



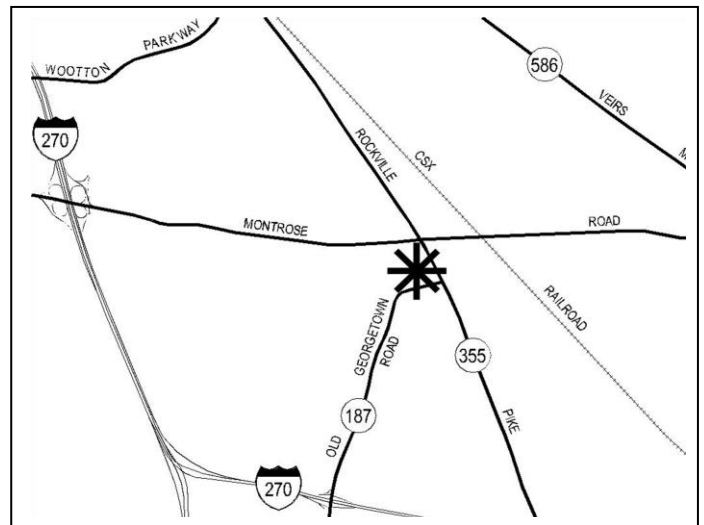
**Pike and Rose Phase II Limited Site Plan Amendment 82013012C**

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**Staff Report Date: 9/9/16**

**Description**

- Request for a reduction of 38 units, including five MPDUs for Building 2; update unit type for Buildings 6 and 7; modification of Towne Road to incorporate a protected bike lane and streetscape changes; an increase in the park pavilion building size by 255 square feet; increase in parking by 54 spaces; design modifications for Rose Park; and updates to the Certified Site Plan set to reflect as-built conditions for garage 7;
- Located on the north side of Old Georgetown Road (MD-187), between Rockville Pike (MD-355) and Towne Road, within the *2010 White Flint Sector Plan*;
- 10.32 acres in the CR-3 C-1.5 R-2.5 H-200 and CR-4 C-3.5 R-3.5 H-300;
- Applicant: Federal Realty Investment Trust
- Application Acceptance date: 7/1/16.



**Summary**

- Staff recommends approval with conditions.
- Staff reviewed this Amendment under the Zoning Ordinance in effect on October 29, 2014, pursuant to the grandfather provisions of Section 7.7.1.B.3 of the current Zoning Ordinance.

## Staff Recommendation and Conditions

Staff recommends approval of Site Plan Amendment 82013012C to reduce the number of dwelling units in Building 2 by 38 units, including five moderately priced dwelling units (MPDUs); update the unit types in Buildings 6 and 7; add a two-way separated bike lane and streetscape changes to Towne Road; increase parking by 54 spaces; modify the park area and increase the park pavilion building area by 255 square feet; and to reflect the as-built conditions for Garage 7. The Applicant must comply with the conditions of approval for Site Plan No. 820130120 and Site Plan Amendments No. 82013012A and 82013012B, except as modified by this amendment. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions:

1. Compliance with Previous Site Plan Approvals  
All previously approved conditions in the Opinions and Resolutions for Site Plan 820130120 and subsequent Site Plan Amendments remain in full effect except as modified by this Amendment.
2. Compliance with Previous Preliminary Plan Approvals  
All previously approved conditions in the Resolution for Preliminary Plan 120120020, remain in full effect.
3. Compliance with Previous Sketch Plan Approvals  
All previously approved conditions in the Resolution for Sketch Plan 320110010, remain in full effect.
4. Fire and Rescue  
The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Service (MCFRS) Fire Code Enforcement Section in its letter dated August 10, 2016, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCFRS may amend if the amendments do not conflict with other conditions of Site Plan approval.
5. Provide a total of 143 public and 305 private bicycle parking spaces for Phase II. The public bicycle spaces should be inverted-U bike racks located near the main entrances to the apartment buildings and ground-floor retail space. The private bicycle spaces should be bike racks in a well-lit, secured location in the parking garages near an elevator or the vehicular access points. The final location will be approved by staff at Certified Site Plan.
6. Certified Site Plan  
The Certified Site Plan must include the following revisions and/or information subject to Staff review and approval:
  - a) Include the development program and all current and previous Planning Board approval resolutions.
  - b) Include the revised cross section of Hoya Street (now Towne Road) as approved by the Montgomery County Department of Transportation.
  - c) Modify data table to reflect development standards approved by the Planning Board.

## Project Description

### Site and Vicinity

The 10.32-acre Subject Property (or the Property) is part of the 24.4-acre Pike & Rose Development and is located north of Old Georgetown Road between Rockville Pike and Towne Road. It is bounded by Rockville Pike to the east, Meeting Street to the south, Towne Road to the west, and Montrose Parkway to the north. It is surrounded by office and retail uses and is within a half-mile walk of White Flint Metro Station on Rockville Pike. The majority of the Property is zoned CR-3 C-1.5 R-2.5 H-200 but the southeast corner is zoned CR-4 C-3.5 R-3.5 H-300.



Figure 1: Vicinity Map

### Previous Approvals

#### Sketch Plan

October 10, 2011, the Planning Board approved Sketch Plan No. 320110010 to allow up to 3,442,888 square feet of total density, including a maximum of 1,716,246 square feet of non-residential development for the entire Pike & Rose development.

### Preliminary Plan

On March 14, 2012, the Planning Board approved Preliminary Plan No. 120120020 for 5 lots and a maximum total of 3,442,888 square feet of development including maximum of 1,716,246 square feet of non-residential uses for the entire Pike & Rose development.

On November 14, 2013, the Planning Board approved Site Plan No. 820130120, Pike & Rose Phase II to allow up to 1,648,936 square feet of development, including up to 645,976 square feet of residential development and up to 1,122,960 square feet of non-residential development.

On August 5, 2015, the Planning Board approved Staging Allocation Request No. 26000 for 368 residential dwelling units for Buildings 6 and 7 as approved in Site Plan No. 820130120.

On April 21, 2015, the Planning Board approved Staging Allocation Request No. 26200 for 160,705 square feet of non-residential development for Buildings 1A, 3A, 4 and 8 as approved in Site Plan No. 820130120.

On July 2, 2015, the Planning Director approved Administrative Site Plan Amendment No. 82013012A for minor modifications to curbs, landscape and hardscape layout changes, the addition of solar panels on the Building 7 parking garage, a shift of residential units from Building 6 and Building 2 including MPDU adjustments, within the maximum approved residential square footage and the reduction of 45,123 square feet of permitted floor area from 1,648,936 to 1,603,813 square feet.

On February 17, 2016, the Planning Board approved Staging Allocation Request No. 26400 for 75,000 square feet of non-residential development for Buildings 3A, 4 and a Park Kiosk as approved in Site Plan No. 820130120.

On March 15, 2016, The Planning Board approved Site Plan No. 82013012B for 17,018 square feet of non-residential floor area increasing the overall floor area from 1,603,813 square feet to a total of 1,620,831 square feet for Phase II, added planter and wooden trellis structures to Building 8, and made modifications to Building 1A.

### **Proposal**

This Amendment proposes changes to buildings 2, 6, and 7, Towne Road, Rose Park, and the park pavilion building. It will reduce the number of dwelling units in Building 2 from 286 units to 198 units, including a drop in MPDUs from 30 to 25 units. Building 2 will return to the number of dwelling units approved in the original site plan for Phase II, 820130120. The reduction in units will also result in a lower amenity space requirement so there is a reduction in the Indoor and Outdoor amenity space for Building 2. This Amendment will update the unit type for buildings 6 and 7 to reflect what is being built as necessitated by the market since the approval of the original site plan. It will also increase the total number of parking spaces for Phase II from 1,862 to 1,916 spaces. Ten of these spaces are a result of minor layout changes during construction while the remaining 44 are being added to meet the zoning requirement for residential parking for building 2.

The Amendment includes changes to Rose Park and the park pavilion building. The pavilion building's height will be reduced from two to one story, but its size will increase by 255 square feet, which will allow for a public restroom to be added to the building.

As part of the permitting process, the Department of Permitting Services approved minor modifications to provide adequate clearance for vanpool vehicles and to meet accessibility requirements for Garage 7. This Amendment will update the Certified Site Plan set to reflect as-built condition for Garage 7.

