

5906 Halpine Road
Pre-Application – Project Description and Scope of Work
Floating Zone Map Amendment, Project Plan and Site Plan Application (Level 2)

I. Brief Description of Applications and Development Proposal

The Applicant, Pulte Home Company, LLC (the “Applicant”) submits this PAM application in anticipation of the adoption of Zoning Text Amendment TXT2023-00261 (the “ZTA”), that would allow the approval of a floating zone to implement the recommendations of the Rockville 2040 Comprehensive Plan recommendations. As currently drafted, the ZTA would require an applicant to pursue approval of a Floating Zone Map Amendment, a Project Plan and a Site Plan. The ZTA allows for all three of these applications to be filed concurrently and for the Floating Zone Map Amendment and Project Plan to be reviewed and approved by the Mayor and Council at the same time, with the Planning Commission subsequently reviewing and approving the Site Plan. This PAM application applies to all three applications. In addition, the ZTA allows for an Applicant to seek a waiver of one or more of the development standards of the proposed zone. As discussed below in Section IV.B., the Applicant seeks a waiver of the side yard setback of the proposed MXNC Zone.

II. Project Description

A. Applicant – Pulte Home Company, LLC

B. Property – 5906 Halpine Road, at the southwest corner of Halpine Road and Ardennes Avenue (the “Property”). The Property consists of 65,580 square feet of gross tract area (per the City of Rockville GIS), and is currently improved with the Twinbrook Community Church that includes a 75-student child care center. Due to a decreasing number of congregants and economic forces, Twinbrook Community Church is forced to downsize and vacate the Property. Pulte Home Company, LLC is the contract purchaser.

C. Zoning - The Property is currently zoned R-60. The Rockville 2040 Comprehensive Plan land use designation for the Property is residential flexible (RF) and the recommended zoning is RMD-15 or MXNC.

D. Proposed Use – The Applicant is proposing the development of 38 two-over-two ownership units (condominiums) on the Property, in two rows, running parallel to Ardennes Avenue (the “Project”). Each townhouse-type structure will contain two units, with one unit occupying floors 1 and 2, and the second unit occupying floors 3 and 4, with a maximum height of 50 feet. Each unit will be provided two parking spaces – one space within the garage and one within the driveway outside the garage. The Project will include public use space at the corner of Halpine Road and Ardennes Avenue. The eastern row of units will be oriented eastward toward Ardennes Avenue and the western row will be oriented westward with a pedestrian path

along the western property line leading to the front doors of each of the units. The minimum side setback is proposed to be 40 feet and the rear setback is 10 feet. The Project will provide 24,997 square feet of open area, well above the 15 percent requirement of 9,837 square feet, of which 6,880 square feet will be devoted to public use space.

G. Surrounding Area – As a result of the Property’s location, the Project will serve as a transitional use, bridging the more intensive uses to the south and east and the lesser intensive uses to the north. The Property is bordered on the east by the 55 foot, 240 unit multi-family Kanso Twinbrook 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 across Halpine Road. The Property is located less than 1,000 feet from the Twinbrook Metro Station.

E. Trip Generation – With 38 dwelling units, the proposed use will generate 45 fewer AM trips and 40 fewer PM trips than the existing Church/child care center.

F. Civil Engineering

1. Stormwater management – A preliminary stormwater management concept plan is submitted simultaneously with the PAM application.
2. NRI/FSD – The NRI/FSD is submitted to Forestry simultaneously with the PAM application.

III. City of Rockville 2040 Comprehensive Master Plan

The Property is located within Planning Area 8, Twinbrook and Twinbrook Forest, and as noted is designated RF (residential flexible) on the Land Use Policy Map. The Property is designated as Area A9. Recognizing the urban infill nature of the site and the appropriateness of the Property for higher density housing, the Comprehensive Plan recommends that the Property be rezoned to either the RMD-15 Zone or the MXNC Zone, with a maximum height of 50 feet.

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

- Foster sufficient market rate housing (page 193)
- Promote diversity in the supply of housing (page 198)
- Promote walking, rolling and bicycle modes (page 56)
- Maximize the use and value of transit assets and services (page 63)

IV. Compliance with the Mixed Use Neighborhood Commercial Development Standards

The project complies with the development standards set forth in Section 25.13.05 and the pending ZTA, as described below.

A. Subsection 25.13.05b(1)

The Project complies with the applicable development standards for the MXNC Zone set forth in Section 25.13.05.b:

	Required/Permitted	Proposed
Maximum Height (in feet)	Allows up to 65' with 15% open area	50'
Total Open Area Required	15% (9,837 SF)	24,997 SF
Public Use Space Required w/in Open Area	10%	6,558 SF (10%)
Minimum width at frontline	10'	256' Halpine Road 272' Ardennes Avenue
Setbacks Abutting Public Right-of-Way	None, 10' min. if provided	10' along Ardennes Avenue; 10' along Halpine Road
Side Setback Abutting Residential	25' or height of building, whichever is greater	40' – See waiver discussion below
Side Setback Abutting Non-Residential Land	None; 10' min. if provided	N/A
Rear Setback Abutting Residential	25' or height of building, whichever is greater	N/A
Rear Setback Abutting Non-Residential Land	None; 10' min. if provided	10' minimum provided in the alley

B. Waiver of Side Setback Abutting Residential

In connection with the Project, the Applicant, pursuant to the ZTA, seeks a 10 foot waiver of the western side setback requirement. Strict adherence to the MXNC zone would require a side yard setback of 50 feet, the height of the structure. As proposed, the side yard setback is a minimum of 40 feet, which given the proposed maximum height of the Project of 50 feet and the surrounding uses, is a generous and appropriate setback. Tellingly, the RMD-15 zone (the alternative zone recommended by the Comprehensive Plan) would require a side yard setback of only 8 feet, while allowing a maximum height of 40 feet. Relatedly, the Cambridge Walk community's RMD-10 zone also requires a side yard setback of only 8 feet while allowing a maximum height of 35 feet. It is illogical to require the Project with a height just 15 feet higher than what is permitted in the adjacent zone, to provide a setback that is more than six times greater than the adjacent zone's setback (8 feet vs. 50 feet). The MXNC development standard requiring a setback equal to the height of the building may be appropriate to address the adjacency of dissimilar building types (e.g. a 65 foot structure adjacent to a single family house), but it is unnecessary and imposes a significant burden in situations such as the proposed Project, where comparably-styled attached residential structures are located adjacent to one another. Accordingly, the Applicant requests a 10 foot waiver to accommodate a minimum side yard setback of 40 feet.

C. Subsection 25.13.06 - Additional Design Guidelines

The Project will comply with the additional design guidelines of sub-section 25.13.06. Detailed information regarding compliance will be provided with the Site Plan application.

V. Adequate Public Facilities

The Applicant's preliminary analysis indicates that there are adequate public facilities with respect to transportation, schools, fire and rescue, and water and sewer to accommodate the proposed Project. Based on the Montgomery County student generation rates, the Project will generate 3 elementary school students (Twinbrook Elementary), one middle school student (Julius West Middle), and two high school students (Richard Montgomery).

VI. Community Outreach

The Applicant held a Pre-Application Meeting ("PAM") on May 16, 2023. The meeting minutes are included in this filing.