

Adopted by the Mayor and Council of Rockville, at its meeting on May 2, 2011

Annexation Plan

Annexation Case No: ANX2011-00141

This annexation plan is prepared as a result of the change in State law governing municipal annexation and planning (House Bill 1141)¹ Pursuant to Article 23A, Section 19 (o) of the Annotated Code of Maryland, the Annexation Plan shall include a description of the land use pattern proposed for the area to be annexed, demonstrate the available land for public facilities, describe the schedule for extending the public services and the anticipated means of financing the extension of services. The following description fulfills the requirement. The area proposed for annexation is within the City's Maximum Expansion Limits, as established in the City's Master Plan, the Municipal Growth Element, adopted in December 2010.

General Information and Description

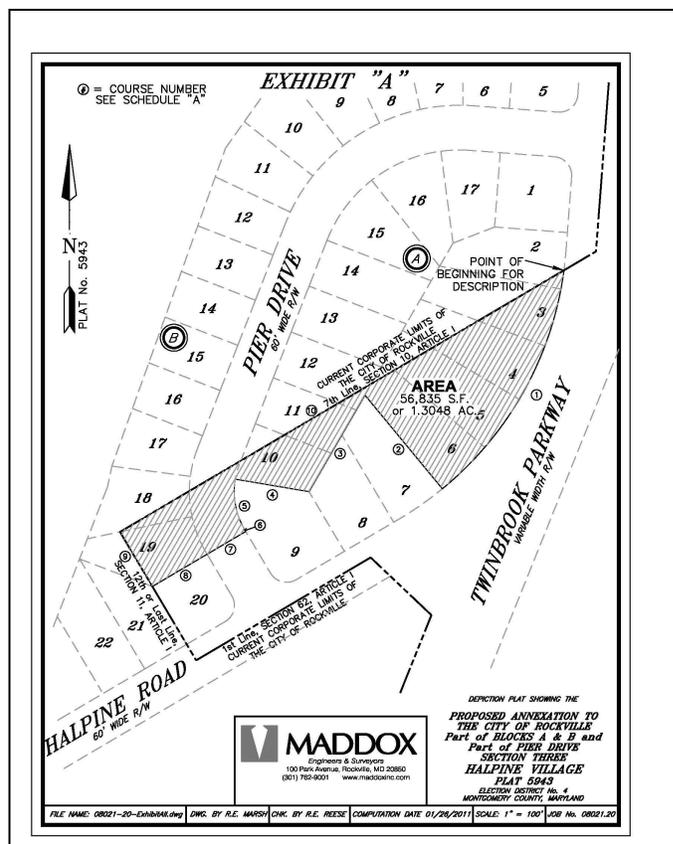
Petitioners:

Mayor and Council, City of Rockville, 111 Maryland Avenue, Rockville, Maryland 20850

Location:

The ten parcels proposed for annexation are located along the southeast border of the City, along Twinbrook Parkway, Halpine Road and Pier Drive at the listed addresses. Exhibit A shows the entire area to be annexed. The area proposed for annexation is approximately 1.3048 acres or 56,835 square feet and includes some right-of-way along Pier Drive and parts of the following-

- 5624 Pier Dr (lot 10)
- 5622 Pier Dr (lot 11)
- 5620 Pier Dr (lot 12)
- 12906 Twinbrook Parkway (lot 2)
- 5629 Pier Dr (lot 19)
- 5627 Pier Dr (lot 18)
- 5611 Halpine Road (lot 6)
- 12900 Twinbrook Parkway (lot 5)
- 12902 Twinbrook Parkway (lot 4)
- 12904 Twinbrook Parkway (Lot 3)



¹ HB 1141 passes by the 2006 General Assembly and made into law, revised sections of Article 66B and 23A of the Annotated Code of Maryland.

Adopted by the Mayor and Council of Rockville, at its meeting on May 2, 2011

The metes and bounds description of the proposed annexation is included as Attachment A.

