



MCPB
Item No.
Date: 7/24/2014
Consent Item

Staging Allocation Request No. 26000 for Pike & Rose – Phase II, Site Plan No.820130120

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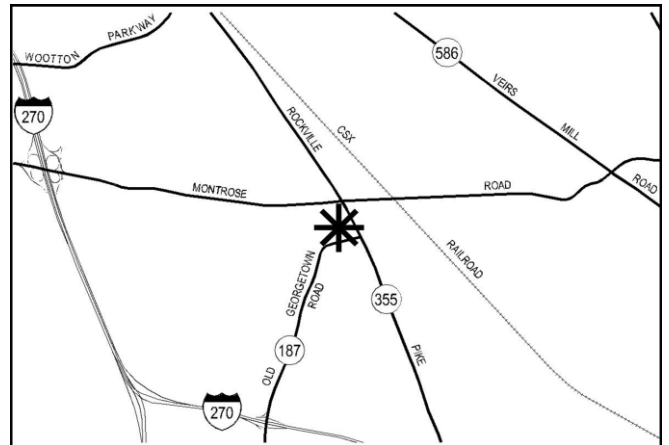
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Completed: 7/11/2014

Description

- Staging allocation for 368 residential units and demolition credits for 202,115 square feet of non-residential development for Buildings 6 and 7;
- Located along Grand Park Avenue and Rose Avenue, north of Old Georgetown Road (MD 187) and west of Rockville Pike (MD 355);
- 13.21 gross acres in the CR3 C1.5 R2.5 H200 and CR4 C 3.5 R3.5 H300 Zones in the *White Flint Sector Plan* area;
- Applicant: Federal Realty Investment Trust filed on July 3, 2014.



Summary

- Staff recommends approval of the Staging Allocation Request (SAR) No. 26000 for Site Plan No. 820130120, Pike & Rose-Phase II.

BACKGROUND

To ensure compliance with the phasing limits in the Approved and Adopted *White Flint Sector Plan* (2010), the Planning Board has approved the White Flint Sector Plan Implementation Guidelines specifying how development capacity is allocated (Council Resolution No. 17-213, Approval of Planning Board Regulation 11-01, White Flint Allocation). Phase I of the Sector Plan allows up to 3,000 residential dwelling units and up to 2.0 million square feet of non-residential development.

The Planning Board has approved two prior Staging Allocation Requests (SARs) for Pike & Rose submitted by the Applicant, Federal Realty Investment Trust:

- The Planning Board on March 23, 2012 approved SAR No. 25400 (MCPB No. 12-36) for 493 residential dwelling units and 262,800 square feet of non-residential associated with Site Plan No. 820120020, Mid-Pike Plaza (Pike & Rose). Federal Realty later submitted updated building permit information, which showed that only 211,958 square feet of non-residential development was actually utilized for SAR No. 25400 (Attachments 1 and 2).
- On January 17, 2014, the Planning Board approved SAR No. 25800 (MCPB No.14-03) for 1,000 square feet of non-residential development for Site Plan No. 82012002A, Pike & Rose, Phase I amendment (Attachments 3 and 4).

PROPOSED STAGING ALLOCATION REQUEST

On July 3, 2014, Federal Realty filed SAR No. 26000 for 368 residential dwelling units and 202,115 square feet of non-residential development. This proposed SAR is associated with Buildings 6 and 7, which are included in Site Plan No. 820130120, Pike & Rose-Phase II.



Overview of Pike & Rose-Phase II Site Plan with Buildings 6 and 7 highlighted

The White Flint Implementation Guidelines allows that any demolition of existing development will be taken as a demolition credit during the staging allocation process. SAR No. 26000 proposes to demolish 202,115 square feet of existing non-residential development, while proposing the equivalent amount of new non-residential development. Therefore, there is no net increase in the amount of non-residential development with the proposed SAR. The table below details the prior and proposed demolition credits for Pike & Rose:

Total non-residential development prior to demolition credits	304,966 square feet
Demolition credits taken with SAR Nos. 25400 and 25800	85,795 square feet
Proposed demolition credits requested this SAR application	202,115 square feet
Remaining Demolition Credit for future use	17,056 square feet

The table below shows the Sector Plan limits, issued and the proposed staging allocation requests, and remaining residential and non-residential development:

Staging Capacity	Residential	Non-Residential
Maximum approved by Sector Plan-Phase I	3,000 units	2.0 million square feet
SAR No. 25400 issued for Site Plan No. 820120020	493 units	211,958 square feet
SAR No. 25800 issued for Site Plan No. 82012002A	NA	1,000 square feet
SAR No. 26000 proposed for Site Plan No. 820130120	368 units	NA
Remaining Sector Plan Phase I staging capacity	2,139 units	1,787,042 square feet

RECOMMENDATION

Staff recommends approval of the Staging Allocation Request No. 26000.

Attachments:

1. Site Plan No. 820120020 Resolution
2. Staging Allocation Resolution No. 12-36
3. Site Plan No. 82012002A Resolution
4. Staging Allocation Resolution No. 13-175
5. Site Plan No. 820130120 Resolution
6. Staging Allocation Request

MAR 14 2012

ATTACHMENT 1



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

MCPB No. 12-27
Site Plan No. 820120020
Project Name: Mid-Pike Plaza (Pike & Rose)
Date of Hearing: February 23, 2012

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, pursuant to 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 320110010 (MCPB Resolution 11-05) ("Sketch Plan") establishing several binding elements, including a maximum density of 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 bound by Montrose Parkway on the north, Hoya Street on the west, Rockville Pike on the east, and Old Georgetown Road on the west ("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 August 3, 2011, Federal Realty Investment Trust ("Applicant"), filed an application for approval of a Site Plan for 951,000 square feet of mixed-use development including up to 341,800 square feet of non-residential development and up to 493 residential units ("Site Plan" or "Plan") on approximately 6.77 gross acres in the CR3 C1.5 R2.5 H200 and CR4 C3.5 R3.5 H300 zones, on a portion of the Property; and

WHEREAS, Applicant's Site Plan application was designated Site Plan No. 820120020, Mid-Pike Plaza (Pike & Rose) (the "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staff of other governmental agencies, Staff issued a memorandum to the Planning Board, dated February 10, 2012, setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

Approved as to
Legal Sufficiency:

A handwritten signature in black ink, dated 2/29/12.

