MCPB Item No.

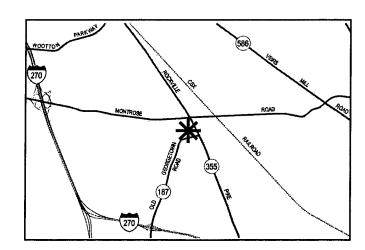
Date: 1/17/2014

Staging Allocation Request No.25800 for Pike and Rose Phase 1, Site Plan Amendment No.82012002A

N'kosi Yearwood, Senior Planner, Area 2, Nkosi.yearwood@montgomeryplanning.org, 301-495-1332
Khalid Afzal, Supervisor, Area 2, Khalid.afzal@montgomeryplanning.org, 301-495-4650
Glenn Kreger, Division Chief, Area 2, glenn.kreger@montgomeryplanning.org, 301-495-4653

Description

- Staging allocation for an additional 1,000 square feet of non-residential development;
- Located at the north-western intersection of Old Georgetown Road (MD 187) and Rockville Pike (MD 355);
- On 8.5 gross acres of land in the CR4 C 3.5 R3.5 H 300 and CR3 C1.5 R2.5 H200 Zones in the White Flint Sector Plan area;
- Applicant: Federal Realty Investment Trust filed on January 6, 2014



Summary

 Staff recommends approval of the Staging Allocation Request (SAR) for Pike and Rose, Phase I Site Plan Amendment No. 82012002A.

BACKGROUND

Implementation of the 2010 *White Flint Sector Plan* is guided by a staging plan that addresses the timing of new development and public facilities within the lifetime of the Plan. Phase 1 of the White Flint Staging Plan allows up to 3,000 residential units and up to 2.0 million square feet of non-residential development. To ensure compliance with the phasing limits of each stage, the Planning Board has approved Implementation Guidelines specifying how development capacity is allocated (Council Resolution No. 17-213, Approval of Planning Board Regulation 11-01, White Flint Allocation).

On March 23, 2012, by Resolution No. 12-36, the Planning Board approved the first Staging Allocation Request (SAR) No.25400, by Federal Realty for 493 residential dwelling units and 262,800 square feet of non-residential for Mid-Pike Plaza (Pike & Rose), for the approved Site Plan No. 820120020 (Attachment 1). This is the only SAR issued since the adoption of the *White Flint Sector Plan*.

Federal Realty has obtained building permits for 211,958 square feet of new non-residential development out of the total approved staging capacity of 262,800 square feet of new development (Attachment 2). Under the Board's SAR rules, Federal Realty had 180 days to file a building permit application for the approved SAR. "An applicant who fails to obtain timely acceptance of a building permit application loses any staging capacity allocated for which no building permit application has been accepted" (50.35.02.01 (B) (4). The Board's Regulation 11-01 further explains that "[t]he portion of the Staging Allocation Approval that is not perfected by obtaining timely acceptance [of a building permit application] by the Department of Permitting Services is thereafter void" (50.35.02.01 (B) (4). Therefore, the Applicant has an approved SAR of 211,958 square feet of new development (and the demolition credits for 85,795 square feet).

PROPOSED APPLICATION

On December 9, 2013, the Planning Board approved Pike and Rose, Phase I Site Plan Amendment No. 82012002A for approximately 1,000 square feet of new retail development. On January 6, 2014, Federal Realty filed this SAR application for a total of 298,753 square feet, which comprises the: 211,958 square feet of new development previously approved for staging allocation; 85,795 square feet of demolition credits; and a new SAR request for 1,000 square feet of new retail. As of the date of this report, the staging allocation in Phase 1 of the White Flint Staging Plan is as follows:

Staging Capacity	Residential Units	Non-Residential Square Feet
Sector Plan Limit-Phase I	3,000	2.0 million
Approved Staging Allocation secured by building permits for SAR No.25400 for Site Plan No. 820120020	493	211,958
Current SAR request (for Site Plan No. 82012002A)	NA	1,000
Remaining Sector Plan Limit for Phase 1	2,507	1,787,042

If the current SAR request is approved, 2,507 residential units and 1,787,042 square feet of non-residential development remain available for future allocation.

