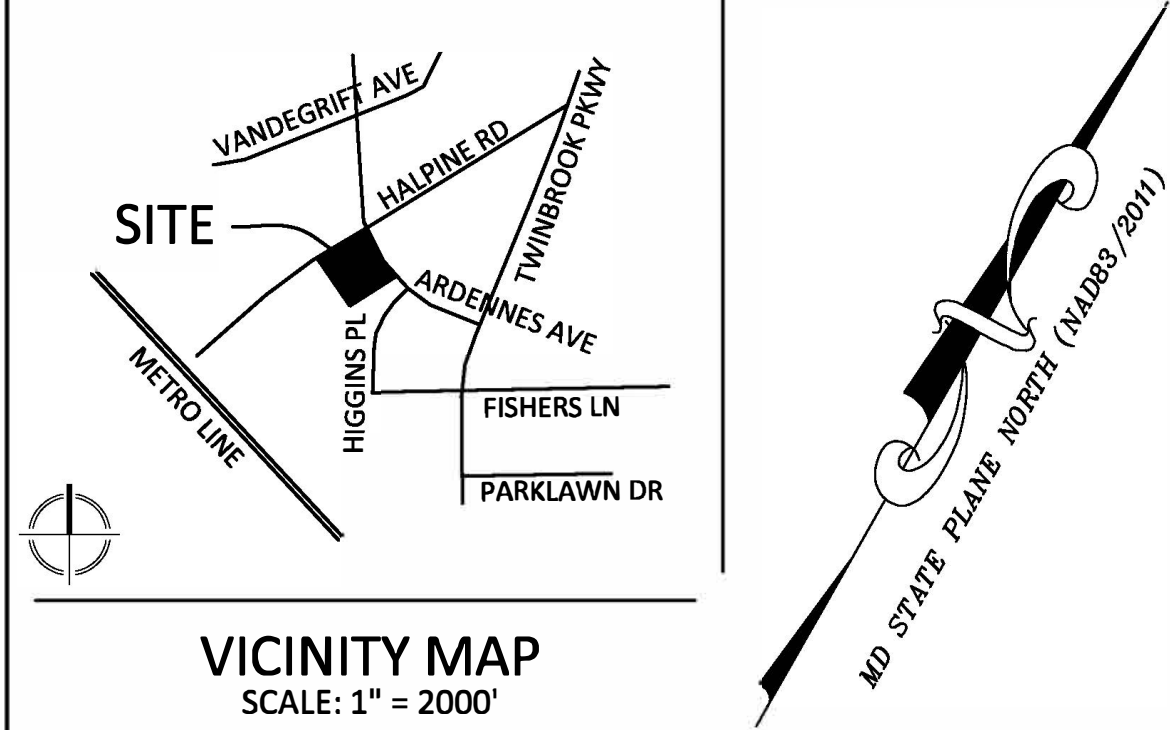
The Project is strategically designed to ensure compatibility with the surrounding residential community and limit impacts to adjacent properties. The Property is bordered on the east by the four-story 55 foot tall, 240 unit multi-family Kanso Twinbrook residential rental project; on the south by the four-story Alaire multi-family building which is part of Twinbrook Station; on the west by the Cambridge Walk townhouse community, and on the north by the single-family homes located across Halpine Road. The proposed building groups are sited in two rows parallel to Ardennes Avenue, with one group fronting Ardennes Avenue and the second set back behind the private drive alley. This siting is intended to (1) contribute to a harmonious street wall along Ardennes Avenue, (2) limit unnecessary additional curb cuts along Ardennes Avenue and Halpine Road, and (3) ensure compatibility with confronting residential uses across Halpine Road by breaking up massing with two separate building groups featuring attractive side elevations. These strategic site design interventions, in conjunction with compatible, high-quality building materials, are intended to foster compatibility with the surrounding context.

III. Community Outreach

The Applicant hosted a Pre-Application Meeting (“PAM”) on May 16, 2023 and has engaged in discussions with the community dating back to the Comprehensive Plan process to gather input regarding the appropriate development on the Property and the proposed rezoning. The proposed Floating Zone Map Amendment and the corresponding Project Plan respond to the community’s feedback.

IV. Conclusion

The subject Floating Zone Map Amendment application satisfies the applicable criteria for approval for a rezoning, pursuant to the ZTA. Based on the foregoing, the Applicant respectfully requests the Mayor and Council’s approval of the subject Floating Zone Map Amendment.