8787 Georgia Avenue, Suite 200, Silver Spring, Maryland 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

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WHEREAS, on February 23, 2012, the Planning Board held a public hearing on the Application (the "Hearing"); and

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

WHEREAS, on February 23, 2012, the Planning Board approved the Application subject to conditions on the motion of Commissioner Anderson, seconded by Commissioner Presley, with a vote of 4-0; Commissioners Anderson, Carrier, Presley, and Wells-Harley voting in favor, with Commissioner Dreyfuss being absent.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 820120020 for 951,000 square feet of mixed-use development including up to 341,800 square feet of non-residential development and up to 493 residential units, subject to the following conditions:

1. Sketch Plan Conformance

The development must comply with the applicable binding elements and conditions of Sketch Plan 320110010 approved by the Planning Board by a Corrected Resolution dated October 10, 2011.

2. Preliminary Plan Conformance

The development must comply with the conditions of the approved Resolution for Preliminary Plan 120120020, unless amended and approved by the Planning Board.

3. Density Allocation

Building permits may only be issued after 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.

4. Placemaking Plan

The Applicant must provide public use and open space amenities in accordance with the "Placemaking and Phase 1 Amenity Plan for Pike & Rose" ("Placemaking Plan") under the following stipulations:

- a. Expand area encompassed by Placemaking Plan to include improvements along Hoya Street.
- b. 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.
- c. Remove all notations of specific plantings, amenities and materials that may conflict with the Placemaking Plan.

- d. All installed site amenities and materials must meet applicable building codes.
- e. The Placemaking Plan should include signage for the recreation loop extension, which may be considered a new public benefit as implemented through subsequent site plans.

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
 - Submit as-built drawings of parking garage for each building with tabulation of maximum parking spaces allowed, minimum parking spaces required, and parking spaces provided.
- 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. Dwelling Unit Mix
 - Submit as-built drawings of floor plans with tabulation of bedroom unit mix, for each applicable building.
- h. Structured Parking
- i. Public Art
 - Provide review under Placemaking Plan Condition #4, above.
- j. BLTs
 - Purchase or payment for 1.82 Building Lot Terminations must be made prior to issuance of any building permit. Documentation to be provided to Staff.
- k. 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.
- l. Vegetated Roof

- Provide as-built roof plans showing coverage of roof that is vegetated and cross-section of planting detail, for each applicable building.
- m. Advanced Dedication
 - Record dedication by plat.

6. Transportation

The Applicant must provide and show on the Certified Site Plan the following pedestrian and bicycle improvements:

- a. The Applicant must provide a minimum of 250 bicycle parking spaces, including 14 publicly accessible bike spaces and 100 private, secure bike spaces for Building 10; 20 publicly accessible bike spaces and 26 private, secure bike spaces for Building 11; and 22 publicly accessible bike spaces and 67 private, secure bike spaces for Building 12. Final location and facility details to be determined at Certified Site Plan and under the Placemaking Plan.
- b. The Applicant must revise streetscape plantings to ensure street trees are spaced a minimum of 35 feet on center for Old Georgetown Road, subject to Maryland State Highway Administration (“SHA”) approval.

7. Environment

- a. Applicant must submit and obtain Staff approval of a revised Final Forest Conservation Plan for each of the successive site plan phases addressing the following comments:
 - i. Mitigation for the 41-inch diameter willow oak along the eastern Property boundary (“variance tree V-1”) must be included in the Final Forest Conservation Plan for the phase that causes the removal of the tree. Applicant will be required to plant at least 4 native canopy trees of at least 3” dbh in mitigation for the removal of variance tree V-1.
 - ii. Trees proposed for tree cover credit to satisfy afforestation requirements should be in the shade tree category rather than ornamental trees. Trees used for tree cover credit must appear either in the list of approved trees in the Trees Technical Manual, or on the Montgomery County Department of Transportation’s (“MCDOT”) approved street tree list.
- b. Applicant to submit and obtain approval of the forest conservation financial security instrument prior to any clearing or grading occurring on site.

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 Recreation Guidelines approved by the Planning Board in September 1992, shown on the Site Plan including:

- a. In Building 10:
 - i. Four picnic/sitting areas;
 - ii. One open play area II;
 - iii. One wading pool
 - iv. One indoor community space; and
 - v. One indoor fitness facility.
- b. In Building 12:
 - i. Four picnic/sitting areas;
 - ii. One wading 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 successor(s) and assigns. This includes maintenance of paving, plantings, lighting, benches, fountains, and artwork. Maintenance may be taken over by a governmental agency by agreement with the Applicant or any successor(s) and assigns and applicable agency. For the purpose of this condition, the term "Applicant and any successor(s) and assigns" means the owner or any successor(s) 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.
- b. Subject to the SHA approval, the area within the 10-foot Public Improvement Easement along Old Georgetown Road must be categorized as public use space and be maintained to ensure public accessibility and meet the criteria required by the Zoning Ordinance under Section 59-C-15.73(c).

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 issuance of first building permit within each relevant phase of development, Applicant must provide a performance bond(s) 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

The Applicant must construct the development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. Demolition of existing buildings may commence prior to approval of the certified site plan.
- b. Street lamps and sidewalks adjacent to each building must be installed prior to release of any use-and-occupancy permit for the respective building. Street tree planting may wait until the next growing season.
- c. On-site amenities including, but not limited to, recreation amenities and public use space amenities adjacent to each building, must be installed prior to release of any use-and-occupancy permit for the respective building.
- d. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all applicable environmental protection devices.
- e. The development program must provide phasing for installation of on-site landscaping and lighting.
- f. The development program must provide phasing of dedications, stormwater management, sediment and erosion control, afforestation, and other features.

14. 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 Final Forest Conservation Plan approval, stormwater management concept approval, development program, inspection schedule, and Site Plan resolution on the approval or cover sheet.

