



ATTACHMENT 3

MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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

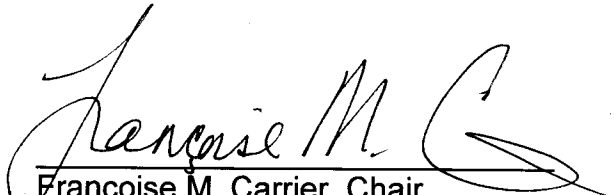
BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 9 2013 (which is the date that this resolution is mailed to all parties of record); and

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