CURVE TABLE						
NO	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD	DELTA
C1	25.00'	38.74'	24.48'	S76°10'46"E	34.98'	88°47'23"
C2	635.00'	99.22'	49.71'	S36°15'38"E	99.12'	08°57'09"
C3	1740.00'	60.29'	30.15'	N58°26'00"E	60.28'	01°59'07"



NOTES:

- 1.) THE SUBJECT PROPERTY IS LOCATED ON TAX ASSESSMENT MAP NO. GQ563 WITH A TAX ACCOUNT NO. OF 04-00146900.
- 2.) THE HORIZONTAL DATUM IS BASED ON THE FOLLOWING NGS CONTROL STATIONS (NAD83)
#20328 - WSSC SURVEY DISK IN A CONCRETE MONUMENT FOUND ALONG GREAT FALLS ROAD, 0.6 MILES FROM INTERSECTION WITH WEST MONTGOMERY AVENUE. NORTH 513413.15 EAST 1266090.43
#20331 - WSSC SURVEY DISK IN A CONCRETE MONUMENT FOUND AT THE PARKING AREA AT THE ROCKVILLE CIVIC CENTER ON EDMONSTON DRIVE. NORTH 504116.74 EAST 1262308.09
- 3.) THE SUBJECT PROPERTY IS LOCATED IN ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 24031C03530, FOR MONTGOMERY COUNTY, MARYLAND, DATED SEPTEMBER 29, 2006.
- 4.) THIS SURVEY WAS CREATED THROUGH TRADITIONAL SURVEYING METHODS PERFORMED BY VIKI, MARYLAND, LLC, ON JUNE 6, 2023.
- 5.) NO TITLE REPORT FURNISHED AS OF JUNE 15, 2023.
- 6.) THE CENTERLINE OF RIGHT OF WAY FOR ARDENNES AVENUE IS NOT AN EVEN 70' DUE TO SLIGHT FLUCTUATIONS IN PROPERTY CORNERS. THE CENTERLINE IS NOW HELD AT AN EVEN 35' OFFSET.

LEGAL DESCRIPTION

DESCRIPTION OF THE PROPERTY OF
TWINBROOK COMMUNITY CHURCH
LIBER 35129 FOLIO 423
BEING ALL OF
PARCEL A
HALPINE BAPTIST CHURCH
PLAT NO. 8189
4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

BEING ALL OF THE PROPERTY ACQUIRED BY TWINBROOK COMMUNITY CHURCH, (FORMERLY KNOWN AS HALPINE BAPTIST CHURCH, HALPINE CHURCH AND HALPINE CHURCH, INC.) FROM HALPINE BAPTIST CHURCH, A MARYLAND CORPORATION, BY DEED DATED NOVEMBER 21, 2007 AND RECORDED IN LIBER 35129 AT FOLIO 423 AND BEING ALL OF PARCEL A, HALPINE BAPTIST CHURCH, RECORDED AS PLAT NO. 8189 ALL AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND AND BEING MORE PARTICULARLY DESCRIBED IN THE DATUM OF MARYLAND STATE PLANE NORTH (NAD83/2011) AS FOLLOWS:

BEGINNING FOR THE SAME AT AN IRON PIPE FOUND (HELD) MARKING THE WESTERLY END OF THE SOUTH 60° 38' 10" WEST, 233.13 FOOT LINE OF SAID PLAT NO. 8189, SAID POINT ALSO MARKING THE WESTERLY LINE OF ARDENNES AVENUE, 70 FOOT WIDE, RECORDED AS PLAT NO. 5761; THENCE LEAVING SAID WESTERLY LINE OF ARDENNES AVENUE AND RUNNING WITH THE AFORESAID SOUTH 60° 38' 10" WEST, 233.13 FOOT LINE OF SAID PLAT NO. 8189:

1. SOUTH 60° 38' 20" WEST, 233.13 FEET TO A POINT MARKING THE COMMON CORNER OF PARCEL B, HALPINE SQUARE, RECORDED AS PLAT NO. 19988 AMONG THE AFORESAID LAND RECORDS; THENCE LEAVING SAID PLAT LINE AND RUNNING WITH THE COMMON LINE OF SAID PARCEL B, HALPINE SQUARE
2. NORTH 39° 04' 54" WEST, 269.74 FEET TO A POINT ON THE SOUTHERLY LINE OF HALPINE ROAD, 60 FOOT WIDE, RECORDED IN PLAT BOOK 54 AS PLAT NO. 4354 AND PLAT NO. 8189 AMONG THE AFORESAID LAND RECORDS; THENCE LEAVING SAID COMMON LINE OF SAID PARCEL B, HALPINE SQUARE AND RUNNING WITH SAID SOUTHERLY LINE OF HALPINE ROAD, THE FOLLOWING THREE (3) COURSES AND DISTANCES
3. 60.29 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1740.00 AND A CHORD BEARING AND DISTANCE OF NORTH 58° 26' 00" EAST, 60.28 FEET TO A PINCH PIPE FOUND (HELD); THENCE
4. NORTH 58° 25' 33" EAST, 174.73 FEET TO A POINT; THENCE
5. 38.74 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 AND A CHORD BEARING AND DISTANCE OF SOUTH 76° 10' 46" EAST, 34.98 FEET TO AN IRON PIPE FOUND (HELD) ON THE AFORESAID WESTERLY LINE OF ARDENNES AVENUE; THENCE LEAVING SAID SOUTHERLY LINE OF HALPINE ROAD AND RUNNING WITH SAID WESTERLY LINE OF ARDENNES AVENUE, THE FOLLOWING TWO (2) COURSES AND DISTANCES
6. SOUTH 31° 47' 04" EAST, 149.75 FEET TO AN IRON PIPE FOUND (HELD); THENCE
7. 99.22 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 635.00 AND A CHORD BEARING AND DISTANCE OF SOUTH 36° 15' 38" EAST, 99.12 FEET TO THE POINT OF BEGINNING, CONTAINING 65,577 SQUARE FEET OR 1.5054 ACRES OF LAND.

LEGEND

	CABLE TELEVISION CONDUIT		SANITARY CLEANOUT		GUY WIRE
	ELECTRICAL CONDUIT		STORM DRAIN MANHOLE		UTILITY POLE
	NATURAL GAS CONDUIT		SANITARY MANHOLE		TRAFFIC CONTROL BOX
	OVERHEAD WIRES		WATER METER		TRAFFIC SIGNAL POLE
	SANITARY SEWER CONDUIT		WATER MANHOLE		LIGHT POLE
	STORM DRAIN CONDUIT		WATER VALVE		PHONE PEDESTAL
	TELEPHONE/COMMUNICATIONS CONDUIT		FIRE DEPARTMENT CONNECTION		CABLE TELEVISION PEDESTAL
	WATER CONDUIT		FIRE HYDRANT		ELECTRIC TRANSFORMER
	EDGE OF PAVEMENT		GAS MANHOLE		UNKNOWN UTILITY MANHOLE
	FENCE LINE		GAS VALVE		SIGN POST
	PROPERTY LINES		PHONE MANHOLE		TREE
	PUBLIC UTILITIES EASEMENTS		ELECTRICAL MANHOLE		BOLLARD
	BUILDING LINE		ELECTRICAL JUNCTION BOX		CATCH BASIN, GRATE, INLETS
	RIGHT-OF-WAY		BUILDING COLUMN		UTILITY POLE WITH LIGHT FIXTURE
	IRON PIPE FOUND				

ZONING NOTE:

THE SUBJECT PROPERTY IS ZONED "R-60" AS SHOWN ON THE CITY OF ROCKVILLE ZONING GIS WEBSITE.
*SPX2007-00310
*SPX2001-00304

THIS INFORMATION DOES NOT CONSTITUTE A "ZONING OPINION" AND IS NOT THE SUBJECT OF THE SURVEYOR'S CERTIFICATION SHOWN HEREON.

Community Planning & Development Services
Revised
October 23, 2023

REVISIONS

DATE

PARCEL A

HALPINE BAPTIST CHURCH
PLAT NO. 8189
4TH ELECTION DISTRICT
5906 HALPINE ROAD,
ROCKVILLE, MD 20851
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 216NW06
TAX MAP: GQ563

IDENTIFICATION PLAT

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DRAWN BY: HLJ
DESIGNED BY: JP
DATE ISSUED: 6/21/2023

VIKA PROJECT VM50639

SCALE: 1" = 20'

SHEET NO. OF