- b. 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".
- c. Make corrections and clarifications to recreation guidelines, labeling, data tables, and schedules.
- d. Ensure consistency of all details and layout between site plan and landscape plan.

BE IT FURTHER RESOLVED, that all site development elements as shown on the Mid-Pike Plaza drawings stamped by the M-NCPPC on December 8, 2011, 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 presented at the Hearing and in the Staff Report, which the Planning Board hereby adopts and incorporates by reference, 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, which may be modified at the time of site plan review under Section 59-C-15.43(d) of the Zoning Ordinance:

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 on 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.

No modifications to the binding elements or conditions of the Sketch Plan were proposed by the Applicant or recommended by Staff.

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.*

There are several requirements of the CR zones that must be met by this Application:

- Uses;
- General Requirements;
- Development Standards; and
- Special Regulations for the Optional Method of Development (Public Benefits).

a. Uses

The proposed uses, residential, retail, restaurant, health club, theatre, and office, are permitted uses in the zone. There are no proposed limited or special exception uses.

b. General Requirements

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

- The Mid-Pike Plaza property is in the Mid-Pike Plaza District within the Approved and Adopted (2010) *White Flint Sector Plan*. In accord with the recommendations of the Sector Plan, the proposed development will retain its regional marketplace function and include residential and civic uses.
- Building heights of 300 feet will frame the corner of Rockville Pike and Old Georgetown Road in later phases, while the development approved under this Site Plan provides a varied skyline protecting future open spaces to the north and maximum heights of 200 feet on the western edge of the site.

- The highest density will be located at the intersection of Old Georgetown Road and Rockville Pike in later phases under the approved Sketch Plan.
- The approved street network is consistent with the Sector Plan recommendation for public and private streets and with the layout approved in the Sketch Plan.
- Several roads that front the property have bikeway recommendations. Old Georgetown Road, between Hoya Street and Rockville Pike, is classified as a dual bikeway: i.e., a shared use path with bike lanes (LB-2). Rockville Pike is classified as a shared use path (SP-41) and Hoya Street is also classified as a shared use path, LB-1. The applicable bike lanes have been shown on the preliminary plan roadway cross-sections and are accommodated by the interim and final detailed layout in the Site Plan.
- The public use space provides the open spaces approved by the Sketch Plan that implement the recommendations of the Sector Plan, with open spaces along and between blocks adjacent to activating retail, restaurant, and entertainment uses. Larger public use spaces and continued connections will be built with later phases under the binding elements of the Sketch Plan.
- The Sector Plan establishes several recommendations to create an environmentally sustainable district. The proposed development will minimize carbon emissions by providing a pedestrian environment and more balanced jobs/housing ratio; it will reduce energy consumption through site design and energy-efficient buildings meeting a minimum of LEED certification; it will improve air and water quality by implementing tree canopy, vegetated roofs, landscape area, and environmental site design stormwater management facilities.
- The Approved White Flint Urban Design Guidelines provide specific recommendation for each district, including building design and public open space. The design guidelines recommend that buildings be located without significant setbacks along streets, as shown by the proposed building layouts. Regarding public use spaces, the design guidelines recommend that neighborhood open spaces be defined by surrounding building walls on at least three sides when located mid-block, as provided by the pocket park on the west side of Street A. The promenade to the north of Building 10 will have east-west access to early and late sun, but be more protected at midday in the summer when it gets the most use.

c. Development Standards

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

Density of Development (square feet)		
	Total	Non-Residential
		Residential (R)

	(CR)	(C)	
Max Allowed by the Zones	3,442,888	2,106,726	2,911,882
Max Approved with Sketch Plan	3,442,888	1,716,246	2,911,882 (1,726,642 min)
Max Approved with Phase 1	951,000	314,800	636,200
Max Remaining for Later Phases	2,491,888	1,374,446	2,302,682 (1,117,442 min)

Height (feet)		
	CR3.0 C1.5 R2.5 H200	CR4.0 C3.5 R3.5 H300
Max Allowed by the Zones	200	300
Approved with Sketch Plan	200	300
Approved with Phase 1		
Building 10	200	n/a
Building 11	110	n/a
Building 12	70	70

Public Use Space (% of net lot)	
Min Required by the Zones (% of net lot)	10 (85,960sf)
Min Approved with Sketch Plan (%)	10 (85,960sf)
Min Approved with Phase 1 (%)	2.8 (24,500sf) ¹
Min Remaining for Later Phases	7.2 (61,460sf)

Residential Amenity Space (square feet per market rate unit ²)		
	Required	Approved
Minimum Indoor Amenity Space		
Building 10 (278 units)	5,000	5,000
Building 12 (152 units)	3,040	3,480
Minimum Outdoor Amenity Space³		
Building 10 (278 units)	5,000	5,000
Building 12 (152 units)	3,040	3,340

Parking (spaces, may be provided off-site)			
	Minimum Required	Maximum Allowed	Approved

¹ This is equal to approximately 10% of the net lot area comprising the site plan.

² Amenity space is not required to be calculated for MPDUs within a metro station policy area.

³ A minimum of 400sf of the outdoor amenity space must be directly accessible from an indoor amenity space.

Approved with Sketch Plan	2,396	6,546	5,234 (approximately)
Approved with Phase 1			
Building 10	312	468	313
Building 11	306	766	611
Building 12	224	406	158

Minimum Bicycle Parking Spaces & Shower/Change Facilities				
	Required		Approved ⁴	
	Minimum Publicly Accessible	Minimum Private & Secure	Public	Private
Building 10				
319 Residential Units	10	100	10	100
13,300sf Non-Residential	4	2	4	2
Building 11				
251,200sf Non-Residential	20	26	20	26
At least one shower/change facility is required for each gender for office uses ≥100,000sf.				
Building 12				
174 Residential Units	10	61	10	61
50,300sf Non-Residential	11	6	11	6

d. Public Benefits

The approved development will provide numerous public benefits with proportional incentive density points. The Planning Board has considered these public benefits according to:

- The recommendations, objectives, and priorities of the Sector Plan;
- The CR Zone Incentive Density Implementation Guidelines and the White Flint Urban Design Guidelines;
- The size and configuration of the tract;

⁴ As conditioned.

