



5906 Halpine Road
Statement of Justification
Site Plan Application (Level 2)
December 12, 2023

I. INTRODUCTION

Pulte Home Company, LLC (the “Applicant”) (the “Applicant”), the contract purchaser of the property located at 5906 Halpine Road (the “Property”), is pursuing a Level 2 Site Plan approval to redevelop the existing church Property to 36 two-over-two residential units. In connection with the redevelopment of the Property, the Applicant previously submitted a Floating Zone Map Amendment (to rezone the Property from R-60 to MXNC) and a Project Plan application. It is the Applicant’s intent in accordance with Zoning Code Section 25.07.07.21, as amended by TXT2023-00261 (the “ZTA”), to pursue the concurrent review of the Map Amendment, Project Plan and Site Plan.

While the Applicant submitted Statements of Justification in connection with both the Map Amendment and Project Plan, in order that all of the information is set forth in connection with each application, this Statement provides much of same background information contained in the previous statements in addition to focusing on how the application satisfies the Level 2 Site Plan criteria.

II. PROPERTY DESCRIPTION, ZONING, AND SURROUNDING AREA

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 northeastern 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. Landscaping, fencing, and a playground area are currently located to the north and west of the existing structure on-site. The remaining areas of the Property are improved with approximately 110 impervious surface parking spaces and concrete hardscape for pedestrian connections from the surface parking lot. Vehicular access to the Property is currently provided along both Halpine Road and Ardennes Avenue.

B. Zoning

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. As provided by the ZTA, in cases where the Comprehensive Plan recommends another existing zone, that shall be the equivalent zone. Accordingly, the Floating Zone Map Amendment filed concurrently with the subject Project Plan proposes to rezone the Property to MXNC.

C. 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.¹ 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 Property is located less than 1,000 feet from the Twinbrook Metro Station.

III. PROPOSED PLAN

A. Architecture

The Applicant is proposing the development of a residential community consisting of 36 two-over-two ownership units. Each townhouse-type structure will contain two units, with one unit occupying the first and second floors, and the second unit occupying the third and fourth floors. The townhouse-type structure is proposed at a maximum height of 50 feet. The Applicant seeks flexibility to design the units with either a flat roof or a gable roof. Each unit will be provided two parking spaces – one space within the garage and one within the driveway outside the garage. The eastern row of units will be oriented 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. Since the original proposal, and in response to comments by the adjacent Cambridge Walk community, the Applicant has increased the western side yard setback to a minimum of 39 feet from the Property line in order to respect the existing forest conservation easement on the adjacent Cambridge Walk property and enhance the landscape buffer.

B. Parking and Access

Vehicular access is proposed along Halpine Road, with an internal central drive aisle providing access to each unit's driveway. The drive aisle includes a turnaround "hammer head" to facilitate on-site movements. Given that the Project only includes 36 units, a second site access point is not needed. Perhaps most importantly, the proposed design allows for the creation of a pocket park along the southeast corner of the Property that complements and supplements the existing pocket park at the corner of Higgins Place and Ardennes Avenue and allows for meaningful outdoor space to be provided in this area. The design also allows the Project to provide an uninterrupted frontage along Ardennes Avenue that emphasizes this orientation of the Project. A meandering pedestrian path will be provided along the southern and eastern sides of the Property connecting Ardennes Avenue to Halpine Road.

C. Open Space

¹ For purposes of orientation, this Statement of Justification describes the Property as being bounded by Halpine Road to the north, Ardennes Avenue to the east, the Alaire multi-family building to the south and the Cambridge Walk townhouse community to the west.

In accordance with the applicable Zoning Ordinance requirements, the Project will provide 22,800 square feet of open area, well above the 15 percent requirement of 9,576 square feet, of which 6,486 square feet (10.1 percent) will be devoted to public use space. The public use space will be located along the Ardennes Avenue frontage of the Property with a pocket park improved with pathways and pedestrian-scale plantings for passive recreation proposed at the corner of Halpine Road and Ardennes Avenue and the second park provided at the southeastern corner to supplement the existing open space. The pocket parks will be improved with planters, tables and chairs patterned pavers and planting beds, with the area at the corner of Ardennes Avenue and Halpine Road also including a seat wall bench and the location of the public art. Additional open space featuring paved pathways, seating, and landscaping is also proposed for a combination of active and passive recreation along the western portion of the Property. This generous open space also provides a meaningful buffer to the Cambridge Walk townhouses.

D. Streetscape

The Project proposes several streetscape improvements along both its Ardennes Avenue and Halpine Road frontages. Specifically, the Project includes pedestrian infrastructure in the form of expanded sidewalks, new tree buffers, and dedication of right-of-way along Ardennes Avenue to meet the City's 82 foot width requirement. The Property's frontage along Ardennes Avenue will also include accessible public use open space.

