

Ordinance No. 12-24

ORDINANCE: To grant Floating Zone Map Amendment Application, MAP2024-00120; to allow for the rezoning of the property at 5906 Halpine Road from the R-60 Zone to the RF-FZ Zone, Pulte Home Company, LLC, Applicant

WHEREAS, under Chapter 25 of the Rockville City Code, the Mayor and Council of Rockville (“**Mayor and Council**”) is authorized to review Floating Zone Map Amendment applications; and

WHEREAS, on October 23, 2023, Pulte Home Company, LLC (the “**Applicant**”) filed Floating Zone Map Application MAP2024-00120 (the “**Application**”), pursuant to Section 25.06.01.e. of the Zoning Ordinance, to request that the property known as Parcel A in the subdivision entitled “Halpine Baptist Church” as per plat recorded at Plat No. 8189, and located at 5906 Halpine Road, consisting of approximately 1.51 acres of land, be rezoned from the R-60 (Single unit Detached Dwelling, Residential) Zone to the RF-FZ (Residential Flexible-Floating Zone); and

WHEREAS, pursuant to Section 25.06.01.h of the Zoning Ordinance, the Planning Commission at its meeting on June 26, 2024, reviewed the Application, and after considering the information presented and testimony provided, voted to recommend that the Mayor and Council approve the Application; and

WHEREAS, pursuant to Sections 25.05.03, 25.07.03 and 25.06.01.f of the Zoning Ordinance, the Application met all notice requirements, and a duly noticed public hearing on the Application was held by the Mayor and Council on August 5, 2024, at which the Mayor and Council heard testimony and received evidence on the Application; and

WHEREAS, at its September 9, 2024 meeting, the Mayor and Council found and determined that approval of the Application would implement the land use recommendations of the Rockville 2040 Comprehensive Plan prior to adoption of the Rockville 2040 Comprehensive Map Amendment, and the Mayor and Council made further findings set forth herein, based upon information presented and testimony provided as contained in the public record.

WHEREAS, pursuant to Section 25.14.35 of the Zoning Ordinance, the Mayor and Council finds that the Application:

1. **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 Application is consistent with the 2040 Comprehensive Plan (the “Plan”) and implements the residential flexible (RF) land use designation identified in the Plan for the subject property. The RF land use includes a mix of townhouses/rowhouses and apartment buildings, as well as detached houses. The proposed two-over-two attached residential units are consistent with dwelling types expressed in the RF land use designation. The Applicant’s proposal will yield a higher density of residential units than currently permitted through existing zoning to fulfill the urban infill vision outlined in the Plan. Rezoning the subject property from the R-60 Zone to the RF-FZ Zone will permit the proposed two-over-two attached dwellings to be developed under standards of the MXNC Zone in order to further realize the residential flexible land uses envisioned by the Plan.

2. **Satisfies the intent and standards of the proposed zone and meets all other applicable requirements of this Chapter;**

The Application satisfies the intent of the proposed RF-FZ and the proposed equivalent MXNC Zone development standards set forth in Sections 25.13.05 and 25.13.06, except with respect to the side yard setback and layback slope requirement from

which the Applicant seeks waivers with the associated Project Plan Application PJT2024-00019. 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 Application proposes moderate-density residential development at an infill site designated for redevelopment near single-unit detached residential uses. The proposal conforms with the applicable requirements of the MXNC Zone, and the Mayor and Council has found, in its approval of the associated project plan, that the Applicant has shown good cause for granting the two aforementioned waivers.

3. 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 Application provides public benefits that contribute to the objectives of the Comprehensive Plan and are proportionate to the scale of the proposed development. The Application will provide more than twice the amount of required open space and will feature well-designed public-use spaces that will have 5-foot-wide walking paths, seating areas, bike racks, and other pedestrian-oriented infrastructure for the benefit of the public. The Applicant also proposes to construct a bus shelter along the Ardennes Avenue frontage to further promote the transit goal of the city and provide an additional benefit to the Twinbrook community. Finally, the Applicant proposes a \$10,000 contribution to the Twinbrook Community Recreational Center to benefit the future residents of the subject property as well as the wider community.

Such benefits collectively contribute to the objectives of the Plan specific to Twinbrook (Planning Area 8) by improving pedestrian safety and expanding the walkable nature of the community and by providing pedestrian facilities along the site's frontage and around the site. Such benefits also assist in addressing the need for additional neighborhood

recreational amenities through the Applicant's proposed financial contribution to the Twinbrook Community Recreational Center. Furthermore, the Applicant's proposed design and materials for the residential units will also positively contribute to maintaining the residential character in the planning area by offering context-sensitive architecture which will assist in providing a harmonious transition between the single-family and multi-family residential uses surrounding the subject site.

4. Is compatible with existing and approved adjacent development.

The Application is strategically designed to ensure compatibility with the surrounding residential community and limit impacts to adjacent properties. The subject property is bordered on the east by the four-story 55-foot tall, 240-unit multi-family Kansa Twinbrook residential 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 2-over-2 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 contribute to a harmonious street wall along Ardennes Avenue, limit unnecessary additional curb cuts along Ardennes Avenue and Halpine Road, and 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 residential development.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF
ROCKVILLE, MARYLAND, that based on the findings set forth above, Floating Zone
Map Amendment Application MAP2024-00120 is hereby granted.

I HEREBY CERTIFY that the foregoing is a true and correct copy
of an Ordinance adopted by the Mayor and Council at its meeting of
September 9, 2024.


Sara Taylor-Ferrell, City Clerk/Director of Council Operations

