



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

March 31, 2016

MEMORANDUM

TO: 82013012B Resolution Mailing List
FROM: Development Applications and Regulatory Coordination
RE: Corrected Resolution

The enclosed resolution was modified to correct typos in the resolution and plan numbers at the top of pages 2 through 4, and is being re-mailed for your information.



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 Amendment¹; and

¹ 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

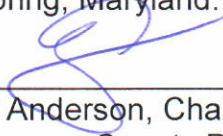
BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

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