IV. COMPLIANCE WITH 2040 COMPREHENSIVE 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 is compliant with the Comprehensive Plan and satisfies several site specific recommendations and guidelines for focus Area 9:

- *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 ZTA provides that where the Comprehensive Plan recommends another existing zone (other than the RMD-15), that zone shall be the equivalent zone. As such, 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 (minimum) buffer 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 Site Plan is compliant with – and advances the relevant goals, recommendations, and objectives of the Comprehensive Plan.

V. COMPLIANCE WITH MIXED USE NEIGHBORHOOD COMMERCIAL (MXNC) ZONE DEVELOPMENT STANDARDS

A. Subsection 25.13.05.b

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% (9,576 SF)	22,800 SF (35.71%)

	Required/Permitted	Proposed
Public Use Space Required w/in Open Area	10%	6,486 SF (10.1%)
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	39'
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

* The multi-family development to the south (rear) of the Project is zoned PD-TS, with an equivalent Zone of MXTD. As such, the residential setback does not apply.

Based on Subsection b.2.(c) and a height of 50 feet, the development must provide 15 percent open area and 10 percent public use space, which as indicated above, is proposed.

B. Waiver of Side Setback Abutting Residential and Layback Slope

In connection with the Project Plan and pursuant to Section 25.14.35e., the Applicant is seeking an 11 foot waiver of the side setback requirement and a 37.9 foot waiver of the layback slope requirement from the western Property line. The justification for the waivers is set forth in the Project Plan Statement of Justification and the Site Plan is designed based on the anticipated approval of the waivers. Assuming the Mayor and Council approve the waivers, the Planning Commission will ensure that the Site Plan accurately reflects the waivers.

C. Subsection 25.13.06 - Additional Design Guidelines

The proposed development is located in one of the City's mixed use zones and thus the Project is subject to the additional design guidelines of subsection 25.13.06. Analysis of compliance with applicable additional design guidelines is provided below:

a. Purpose

The Project represents high quality development that is consistent with the intent and purpose of the additional design guidelines for mixed use zones.

b. Aesthetic and visual characteristics for all zones.

1. Facades and exterior walls including sides and backs.

The Project proposes high-quality design at an appropriate context-sensitive scale for the surrounding community. Specifically, front elevations feature multiple points of architectural fenestration, articulation through roof line modulation and stepbacks, and variation of building materials. Side elevations implement similar design techniques to create visual interest along Halpine Road. Rear elevations, which will be oriented toward the interior of the Property, include fenestration on every level above the ground-floor garages, as well as alternating building materials and balconies. In combination, each of these façade design techniques provide visual interest at a human scale to break up the massing of the proposed building groups and promote compatibility with the surrounding neighborhood.

2. Roofs.

The Applicant seeks flexibility to design the units with either a flat roof or a gable roof. The Zoning Ordinance calls for roof variation to add interest to and reduce the massive scale of “large buildings.” The two rows of residential attached units certainly do not qualify as large buildings and thus there is no need for roof variation.

3. Materials and color.

The Project incorporates a combination of masonry and siding with a context-sensitive palette that is evocative of the surrounding community. The elevations will include a color palate of brick/terra cotta colored earth tones, grays and off-white compatible with the adjacent Twinbrook Station community to the south as well as the neighboring single-family detached homes.

4. Items not allowed facing a public street.

This provision is not applicable to single unit attached dwellings in a mixed-use zone.

5. Entryways.

This provision is applicable to nonresidential uses and customer entrances. As a single-use residential development, the Project does not incorporate customer entrances.

6. Screening of mechanical equipment.

Mechanical equipment is appropriately screened to mitigate noise and visual impacts.

c. Site design and relationship to surrounding community.

1. Buffers.

The Project incorporates landscaped buffers along the Property’s Halpine Road and Ardennes Avenue frontage, as well as to the west and south adjacent to the existing Forest Conservation

Easement and the existing Twinbrook Station development. Proposed buffers will include appropriate setbacks and a variety of tree types at regular intervals, with groupings of trees to provide, noise, light, and visual screening.

2. Outdoor sales and storage.

As a single-use residential development, the Project does not propose outdoor sales or storage of products.

3. Trash recycling, waste oil/grease collection area.

Trash and recycling collection will occur at each residence along the interior alley.

4. Parking lots and structures.

Parking for future residents is provided through a combination of garages and driveways located along the private alley at the rear of each residence. Parking at this location of the Project minimizes the overall scale of paved surfaces in the community and the distance from parking areas to individual dwellings.

