

Resolution No. 15-24

RESOLUTION: To approve, with conditions,
Project Plan Application
PJT2024-00019, and associated
waivers

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

WHEREAS, on October 23, 2023, Pulte Home Company, LLC (the “**Applicant**”) filed Project Plan Application PJT2024-00019 (the “**Project Plan Application**” or “**Application**”), pursuant to Section 25.06.01.e.(c) and Section 25.07.07 of the Zoning Ordinance, proposing up to 36 two-over-two residential condominium units on approximately 1.51 acres of property (the “**Project**”) located at 5906 Halpine Road (the “**Property**”); and

WHEREAS, as part of their Project Plan Application, the Applicant requested two development standards waivers pursuant to Section 25.14.35.e of the Zoning Code to waive the standards of the designated equivalent MXNC zone: (1) a setback waiver to reduce the side yard setback requirement abutting residential required by Section 25.13.05.b.1 land from 52 feet to 39.88 feet and (2) a layback slope waiver to exceed the 30-degree layback slope requirements for confronting properties required by Section 25.13.05.b.2(e) including a 43.8 degree slope from the confronting property owned by Cambridge Walk II HOA II and a 35.3 degree slope from the confronting single-family properties along Halpine Road (collectively the “**Waivers**”); and

WHEREAS, pursuant to Sections 25.07.03 and 25.07.07 of the Zoning Ordinance, the Applicant met all notice requirements and conducted two public area meetings; a pre-application area meeting held virtually on May 16, 2023, a post-application area meeting held virtually on February 6, 2024; and

WHEREAS, pursuant to Section 25.07.07 of the Zoning Ordinance, the Planning Commission and the Mayor and Council received briefings on the Application on February 7, 2024, and February 12, 2024, respectively; and

WHEREAS, pursuant to Section 25.07.07 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, including the Waivers, subject to certain conditions; and

WHEREAS, pursuant to Sections 25.05.03, 25.07.03 and 25.07.07 of the Zoning Ordinance, 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, including the Waivers, would promote the health, safety and welfare of the citizens of Rockville, and the Mayor and Council made further findings set forth herein, based upon information presented and testimony provided as contained in the public record.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council approves Project Plan Application PJT2024-00019 and the associated Waivers to allow for the development of 36 two-over-two residential condominium units and associated improvements on the Property, subject to the following conditions:

1. The proposed development must be designed and constructed in a manner consistent with the concept design, graphic conceptual representation, and all associated development tables included in the project plan set.
2. Prior to approval of any occupancy permit for the proposed residential units, the Applicant shall provide documentation to Community Planning and Development Services (CPDS) demonstrating payment to the Twinbrook Community Recreational Center in the amount of \$10,000 for a public benefit contribution to expanding recreational opportunities in the Twinbrook neighborhood.
3. Before the issuance of any building, forestry, or public works permits, the applicant must obtain approval of a Final Forest Conservation Plan (FFCP) and a landscape plan. The applicant may submit these plans with the site plan signature set.
4. Before FFCP approval, the applicant must coordinate final street tree species, locations, and proposed impacts with the City Forester.
5. Before pruning or cutting any trees within the right-of-way, the applicant must obtain and submit to the City forester an MDNR Roadside Tree Permit for the work.

6. The Applicant shall dedicate for public use right-of-way along Ardennes Avenue and Halpine Road. The right-of-way to be dedicated shall be in accordance with the Project Plan and exhibits. Any deviation must be approved by the Director of Public Works at the Site Plan phase.
7. The Applicant must construct all necessary public improvements, including but not limited to curb ramps, street trees, streetlights, and street light conduits in accordance with all applicable City standards or the standards of the jurisdiction of the corresponding right-of-way. Public improvements must be located within the right-of-way or within a Public Improvements Easement as approved by the Director of Public Works.
8. The Applicant must construct all public improvements within the Property per City standards and specifications, except as otherwise approved or waived. Minor deviation from the approved cross-sections requires approval from the Director of Public Works at the Site Plan phase.
9. The Applicant shall grant to the City Public Improvement Easements (PIE) as shown on the Project Plan and exhibits. Any deviation from the location of the PIE must be approved by the Director of Public Works at the Site Plan phase.
10. The Applicant shall grant a Public Access Easement across the entire width of the privately maintained alleys.
11. The Applicant shall comply with the conditions of DPW's Water & Sewer Authorization Approval Letter dated May 10, 2024.
12. The Applicant shall comply with the conditions of DPW's Pre-Application SWM Concept Approval Letter dated December 12, 2023.
13. The Applicant shall construct dry utilities underground within Public Utility Easements unless otherwise permitted to be located elsewhere by the Director of Public Works. At the Site Plan phase, the Applicant shall submit a conceptual dry utility plan to be approved by both the utility companies and the Department of Public Works.
14. Prior to the approval of the site plan signature set, the Applicant shall submit to DPW for review and approval by the Chief of the Traffic and Transportation Division, a