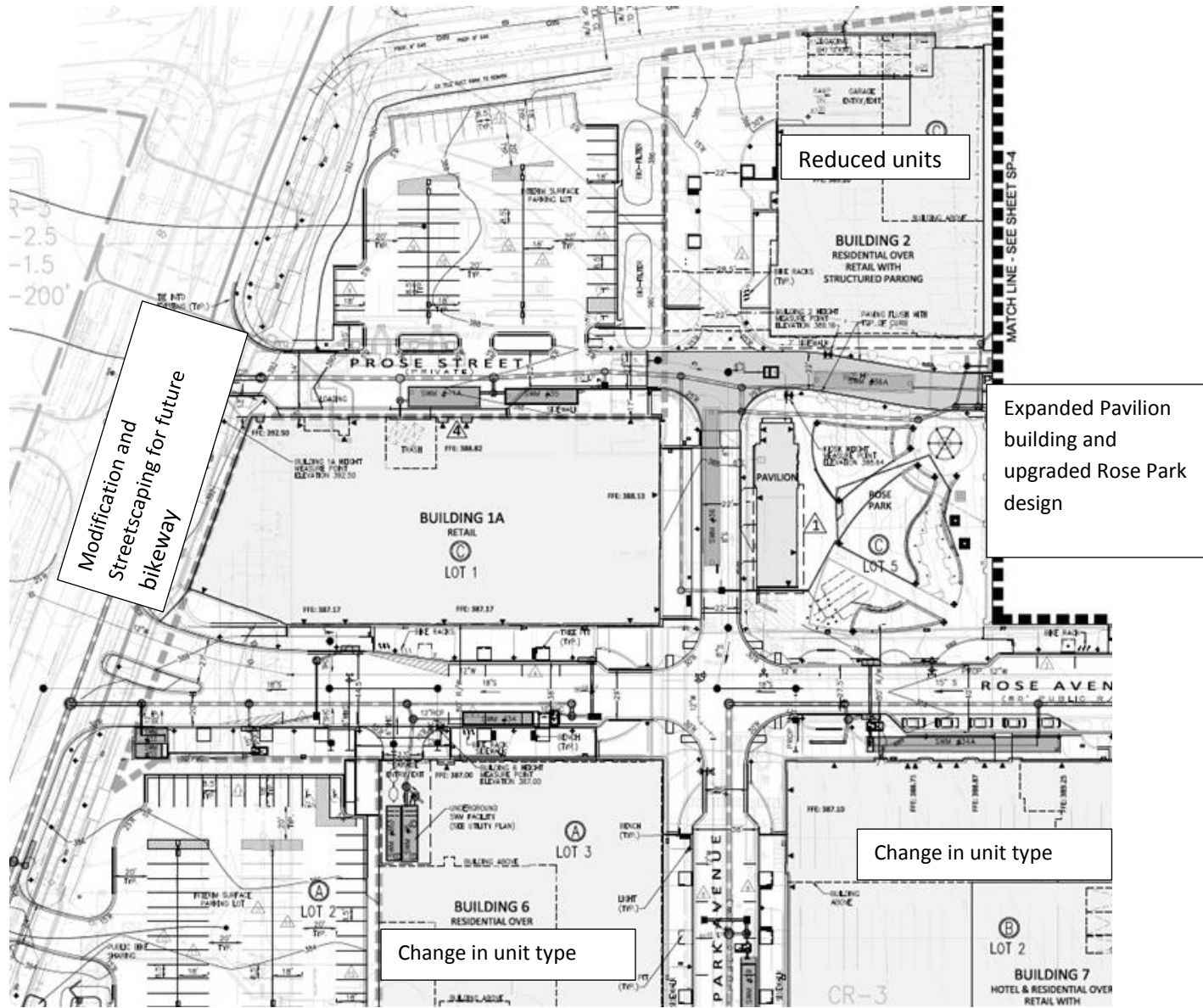


Figure 2: Amendment- Changes to Towne Road and Rose Park. Residential units changes made to buildings 6, 7, and 2.

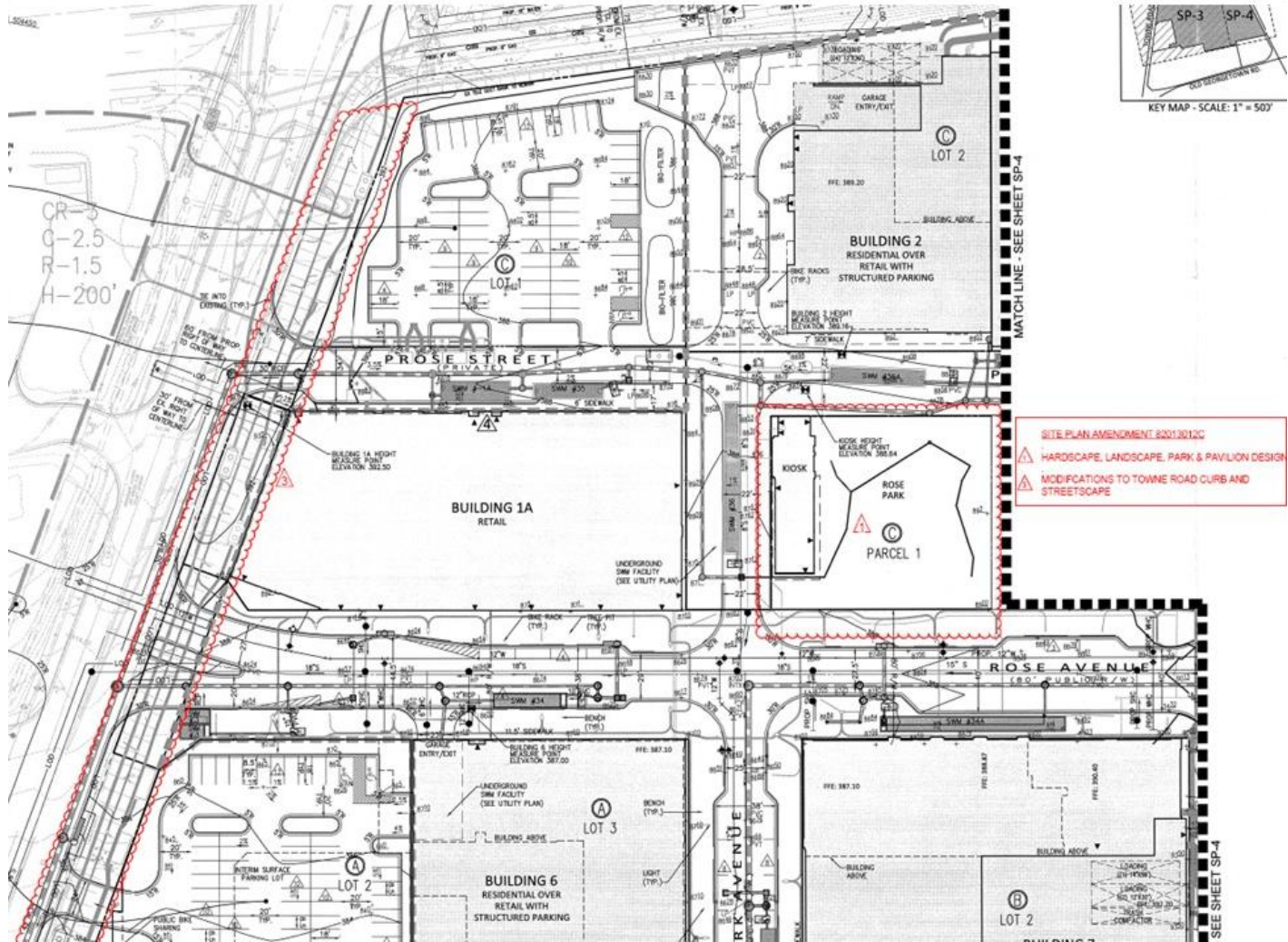
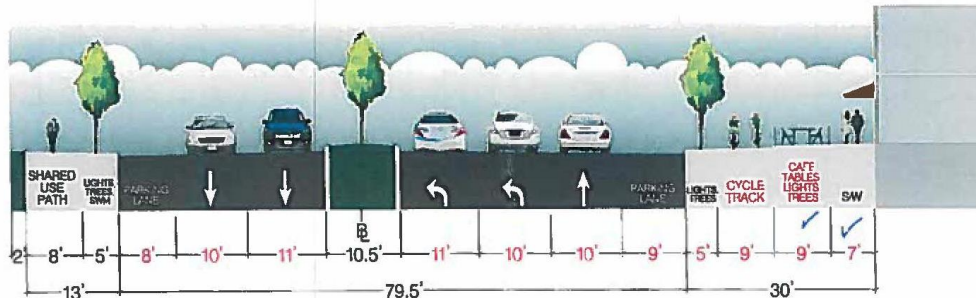


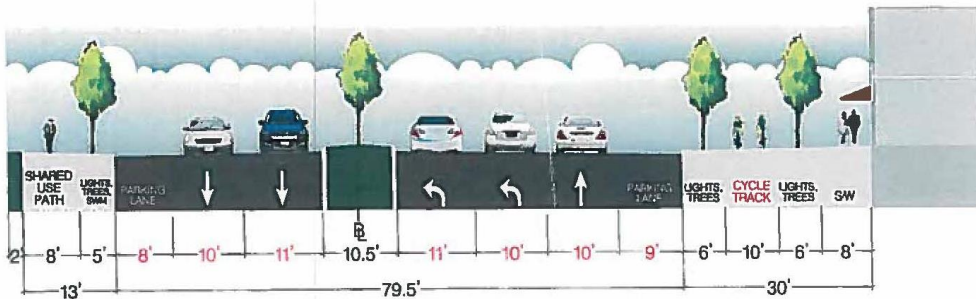
Figure 3: Previously Approved Plan with proposed modifications

The Amendment also includes modifications to the road section for Hoya Street (Towne Road) to better accommodate an upcoming two-way separated bike lane (also referred to as a cycle track) and possibly a café seating area.