RECOMMENDATION

Under Planning Board Regulation 11-01, the Planning Board must approve the SAR if sufficient staging capacity remains available. The capacity is available; therefore, Staff recommends approval of this request.

Attachments

- 1. Planning Board Resolution No. 13-175
- 2. Staging Allocation Request

ATTACHMENT 1



DEC 19 2013

MCPB No. 13-175 Site Plan No. 82012002A Pike and Rose, Phase I Date of Hearing: December 5, 2013

RESOLUTION

WHEREAS, under Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is authorized to review site plan applications; and

WHEREAS, on October 10, 2011, the Planning Board approved Sketch Plan No. 320110010 (MCPB Resolution No. 11-05) ("Sketch Plan") establishing several binding elements, including a maximum density up to 3,422,888 square feet of total density including, a maximum of 1,716,246 square feet of non-residential development on 24.38 gross acres of land bounded by Montrose Parkway to the north, Towne Road (formerly Hoya Street) to the west, Rockville Pike (MD 355) to the east, and Old Georgetown Road to the south ("Property") split-zoned CR3 C1.5 R2.5 H200 and CR4 C3.5 R3.5 H300, in the White Flint Sector Plan; and

WHEREAS, on September 13, 2013, Federal Realty Investment Trust ("Applicant") filed an application for approval of a Site Plan Amendment to add approximately 1,000 square feet of additional retail space; upgrade landscaping and open spaces; add outdoor seating areas; screen a loading area; and provide new sidewalks and pedestrian access on a portion of the Property; and

WHEREAS, Applicant's Site Plan application was designated Site Plan No. 82012002A, Pike & Rose-Phase I (the "Application"); and

WHEREAS, following review and analysis of the Application by the Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum, dated November 18, 2013, to the Planning Board setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, on December 5, 2013, Staff presented the Amendment to the Planning Board as a consent item for its review and action at which time the Planning

Approved for legal sufficiency
M-NCPPC Office of General Counsel

MCPB No. 13-175 Site Plan No. 820120020A Pike and Rose, Phase I Page 2

Board voted to approve the Application subject to certain conditions, by the vote as certified below:

NOW, THEREFORE, BE IT RESOLVED that, the Planning Board APPROVES Site Plan No. 82012002A by modifying the following conditions of the previously approved site plans: ¹

1. Site Plan Conformance

The development must comply with the conditions of approval for Site Plan No. 820120020 as listed in the MCPB No. 12-27, except as amended by this Application.

2. Environment

The Applicant must revise the Final Forest Conservation Plan for Phase I to in include the revised limits of disturbance prior to certified site plan.

3. Place Making Plan

The Applicant must update the "Placemaking and Phase 1 Amenity Plan for Pike & Rose" ("Placemaking Plan") to include this amendment area.

4. Certified Site Plan

Prior to approval of the certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

a) Include the updated public use space calculations for Phase 1, and this Site Plan Amendment resolution on the cover sheet.

BE IT FURTHER RESOLVED, that all other site plan conditions of approval for this project remain valid, unchanged and in full force and effect;

BE IT FURTHER RESOLVED, that all site development elements as shown on Pike and Rose, Phase I submitted to M-NCPPC on November 1, 2013 are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval that this Amendment does not alter the intent, objectives, or

¹ For the purpose of these conditions, the term "Applicant" also means the developer, the owner or any successor(s) in interest to the terms of this approval.

MCPB No. 13-175 Site Plan No. 820120020A Pike and Rose, Phase I Page 3

requirements in the originally approved site plan, and all findings not specifically addressed remain in effect.

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Vice Chair Wells-Harley, seconded by Commissioner Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson and Dreyfuss voting in favor, and Commissioner Presley absent, at its regular meeting held on Thursday, December 5, 2013, in Silver Spring, Maryland.