detailed signing and marking plan prepared in accordance with the latest edition of the Maryland Manual on Uniform Traffic Control Devices (MD-MUTCD).

15. The Publicly Accessible Art in Private Development requirement applies to this project. Applicant must submit a concept plan with the submission of a site plan or project plan application.
16. Prior to the issuance of a building permit, the applicant must complete and provide an application and required attachments including a final plan.
17. The Applicant must incorporate a community welcome message into the development, either as a sign facing Ardennes Avenue or as part of the public art installation.

BE IT FURTHER RESOLVED THAT, for the purposes of this Resolution, the approved Project Plan means this Resolution and the exhibits to this Resolution listed below and attached hereto, including notations, references, descriptions, and writings on the Exhibits, except as modified by the above conditions of approval:

1. Exhibit A: Project Plan dated July 12, 2024, and stamp received August 9, 2024;
2. Exhibit B: Project Plan Supplemental Documents;
3. Exhibit C: Natural Resource Inventory/Forest Stand Delineation;
4. Exhibit D: Water and Sewer Authorization Letter; and
5. Exhibit E: Stormwater Management Concept Letter; and

BE IT FURTHER RESOLVED THAT, having consider the recommendations and findings of its Staff as presented at the public hearing on this Application and set forth in the Staff Reports on the Application presented to the Mayor and Council at its August 5, 2024, and September 9, 2024 meetings, which the Mayor and Council hereby adopt and incorporate by reference, except as modified herein, and upon consideration of the entire administrative record, the Mayor and Council, pursuant to Section 25.07.01.b.2 of the Zoning Ordinance, finds and determines, with the above conditions of approval, that:

1. **The Application will not adversely affect the health and safety of persons residing or working in the neighborhood of the proposed project.**

As the Applicant's proposal seeks to redevelop the Property with residential uses within an established residential neighborhood, the proposed project will provide housing and will function in a similar manner to those surrounding residential uses. As such, the proposal will generate fewer vehicular trips to and from the site than the existing church and daycare uses. Furthermore, the site will be improved with additional stormwater management and landscaping to mitigate stormwater runoff and provide buffering of the proposed development from adjacent properties. The Application will provide the required parking on-site and the existing on-street parking on Ardennes Avenue abutting the Property will provide opportunities for visitor parking. Shadow studies provided by the Applicant indicate that the proposed development will not cast shadows over buildings on adjacent properties. Therefore, the proposed residential use will not adversely affect the health or safety of persons residing or working in the surrounding neighborhood.

2. The Application is not in conflict with the Plan.

The proposal to construct two-over-two condominiums is consistent with the RF land use category identified for this Property, which falls within Planning Area 8 of the Plan and is called out as Focus Area 9. There are no other neighborhood master plans applicable to the site. The Mayor and Council finds the following compatibilities within the Plan:

- *"The area is planned for a range of residential development with the RF (Residential Flexible) land use designation, though the existing church and daycare use are also allowed under this designation." (Page 344)*

The Applicant proposes to raze the existing church building to construct residential condominiums consistent with the uses expressed with the RF designation.

- *"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. A church and/or daycare is allowed in both zones." (Page 344)*

The Applicant is requesting an interim comprehensive plan floating zone, RF-FZ, which specifically allows for projects under such designation to be developed under either an equivalent zone of the RMD-15 zone or another existing zone

recommended by the Plan. As the Plan recommends either RMD-15 or MXNC for this Property, the Applicant is requesting to develop the Property under the standards of the MXNC zone.