## HOYA STREET (TOWNE ROAD)



### REVISED BY MCDOT WITH CAFE SEATING (DRAFT)



### REVISED BY MCDOT WITHOUT CAFE SEATING (DRAFT)

Figure 4: Hoya Street (Towne Road) Section

## Analysis

### Master Plan Analysis

The original site plan for Phase II was found to be consistent with the 2010 *White Flint Sector Plan*. The proposed Amendment continues to satisfy the Sector Plan's land use recommendation for the Subject Property. It continues to provide residential and civic uses as originally approved by the Planning Board. All of the changes proposed through this modification are minor in nature and do not alter the findings of the original site plan approved by the Board and they do not alter the basic elements of the approved development in terms of its scale, type of uses, the mix of uses and types of units, the required and approved amenities and the public spaces and infrastructure.

### Environmental Analysis

This Amendment does not include changes to the Forest Conservation Plan. All of the Forest Conservation requirements were satisfied under the original Site Plan for Phase II (Final Forest Conservation Plan No. 820130120). This Amendment is in compliance with both Chapter 22A Forest Conservation and the *Environmental Guidelines*.

## **Transportation**

### ***Vehicular Access Points***

Vehicular access to the Property is proposed from Old Georgetown Road, Rockville Pike, and Towne Road.

### ***Transportation Demand Management***

The Property is within the boundary of the North Bethesda Transportation Management District (TMD). The Applicant has entered into an updated Traffic Mitigation Agreement with the Planning Board and MCDOT to participate in the North Bethesda TMD and assist in achieving and maintaining the non-auto driver mode share (NADMS) goal of 34% recommended by the White Flint Sector Plan. The Traffic Mitigation Agreement was executed December 13, 2012, and was updated to reflect the revised land use mix.

### ***Transportation Adequate Public Facilities Review***

In the *White Flint Sector Plan* area, the transportation Adequate Public Facilities test for new developments is satisfied by paying the White Flint Special District tax based on the size of the development in lieu of the typical Local Area Transportation Review (LATR) and Transportation Policy Area Review (TPAR) tests. The special district tax will fund the MCDOT Capital Improvements Program Project No.501116, White Flint District West Transportation, which includes construction of Towne Road between Executive Boulevard and Montrose Parkway.

The Planning Board approved transportation Adequate Public Facilities test for the Subject Property (Preliminary Plan No. 120120020) in February 2012. The Applicant must pay special district tax for the proposed 255 square-foot increase.

## **Community Concerns**

As of the posting of this staff report, Staff has not received any communications from the community on this Amendment.

## **Findings**

Pursuant to the grandfather provisions of Section 7.7.1.B.3, this Amendment was reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014 since the original site plan was approved on November 14, 2013. The proposed modifications do not alter the intent of the original site plan and the subsequent amendments and will not generate any new vehicle trips as a result of the proposed 255-square-foot increase in the pavilion building.

Section 59-D-3.4. (c) of the previous Zoning Ordinance states that the Planning Board, in reaching its decision, must require that:

- (1) The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan;*



The Subject Property is not subject to a development plan, diagrammatic plan, schematic development plan, or project plan. It is subject to the binding elements of Sketch Plan 320110010, which were modified in Site Plan 820130120.

*(2) The Site Plan meets all of the requirements of the zone in which it is located and where applicable conforms to an urban renewal plan approved under Chapter 56;*

The proposed commercial uses are allowed in the CR zone. The changes made by the Site Plan Amendment meet all the requirements of the zones as shown by the data table below. The Site is not located in an Urban Renewal area.

<b>Amendment</b>	<b>Required</b>	<b>Previously Approved</b>	<b>Proposed</b>
<b>Building 2 units</b>		236 (30 MPDUs)	198 (25 MPDUs)
<b>Park Pavilion/Kiosk</b>		2,055 sq. ft.	2,310 sq. ft.
<b>Residential indoor amenity space</b>	3,460	4,120	3,460
<b>Residential outdoor amenity space</b>	3,460	4,120	3,460
<b>Building 2 Parking (59-C-15.631)</b>	175-249	132 <sup>1</sup>	176
<b>Building 6 Parking (59-C-15.631)</b>	182-260	179	189
<b>Building 7 Parking (59-C-15.631)</b>	513-1,180	566	566
<b>Total Vehicle Parking</b>	<b>1,686-3,720</b>	<b>1,862</b>	<b>1,916</b>
<b>Private and Secure Bicycle Parking (59-C-15.62)</b>	305	318	305
<b>Public Bicycle Parking (59-C-15.62)</b>	143	143	143

<sup>1</sup> Building 2 was mistakenly approved for less parking than required by the Zoning Ordinance.

*(3) The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient;*

The proposed Amendment will only alter the size and configuration of the park pavilion building. The pavilion building will be increased by 255 square feet for a restroom addition and its height will be reduced from two to one story. There will be landscaping and design changes in the park,

including the addition of sculpture benches. These changes will make the park more attractive and comfortable for users. Towne Road will now include a two-way separated bike lane and new streetscaping. These improvements will make the road more attractive to both bicyclists and pedestrians. These modifications to the pavilion area and to Towne Road will be adequate, safe, and efficient.

*(4) Each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development; and*

The new pavilion building is slightly larger than the previously approved pavilion/kiosk design but its height will be reduced to one story. The new pavilion is still compatible with the surrounding high density residential and commercial developments in the area. All the other structures will continue to be compatible with other uses, other site plans, and existing and proposed adjacent developments.

*(5) The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resources protection, and any other applicable law.*

The Site Plan's previous forest conservation and water resources approvals remain in full effect.

## **Conclusion**

The proposed changes are adequate, safe, and efficient. The proposed development, with the conditions of approval stated in the beginning of this report, will be compatible with the neighboring residential and commercial uses in the area. As discussed earlier, the original site plan's Forest Conservation Plan approval and water resources protection will not be impacted by this Amendment. Staff recommends approval of Site Plan Amendment 82013012C with conditions.

### Attachments:

1. Site Plan 820130120 Resolution
2. Site Plan 82013012A Administrative Approval Memo
3. Site Plan 82013012B Resolution
4. Agency Approval Letters



**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

NOV 14 2013

MCPB No. 13-134  
Site Plan No. 820130120  
Project Name: Pike & Rose – Phase II  
Date of Hearing: October 10, 2013

**RESOLUTION**

WHEREAS, under Montgomery County Code Division 59-D-3, the Montgomery County Planning Board (“Planning Board”) is vested with the authority 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 3,422,888 square feet of total density including up to 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” or “Subject Property”) split-zoned CR3 C1.5 R2.5 H200 and CR4 C3.5 R3.5 H300 in the White Flint Sector Plan (“Master Plan” or “Sector Plan”); and

WHEREAS, on February 12, 2013, Federal Realty Investment Trust (“Applicant”) filed an application for approval of a Site Plan for up to 462 residential units and up to 1,122,960 square feet of non-residential development on approximately 13.21 gross acres of the Property in the CR3 C1.5 R2.5 H200 and CR4 C3.5 R3.5 H300 zones; and

WHEREAS, the Site Plan application was designated Site Plan No. 820130120, Pike & Rose-Phase II (“Application”); and

WHEREAS, on September 27, 2013, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board setting forth its analysis, and recommendation for approval, of the Application subject to certain conditions (“Staff Report”); and

WHEREAS, on October 10, 2013, the Planning Board held a public hearing on the Application (“Hearing”); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

Approved as to  
Legal Sufficiency:

WHEREAS, at the Hearing, the Planning Board voted to approve the Application subject to certain conditions on the motion of Commissioner Dreyfuss, seconded by Commissioner Anderson, by a vote of 4-0, Commissioners Anderson, Carrier, Dreyfuss, and Wells-Harley voting in favor, and Commissioner Presley absent;

NOW, THEREFORE, BE IT RESOLVED that the Montgomery County Planning Board APPROVES Site Plan No. 820130120 for up to 1,648,936 square feet of development, including up to 645,976 square feet of residential development and up to 1,122,960 square feet of non-residential development, subject to the following conditions:

1. Sketch Plan Conformance

The development must comply with the applicable binding elements and conditions of Sketch Plan No. 320110010 approved by the Planning Board by Corrected Resolution dated October 10, 2011, except as modified herein.

2. Preliminary Plan Conformance

The development must comply with the conditions of approval of Preliminary Plan No. 120120020, unless amended.

3. Density Allocation

Building permits may only be issued after a staging allocation is granted under the Staging Allocation Request Regulations (COMCOR 50.35.02.01.A) in the White Flint Sector Plan Implementation Guidelines approved by the Planning Board. The Planning Board in March 23, 2012 approved a Staging Allocation Request (No. 25400) for 493 residential dwelling units and 262,800 square feet of non-residential development for Phase I of this property.

4. Placemaking Plan

The Applicant must provide public use and open space amenities in accordance with the "Placemaking and Phase II Amenity Plan for Pike & Rose" ("Placemaking Plan") under the following stipulations:

- a. Hold a quarterly review of the site and compliance with the Placemaking Plan must be held with Staff and the Public Arts Trust Steering Committee to ensure implementation and adherence to the Placemaking Plan.
- b. Remove all plan notations of specific plantings, amenities, and materials that may conflict with the Placemaking Plan.
- c. Ensure all installed site amenities and materials must meet applicable building codes.
- d. Include the recreation loop extension in the Placemaking Plan.

5. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the CR Zone Incentive Density Implementation Guidelines, as amended, for each public benefit. Each public benefit must be verified by Staff to be complete as required by the submittals listed for each prior to issuance of any use-and-occupancy permit for the associated building. Any disagreement regarding the application or interpretation of the Public Benefits may be brought to the Planning Board for resolution.

- a. Transit Proximity
- b. Neighborhood Services
- c. Minimum Parking
- d. Through Block Connection
- e. Public Parking
  - Submit as-built drawings of parking garage showing public parking spaces and signage and documentation of facility use and access restrictions.
- f. Adaptive Buildings
  - Submit as-built drawings of floor plans and cross-sections showing floor-to-floor heights, for each applicable building.
- g. Structured Parking
- h. Public Art
  - Provide review under Placemaking Plan Condition No. 4, above.
- i. BLTs
  - Purchase or payment for 2.72 Building Lot Terminations must be made prior to issuance of any building permit. Documentation to be provided to Staff.
- j. Tree Canopy
  - Provide as-built landscape plan showing tree locations and species with 15-year coverage and tabulation of total open space under canopy; may be completed in phases for open space around individual buildings.
- k. Vegetated Roof
- l. Advanced Dedication

6. Transportation

- a. The Applicant must provide a minimum of 412 bicycle parking spaces, including the following:
  - i. 18 publicly accessible bike spaces and nine private, secure bike spaces for Building 1A;
  - ii. 13 publicly accessible bike spaces and 72 private, secure bike spaces for Building 2;
  - iii. 20 publicly accessible bike spaces and 22 private, secure bike spaces for Building 3;

- iv. seven publicly accessible bike spaces and four private, secure bike spaces for Building 4;
  - v. 21 publicly accessible bike spaces and 99 private, secure bike spaces for Building 6;
  - vi. 20 publicly accessible bike spaces and 33 private, secure bike spaces for Building 7;
  - vii. 13 publicly accessible bike spaces and 7 private, secure bike spaces for Building 8;
  - viii. and 20 publicly accessible bike spaces and 34 private, secure bike spaces for Building 9;
  - ix. Final location and facility details to be determined by Certified Site Plan and under the Placemaking Plan.
- b. Subject to necessary approvals of DOT, Applicant may modify Grand Park Avenue north of Rose Avenue (a private street) to eliminate parallel parking (3 spaces shown) and extend table top.
  - c. Applicant must submit a parking plan for interim parking lots on Lots 2 and 3, Block C.

#### 7. Environment

- a. The Final Forest Conservation Plan is approved; prior to any demolition, clearing, or grading, the Applicant must obtain Staff approval of a Certificate of Compliance Agreement for use of an M-NCPPC-approved offsite forest mitigation bank to satisfy the afforestation requirement.
- b. For residential buildings in Phase II, the Applicant must provide certification to M-NCPPC Staff prior to issuance of core and shell building permit from an engineer that specializes in acoustical treatment that commercially reasonable efforts have been made to design the building to achieve interior noise levels in the units that do not exceed 45 dBA Ldn. The builder must construct the units substantially in accord with these design specifications, with any changes that may affect acoustical performance approved by the acoustical engineer in advance of installation.

#### 8. Moderately Priced Dwelling Units ("MPDUs")

- a. The development must provide 12.5 percent MPDUs in accordance with an Agreement to Build with the Department of Housing and Community Affairs ("DHCA").
- b. The MPDU agreement to build shall be executed prior to the release of any building permits.

#### 9. Recreation Facilities

The Applicant must provide at least the recreation facilities, conforming to the Planning Board Recreation Guidelines (September 1992), shown on the Site Plan including:

- a. In Building 2:
  - i. Four picnic/sitting areas;
  - ii. One swimming pool;
  - iii. Indoor community space; and
  - iv. One indoor fitness facility.
- b. In Building 6:
  - i. Four picnic/sitting areas;
  - ii. One swimming pool;
  - iii. One indoor community space; and
  - iv. One indoor fitness facility.

#### 10. Maintenance

- a. Maintenance of all on-site public use space is the responsibility of the Applicant and any successors or assigns. This includes maintenance of paving, plantings, lighting, benches, fountains, and artwork. Maintenance may be taken over by a governmental agency by agreement with Applicant or any successors or assigns and the applicable agency. For the purpose of this condition, the term "Applicant and any successors or assigns" means the owner or any successors in interest to the Public Use Space that is responsible for common area maintenance, such as a homeowners association, a condominium association, or a merchants' association.

#### 11. Architecture

The final exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the submitted architectural drawings, as determined by Staff.

#### 12. Performance Bond and Agreement

Prior to the issuance of the Core and Shell building permit for each relevant phase of development, the Applicant must provide a performance bond or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a. Applicant must provide a cost estimate of the materials and facilities, which, upon staff approval, will establish the initial surety amount.
- b. The amount of the bond or surety shall include plant material, on-site lighting, recreational facilities, site furniture, and entrance piers within the relevant phase of development.
- c. Prior to issuance of the first building permit, Applicant must enter into a Site Plan Surety & Maintenance Agreement with the Planning Board in a form

approved by the Office of General Counsel that outlines the responsibilities of the Applicant and incorporates the cost estimate.

- d. Bond/surety shall be tied to the development program, and completion of plantings and installation of particular materials and facilities covered by the surety for each phase of development will be followed by inspection and reduction of the surety.

### 13. Development Program

Phasing required by this development program may require amendment of the development program approved by Site Plan 820120020.

- a. Rose Park to be open to public use no later than 18 months after the issuance of use and occupancy permits for 75% of residential units in Building 6.
- b. Muse Alley to be open to public use no later than 18 months after issuance of use and occupancy permits for 75% of residential units in Building 12. Until this time, Applicant is not subject to the provisions of (e) and (g) below as they relate to Muse Alley and Building 12.
- c. Public amenities to be open to public use after issuance of use and occupancy permits for 75% of the residential units in the building with which the amenities are associated.
- d. Private amenities to be operational no later than 18 months after issuance of use and occupancy permits for 75% of residential units in the building with which the amenities are associated.
- e. Streetscape improvements, including sidewalks, street lighting, street furniture, and tree planting for Grand Park Avenue, Rose Avenue, Meeting Street, Prose Street and Trade Street must be installed within six months of the release of any use and occupancy permits for each abutting building as illustrated in the October 2013 Streetscape Diagram. Street tree planting may be performed in the next planting season after each segment of streetscape improvements is installed.
- f. Bike share facilities will be operational after Montgomery County Department of Transportation (MCDOT) County approves their locations, but are not required to be installed prior to the streetscape improvements for the approved location.
- g. Streetscape improvements, including paving, lighting, street furniture and tree planting for Grand Park Avenue and Rose Avenue and lighting adjacent to each portion of a respective building in each phase must be installed prior to the release of that building's use and occupancy permit. Landscape planting may wait until next growing season for each respective building.
- h. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to the approval of the Final Conservation Plan, Sediment Control Plan, staff inspection and approval of all applicable environmental protection measures and devices.



- i. Dedications, stormwater management, sediment and erosion control, afforestation and other features to be implemented for addressed adjacent to each building prior to release of that portion of the building's use and occupancy permit.
- j. Demolition of existing buildings, clearing and grading for site construction, and issuance of below-grade permits may occur once all certificates of compliance for required off-site forest conservation areas are recorded and prior to approval of the certified site plan and recordation of plats.
- k. Core and shell permits may be issued upon approval of certified site plan and recordation of plats.

**14. Certified Site Plan**

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

- a. Parked and moving vehicles and lighting within structured garages must be effectively screened.
- b. Provide adequate spot elevations in Rose Park, Grand Park, Rose Avenue, Prose Street, Meeting Street and Trade Street to ensure ADA accessibility.
- c. Include the Final Forest Conservation Plan approval, stormwater management concept approval, development program, inspection schedule, and Site Plan resolution on the approval or cover sheet.
- d. Add a note to the Site Plan stating that "M-NCPPC staff must inspect all tree-save areas and protection devices prior to clearing and grading".
- e. Make corrections and clarifications to recreation guidelines, labeling, data tables, and schedules.
- f. Ensure consistency of all details and layout between site plan and landscape plan.
- g. The Applicant may not obtain a building permit for a building that exceeds the maximum height or density approved for this Site Plan.

BE IT FURTHER RESOLVED that all site development elements are shown on Pike & Rose-Phase II drawings stamped by the M-NCPPC on September 13, 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 finding of its Staff as presented at the Hearing and in the Staff Report, which the Planning Board hereby adopts, and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan,*

*certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

The Site Plan is not subject to a development plan, diagrammatic plan, schematic development plan, or project plan. It is, however, subject to the binding elements and conditions of the Sketch Plan.

During site plan review, the Planning Board may approve amendments to the binding elements of an approved sketch plan.