5. Pedestrian and bicycle flows.

The Project encourages pedestrian accessibility through new sidewalks along Ardennes Avenue and Halpine Road, as well as pedestrian pathways along the Property's western open space area. The proposed pedestrian infrastructure is intended to foster walkability on-site, as well as promote walkability for future residents to various amenities and transit opportunities within the surrounding community.

6. Central features and community spaces.

The Project proposes attractive and inviting pedestrian-scale features, spaces, and amenities. In total, the Project will provide 22,800 square feet of open area – including approximately 6,486 square feet devoted to public use space. The public use space will be located along the Ardennes Avenue frontage of the Property with a pocket park improved with pathways and pedestrian-scale plantings for passive recreation proposed at the corner of Halpine Road and Ardennes Avenue and the second park provided at the corner of Ardennes Avenue and Higgins Place to supplement the existing open space. Additional open space featuring paved pathways, seating, and landscaping is also proposed for a combination of active and passive recreation along the western portion of the Property. This generous open space also provides a meaningful buffer to the Cambridge Walk townhouses.

7. Delivery and loading spaces, hours of operation.

Parking is proposed along the rear of the building groups in the private drive alley to ensure adequate access and visual screening. Given the residential product type, a designated loading space is not provided.

8. *Ancillary uses.*

No ancillary uses are proposed.

9. *Noise abatement.*

The Project is proposed in conformance with the noise regulations set forth in Chapter 31B of the Montgomery County Code.

10. *Outdoor lighting.*

The only outdoor lighting proposed other than the building mounted lighting is low level bollard lights to be located along the pedestrian path. The lighting will conform with the City's landscaping, screening, and lighting manual. The existing light poles along Halpine Road and Ardennes Avenue will remain.

11. *Landscaping.*

The Project's landscaping is proposed in conformance with the City's landscaping, screening, and lighting manual.

d. *Mixed Use Neighborhood Commercial Zone (MXNC)*

1. *Building location*

There is no build-to line provided in the Comprehensive Plan, but as described, the northern building group will be oriented along the Ardennes Avenue frontage of the Property.

2. *Uses by floor*

The Project is entirely residential.

3. *Façade*

The Project is designed in a townhouse style and will provide a variation in the façade design. The recommendations for an expression line or cornice line are not appropriate given the residential townhouse style.

4. *Fenestration*

Fenestration will be provided by individual framed windows, fitting for a residential design.

5. *Sidewalks*

The new sidewalks will comply with Zoning Code Section 25.17.05. A small area of the Ardennes Avenue sidewalk located in the southwestern corner will be subject to a public access easement.

6. *Parking*

Parking is provided in individual garages and in individual driveways at the back of the residences along the private alley, in compliance with the parking requirements.

VI. COMPLIANCE WITH INTERIM COMPREHENSIVE PLAN FLOATING ZONES

A. Residential Interim Comprehensive Plan Floating Zones

As noted, the Property is designated RF, Residential Flexible and the Comprehensive Plan recommends the Property for either the RMD-15 or MXNC Zone. Accordingly, as required by Section 25.14.35.c.2.(a)(iii), the Applicant is pursuing the MXNC Zone as the equivalent zone.

B. Waiver of Equivalent Design Standards

As discussed above in Section IV.B, the Applicant is seeking a waiver of the MXNC Zone side yard setback standard and the layback slope requirement.

C. Aesthetic Standards

Section 25.14.35.f. requires any development within an interim Comprehensive Plan floating zone to comply with certain aesthetic standards with respect to the following:

1. Façade and Massing

The two-over-two design meets the ZTA's design objectives in that the physical structures are of a modest scale and the townhouse design allows variation in the facades of each "unit." The character and scale of the Project provides a perfect transition from the various surrounding uses which include multi-family residential buildings, townhouses and single family homes. The Ardennes Avenue frontage will be defined by public use space anchored by two pocket parks at either end of the Project. As a residential project, the facades will include windows and entrances over more than 60 percent of the building length. Special attention to all of the facades will be given to ensure positive views of the Project. By virtue of the townhouse design, there will be visual interest at the pedestrian scale and the perceived massing of the overall structure will be reduced by the variation in design and vertical delineation between units.

2. Roofs

At four stories, the structures are not large and therefore a varied roofline is not required.

3. Entryways

Proposed ground-level entries to individual units are clearly demarcated from public space areas. As a single-family residential development, the Project is intentionally designed with designated entryways at the ground-level. These individual entries are setback from adjacent right-of-way, sidewalks, and open space. It is not anticipated that any individual dwelling units will be converted to retail space.

D. Public Benefits

The Project provides public benefits that enhance the objectives of the Comprehensive Plan and are proportionate to the scale of the development. The Project is providing needed housing at an appropriate 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.