Françoise M. Carrier, Chair

Montgomery County Planning Board

ATTACHMENT 2



8787 Georgia Avenue

1626 East Jefferson Street

301-995-3722

Fax Number

Street Address Rockville

301-998-8100

Telephone Number

ay

Montgomery County Planning Department Maryland-National Capital Park and Planning Commission

RECEIVED M-NCPPC

JAN - 6 2014

1 of 6

MONTGOMERY COUNTY PLANNING DEPARTMENT

(e) kgy 13, 2011 Phone 301.495.4550

20852

Zip Code

Silver Spring, Maryland 20910-3760 www.montgomeryplanning.org Fax 301.495.1306 STAGING ALLOCATION REQUEST FORM 据发展的信息设施的1464.P.2. 1923年125年125年1264.A.1 **《中華學院》**後為 25800 **SAR Number** SAR **Lead Reviewer Date Final Application Received** 2014 **Planning Board Date** An application will not be accepted for review unless all required information is provided. If an item requires more space, attach a separate sheet. MIDPILL PLAZA amendment 2014 0103 Plan Name (most recently approved): Pike + Rose **Approval Requested:** Planning Board Level Staff Level Associated with M-NCPPC Approved Plan \$2012002A ☐ SAR Exemption **Building Permit Only*** No-Net Draw on Capacity * Provide Property Tax ID Development Plan Approvals Pre-Date Sector Plan Approval Previous Plan Approvals: (enter information, if applicable) Sketch Plan: 320110010 - Mid-Pike Plaza Number Name Preliminary Plan: 12012002A - Pike + Rose Number Name Site Plan Name: 82012002A - Pike + Rose Number Name Does Site Plan cover the entire Preliminary Plan property boundary? Yes No. Other Plans: Applicant: Owner or Owner's Designee - check applicable; written verification required if not the owner.) Dawn M. Becker, Executive VP-COO Federal Realty Investment Trust Contact Person Company Name

Use page 5 to provide additional contacts' information, if desired.

MD

E-mail

State

DU

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^{*} If the Site Plan covers less than the Preliminary Plan boundary, use the Preliminary Plan.

^{**} Attach proof of demolition if credit taken.

Demolition Credit Accounting Worksheet - Non-Residential Square Feet

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dings Actually D	emolished**				Sq.F
0748	11810		Rockville	Pike	<i>Sq.Fl</i> 48,738
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^{**} Attach proof of demolition if credit taken.

⁽¹⁾ The total non-residential of approved for demolition has been approximated. The actual total will be determined with the demolition permits associated with future SAR applications.

⁽²⁾ Demo credits of 85,795 sf are for existing non-residential buildings within the boundaries of the Phase 1 Site Plan 82012002A only. Applications for demo credits for balance of existing non-residential development covered by preliminary plan will be included in future SAR applications.

1/3/2014

Date

	ociated with t	ne SAR	Ideasasa balay			
11550			dresses delow	edited due to	a revised add	ressing plan.
A. 11579 11550 bldg 10	Old Georget	own Road				
Street Number Prefix	Street Name	_		Street Type	Suffix	
B. 11800 11810 bldg 11	Grand Park	Avenue				
Street Number Prefix	Street Name			Street Type	Suffix	<u></u>
C. 11801 900 bldg 12	Grand Park /	venue Pers	ei Place			
Street Number Prefix	Street Name	7		Street Type	Suffix	
D. 11802 ex blk 13	Rockville Pike	<u> </u>				
Street Number Prefix	Street Name			Street Type	Suffix	
<u>E.</u>						
Street Number Prefix	Street Name			Street Type	Suffix	
	Numbers be	elow edited to	reflect permit s	et SF and units	J	
Allocation Worksheet			<u> </u>			
I. Dwelling Units	Building	Building	Building	Building	Building	
I. Dwelling Onto	A.	В.	С.	D.	E.	SAR Total
a. Requested Residential Sq.Ft.	440,400	0	195,800	0		636,200
b.Requested DU	319	0	174	0		493
c. MPDU Approved	20 32	o	34 30	0		62
d.MPDU Credit	0	0	0	0		0
e. Demolition Credit Applied	0	0	0	0		0
f. Net Allocation	440,400	0	195,800	0		636,200
II. Non-Residential Square Feet	(3)	240,199	45,254	D.	<u>E.</u>	SAR 7-1-1-1-298,753
a. Requested	13,360	2 51,200	50,300	1,000		314,600
b.Demolition Credit Applied	0 12,300	85,795 154,404	0 45,254	0		85,795 212,958
c. Net Allocation	13,300-	1 65,405	50,300-	1,000		229,005
Applicant hereby acknowledges that outhorized to represent the owner(s) taging Allocation Request has been and reasonable belief, the information) (written verifica included in this	ation provided, application, ar accurate.), that all requi	ired information	for the subn	nission of a