1. Amendments to the binding elements may be approved, if such amendments are:
  - A. Requested by the applicant;
  - B. Recommended by the Planning Board staff and agreed to by the applicant; or
  - C. Made by the Planning Board, based on a staff recommendation or its own initiative, if the Board finds that a change in the relevant facts and circumstances since sketch plan approval demonstrates that the binding element either is not consistent with the applicable master or sector plan, or does not meet the requirements of the zone.
2. Notice of proposed amendments to the binding elements must be identified in the site plan application if requested by the applicant, or in the final notice of the site plan hearing recommended by Planning Board staff and agreed to by the applicant.
3. For any amendments to the binding elements, the Planning Board must make the applicable findings under Section 59-C-15.43 (c) in addition to the findings necessary to approve a site plan under Section 59-D-3.

The Applicant proposes minor modifications to the binding elements of the approved Sketch Plan No. 320110010. Buildings 1A and future 1B at the northwest corner in the Sketch Plan is indicated as Phase II. The Applicant requests approval to construct these buildings in future site plan phases. Further, Buildings 2, 3 and 9, which the Sketch Plan as part of future phases, will be built in Phase II of this site plan. The Board approves these modifications, because they will facilitate the Applicant's desired build out of the site, and are otherwise consistent with the approved sketch plan.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

a. Uses

The proposed uses – residential, retail, and office – are permitted in the CR zone.

b. General Requirements

The proposed development is consistent with the White Flint Sector Plan and the White Flint Urban Design Guidelines:

- Pike and Rose-Phase II is within the Mid-Pike Plaza District in the Approved and Adopted (2010) White Flint Sector Plan. As recommended by the Sector Plan, the proposed redevelopment will “function as a regional retail magnet with a substantial residential component and public services.”
- Buildings, which will range in maximum height from 60 to 200 feet, will frame most of Rose Avenue and Grand Park Avenue. The two buildings approved for the lower maximum height, Buildings 1A and 4, are adjacent to the park, which is balanced with taller Buildings 6 and 7. Along Rockville Pike, buildings 8 and 9 also vary in maximum height – 62 and 288 feet, respectively.
- The continuation of Grand Park Avenue north of Phase I, Rose Avenue, Prose Street, Meeting Street, and Trade Street, are consistent with the Sketch Plan and the Sector Plan.
- Towne Road (LB-1) and Rockville Pike (SP-41) are roadways with recommended shared use paths as part of the Sector Plan bikeway network. The approved preliminary plan showed the cross-sections and right-of-way dedications that will accomplish the bikeway recommendations.
- Public use spaces are provided through proposed streetscapes, including Grand Park Avenue, Rose Avenue, Meeting Street, Trade Street, Prose Street, and Rockville Pike. Enhanced streetscape will define both sides of Meeting Street. Rose Park. A proposed park at the intersection of Grand Park Avenue and Rose Avenue will serve as the main public use space in the development. These public spaces are consistent with the Sector Plan, White Flint Guidelines, and the approved Sketch Plan.
- The Site Plan includes several features that the Sector Plan recommends to promote sustainability. Pike and Rose Phase II will provide energy efficient buildings that will achieve at least LEED certification or higher levels and several buildings will have vegetated roofs. Further, new environmental site design techniques will contribute to stormwater management facilities.
- Open space, streets, and building recommendations are provided in the Approved White Flint Urban Design Guidelines for each district in the Sector Plan. Specific to Pike and Rose, the Guidelines recommend that public use spaces should be located to reduce extended periods of shadow; open spaces should be defined by building walls; buildings should create a consistent street wall along public streets; and locate and size buildings to minimize shadow impacts on streets and public use spaces. Rose Park has ample light and air since Buildings 1A and 4 are short in height; all new buildings create a consistent street wall along Rose Avenue and Grand Park Avenue; and new way-finding signage is proposed for the development.

c. Development Standards

The proposed development will comply with all development standards as shown in the data tables below.

<b>1. Density of Development (square feet)</b>			
	<b>Total CR</b>	<b>Non-Residential (C)</b>	<b>Residential (R)</b>
Maximum Allowed by Zones	3,442,888	2,106,726	2,911,882
Maximum Approved by Sketch Plan	3,442,888	1,716,246	2,911,882 (1,726,642 min)
Maximum Approved by Phase I Site Plan	951,000	314,800	636,200
Maximum Approved with Phase II Site Plan	1,648,936 <sup>1</sup>	1,122,960	645,976
Maximum remaining phases	842,952	278,486	1,629,706

<b>2. Building Height</b>		
	<b>CR-3 C1.5 R2.5 H200</b>	<b>CR-4 C3.5 R3.5 H300</b>
Maximum allowed by zones	200	300
Approved by Sketch Plan	200	300
<b>Proposed with Phase IIA</b>		
Building 3	150	
Building 8		62
<b>Proposed with Phase IIB</b>		
Building 1A	65	
Building 4	60	
Building 6	165	
Building 7	200	
<b>Proposed with Phase IIC</b>		
Building 2	200	
Building 3	150	
Building 9		288

<sup>1</sup> The total amount of development for Phase II must not exceed this amount.

<b>3. Public Use Space (% net lot)</b>	
Minimum Required by Zones	10%
Minimum Approved with Sketch Plan	10% (Total Site)
Minimum Approved with Phase I Site Plan	9.64% (Of the area comprising the site plan)
Minimum Proposed with Phase II Site Plan	13.35% (Of the area comprising the site plan)
Minimum Remaining for later phases	0.17

<b>4. Residential Amenity Space (square feet per market rate unit<sup>2</sup>)</b>		
	<b>Required</b>	<b>Proposed</b>
<b>Minimum Indoor Amenity Space</b>		
Building 2 (173 units)	3, 460 sq.ft	3, 460 sq.ft.
Building 6 (231 units)	4,620 sq.ft	4,620 sq.ft
<b>Minimum Outdoor Amenity Space</b>		
Building 2 (173 units)	3, 460 sq.ft.	3, 460 sq.ft.
Building 6 ( 231 units)	4, 620 sq.ft.	4, 620 sq.ft.

<b>5. Minimum Bicycle Parking Spaces</b>				
	<b>Required</b>		<b>Proposed</b>	
	<b>Minimum Publicly Accessible</b>	<b>Minimum Private and Secured</b>	<b>Public</b>	<b>Private</b>
<b>Building 1A</b>				
90,000 sq.ft Non-Residential	18	9	18	9
<b>Building 2</b>				
198 Residential Units	10	70	10	70
12,000 sf Non-Residential	3	2	3	2
<b>Building 3</b>				
214, 750 sf maximum Non-Residential (158,150 sq.ft	20	22	20	22

<sup>2</sup> Amenity space is not required for Moderately Price Dwelling Units (MDPUs) on a site within a Metro Station Policy Area.

office)				
<b>Building 4</b>				
32,550 sf maximum Non-Residential	7	4	7	4
<b>Building 6</b>				
264 Residential Units	10	93	10	93
50,355 sf Non-Residential (0 sf Office)	11	6	11	6
<b>Building 7</b>				
326,750 sf of Non-Residential (0 sf Office)	20	33	20	33
<b>Building 8</b>				
61,000 sf maximum Non-Residential (0 sf Office)	13	7	13	7
<b>Building 9</b>				
333,500 sf of Non-Residential (317,000 sf Office)	20	34	20	34

<b>6. Parking</b>			
	<b>Maximum Allowed</b>	<b>Minimum Required</b>	<b>Proposed</b>
Approved with Sketch Plan	6,546	2, 396	5,234
Approved with Phase I	842	1640	1082
<b>Proposed with Phase II</b>			
Building 1A	360	144	
Building 2 <sup>3</sup>	297	195	132
Building 3	655	263	613
Building 4	140	57	0
Building 6 <sup>4</sup>	473	271	179
Building 7	562	225	713
Building 8	244	98	0
Building 9	827	332	372
<b>Phase II Total</b>	<b>3,558</b>	<b>1, 585</b>	<b>2, 009</b>

d. Public Benefits

The proposed development will continue the public benefits approved with the Sketch Plan No. 320110010 and Phase I Site Plan No. 820120020. The approved public benefits are:

- Transit proximity
- Neighborhood Services
- Minimum Parking
- Through-Block Connections
- Public Parking
- Adaptive Buildings
- Care Center
- Structure Parking
- Tower Setback
- Public Art
- Exception Design
- Building Lot Termination (BLTs)
- Advance Dedication
- Dwelling Unit Mix
- Vegetated Roof

<sup>3</sup> Building 2 and Building 4 non-residential parking is provided in Building 3 garage. Interim condition for Building 4 will be provided in Building 7 until Building 3 garage is occupied.

<sup>4</sup> Building 6 and Building 8 non-residential parking is provided in Building 7 garage.

Pike and Rose Phase II will provide for all of the approved public benefits, except advanced dedication and dwelling unit mix. Advanced dedication and dwelling unit mix benefits were approved with the Phase I site plan.

The public benefits for Phase II are appropriate for following reasons:

- Furthers the Sector Plan's recommendations and objectives;
- Implements the White Flint Urban Design Guidelines and follows the CR Zone Incentive Density Implementation Guidelines;
- The relationship between the approved Phase I, proposed Phase II and future phases are appropriate; and
- The presence or lack of similar public benefits nearby.