- The relationship of the site to adjacent properties;
- The presence or lack of similar public benefits nearby; and
- Enhancements beyond the elements listed in the individual public benefit descriptions or criteria that increase public access to or enjoyment of the benefit;

The Board finds that the approved public benefits fulfill the priority recommendations of the Sector Plan, meet the criteria of the Implementation and Design Guidelines; are appropriate for the size and configuration of the tract; enhance the site's relationship to adjacent properties; provide benefits that are not provided nearby; and are not appropriate for increased points for enhancements beyond the elements and criteria established by the Zoning Ordinance or the Implementation Guidelines. The Applicant will provide public benefits from 4 categories equal to 100 points for the entire tract comprising the Sketch Plan, a proportion of which will be provided by the Phase 1 Site Plan as follows:

Public Benefit	Adjusted Total Points [Original Points at Sketch Plan]⁵	Phase 1 Measurement/Criteria	Points Awarded for Site Plan 820120020
Transit Proximity Category			
Site Split within ¼ mile and ½ mile of Transit	33.00 [33.09 at sketch plan]	25% of total development in Phase 1: 0.25 x 33 total points	8.25
Connectivity & Mobility Category			
Neighborhood Services	10.00	25% of total development in Phase 1: 0.25 x 10 total points	2.49
Minimum Parking	7.03 [6.32]	25% of total development in Phase 1: 0.25 x 3.5 total points ⁶	0.88
Through-Block Connection	10.00	50% of through-block connection completed with Phase 1.	5.00
Public Parking	7.05 [7.62]	26% of publicly accessible spaces being provided with Phase 1.	1.85

⁵ 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.

⁶ The total points allowed under the revised CR zones is based on a formula that was revised to allow a maximum of 10 points, rather than the previous allowance up to 20 points (thus the difference between 7 points awarded at sketch plan and the 3.5 total points noted in the table under Phase 1 Measurement).

Advance Dedication	3.72	100% of dedication being provided with Phase 1.	3.72
Diversity of Uses & Activities Category			
Adaptive Buildings	4.12 [4.37]	16% of qualifying floor area provided with Phase 1.	0.65
Care Center	15	No credit requested with Phase 1.	0.00
Dwelling Unit Mix	3.67 [2.19]	40% of qualifying floor area provided with Phase 1.	1.48

Public Benefit	Adjusted Total Points [Original Points at Sketch Plan]⁷	Phase 1 Measurement/Criteria	Points Awarded for Site Plan 820120020
Quality Building & Site Design Category			
Structured Parking	13.92 [14.32]	25% of structured parking spaces provided with Phase 1.	3.43
Tower Setback	1.47 [1.53]	No credit requested with Phase 1.	0.00
Public Art	5.00	33% of public art program implemented with Phase 1.	1.65
Exceptional Design	6.46 [6.70]	No credit requested with Phase 1.	0.00
Protection & Enhancement of the Natural Environment Category			
BLTs	5.00	25% of total development in Phase 1; 1.82 BLTs must be purchased.	1.25
Tree Canopy	10.00	33% of tree canopy implemented with Phase 1.	3.33
Vegetated Roof	4.23 [4.48]	15% of qualifying floor area provided with Phase 1.	0.65
Total			34.63

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 locations of the buildings and structures are adequate, safe, and efficient for an infill development site that is envisioned by the Sector Plan and White Flint

⁷ 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.

Urban Design Guidelines to provide pedestrian-oriented blocks, street walls along sidewalks, and taller buildings and density near transit facilities.

b. Open Spaces

The locations of the open spaces are adequate, safe, and efficient for an infill development site that is envisioned by the Sector Plan and White Flint Urban Design Guidelines to concentrate on sidewalks relieved by strategically placed pocket parks and consolidated open spaces that will provide passive and active spaces for sitting, relaxing, dining, strolling, and social engagement. The Phase 1 pocket park is located at the terminus of the promenade that, when completed, will provide a through-block connection from Street A to Rockville Pike creating a unique place for pedestrians.

c. Landscaping and Lighting

Landscaping and lighting, as well as other site amenities, will be provided within the parameters of the "Placemaking & Phase 1 Amenity Plan – Pike & Rose". The parameters established by the Placemaking Plan ensure that landscaping, lighting, and site amenities will be safe, adequate, and efficient for year-round use and enjoyment by patrons, employees, and residents. Site furnishings, shade, color, special features such as artwork and fountains, and specialty lighting will be integrated within the site to create a unique and interesting place, while the parameters of the Placemaking Plan will ensure accessibility and comfort.

d. Recreation Facilities

The proposed development is exceeding the active and passive recreation space required by the zone as shown in the data tables above. The approved development will provide on-site recreation facilities as follows.

Building 10:

- 4 picnic/sitting areas;
- 1 open play area II;
- 1 wading pool;
- 1 indoor community space;
- 1 indoor fitness facility.

Building 12:

- 4 picnic/sitting areas;
- 1 wading pool;
- 1 indoor community space;
- 1 indoor fitness facility.

Both buildings can take advantage of the nearby recreational facilities at Wall Park, including:

- 4 picnic/sitting areas;
- 1 half multi-purpose court I;
- 2 indoor racquetball courts;
- 1 pedestrian sidewalk system;
- 1 wading pool; and
- 1 indoor swimming pool.

The approved development exceeds the required supply of recreation facilities based on the calculation methods in the M-NCPPC Recreation Guidelines. As reflected in the outline and data tables above, the approved development will provide adequate, safe, and efficient recreation facilities to allow residents to lead an active and healthy life.

e. Pedestrian and Vehicular Circulation Systems

Vehicular circulation will be mostly unchanged for the interim – until later phases are built and the public improvements to Old Georgetown Road, Hoya Street, and Rockville Pike occur. Until then cars will still enter and exit the site at existing points, although the parking lot drive-aisles will begin to resemble the streets they will eventually become. New parking garage and loading access points will be located on Hoya Street, off Street A, and from the existing parking lot. These circulation routes, access points, and loading movements have been reviewed to ensure minimal conflicts with pedestrians and that full build-out will be in line with the Sector Plan and code requirements.

