



ATTACHMENT 6

MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

AUG 15 2014

MCPB No. 14-65
Staging Allocation Request No. 26000 (Site Plan No. 820130120)
Pike & Rose-Phase II
Date of Hearing: July 24, 2014

RESOLUTION

WHEREAS, under the Subdivision Staging Policy's White Flint Alternative Review Procedure, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review Staging Allocation Requests in the White Flint Sector Plan area; and

WHEREAS, on July 3, 2014, Federal Realty Investment Trust ("Applicant") filed an application for approval of a multi-building Staging Allocation Request ("SAR") associated with Site Plan No. 820130120 (Pike & Rose-Phase II), which is approved for up to 645,976 square feet of residential development and 1,122,960 square feet of non-residential development on 13.21 acres of land located on Grand Park Avenue, north of Old Georgetown Road (MD 187) and west of Rockville Pike (MD 355) in the White Flint Sector Plan area; and

WHEREAS, Applicant's July 3, 2014 Staging Allocation Request application was designated Staging Allocation Request No. 26000, Pike and Rose-Phase II ("SAR"); and

WHEREAS, following review and analysis, the Planning Department issued a memorandum to the Planning Board, dated July 11, 2014, setting forth its analysis, and recommendation for approval, of the SAR; and

WHEREAS, on July 24, 2014, the Planning Department presented the SAR to the Planning Board as a consent item for its review and action; and

WHEREAS, under the Planning Board's Regulation on Implementing the Subdivision Staging Policy's White Flint Alternative Review Procedure, COMCOR 50.35.02.01, the Planning Board must approve an SAR if sufficient staging capacity is available under the White Flint Sector Plan to meet the entire SAR; and

WHEREAS, at the time of the hearing, staging capacity of 1,787,042 square feet of non-residential development and 2,507 residential dwelling units was available; and

Approved as to
Legal Sufficiency:

WHEREAS, at the hearing, the Planning Board approved the Application by the vote certified below;

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Board APPROVES an allocation of staging capacity for 368 residential dwelling units and no non-residential development for Buildings 6 and 7 as approved in Site Plan No. 820130120; and

BE IT FURTHER RESOLVED that, having given full consideration to the recommendations of its Staff as presented in the Staff Report, which the Board hereby adopts and incorporates by reference, that there is sufficient capacity available in the White Flint Staging Plan to support this staging allocation approval; and

BE IT FURTHER RESOLVED that the Applicant must have all core and shell building permit applications associated with this SAR accepted by the Department of Permitting Services ("DPS") by no later than the close of business on the 180th day after the date of this Resolution, and that failure to meet this deadline will automatically void any staging capacity that has not been perfected by the timely acceptance by DPS of a core and shell building permit application; and

BE IT FURTHER RESOLVED that the Applicant must present evidence of DPS's acceptance of any core and shell building permit application(s) associated with this staging allocation approval no later than 15 days after its acceptance; and

BE IT FURTHER RESOLVED that no later three years from the date of this Resolution, the Applicant must obtain core and shell building permits from DPS for all buildings associated with this staging allocation approval, and that failure to meet this deadline will automatically void any staging capacity that has not been perfected by the timely issuance of a core and shell building permit; and

BE IT FURTHER RESOLVED that, for the purpose of this resolution, the term "Applicant" also means the developer, the owner, or any successor(s) in interest to the terms of this approval.

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is AUG 15 2014 (which is the date that this Resolution is mailed to all parties of record); and

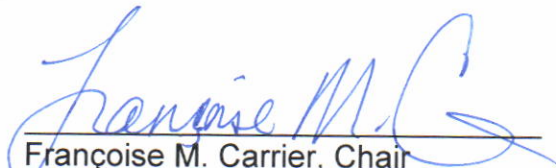
BE IT FURTHER RESOLVED that any party authorized by law to take any administrative appeal must initiate such an appeal within thirty days of the date of this

Resolution, consistent with the procedural rules for the judicial review of administrative 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 Commissioner Presley, seconded by Commissioner Dreyfuss, with Vice Chair Wells-Harley, and Commissioners Dreyfuss and Presley present and voting in favor of the motion, and Chair Carrier present but not participating in the vote, and Commissioner Anderson absent, at its regular meeting held on Thursday, July 24, 2014, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board