These public benefits fulfill the Sector Plan recommendations; achieve the criteria of the White Flint Implementation and Design Guidelines; and are appropriate given the size of the property.



Public Benefit	Adjusted Total Points [Original Points at Sketch Plan] <sup>5</sup>	Points Awarded for Phase I-Site Plan No. 820120020	Phase II Measurement/Criteria	Points Proposed For Phase II Site Plan No. 820130120
<b>Transit Proximity</b>				
Site Split within ¼ and ½ mile of Transit	33.00 [33.09 at sketch plan]	8.25	48 % of transit proximity points in Phase II.	15.87
<b>Connection and Mobility</b>				
Neighborhood Services	10.00	2.49	48% of neighborhood services being provided in Phase II.	4.79
Minimum Parking	7.03 [6.32]	0.88	69% minimum parking points provided in Phase II.	4.84
Through-Block Connection	10.00	5.00	50% of through-block connection points are associated with Phase II <sup>6</sup>	5.00
Public Parking	7.05 [7.62]	1.85	58% of public parking points are assigned for Phase II.	4.09
Advance Dedication	3.72	3.72	All of advance dedication points were awarded in Phase I.	0.00
<b>Diversity of Uses and Activities</b>				
Adaptive Buildings	4.12 [4.37]	0.65	38% of adaptive buildings points allocated in Phase II	1.59
Care Center	15	0.00	100% of the care center points are awarded in Phase II	15.0
Dwelling Unit Mix	3.67 [2.19]	1.48	No points in Phase II.	0.00
<b>Quality Building and Site Design</b>				
Structure	13.92 [14.32]	3.43	47% of the structure	6.57

<sup>5</sup> The total points have been adjusted during detailed site design and review but are substantially similar and allowed under the conditions of sketch plan approval in the approved resolution.

<sup>6</sup> There are no remaining points associated with this public benefit for Phase 3.

Parking			parking points are provided in Phase II.	
Tower Setback	1.47 [1.53]	0.00	54% of the tower setback points are awarded in Phase II	0.80
Public Art	5.00	1.65	50% of public art points are provided in Phase II.	2.50
Exceptional Design	6.46 [6.70]	0.00	67% of exceptional design points are provided in Phase II.	4.35
<b>Protection and Enhancement of the Natural Environment</b>				
BLTs	5.00	1.25	48% of BLTs points are provided in Phase II.	2.40
Tree Canopy	10.00	3.33	50% of tree canopy points are allocated in Phase II.	5.00
Vegetated Roofs	4.23 [4.48]	0.65	60% of vegetated roof points are provided in Phase II	2.54
<b>Total</b>	<b>139.67</b> <b>[139.34]</b>	<b>34.63</b>		<b>75.34</b>

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

a. Locations of buildings and structures

The proposed locations of the buildings and structures are adequate, safe, and efficient for the shopping center redevelopment as envisioned in the Sector Plan and White Flint Design Guidelines to provide street-oriented development, and taller buildings along major roads and closer to the Metro Station.

b. Open Spaces

The locations of open spaces are efficient, safe and adequate for the shopping center redevelopment as envisioned in the Sector Plan and White Flint Design Guidelines to provide unique open spaces, including an urban park, and passive and active spaces for dining, walking, and social engagement.

c. Landscaping and Lighting

Landscaping and lighting, as well as other site amenities, will ensure that landscaping, lighting, and site amenities will be adequate, safe and efficient for year-round use by employees, visitors and residents. Site furnishings, shade trees, special features, including art, and specialty lighting will be integrated into the site to create a unique place. The Placemaking and Amenity Plan illustrates special features, including specialty lighting, artwork and landscaping, will be provided.

d. Recreation Facilities

The proposed development achieves the active and passive recreation space required by the zone as shown in the tables above. The proposed residential development will provide with the following on-site recreation facilities:

Demand Calculations for Building 6

	Number of Units	D1 Tots	D2 Children	D3 Teens	D4 Adults	D5 Seniors
HI-RISE	264	9.2	10.6	10.6	202.8	121.4
Total Units	264.0					
Total Demand		9.2	10.6	10.6	202.8	121.4
On-Site Supply		19.4	26.8	12.4	166.1	87.0
% Demand Met On-Site		210.3	263.8	117.3	81.9	71.6
Off-Site Supply		9.2	16.8	25.2	206.2	120.3
Total On-Site/Off-Site		28.7	43.6	37.6	372.3	207.3
% Demand Met On+ Off		310.2	412.6	356.2	183.6	170.7

**Onsite Supply Calculations for Building 6**

Ref#	Description	No. Provided	D1 Tots	D2 Children	D3 Teens	D4 Adults	D5 Seniors
4.0	Picnic/Sitting	2	18.0	22.0	6.0	14.0	2.0
24A	Swimming Pool	1	0.5	2.2	2.2	50.7	18.2
26A	Indoor Community Space	1	0.9	1.6	3.2	60.8	48.6
27.0	Indoor Fitness Facility	1	0.0	1.1	1.1	40.6	18.2
<b>TOTAL</b>			19.4	26.9	12.5	166.1	87.0

**Demand Calculations for Building 2**

	Number of Units	D1 Tots	D2 Children	D3 Teens	D4 Adults	D5 Seniors
HI-RISE	198	6.9	7.9	7.9	152.1	91.1
Total Units	198.0					
Total Demand		6.9	7.9	7.9	152.1	91.1
On-Site Supply		37.1	47.6	16.8	142.0	67.8
% Demand Met On-Site		535.0	601.1	212.0	93.4	74.4
Off-Site Supply		8.4	15.6	24.2	165.7	93.0
Total On-Site/Off-Site		45.5	63.2	41.0	307.7	160.7
% Demand Met On+ Off		656.6	797.6	517.2	202.3	176.5

Onsite Supply Calculations for Building 2

Ref#	Description	No. Provided	D1 Tots	D2 Children	D3 Teens	D4 Adults	D5 Seniors
4.0	Picnic/Sitting	4	36.0	44.0	12.0	28.0	4.0
24A	Swimming Pool	1	0.4	1.6	1.6	38.0	13.7
26A	Indoor Community Space	1	0.7	1.2	2.4	45.6	36.4
27.0	Indoor Fitness Facility	1	0.0	0.8	0.8	30.4	13.7
<b>TOTAL</b>			37.1	47.6	16.8	142.0	67.8

These two residential buildings will take advantage of Wall Local Park/Montgomery County Aquatic Center recreational facilities, including:

- 4 picnic/sitting
- 1 half multi-purpose Court 1
- 2 Indoor racquetball
- 1 Pedestrian system
- 1 Wading pool
- 1 Indoor swimming pool

The proposed development exceeds the required supply of recreation facilities based on the calculation methods in the Planning Board's Recreation Guidelines (1992). As indicated in the data above, the proposed development will provide adequate, safe, and efficient facilities for future residents.

e. Pedestrian and Vehicular Circulation Systems

Grand Park Avenue, a new north-south public street from Old Georgetown Road (MD 187) and Rose Avenue, a new east-west public street from Rockville Pike (MD 355) to Towne Road, formerly called Hoya Road, will provide the main vehicular circulation for this phase of development. These public streets are supplemented by private streets: Trade Street, Meeting Street and Prose Street.

New parking garage entrances and exits are located on Rose Avenue, Grand Park, and Prose Street. Most of the loading areas are located along Trade Street,

which is away from the more pedestrian routes of Rose Avenue and Grand Park Avenue.

Pedestrian circulation will be improved since all new public and private streets will provide wide sidewalks, some as wide as 20 feet, street furnishings, bike racks, landscaping and on-street parking. Intersections are designed to enhance walking and handicapped access, including curb extensions. This network of sidewalks throughout the development, and muse alley, which is a through block connection between Buildings 12 and 7, will provide adequate, safe, and efficient pedestrian and circulation systems.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

Pike and Rose-Phase II is compatible with Phase I, which is under construction, and with existing uses regarding height, scale and massing as reflected by the Sector Plan recommendations and the Urban Design guidelines. There are no other pending site developments in the immediate vicinity.

The building square footages and heights approved under this Site Plan are maximums, and have been approved in a manner that allows the Applicant some flexibility to reassign square footages between approved uses. Specifically, the Applicant is approved to build up to 1,122,960 square feet of non-residential uses and up to 645,976 square feet of residential uses, subject to a maximum total of 1,648,936 square feet of combined uses. Under these approved maximums, the Applicant may shift up to 20,000 square feet in Building 6 and up to 100,000 square feet in Building 7 from non-residential to residential use.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other law.*

#### Final Forest Conservation Plan

This property is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code), and a Final Forest Conservation Plan ("FFCP") for Phase II is approved. The total net tract area for the FFCP is 25.26 acres. This net tract area includes Phase I, Phase II, and a future phase for the construction of Building 13. The total net tract area of 25.26 acres requires 3.79 acres of afforestation.

The Applicant met the planting requirements of the Phase I FFCP (No. 820120020) with the purchase of 1.41 acres in the MDR Property forest conservation bank.