Pedestrian circulation, conversely, will be greatly improved along the street frontages along the Site Plan area and within the site. The new grid network of sidewalks and open spaces envisioned for this area will begin to be realized and bicycle and pedestrian amenities, such as benches, handicapped access, bike racks, shade trees, and bike lanes will be greatly improved. This new network of sidewalks and through-block connections in and around smaller pedestrian-scaled blocks will provide adequate, safe, and efficient pedestrian and vehicular circulation systems.

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

The mixed-use buildings are compatible with existing uses regarding scale, massing, and height as reflected in the urban design and zoning recommendations of the Sector Plan and White Flint Urban Design Guidelines. There are no pending site plans adjacent to the proposed development.

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

a. Forest Conservation

The Applicant will stage the Final Forest Conservation Plan with each site plan approved for the site. The amount of afforestation/reforestation credit proposed with each site plan must be commensurate with the proportion of the net tract area being developed, until the total of 3.75 acres of afforestation and reforestation is accomplished. The Final Forest Conservation Plan must be revised with each new site plan to reflect the total forest mitigation completed for all previous phases, including the current phase.

The Site Plan for Phase I has a Limit of Disturbance of 9.21 acres, which represents about 36.85% of the net tract area. The proportional afforestation/reforestation required for Phase I is 1.38 acres. The Final Forest Conservation Plan for Phase I includes 0.50 acres of fee-in-lieu payment and 0.88 acres of off-site reforestation to fulfill the forest mitigation requirement. This leaves 2.37 acres of mitigation to be fulfilled in subsequent phases of development.

b. Stormwater Management

A stormwater management concept plan will meet stormwater management requirements through a variety of Environmental Site Design techniques, including the use of green roofs and micro-bioretenment, to be supplemented by underground filters, and the concept plan was approved by the Montgomery County Department of Permitting Services on January 20, 2012. There is currently no stormwater management for the site.

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 § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this Resolution is MAR 14 2012 (which is the date that this Resolution is mailed to all parties of record); and

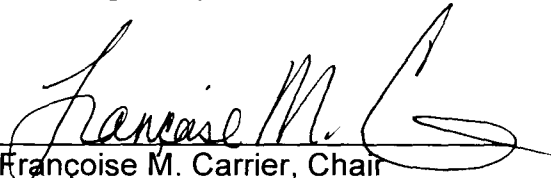
BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

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 Presley, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor of the motion, at its regular meeting held on Thursday, March 8, 2012, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board

Federal Realty Investment Trust
Evan Goldman
1626 East Jefferson Street
Rockville, MD 20852

WDG/Design Collective
Buddy Woemer
601 E. Pratt Street
Suite 300
Baltimore, MD 21202

Clinton & Associates
Sandy Clinton
5200 Baltimore Avenue
Suite 201
Hyattsville, MD 20781

Pike & Rose
Evan Goldman
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Wisconsin Condominium
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Jeff Amateau
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Garrett Park Estates – White Flint Park
Citizens Association
Bob Knoll
5306 Gretchen Street
Kensington, MD 20895

MR. RICHARD BRUSH, MANAGER
MCDPS-WATER RES. PLAN REVIEW
255 ROCKVILLE PIKE,
2ND FLOOR
ROCKVILLE, MD 20850

MR. GREG LECK
MCDOT
100 EDISON PARK DRIVE
4TH FLOOR
GAITHERSBURG, MD 20878

MS. LISA SCHWARTZ
DHCA
100 MARYLAND AVENUE
4TH FLOOR
ROCKVILLE, MD 20850

MR. ATIQ PANJSHIRI
MCDPS
RIGHT OF WAY PERMITTING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. EHSAN MOTAZEDI
MCDPS-SITE PLAN ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. SUSAN SCALA-DEMBY
MCDPS-ZONING
255 ROCKVILLE PIKE
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ROCKVILLE, MD 20850

MS. CHRISTINA CONTRERAS
MCDPS-LAND DEVELOPMENT
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ROCKVILLE, MD 20850

MR. GENE VON GUNTEN
MCDPS-WELL AND SEPTIC
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2ND FLOOR
ROCKVILLE, MD 20850

MR. CHRISTOPHER ANDERSON
DHCA
MDPU MANAGER
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MCDEP
WATER RESOURCE PLANNING
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1ST FLOOR
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MR. RICHARD BRUSH, MANAGER
MCDPS-SEDIMENT/STORMWATER
INSPECTION AND ENFORCEMENT
255 ROCKVILLE PIKE,
2ND FLOOR
ROCKVILLE, MD 20850



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

Agenda Date: July 19, 2012
Agenda Item No. _____

MEMORANDUM

DATE: July 6, 2012

TO: Montgomery County Planning Board

VIA: Glenn Kreger, Chief, Area 2 Division
Joshua Sloan, Planner Supervisor, Area 2 Division *J.S.*
Patrick Butler, Senior Planner, Area 2 Division *P.B.*

FROM: Rose Krasnow, Interim Planning Director *R.K.*

SUBJECT: Corrections to the Resolutions of Sketch Plan 320110010, Preliminary Plan 120120020, Site Plan 820120020, and Staging Allocation Request 25400, Mid-Pike Plaza (Pike & Rose)

Attached please find highlighted copies of the Resolutions for Sketch Plan 320110010, Preliminary Plan 120120020, Site Plan 820120020, and Staging Allocation Request (SAR) 25400, Mid-Pike Plaza (Pike & Rose), which corrects a persistent typographical error and clarifies the approval of the SAR for tracking purposes. The original resolutions were mailed out to all parties of record on October 10, 2011, March 14, 2012, March 14, 2012, and March 23, 2012, respectively.

Staff requests the following changes to ensure consistency and clarity regarding the approval of the subject plans.