VII. ADEQUATE PUBLIC FACILITIES

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). Moreover, with 36 proposed dwelling units, the proposed residential community will generate 34 fewer vehicular AM trips and 29 fewer vehicular PM trips to and from the Property than the existing Church /child care center. There is adequate water and sewer to accommodate the development.

VIII. SPECIMEN TREE REMOVAL

In connection with the Project Plan submission and pursuant to Section 10.5.21(e), the Applicant requested the removal of one on-site priority retention tree identified as Tree 9 as part of the redevelopment of the Property. The justification for the removal is set forth in the Project Plan Statement of Justification.

IX. FINDINGS

The Project satisfies the required Site Plan findings set forth in Section 25.07.01 of the Zoning Ordinance in that the Project will not:

- A. Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed development

The Property has been designed to be compatible with the surrounding neighborhood and as such will in no way adversely affect the health or safety of persons residing or working in the neighborhood. The Project is modest in height and density, at 50 feet in height and only 36 total residential units proposed. The setback to the Cambridge Walk community has been increased since the start of the project and the minimum setback is now 39 feet. Moreover, additional landscaping is proposed on the south side of the Property to increase the buffering and further ensure compatibility with the Cambridge Walk townhouse community. The addition of sensitively

designed residential units in proximity to the metro station provides an overall benefit to the entire community.

B. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood

The proposed residential Project will in no way be detrimental to the public welfare or injurious to property or improvements in the neighborhood. The addition of a well-designed residential project, in scale with the variety of surrounding uses, contributes to the overall betterment of the community. The Project will bring 36 owner-occupied units within walking distance of the Twinbrook Metro Station, thus promoting the use of public transportation.

C. Overburden existing and programmed public facilities as set forth in Article 20 of this Chapter and as provided in the adopted Adequate Public Facilities Standards

The Project represents a decrease in the number of peak hour trips, with 34 fewer AM peak hour trips and 29 fewer PM peak hour trips. There is adequate available capacity at Twinbrook Elementary, Julius West Middle School and Richard Montgomery High School to accommodate the handful of students expected to be generated by the development. There is sufficient police, fire and emergency services in proximity to the Property to ensure a prompt response time to the Project in the event of an emergency.

D. Adversely affect the natural resources or environment of the City or surrounding areas

The Project will not adversely affect the natural resources or environment of the City or surrounding area. The Project provides additional needed housing in a location where there is public infrastructure – including public transportation, to support the development. In addition, the development will result in a decrease in impervious area and will incorporate storm water management measures into the development, including micro bio-retention areas and planters. The Project also enhances the benefits of the forest conservation easement area on the Cambridge Walk property by providing additional landscaping in this area and increasing the overall size of this habitat. Finally, the overall forest conservation and tree mitigation requirements will be satisfied on-site.

E. Be in conflict with the Plan

As discussed above, the Project is consistent with the City's Comprehensive Plan and will further a number of the Comprehensive Plan's goals and objectives.

F. Constitute a violation of any provision of this Chapter or other applicable law

The proposed Project complies with the provisions and laws of Rockville governing the development of the Property. As detailed earlier in this Statement, the Project complies with all of the MXNC development standards. The Project will comply with the City's Green Building

Standards by minimizing the development's impact on the environment, and meeting the applicable International Green Construction Code. The Project will comply with the City's Art in Private Development Ordinance by providing on-site art. Finally, as previously stated, the Project will satisfy the City's Forest Conservation requirements on-site.

G. Be incompatible with the surrounding uses or property

The Project will be compatible with the surrounding uses. The Project is setback a minimum of 39 feet from the adjacent Cambridge Walk community and additional landscaping will be added in this area of the Property to enhance the existing landscape buffer. The two rows of two-over-twos are oriented such that instead of an entire row of units confronting the single family homes across Halpine Road, the narrow sides of the two rows are facing the single family homes. The Project is designed to be the perfect transition development in a location where the surrounding uses include multi-family residential buildings, townhomes and single family residences.

X. COMMUNITY OUTREACH

The Applicant hosted a Pre-Application Meeting ("PAM") on May 16, 2023. The minutes were submitted in connection with the PAM filing.

It is the Applicant's intent to schedule a post Project Plan and Site Plan submission meeting once the DRC date is identified, in order that the DRC meeting information may be included in the notice letter.

XI. CONCLUSION

The proposed Site Plan provides an opportunity to convert the soon to be vacated church-site with a modestly scaled, for-sale residential development, thus providing the City with needed housing to help address the City's housing shortage.

For the reasons stated throughout this Application, we encourage the City's approval of this Level 2 Site Plan.