- *“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. 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. Established forest conservation areas adjacent to this property should be protected.” (Page 344)*

Focus Area 9 recommends the desired development on the Property, which includes an urban design recommendation that states, “a maximum height of up to 50 feet” (page 344). Focus Area 9 also recommends, that “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).

The Applicant is proposing a maximum height of 52 feet for the project. The additional two feet of height above the maximum recommended within the Comprehensive Plan is to accommodate a gable-style roof. The Applicant had initially looked at both flat and gable-style roof options for the project, intending to keep the maximum building height less than 50 feet. Following comments from the Planning Commission and Mayor and Council at their respective briefings, both bodies indicated their preference for a gable roof rather than a flat roof, citing the gable roof as being more compatible with and providing a better transition to nearby buildings and their architecture. Taking this direction, the Applicant designed the project with a gable roof and discovered that two additional feet of height are needed to accommodate the pitch of a gable roof.

The Mayor and Council concurs with the position that gable roofs would be preferred over flat roofs to maximize compatibility with the surrounding neighborhood and provide an adequate transition – two important factors stated within the Plan narrative for Focus Area 9. The impact of two additional feet of

height in this location is de minimis, and though the proposed height is above 50 feet, the rationale for the additional height is consistent with the spirit and intent of the Plan. Furthermore, the Plan's statements contained within Focus Area 9 are recommendations rather than requirements. The proposed land use is consistent with the Land Use Policy map which calls for "a mix of townhouses/row houses, and apartment buildings, as well as detached houses" (page 20). For the reasons identified above, this application is found to be compliant and not in conflict with the City's Comprehensive Plan.

3. The Application will not overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as provided in the adopted adequate public facilities standards.

The Project will not overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as provided in the adopted adequate public facilities standards.

Schools

The Property is served by the Richard Montgomery Cluster Area (Twinbrook Elementary School, Julius West Middle School, and Richard Montgomery High School), and is located within a Infill School Impact Area. Using the corresponding Montgomery County FY2024-2029 Student Generation Rates, the proposed development will generate the following number of students:

- 2 students at the elementary school level
- 1 student at the middle school level
- 2 students at the high school level

The current school test standards of the Adequate Public Facilities Standards (APFS) utilize a seat deficit and capacity percentage calculation to determine adequacy. The maximum permitted capacity level is 120% and no more than a 110-seat capacity deficit in elementary schools and 180-seat capacity deficit in middle schools. The Application meets these standards at all three school grade levels.

School Test: Seat Deficit > 110 Seats (Elem.) or > 180 (Middle) and Percent Utilization > 120% (Elem., Middle, and HS) = Moratorium						
School Type (Richard Montgomery Cluster)	Projected 2028-29 Enrollment	Students Generated by Proposed Development	100% MCPS Program Capacity 2028-29	Enrollment Including Proposed Development	School Percent Utilization in 2028-2029	School Percent Utilization in 2028-29 with Proposed Development
Twinbrook ES	413	2	629	415	65.7%	66%
Julius West MS	1,351	1	1,432	1,352	94.3%	94.4%
Richard Montgomery HS	2,755	2	2,250	2,757	122.4%	122.5%

It should be noted that while the projected enrollment in 2028-29 including the proposed development would exceed the 120% threshold to normally trigger a moratorium, per the APFS, the Richard Montgomery cluster service area remains open conditionally due to an approved CIP project that will reassign students among Gaithersburg High School, Richard Montgomery High School, Quince Orchard High School, Thomas S. Wootton High School, and Crown High School in Fall, 2027.

Water and Sewer

In a letter dated May 10, 2024 (see Exhibit D) the proposed development received Water and Sewer Authorization approval from the Department of Public Works (DPW) for connection to the City's water and sanitary sewer systems. The Water and Sewer Authorization Approval Letter lists project-specific conditions of approval.