Summary of Requested Corrections

1. In each case where the number "3,422,888" (referring to the total approved square feet of density for the project) was used, the correct number, "3,442,888" should replace it. This occurs four times in the sketch plan resolution, twice in the preliminary plan resolution, and once in the site plan resolution.
2. In each case where the number "341,800" (referring to the total approved square feet of non-residential uses in the site plan) was used, the correct number, "314,800" should replace it. This occurs twice in the site plan resolution and once in the staging allocation request resolution.

3. To clarify the SAR application and ensure proper tracking, it is requested that the third paragraph on page 2 be revised to read,
“NOW, THEREFORE, BE IT RESOLVED THAT the Planning Board APPROVES an allocation of staging capacity for 493 residential units and ~~262,800~~ 229,005 square feet of non-residential uses, which is equal to the total allowed non-residential density approved by the site plan (314,800 square feet) minus 85,795 square feet of existing non-residential density that will be demolished, on the property;”.
4. Because the application is being revised to ensure consistency between the resolution and the application, the fifth paragraph on page two is no longer necessary.

JS:ha: n:\area 2 division\sloan\ mid pike corrected resolutions memo to board

Attachments:

1. Resolution for Sketch Plan 320110010
2. Resolution for Preliminary Plan 120120020
3. Resolution for Site Plan 820120020
4. Resolution for Staging Allocation Request 25400



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

MAR 23 2012

MCPB No. 12-36
Staging Allocation Request No. 25400 (Site Plan No. 820120020)
Mid-Pike Plaza (Pike & Rose)
Date of Hearing: March 22, 2012

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 March 9, 2012, Federal Realty Investment Trust ("Applicant"), filed an application for approval of a multi-building Staging Allocation Request associated with Site Plan No. 820120020, which is approved for up to 493 residential units and 341,800 square feet of non-residential uses on 6.77 acres of land located on Old Georgetown Road, approximately 300 feet west of the intersection with Rockville Pike in the White Flint Sector Plan area; and

WHEREAS, Applicant's Staging Allocation Request application was designated Staging Allocation Request No. 25400, Mid-Pike Plaza (Pike & Rose) ("SAR"); and

WHEREAS, following review and analysis of the SAR by Planning Board staff ("Staff"), Staff issued a memorandum to the Planning Board, dated March 15, 2012, setting forth its analysis, and recommendation for approval of the SAR; and

WHEREAS, on March 22, 2012, the Planning Board held a public hearing on the SAR, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the SAR; 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

Approved as to
Legal Sufficiency:

8787 Georgia Avenue, Suite 200, Silver Spring, Maryland 20910

MNCPPC Legal Department

www.MCParkandPlanning.org

Chairman's Office: 301.495.4605 Fax: 301.495.1320

E-Mail: mcp-chairman@mncppc.org

WHEREAS, at the time of the hearing, the available staging capacity was 3,000 residential units and 2,000,000 non-residential square feet; and

WHEREAS, at the hearing, the Planning Board approved the Application in accordance with the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Board APPROVES an allocation of staging capacity for 493 residential units and 262,800 square feet of non-residential uses on the Property;

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

~~BE IT FURTHER RESOLVED that this allocation of staging capacity represents the number of residential units approved in the Site Plan for this project, and the total non-residential square footage approved in the Site Plan minus the 70,000 square feet of commercial uses to be demolished. The staging allocation rules adopted for White Flint call for the netting of demolished square footage from staging capacity allocations. The Board further notes that the staging allocation approved in this Resolution exceeds the amount requested by the Applicant, which was 223,408 net square feet, to reflect that the site plan permits greater non-residential development and the fluctuation in the precise amount of square footage that will ultimately be approved at building permit. For future allocation requests, the Board urges applicants to request the number of units and square footage approved in the Site Plan; 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 the 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 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 these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

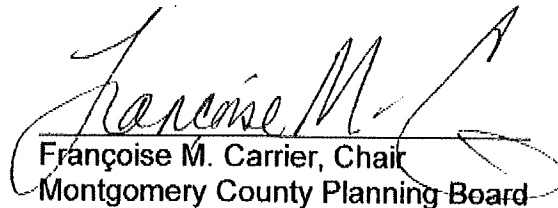
BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAR 23 2012 (which is the date that this Resolution is mailed to all parties of record); and

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 Dreyfuss, seconded by Commissioner Anderson, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson and Dreyfuss voting in favor of the motion, and with Commissioner Presley absent, at its regular meeting held on Thursday, March 22, 2012, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board



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

ATTACHMENT 3

DEC 9 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

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 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.

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

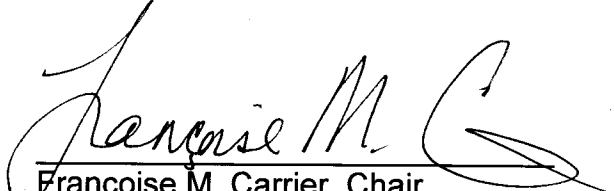
BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 9 2013 (which is the date that this resolution is mailed to all parties of record); and

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 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



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

ATTACHMENT 4

JAN 17 2014

MCPB No. 14-03
Staging Allocation Request No. 25800 (Site Plan No. 82012002A)
Pike & Rose Phase I
Date of Hearing: January 17, 2013

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 January 6, 2014, Federal Realty Investment Trust ("Applicant") sought confirmation from the Montgomery County Planning Department that it had excess staging capacity from Staging Allocation Request No. 25400, approved by MCPB Resolution No. 12-36, dated March 23, 2012, and that such staging capacity could be used for a 1,000 square foot addition to an existing building approved by the Planning Board in Site Plan Amendment No. 82012002A on December 9, 2013; and

WHEREAS, the excess staging capacity referenced in Staging Allocation Request No. 25400 was approved by the Planning Board, but was not perfected by the Department of Permitting Services' acceptance of a timely building permit application; it expired 180 days after the staging approval, and therefore the Planning Department treated the Applicant's January 6, 2014 filing as a new staging allocation request for 1,000 square feet of non-residential staging capacity; and