The Phase II FFCP has a limit of disturbance of 14.63 acres, which represents about 58% of the net tract area. The proportional planting requirement for Phase II is 2.19 acres. The Applicant proposes to purchase 2.19 acres plus the 0.18 acres of future phase requirements in an approved off-site forest conservation bank. Therefore, the Applicant is proposing to meet the entire remaining planting requirement of 2.38 acres with the purchase of credits in an approved off-site forest conservation bank.

Forest Conservation Variance

On February 23, 2012, the Planning Board approved a variance request as part of the Phase I FFCP (#120120020) to remove a 41-inch DBH willow oak (tree #V-1) located on-site. As specified by the approval of the variance request, the Applicant must plant at least four native canopy trees of at least 3" caliper in mitigation for the removal of tree V-1. The Applicant is proposing to plant four black gum (*Nyssa sylvatica*) at least 3" caliper in size on-site as mitigation for the specimen removal.

Stormwater Management

A stormwater management concept plan was approved by DPS on August 22, 2013. The plan proposed to meet stormwater management requirements via Environmental Site Design techniques, including the use of green roofs and micro-bioretenion. This will be supplemented with the use of underground volume based proprietary filters.

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Planning Board and 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 Section 59-D-3.8; and

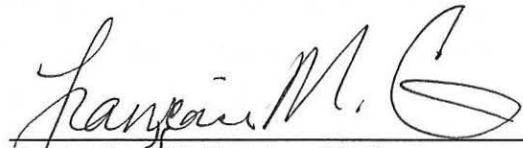
BE IT FURTHER RESOLVED, that the date of this Resolution is NOV 14 2013 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take 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 Anderson, with Chair Carrier, Vice Chair Wells-Harley, and Commissioner Anderson voting in favor, and Commissioners Dreyfuss and Presley absent, at its regular meeting held on Thursday, October 24, 2013, in Silver Spring, Maryland.

  
\_\_\_\_\_  
Françoise M. Carrier, Chair  
Montgomery County Planning Board





June 30, 2015

**MEMORANDUM**

**TO:** Gwen Wright, Planning Director

**VIA:** Glenn Kreger, Chief  
Khalid Afzal, Supervisor, Regulatory Team  
Area 2 Planning Division

**FROM:** Nkosi Yearwood  
Area 2 Planning Division

**SUBJECT:** Pike and Rose-Phase II  
Site Plan Amendment No. 82013012A

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Pursuant to Montgomery County Code Division 59-D-3.7(d)<sup>1</sup>, Amendment of a site plan, the Planning Director may approve in writing certain applications for an amendment to the Certified Site Plan. Administrative or "Director Level" Amendments are modifications to the approved Certified Site Plan that are minor in nature and do not alter the intent and objectives of the Plan.

A Pre-Application meeting with the public or parties of record is not required. A Pre-Submittal meeting with the Development and Regulatory Coordination (DARC) Division is also not required; however, submittal of the application to DARC is required. Administrative Amendments must satisfy the noticing and positing requirements as identified in Sections 4.C and 4.D (a) (ii) of the Manual of Development Review Procedures (2007) and require approval of the Planning Director.

On May 20, 2015, Federal Realty Investment Trust (Applicant) filed a Site Plan Amendment application, designated Site Plan No. 82013012A, for approval of the following items:

1. Minor revisions to curbs, landscape and hardscape layout changes to accommodate construction documents, refined building designs, and to address agency comments.
2. Shift of residential units from Building 6 to Building 2, including MPDU adjustments, within the maximum approved residential square footage.
3. Addition of solar panels on the top level of the parking garage adjacent to Building 7.

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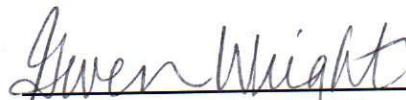
<sup>1</sup> The Zoning Ordinance in effect prior to October 30, 2014.

The Applicant sent a notice regarding the subject Site Plan Amendment to adjacent and confronting property owners and homeowners and civic associations on June 9, 2015. The notice gave interested parties 15 days to review and comment on the proposed amendments. Staff has not received any correspondence from the notified parties.

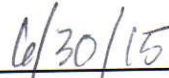
The proposed amendment is consistent with the provisions of Section 59-D-3.7(d) of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The proposed amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the original approved Site Plan No. 820130120.

This Amendment shall remain valid as provided in Montgomery County Code 59-D-3.8. The Applicant is responsible for submitting a Certified Site Plan after approval by the Director for the specific modifications.

ACCEPTED AND APPROVED BY:



\_\_\_\_\_  
Gwen Wright, Planning Director



\_\_\_\_\_  
Date Approved



MONTGOMERY COUNTY PLANNING BOARD  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 16-022  
Limited Site Plan Amendment No. 82013012B  
Pike and Rose, Phase II  
Date of Hearing: March 3, 2016

MAR 15 2016

**RESOLUTION**

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, under Section 59-7.7.1.B.3, the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014; and

WHEREAS, on October 10, 2011, by Corrected Resolution MCPB No. 11-05, the Planning Board approved Sketch Plan No 320110010 establishing several binding elements, including a maximum density of up to 3,442,888 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 to the west, Rockville Pike (MD 355) to the east, and Old Georgetown Road to the south split-zoned CR3 C1.5 R2.5 H200 and CR4 C3.5 R3.5 H300 in the White Flint Sector Plan ("Master Plan" or "Sector Plan") area; and

WHEREAS, on November 14, 2013, by Resolution MCPB No. 13-134, the Planning Board approved Site Plan No. 820130120 for up to 1,648,936 square feet of development, including up to 645,976 square feet of residential development and up to 1,122,960 square feet of non-residential development; and

WHEREAS, On August 5, 2014, by Resolution MCPB No. 14-65, the Planning Board approved Staging Allocation Request No. 26000 for 368 residential dwelling units for Buildings 6 and 7 as approved in Site Plan No. 820130120; and

WHEREAS, On April 21, 2015, by Resolution MCPB No. 15-46, the Planning Board approved Staging Allocation Request No. 26200 for 160,705 square feet of non-residential development for Buildings 1A, 3A, 4 and 8 as approved in Site Plan No. 820130120; and

WHEREAS, On July 2, 2015, the Planning Director approved Administrative Site Plan Amendment No. 82013012A for minor modification to curbs, landscape and hardscape layout changes, the addition of solar panels on the Building 7 parking garage,

APPROVED AS TO LEGAL SUFFICIENCY

*[Signature]* 3/29/16  
M-NCPPC LEGAL DEPARTMENT

a shift of residential units from Building 6 to Building 2 including MPDU adjustments within the maximum approved residential square footage, and the reduction of permitted floor area from 1,648,936 to 1,603,813 square feet.

WHEREAS, On February 17, 2016, by Resolution MCPB No. 16-016, the Planning Board approved Staging Allocation Request No. 26400 for 75,000 square feet of non-residential development for Buildings 3A, 4 and a Park Kiosk as approved in Site Plan No. 820130120; and

WHEREAS, on October 7, 2015, Federal Realty Investment Trust ("Applicant"), filed an application for approval of an amendment to the previously approved site plan to regain 17,018 square feet of floor area (a portion of the originally approved floor area reduced in a Site Plan Amendment 82013012A) for a total floor area of 1,620,831 square feet for Phase II, add planters and wooden trellis structure in Building 8, remove a part of level 3 in Building 1A, and change loading to an on-street configuration in Building 1A on 10.32 acres located north of Old Georgetown Road (MD 187) between Rockville Pike (MD 355) and Towne Road in the CR3 C1.5 R2.5 H200 and CR4 C3.5 R3.5 H300 Zones ("Subject Property") in the White Flint Sector Plan area; and

WHEREAS, Applicant's Site Plan application was designated Site Plan No. 82013012B, Pike & Rose-Phase II ("Application" or "Amendment"); and

WHEREAS, following review and analysis of the Application by the Planning Board staff ("Staff") and the staff of other governmental agencies, Staff issued a memorandum to the Planning Board dated February 18, 2016, setting forth its analysis and recommendation of approval of, the Application ("Staff Report"); and

WHEREAS, on March 3, 2016, Staff presented the Amendment to the Planning Board as a consent item for its review and action, at which time the Planning 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 hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and approves Site Plan Amendment No. 82013012B to allow up to 1,620,831 square feet of development comprising up to 645,976 square feet of residential use and up to 974,855 square feet of non-residential use; add planters and wooden trellis structures to Building 8; and change loading to an on-street configuration in Block 1A. The Applicant must comply with the conditions of approval for Site Plan No. 820130120 and Site Plan Amendment No. 82013012A, except as modified by this Amendment<sup>1</sup>; and

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<sup>1</sup> For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

BE IT FURTHER RESOLVED that, except as amended by this Application, all other conditions of approval for Site Plan No. 820130120 remain valid, unchanged and in full force and effect; and

BE IT FURTHER RESOLVED that all site development elements as shown on Pike and Rose, Phase II submitted to M-NCPPC as of February 18, 2016, shall be required; 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 that this Amendment does not alter the intent, objectives, or requirements in the originally approved Site Plan, as revised by previous amendments, and that all findings remain in effect; and

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 this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAR 15 2018 (which is the date that this resolution is mailed to all parties of record); and

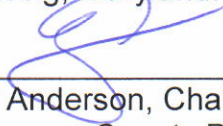
BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

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 Commissioner Fani-González, seconded by Commissioner Dreyfuss, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss, Presley, and Fani-González voting in favor at its regular meeting held on Thursday, March 3, 2016, in Silver Spring, Maryland.