Traffic and Transportation

Roadway Network Analysis:

A limited-scope On-Site Transportation Report was prepared in accordance with the City's Comprehensive Transportation Review (CTR) requirements, since the proposed development with consideration of all vested AM and PM peak trips for existing church

and daycare uses, as shown below, is projected to generate less than 30 peak hour trips. The submitted on-site Transportation Report focused on the site access, on-site circulation, transit, pedestrian, and bicycle accessibility and accommodations and to ensure adequate transportation facilities exist during and after a development project is complete and as required by the CTR. The submitted report was reviewed by the Department of Public Works (DPW) Traffic & Transportation staff and indicates that:

- (1) The proposed development of 36 attached residential dwelling units in lieu of the existing church and daycare uses will not generate thirty (30) or more new peak hour vehicle trips, as shown in the table below, and
- (2) The project will not substantively alter or change vehicular traffic flow movements in and around the site, and
- (3) The proposed private alley and its curb cut along Halpine Road can adequately accommodate the projected traffic that would be generated by the proposed development, and
- (4) The application is not required to pay the CTR required Transportation Improvement Fee.

Trip Generation:

As shown in the table below, and by using the rates recommended by the Latest ITE Trip Generation Manual, as required by the CTR, the Application would result in a net reduction in traffic as compared to the existing church with a 60-student daycare center:

Land Use	Size	AM Peak Hour (veh/hr)			PM Peak Hour (veh/hr)		
		In	Out	Total	In	Out	Total
Existing Land Use							
Day Care Center (565)	60 Students	25	22	47	22	25	47
Proposed Land Use							
Single-Family Attached Housing (215)	36 Units	3	10	13	11	7	18
Net New Primary Trips		-22	-12	-34	-11	-18	-29

4. The Application will not constitute a violation of any provision of this Code or other applicable law.

The Application is consistent with the Ordinance requirements, including the criteria for waivers granted under Section 25.14.35.e of the Zoning Code.

Aside from the instances where waivers are required, all development standards including open area and public use space requirements are met at this Project Plan stage of the development project. The Zoning Ordinance requires 15% open space and 10% public use space, and the Applicant has reserved enough land area to comply with this requirement in a prominent, publicly accessible location. The proposed land uses are consistent with the uses identified in the land use table in the Zoning Ordinance for the requested equivalent MXNC Zone and are also consistent with the Plan. The requirements under Sections 25.13.06 (Additional design guidelines) and 25.13.07.e (Special design regulations for individual mixed-use zones – MXNC) will ensure that thoughtful and sensitive design is utilized in the project. The Application also complies with the requirements of Article 16 (Parking and Loading) including provision of the required number of spaces at the required dimensions. Compliance with these sections will be confirmed during the site plan review.

Newly constructed sidewalks and pedestrian elements within the right-of-way shall be fully accessible and comply with the criteria for accessible routes in the 2010 ADA Standards for Accessible Design. Where the running slope of a sidewalk exceeds 1:20, such sidewalk or portion thereof shall comply with the requirements for ramps found in §405 of the 2010 ADA Standards for Accessible Design. Conformance with other requirements, including but not limited to other zoning requirements, city codes, and the building code, will be confirmed through the site plan, permit review, or other applicable process.

Waivers of Development Standards

In accordance with Section 25.14.35.e of the Ordinance, the Mayor and Council as the Approving Authority for a project plan being reviewed with a floating zone map amendment application may waive one (1) or more of the development standards of the designated equivalent zone upon finding that the applicant has shown good cause as to why

the development standard should not apply to the project. The Mayor and Council has found good cause for the Waivers requested in this case, as described below.

(a) Whether the waiver of the development standard of the equivalent zone permits the application to meet the intent of the plan

The requested waivers for setback and layback slope permit the application to meet the intent of the Plan by providing an urban infill project near transit, a stated recommendation of the Plan. Also pursuant to the recommendation of the Plan, the proposed 2-over-2 townhouse style design provides a sensitive and contextual design transition to the adjacent and confronting residential uses that vary in style. The proposed 39.88-foot side yard setback, while not equaling the proposed 52-foot height, still provides a sizeable setback for the proposed western row of units. Consistent with the recommendation of the Plan to provide protection to the forest conservation easement adjacent to this property, the proposed setback will assist in providing a buffer between the proposed units and the adjacent forest conservation area. As the proposed layback slope is a function of the proposed setback and building height, the proposed layback slope will also allow the proposed setback from the adjacent properties while also achieving the stated density through the 2-over-2 concept, consistent with the residential flexible land use envisioned for the property by the Plan.