WHEREAS, Applicant's January 6, 2014 Staging Allocation Request application was designated Staging Allocation Request No. 25800, Pike & Rose Phase I ("SAR"); and

WHEREAS, following review and analysis, the Planning Department issued a memorandum to the Planning Board, dated January 14, 2014, setting forth its analysis, and recommendation for approval, of the SAR; and

WHEREAS, on January 17, 2014, the Planning Department presented the SAR to the Planning Board as a consent item for its review and action; and

Approved as to
Legal Sufficiency

8787 Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320
MNCPPC Legal Department
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc-mc.org

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, the available non-residential staging capacity was 1,788,042 square feet;

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Board APPROVES an allocation of staging capacity for 1,000 square feet of non-residential development for the building expansion approved in Site Plan 82012002A; 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 the Board finds there is sufficient capacity available in the White Flint Staging Plan; 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 90th 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 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 these conditions, the term "Applicant" also means the developer, the owner or any successor(s) in interest to the terms of this approval.

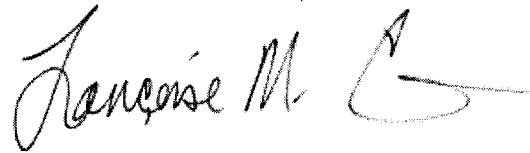
BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JAN 17 2014 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take 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 Dreyfuss, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Dreyfuss and Presley voting in favor, and Commissioner Anderson absent, at a special teleconference meeting held on Friday, January 17, 2014.



Françoise M. Carrier, Chair
Montgomery County Planning Board



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

ATTACHMENT 5

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.

1. Density of Development (square feet)			
	Total CR	Non-Residential (C)	Residential (R)
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 ¹	1,122,960	645,976
Maximum remaining phases	842,952	278,486	1,629,706

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

¹ The total amount of development for Phase II must not exceed this amount.

3. Public Use Space (% net lot)	
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

4. Residential Amenity Space (square feet per market rate unit²)		
	Required	Proposed
Minimum Indoor Amenity Space		
Building 2 (173 units)	3,460 sq.ft	3,460 sq.ft.
Building 6 (231 units)	4,620 sq.ft	4,620 sq.ft
Minimum Outdoor Amenity Space		
Building 2 (173 units)	3,460 sq.ft.	3,460 sq.ft.
Building 6 (231 units)	4,620 sq.ft.	4,620 sq.ft.

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

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

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

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

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

³ 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.

⁴ 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] ⁵	Points Awarded for Phase I-Site Plan No. 820120020	Phase II Measurement/Criteria	Points Proposed For Phase II Site Plan No. 820130120
Transit Proximity				
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
Connection and Mobility				
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 ⁶	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
Diversity of Uses and Activities				
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
Quality Building and Site Design				
Structure	13.92 [14.32]	3.43	47% of the structure	6.57

⁵ 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.

⁶ 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
Protection and Enhancement of the Natural Environment				
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
Total	139.67 [139.34]	34.63		75.34

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
TOTAL			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
TOTAL			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

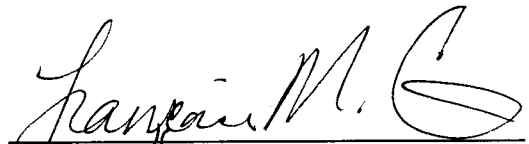
BE IT FURTHER RESOLVED, that the date of this Resolution is NOV 14 2013 (which is the date that this Resolution is mailed to all parties of record); and

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

MR. RICHARD BRUSH, MANAGER
MCDPS-WATER RES. PLAN REVIEW
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. LISA SCHWARTZ
DHCA
100 MARYLAND AVENUE
4TH FLOOR
ROCKVILLE, MD 20850

MS. SUSAN SCALA-DEMBY
MCDPS-ZONING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. CHRISTOPHER ANDERSON MPDU
MANAGER, DHCA
100 MARYLAND AVENUE
4TH FLOOR
ROCKVILLE, MD 20850

JOHN CLAPSADDLE
VIKA MARYLAND, LLC
20251 CENTRURY BOULEVARD
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GERMANTOWN, MD 20874

MR. GREG LECK
MCDOT
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4TH FLOOR
GIATHERSBURG, MD 20878

MR. ATIQ PANJSHIRI
MCDPS-RIGHT-OF-WAY
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2ND FLOOR
ROCKVILLE, MD 20850

MS. CHRISTINA CONTRERAS
MCDPS-LAND DEVELOPMENT
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2ND FLOOR
ROCKVILLE, MD 20850

MR. ALAN SOUKUP
MCDDEP-WATER RESOURCE
PLANNING
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ROCKVILLE, MD 20850

BARBARA SEARS
LINOWES & BLOCHER LLP
7200 WISCONSIN AVENUE
SUITE 800
BETHESDA, MD 20814

MR. RICHARD BRUSH, MANAGER
MCDPS-SEDIMENT/STORMWATER
INSPECTION & ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ESHAN MOTAZEDI
MCDPS-SITE PLAN ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. GENE VON GUNTEN
MCDPS-WELL & SEPTIC
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

EVAN GOLDMAN
FEDERAL RELATY INVESTMENT TRUST
1626 EAST JEFFERSON STREET
ROCKVILLE, MD 20852

Richard Brush
12/17/2017

Khalid JK

ATTACHMENT 6



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

RECEIVED
M-NCPPC
JUL - 2 2014
MONTGOMERY COUNTY
PLANNING DEPARTMENT

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Effective: July 13, 2011
Phone 301.495.4550
Fax 301.495.1306

STAGING ALLOCATION REQUEST FORM

SAR Number		SAR <u>26000</u>		Lead Reviewer		<u>NKOSI YEARWOOD</u>	
Date Final Application Received		<u>7/3/2014</u>		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.

Plan Name (most recently approved): Pike+ Rose, Phase 2A

Approval Requested:

Planning Board Level

Staff Level

Associated with M-NCPPC Approved Plan

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:	<u>320110010 - Mid-Pike Plaza</u>
	Number _____ Name _____
Preliminary Plan:	<u>12012002A - Pike + Rose</u>
	Number _____ Name _____
Site Plan Name:	<u>820130120 - Pike + Rose</u>
	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.)