Dawn M. Becker, Executive Vice President-Chief Operating Officer

Name (Type or Print)

⁽³⁾ Actual of shown for Buildings A, B, C and of added to existing building D now reflect permit set square footages, but previously reflected numbers which were inflated somewhat, to capture all that could be built in this phase.

Owner (If Applicant is a representative or contract purchaser, list owner here)

Federal Realty Investme	int trust	Da	wn M. Becker	
Name		Col	ntact Person	
1626 East Jefferson Stree	t			
Street Address				
Rockville			MD	20852
<i>Gty</i> 301-998-8100			State	Zip Code
Telephone Number	Fax Number	E-mail		
Architect				
Design Collective (arch b	idg 10 & 12)	Mici	nael Goodwin	
Name		Con	act Person	
601 East Pratt Street, Suite	300			
Street Address				
Baltimore			MD	21202
City			State	Zip Code
410-685-6655				Lip Code
Telephone Number	Fax Number	E-mail		· · · · · · · · · · · · · · · · · · ·
•				
Engineer				
VIKA Maryland, LLC		lan P	. Duke	
Name			nct Person	
20251 Century Boulevard		Corne	et / c/30//	
Street Address				
Germantown			MD	20874
City			State	
301-916-4100			Sibie	Zip Code
Telephone Number	Fax Number	E-mail		
Attorney				
Linowes & Blocher		Barba	a Sears	
Name			t Person	
200 Wisconsin Avenue, Suite	e 800	50/100		
Street Address				· · · · · · · · · · · · · · · · · · ·
Bethesda			MD	20814
City			State	
301-961-5157			~ 1010	Zip Code
Telephone Number	Fax Number	E-mail		
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25 Connecticut Avenue, NW,	Suite 300	Contact	rerson	
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ashington			PC	
ly			DC Canada	20036
			State	Zip Code
02-857-8300				

Checklist

This application may be submitted by appointment only. Please contact the DARC Intake Section at 301-495-4611 to schedule an appointment. The following items are required to be included in the application. See Submission Requirements for more details about the items below.

- 1. General Information
 - 1.1 Completed application form and checklist.
 - 1.2 Fee schedule and application fee.
- 2. Supporting Drawings and Documents
 - 2.1 Building Location Plan Drawing
 - a. Plan base is the most recently approved development plan
 - b. Buildings included in the SAR are highlighted
 - c. Address of each building included in the SAR is noted on the plan drawing
 - 2.2 All Demolition Permits for Demolition Credit taken
 - 2.3 Photos or other evidence to verify that all buildings for which Demolition Credit Taken have been demolished
 - 2.4 Copy of the Planning Board resolution approving any plans associated with the SAR (preliminary, site, etc.)
 - 2.5 Written verification that applicant (if not the property owner) is legally authorized to submit this application on behalf of a property owner, if applicable.

No. Copies	Applicant	M NCPPC Staff
1	X	V.
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(3) - please www.pikeandrose.com to see project progress and buildings under construction

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Home	Building Permit	Building Permit Entry					
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		<u>SAR ID</u> 25400 ▼	BP Acceptance Date 08-JUN-12				
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		Timely Submission Expiration Date 19-SEP-12	BP Step Building Permit Issued				
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Welcome: ANGELA BROWN Logout

Home	Building Permit	Building Permit Entry					
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