The proposed design and layout of the units on the site allow for a functional residential development that promotes efficient land use of the Property with additional residential density at a desired location as expressed by the Plan without overburdening public facilities.

(b) Whether the waiver of the development standard results in development that is compatible with development on adjacent properties;

The Waivers foster an appropriate setback between similar residential uses. The proposed 39.88-foot side yard setback to the western property line shared with the adjacent Cambridge Walk II townhome community, along with the building group siting, context-sensitive architecture, landscaping, and harmonious massing, promotes compatibility with the adjacent residential uses. It should be noted that had the Applicant requested to rezone the Property to a zone that would have allowed development consistent with the RMD-15 Zone, as recommended by the Plan and allowed by the ZTA, such zone would permit

single-family attached homes with a maximum height of 40 feet and would require a side yard setback of only 8 feet. In addition, the layback slope requirements would not apply. The Applicant is proposing an additional 12 feet of height compared to the RMD-15 zone, for a building height of 52 feet which is permitted in the MXNC Zone and provides a side yard setback of almost five times greater than the RMD-15 zone setback requirement.

Along the northern property line abutting Halpine Road, the proposed dwellings will have a minimum setback of 10.3 feet. However, the Applicant indicates that with the intervening Halpine Road right-of-way, there will be a minimum separation of 92 feet between the proposed dwellings and the existing single-family detached homes on the north side of Halpine Road. This distance will provide a similar separation as observed between the Cambridge Walk townhomes and the confronting single-family detached homes at approximately 100 feet. The Applicant has also provided a shadow study exhibit which demonstrates that the proposed setbacks and layback slopes will not result in obstructive shadows to neighboring properties.

(c) Whether applying the development standard of the equivalent zone is consistent with good planning and design principles; and

The MXNC side yard setback and layback slope requirements are generally consistent with good planning and design principles such as ensuring that adequate light, air, privacy, and open space are provided between buildings, and specifically between single-family residential buildings and larger mixed-use buildings. However, the Property presents different circumstances that warrant consideration of alternatives to these standards. The MXNC Zone development standard requiring a setback equal to the height of the building and the layback slope requirement requiring an even greater setback may be appropriate to address the adjacency of dissimilar building types, such as a 65- to 120-foot-tall structure adjacent to a single-family home. However, in situations where comparably styled attached residential structures are located adjacent to one another, such as this project, strict compliance with the setback requirements results in unnecessary and excessive setbacks contrary to current urban design guidelines and standards. For comparison, buildings not abutting residential properties in the MXNC allow either 10-foot setbacks or no setbacks at all. In addition, providing the required 52-foot setback would present a conflict with the Plan's recommendations and general housing policy encouraging

the construction of more residential units in the city, particularly near transit stations. Furthermore, the Application seeks to follow general good planning principles by providing redevelopment of the Property where public facilities exist to service the Property, thus allowing for further efficiencies in land use and the provision of public services. A waiver from the MXNC Zone's setback and layback slope requirements is appropriate in this instance to allow for the proposed, moderate density at an infill site within an existing residential community.

(d) Such other factors as the Approving Authority reasonably deems appropriate.

The requested 12.12 feet of relief from the MXNC Zone's setback requirement and the requested 13.8 degrees and 5.3 degrees from the layback slope requirements to the west and north respectively are appropriate for the Project considering the overall context of the Project. A generous setback with a minimum of 39.88 feet between the project and the adjacent Cambridge Walk II townhome community will be provided which will allow substantial landscaping to be provided in addition to the existing landscaping which will result in a significant buffer between the proposed project and the townhome community. The Applicant has explained that the required setback does not consider that the subject property is 1.5 feet lower than the adjacent Cambridge Walk townhome community. Resultingly, the perceived height of the project relative to the Cambridge Walk townhome community is less than 52 feet, although the Zoning Ordinance requires a 52-foot setback. The adjacent Cambridge Walk townhome community is in the RMD-10 zone which requires a side yard setback of 8 feet and allows a maximum height of 35 feet. While not specifically designed as townhouses, this Application proposes attached residential units similar in style and design that will be 17 feet higher, nearly 1.5 times greater than what is allowed in the adjacent zone but is required to provide a setback that is more than six times greater than the adjacent zone (8 feet vs. 52 feet).