  
\_\_\_\_\_  
Casey Anderson, Chair  
Montgomery County Planning Board



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**Department of Permitting Services  
Fire Department Access and Water Supply Comments**

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**DATE:** 04-Sep-13  
**TO:** Jason Evans  
VIKA, Inc  
**FROM:** Marie LaBaw  
**RE:** Pike & Rose Phase 2 Site Plan- Mid-Pike Plaza (see 12012002A)  
820130120

---

**PLAN APPROVED**

1. Review based only upon information contained on the plan submitted **08-Aug-13** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

**\*\*\* 8/10/16 Amendment 82013012C Approval \*\*\***

ENGINEERS \* PLANNERS \* LANDSCAPE ARCHITECTS \* SURVEYORS \* 3D LASER SCANNING



August 8, 2016

Via: E-Mail and US Mail  
[Marie.LaBaw@montgomerycountymd.gov](mailto:Marie.LaBaw@montgomerycountymd.gov)

S Marie LaBaw PhD, PE  
Fire Department Access and Water Supply  
Department of Permitting Services  
255 Rockville Pike, 2nd Floor  
Rockville, MD 20850  
(240) 773-8917 Office

Re: Pike & Rose Fire Access for Park Pavilion  
Pike District, MD – Montgomery County, MD

Dear Marie,

The attached revised Fire Department Access exhibit reflects changes to the size and positioning of the Pavilion and associated landscaping on Lot 5, Block C previously approved as two kiosks on a plan approved on September 4, 2013. This should serve as an attachment to that originally approved plan to reflect that change.

The surrounding roads for access are unchanged and the two separate one story enclosed kiosks are now planned as a single one story enclosed pavilion. All fire department access requirements are still met in this new design. All other elements of the 9-4-2013 plan remain in effect and as approved.

Jeffrey B. Amateau, P.E.  
Vice President  
Principal Associate  
VIKA Maryland, LLC



**FIRE CODE ENFORCEMENT**

**Fire Department Access Review**

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation

BY: SAC FM: 43 DATE: 8/10/16

VIKA Maryland, LLC

20251 Century Boulevard, Suite 400 \* Germantown, Maryland 20874 \* 301.916.4100 Fax 301.916.2262  
Tysons, VA \* Germantown, MD \* Washington, DC

[www.vika.com](http://www.vika.com)



# FIRE CODE ENFORCEMENT

## Attachment 4

### Fire Department Access Review

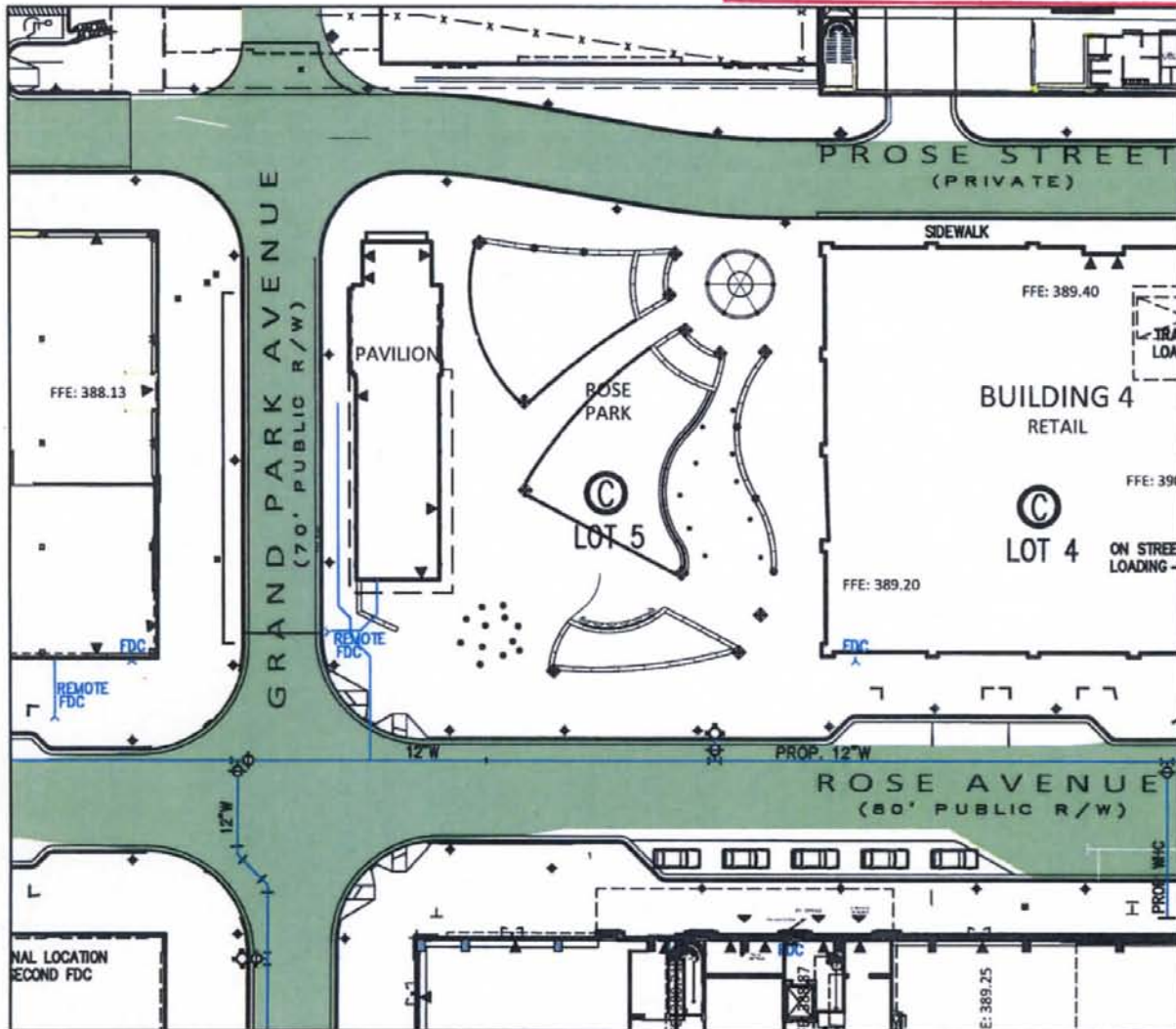
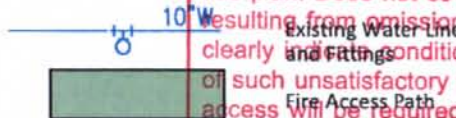
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly and accurately show conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation

8/10/16

BY: SMC FM: 43 DATE: \_\_\_\_\_

### LEGEND

- ▲ Possible Retail Entry Points
- Fire Hydrant
- Y Fire Department Connection



SCALE: 1" = 50'

AUGUST 8, 2016

MINOR EDIT TO FIRE ACCESS PLAN  
PREVIOUSLY APPROVED 9-4-2013

NOTE: THE PURPOSE OF THIS SUPPLEMENTAL EDIT PLAN IS TO ILLUSTRATE THE CHANGE FROM TWO KIOSKS TO ONE SINGLE ONE STORY PAVILION. ALL OTHER ELEMENTS OF THE 9-4-13 APPROVED PLAN REMAIN IN FORCE AND AS APPROVED.



VWA MARYLAND, LLC •  
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SURVEYORS • 3D LASER SCANNING •  
20251 CENTURY BOULEVARD SUITE 400 •  
ROBERTSON, MD 20874 •  
(301)915-4100 • FAX (301)915-3382 •  
WWW.VWA.COM •

**PROFESSIONAL CERTIFICATION:**  
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

SIGNATURE: \_\_\_\_\_ DATE: 8-10-16  
JEFFREY AMATEAU  
PRINTED NAME: JEFFREY AMATEAU  
TITLE: PRINCIPAL ASSOCIATE  
LICENSING No. 20610



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett  
County Executive

Clarence J. Snuggs  
Director

July 8, 2016

Ms. Crystal Myers  
Area 2 Division  
Montgomery County Planning Department  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Pike & Rose Phase 2  
Site Plan Amendment No. 82013012C

Dear Ms. Myers:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced Site Plan Amendment and recommends Approval of the plan.

The applicant will need to execute an amendment to the development's MPDU Agreement to Build with DHCA in order to reflect the revised unit mix.

Sincerely,

Lisa S. Schwartz  
Senior Planning Specialist

cc: Scott Wallace, Linowes and Blocher, LLP  
Jay Corbalis, Federal Realty Investment Trust

S:\Files\FY2014\Housing\MPDULisa Schwartz\Pike & Rose Ph 2 SPA DHCA Letter 7-8-2016.doc

Division of Housing

Affordable  
Housing Program  
FAX 240-777-3709

Multifamily Housing  
Programs  
FAX 240-777-3691

Landlord-Tenant Affairs  
FAX 240-777-3691

Licensing & Registration Unit  
240-777-3666  
FAX 240-777-3699

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