Background

During the 2009 Maryland Legislative Session, new legislation was passed (Senate Bill 350 and House Bill 220) that address situations in which properties straddle city boundaries by being partially within and partially outside of a city. Pursuant to the legislation, a city may initiate annexation of such properties without needing to follow all of the normal annexation provisions regarding obtaining the consent from property owners, as is normally mandated per Article 23A, Section 19 of the Annotated Code of Maryland. All other requirements of Article 23A remain in effect under the 2009 legislation.

In order for a property to be eligible under the 2009 legislation, the following conditions must be true with respect to the property, as stated in SB350:

(i) 5 acres or less; and

(ii) Part of a lot that contains:

1. At least one other parcel that is already within the Municipal Corporate Area;
2. Only parcels that have been included in the Municipal Corporate area for 3 years or more; and
3. A Municipal corporation may not annex more than 25 acres, regardless of the number of parcels or lots annexed, under provisions of this subsection.

The stated provisions took effect on October 1, 2009 and remain effective for a period of two years. The provisions will "sunset" on September 30, 2011.

Land Use Patterns of areas proposed to be annexed

The area of annexation is approximately 1.3048 acres (or 56,835 square feet).

Existing and proposed zoning and land use:

The existing zoning in the County is R-60 (Single Family Residential). The City's proposed zoning for properties to be annexed is R-60 (Single Family Detached Dwelling Residential Zone), which is consistent with the County zoning and that of the adjacent properties. The current land use on the subject annexation is compliant with the City Zoning Ordinance, fulfills the requirements and purposes of the zone and is compatible with the surrounding community. There are ten single-family homes existing on each of the ten properties. If annexed, there are no changes proposed to the existing uses.

Compliance with Montgomery County Master Plan:

The existing development on the site is consistent with the County Master Plan, the Twinbrook Sector Plan as adopted by the Maryland National Parks and Planning Commission on December 2009, and amended and adopted on January 2009.

Adopted by the Mayor and Council of Rockville, at its meeting on May 2, 2011

Adequacy of Public Facilities

Water and Sewer:

The Washington Suburban Sanitary Commission (WSSC) currently provides public water and sewer services to the properties within the annexation area. No changes in service will occur as a result of the annexation.

Roads:

The existing public roads are adequate to serve the properties within the annexation area. Twinbrook Parkway remains the maintenance responsibility of Montgomery County. The City of Rockville and Montgomery County maintain portions of Halpine Road and Pier Drive. The City of Rockville will assume maintenance responsibility for the additional area of Pier Drive that is included in the annexation area.

Police Services:

Police protection will primarily be provided by Rockville Police Department in conjunction with the Montgomery County Police Department. County Police District 1 serves Rockville, though the resources of the entire County Department are available if needed.

Fire, EMS and Rescue Services:

No significant impacts on emergency services and public schools are anticipated as a result of this annexation since there are no proposed changes to existing uses. The Montgomery County Fire and Emergency Services (MCFRS) provides fire and disaster protection. Rockville does not provide this service as a part of its municipal government. There are two fire stations in Rockville, Station 3 and Station 23 that serve this neighborhood, although other stations are available to supplement service (such as Station 21 in Kensington).

School Services:

No impacts on Montgomery County Public Schools systems are anticipated as a result of this annexation since there are no proposed changes to existing uses. The ten properties in the proposed annexation currently have ten single-family homes that are currently served by Twinbrook Elementary School, Julius West Middle School and Richard Montgomery High School.

Parks and Recreation/Public Libraries:

Similarly, parks and recreation facility expansion are not proposed for this annexation since no additional impact is anticipated as a result of this annexation. Since no additional residential units are proposed as a result of the annexation, there are no impacts to the Montgomery County Public Library systems.