Requiring a building setback equivalent to the building height for the subject project is unnecessary due to the similar single-family residential uses anticipated for both the subject and adjacent Cambridge Walk properties. Unlike in cases where adjacent properties of different uses might warrant additional setbacks to account for various impacts such as additional traffic, light, and noise, the proposed project is anticipated to function as a residential development like surrounding properties and it will not incorporate

any mixture of uses which might yield an increase in the impacts. In addition, as previously mentioned, the proposed setback and layback slope will prevent shadows from the project from impacting adjacent properties. Furthermore, such factors as achieving additional housing units, particularly near transit, represent a major objective identified by the city in the adoption of the Plan, and this project seeks to bring such objectives to fruition through the proposed development.

As the City has not yet been through comprehensive rezoning to implement the land use categories specified by the Plan, the interim floating zone process established by the ZTA allows properties to proceed with development in accordance with the plan prior to such rezoning. By establishing such a process, the ZTA anticipated that the floating zone standards may be challenging for compliance on certain sites, and thus permitted waiver provisions to provide methods of relief when meeting certain criteria. The Applicant's proposal seeks to redevelop the site pursuant to the Plan's recommendations and the requirements of the adopted ZTA.

5. The Application will not adversely affect the natural resources or environment of the City or surrounding areas.

Stormwater Management

Stormwater Management (SWM) for this project will be provided for all new and replacement impervious areas as required by Chapter 19 of the Rockville City Code and in compliance with the Pre-Application SWM Concept Approval Letter dated December 12, 2023 (see "Pre-App SWM Concept Approval Letter" attachment). The Pre-Application SWM Concept Approval Letter lists project-specific conditions of approval.

Forestry

This project must meet all requirements of Chapter 10.5 of the City's Forest and Tree Preservation Ordinance in addition to any additional City or State requirements.

The City approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) on October 10, 2023 (FTP2023-00059). The NRI/FSD did not delineate any onsite forest. Staff noted the presence of existing forest conservation easements (FCEs) (FTP2003-00033 and FTP1995-00005) on neighboring properties during the plan review. As a result, staff

requested the applicant's proposed limit of disturbance be setback, to ensure stewardship of the adjacent properties FCE.

As of the date of this document, the City is currently undergoing a 3rd review for the Preliminary Forest Conservation Plan (PFCP) received by CPDS on June 13, 2024. The 3rd submission of the PFCP shows required tree protection measures along the property lines adjacent to the neighboring FCEs including tree protection fencing and root pruning. At the time of the Site Plan and/or Final Forest Conservation Plan submittal, the applicant will also be required to present a management plan created by a certified arborist. This plan will detail best management practices along the property lines abutting the adjacent FCE to minimize impacts to the adjacent trees.

Forest Conservation

The 2nd submission of the PFCP received by CPDS indicates that the property is subject to an afforestation requirement of 0.22 acres. The applicant is proposing to meet this requirement through the planting of 35 trees on-site, 9 of which are street trees along Halpine Road and Ardennes Avenue.

Significant Trees

There are a total of 22 significant trees on site, with two of them being specimen trees, which are trees that have a DBH of 30" or greater. The 2nd submission of the PFCP shows the removal of 8 onsite significant trees, one of them being a specimen tree. Per Chapter 10.5, the removal of specimen trees will require approval from City staff of a justification for removal at the time of Final Forest Conservation Plan (FFCP) approval. There is a total of 26 significant replacement trees required in the current PFCP submission, and the applicant is proposing to meet that requirement with 26 proposed trees to be planted as significant tree replacements. These significant tree removals and replacements are subject to review in the PFCP and FFCP review processes.

Street Trees and Lot Trees

Consistent with the requirements of Section 25.21.21, the applicant is proposing to plant 10 street trees on Ardennes Avenue and 7 street trees on Halpine Road within the public right-of-way.

Historic Resources

The property is not within a historic district and has no potential historic resources on site. As the existing church is proposed to be demolished, the subject property is required to be evaluated by the Historic District Commission (HDC). On January 18, 2024, the HDC reviewed the property for the historic significance and voted to not recommend historic designation of the property.

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


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