<u>James M. Taylor, Jr. Executive VP-CFO & Treasurer</u>	<u>Federal Realty Investment Trust</u>
Contact Person	Company Name
<u>1626 East Jefferson Street</u>	
Street Address	
<u>Rockville</u>	<u>Maryland</u>
City	State
<u>301-998-8100</u>	<u>20852</u>
Telephone Number	Zip Code
<u>301-995-3722</u>	
Fax Number	E-mail

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

Demolition Credit Plan* _____
 Number

Demolition Credit Accounting Worksheet – Dwelling Units

Existing DU Approved for Demolition none
 DU

Buildings Actually Demolished**

	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Residential Sq.Ft.	DU
1.								DU
2.								DU
3.								DU
4.								DU
5.								DU
6.								DU
7.								DU
							Total Res Sq.Ft.	Total DU

Previously Taken Demolition Credits

1.	SAR Number	DU
2.	SAR Number	DU
3.	SAR Number	DU
4.	SAR Number	DU
5.	SAR Number	DU
6.	SAR Number	DU
7.	SAR Number	DU
		Total DU

Remaining Balance DU
 Proposed Demo Credits to be taken with this SAR DU
 Remaining Balance should this SAR be Allocated DU

*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

Staging Allocation Request: **3 of 6**

Existing Non-Residential Sq.Ft. Approved for Demolition **304,966**
Sq.Ft.

Buildings Actually Demolished**

	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Sq.Ft.
1.	589497	11806		Rockville	Pike		4,987
2.	660319	11806		Rockville	Pike		203,049
3.							Sq.Ft.
4.							Sq.Ft.
5.							Sq.Ft.
6.							Sq.Ft.
7.							Sq.Ft.
							Sq.Ft.

208,036
Total Sq.Ft.

Previously Taken Demolition Credits

1.	25400		85795
2.	SAR Number		Sq.Ft.
3.	SAR Number		Sq.Ft.
4.	SAR Number		Sq.Ft.
5.	SAR Number		Sq.Ft.
6.	SAR Number		Sq.Ft.
7.	SAR Number		Sq.Ft.
	SAR Number		Sq.Ft.

85,795
Total Sq.Ft.

Remaining Balance **219,171**
Sq.Ft.

Proposed Demo Credits to be taken with this SAR **202,115**
Sq.Ft.

Remaining Balance should this SAR be Allocated **17,056**
Sq.Ft.

** Attach proof of demolition if credit taken.

Addresses for buildings(s) associated with the SAR

A.	11870		Grand Park		Avenue
	<i>Street Number</i>	<i>Prefix</i>	<i>Street Name</i>		<i>Suffix</i>
B.	900		Rose <i>AVE</i>		Avenue
	<i>Street Number</i>	<i>Prefix</i>	<i>Street Name</i>		<i>Suffix</i>
C.					
	<i>Street Number</i>	<i>Prefix</i>	<i>Street Name</i>		<i>Suffix</i>
D.					
	<i>Street Number</i>	<i>Prefix</i>	<i>Street Name</i>		<i>Suffix</i>
E.					
	<i>Street Number</i>	<i>Prefix</i>	<i>Street Name</i>		<i>Suffix</i>

Allocation Worksheet

I. Dwelling Units

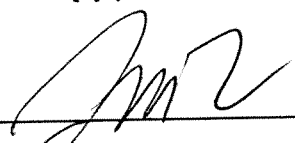
	Building A.	Building B.	Building C.	Building D.	Building E.	SAR Total
a. Requested Residential Sq.Ft.	290,476	142,617				433,093
b. Requested DU	264	104				368
c. MPDU Approved	33	13				46
d. MPDU Credit						
e. Demolition Credit Applied	0	0				0
f. Net Allocation	290,476	142,617				433,093

II. Non-Residential Square Feet

	A.	B.	C.	D.	E.	SAR Total
a. Requested	50,355	151,760				202,115
b. Demolition Credit Applied	50,355	151,760				202,115
c. Net Allocation	0	0				0

Applicant hereby acknowledges that he/she is the sole owner of the subject property, or is otherwise legally authorized to represent the owner(s) (written verification provided), that all required information for the submission of a Staging Allocation Request has been included in this application, and that to the best of his/her knowledge, information, and reasonable belief, the information and data are accurate.

Signature of Applicant(s) (Owner or Owner's Representative)



 Signature

7-1-14

 Date

James M. Taylor, Jr. Executive VP-CFO & Treasurer

 Name (Type or Print)

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

Federal Realty Investment Trust
Name Dawn M. Becker
 1626 East Jefferson Street
Contact Person
 Street Address
 Rockville
City MD 20852
 301-998-8100
State Zip Code
Telephone Number Fax Number E-mail

Architect

R2L (bldg 6)
Name Sacha Rosen
 3222 N Street, NW - Suite 500
Contact Person
 Street Address
 Washington
City DC 20007
 202.600.7232
State Zip Code
Telephone Number Fax Number E-mail

Engineer

VIKA Maryland, LLC
Name Ian P. Duke
 20251 Century Boulevard - Suite 400
Contact Person
 Street Address
 Germantown
City MD 20874
 301-916-4100 301-916-2262 duke@vika.com
State Zip Code
Telephone Number Fax Number E-mail

Attorney

Linowes & Blocher, LLP
Name Barbara Sears
 7200 Wisconsin Avenue - Suite 800
Contact Person
 Street Address
 Bethesda
City md 20814
 301-961-5157
State Zip Code
Telephone Number Fax Number E-mail

Other: Architect, Building 7

WDG Architecture
Name Buddy Woerner
 1025 Connecticut Avenue, NW, Suite 300
Contact Person
 Street Address
 Washington
City DC 20036
 202-857-8300
State Zip Code
Telephone Number Fax Number E-mail

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	✓
1	x	✓
1	X	✓
	x	✓
	x	✓
	X	✓
1ea	x	✓
1ea	X	✓
1ea	X	✓
1	n/a	—