Stormwater Management:

If annexed, all properties shall be required to pay an annual Stormwater Management Utility Fee

Adopted by the Mayor and Council of Rockville, at its meeting on May 2, 2011

in accordance with Section 19-36 of the Rockville City Code. The City Stormwater Management Utility Fee will replace the Water Quality Protection Charge, an annual fee assessed by the Montgomery County Department of Environmental Protection. City of Rockville properties are exempted from the Montgomery County Water Quality Protection Charge.

Impact on sensitive environmental areas:

Since there is no development planned on the site, there are no impacts to the environmental resources on or immediately adjacent to the site.

Cost to the City on having to provide such services:

The City will not incur any significant increases in operational costs as a result of the annexation.

In summary, the proposed area to be annexed is consistent with the County and the City Master Plans, fulfills the purposes and requirements of the zone, and is compatible with the surrounding community. There are minimal consequences and impacts in terms of the services that the City of Rockville will provide to the property owners.

Adopted by the Mayor and Council of Rockville, at its meeting on May 2, 2011

Attachment A

District No. 04
Account Nos.: 169832, 49302, 54206, 48375
49825, 169978, 169683,
169227, 56490, 55347

SCHEDULE "A"

DESCRIPTION
PROPOSED ANNEXATION AREA TO
THE CITY OF ROCKVILLE
Parts of BLOCKS A & B and Part of PIER DRIVE
SECTION THREE, HALPINE VILLAGE
Plat No. 5943
Election District No. 04
Montgomery County, Maryland

Being parts of Lots 2, 3, 4, 5, 6, 10, 11, & 12, Block A; parts of Lots 18 & 19, Block B; and part of Pier Drive; as shown on the subdivision record plat entitled, "HALPINE VILLAGE, SECTION THREE", dated June 1, 1950, recorded as Plat Number 5943 among the Land Records of Montgomery County, Maryland; and being more particularly described as follows:

Beginning for the same at a point where the present corporate limits (7th line, Section 10, Article I, Charter of the City of Rockville, Maryland) intersect with the westerly right of way line of Twinbrook Parkway (formerly Halpine Road), along the frontage of Lot 2, Block A, Section Three, HALPINE VILLAGE, shown on the above referenced subdivision record plat, thence running with said right of way line

343.07 feet along a Curve to the Right having a Radius of 457.46 feet, Delta of 42°58'07", Chord Bearing and Distance of South 29°01'16" West 335.09 feet to a point, thence running with the line of division between Lots 6 & 7, Block A, of said subdivision

North 39°29'41" West 162.72 feet to a point, thence running with the rear lines of Lots 7, 8, 10, 11, and part of the rear line of Lot 12, Block A, of said subdivision

South 30°00'00" West 149.50 feet to a point, thence running with the line of division between Lots 9 & 10, Block A, of said subdivision

North 80°20'13" West 100.00 feet to a point on the easterly right of way line of Pier Drive, thence with said right of way line

70.26 feet along a Curve to the Left having a Radius of 100.00 feet, Delta of 40°15'24", Chord Bearing and Distance of South 10°27'55" East 68.82 feet to a point of tangency, thence

South 30°35'37" East 2.86 feet to a point, thence crossing said Pier Drive

Adopted by the Mayor and Council of Rockville, at its meeting on May 2, 2011

South 59°24'23" West 60.00 feet to a point on the westerly right of way line of Pier Drive and at the corner common to Lots 19 and 20, Block B, "HALPINE VILLAGE, SECTION 3" aforesaid, thence leaving said westerly right of way and running with the line of division between said Lots 19 and 20, still

South 59°24'23" West 85.00 feet to a point at the rear corner of said Lot 20, said point also being on the present corporate limits (12th or Last line, Section 11, Article I, Charter of the City of Rockville, Maryland), thence with said limits

North 30°35'37" West 85.00 feet to a point, thence

North 59°24'23" East 689.47 feet to the place of beginning containing 56,835 square feet or 1.3048 acres of land, more or less, as computed January 26, 2011 by Maddox Engineers & Surveyors, Inc., Job No. 08021-20.

Adopted by the Mayor and Council of Rockville, at its meeting on May 2, 2011

