



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 14-20

Sketch Plan No. 320140010

Project Name: Saul Centers White Flint

Date of Hearing: April 17, 2014

MAY 2 2014

RESOLUTION

WHEREAS, under Section 59-C-15.42 of the Montgomery County Code the Montgomery County Planning Board ("Planning Board" or "Board") is authorized to review sketch plan applications; and

WHEREAS, on September 18, 2013, Saul Holdings Limited Partnership ("Applicant"), filed an application for approval of a sketch plan for construction of a maximum of 1,641,744 square feet of development, comprising up to 1,436,526 square feet of residential uses and a minimum of 205,218 square feet of non-residential uses, on 9.42 acres of CR-4 C3.5 R3.5 H300-zoned land, located in the northwest and northeast quadrants of the intersection of Rockville Pike and Nicholson Lane ("Subject Property") in the White Flint Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320140010 Saul Centers White Flint ("Sketch Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated April 4, 2014, setting forth its analysis of, and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on April 17, 2014, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain binding elements and conditions, by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED that, the Planning Board approves Sketch Plan No. 320140010 Saul Centers White Flint for construction of a maximum of 1,641,744 square feet of development, comprising up to 1,436,526 square feet of

Approved as to
Legal Sufficiency:

Christina Sonnet 4/17/14

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residential uses and a minimum of 205,218 square feet of non-residential uses on the Subject Property, subject to the following binding elements and conditions:¹

A. Binding Elements. The following site development elements are binding under Section 59-C-15.43(b)(4) of the Montgomery County Zoning Ordinance:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public use space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements are illustrative.

B. Conditions. This approval is subject to the following conditions:

1. Density

The development is limited to 1,641,744 square feet of total development, including a minimum of 205,218 square feet of non-residential uses, with the balance up to the maximum total square footage permitted to be residential uses. The final amount of non-residential development and residential dwelling units will be determined at subsequent Site Plan(s).

2. Height

The development is limited to the maximum height of 300 feet.

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59-C-15.43(d). Total points must equal at least 100 and be chosen from at least 4 categories as required by Section 59-C-15.82(a). The requirements of Division 59-C-15 and the Implementation Guidelines must be fulfilled for each public benefit proposed.

- a. Major Public Facility achieved through the provision of land area for bike sharing stations;
- b. Transit Proximity;
- c. Connectivity and mobility, achieved through minimum parking and public parking;
- d. Diversity of Uses and Activities, achieved through enhanced accessibility

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

- e. Quality of Building and Site Design, achieved through underground parking, public art, public open space and exceptional design; and
 - f. Protection and Enhancement of the Natural Environment, achieved through tree canopy, vegetated roof, cool roof, and the purchase of Building Lot Terminations.
4. Building Lot Terminations (BLTs)
Prior to issuance of the first core and shell building permit for each phase of the project, the Applicant must provide proof of purchase and/or payment to the Department of Permitting Services (DPS) of BLTs proportionate to each phase of development with a total of 3.59 BLTs for all phases.
5. Moderately Priced Dwelling Units (MPDUs)
The development must provide MPDUs in accordance with Chapter 25A.
6. The Applicant must extinguish the access easement agreement with Landow and Company, as shown in the land records, in order to count the easement area towards public use and open space. If the access easement is not extinguished prior to the first preliminary plan approval for the west side of the development, the Applicant must amend the Sketch Plan to revise the public benefit points and any resulting density impacts.
7. The Applicant must build the extension of Woodglen Drive from Street A to Nicholson Lane as part of the development phase for Building B West or Building C West, whichever comes first.

BE IT FURTHER RESOLVED that, having given full consideration to the recommendations and findings of its Staff as presented at the hearing and 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 and all applicable elements of § 59-C-15.43(c), the Planning Board finds that, as conditioned herein, the elements of the Sketch Plan are appropriate in concept and appropriate for further review. Specifically, the Planning Board FINDS the Sketch Plan:

1. *meets the objectives, general requirements, and standards of Division 59-C-15;*
 - a. The Sketch Plan meets the objectives of Section 59-C-15.2 specifically, the development as approved will:
 - i. *Implement the policy recommendations of applicable master and sector plans.*

The Sketch Plan transforms an auto-oriented suburban development pattern into an urban center of residences and businesses where people walk to work, shops and transit;

- ii. *Target opportunities for redevelopment of single-use areas and surface parking lots with a mix of uses.*

The Sketch Plan redevelops single-use commercial strip centers, a multi-story commercial building and drive-thru restaurant all surrounded by surface parking, with high-intensity mixed-use development;

- iii. *Reduce dependence on the automobile by encouraging development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities.*

The Sketch Plan provides a high-intensity, mixed use development with public facilities and amenities within ¼ mile of the White Flint Metro Station;

- iv. *Allow a mix of uses, densities, and building heights appropriate to various contexts to ensure compatible relationships with adjoining neighbors.*

The Sketch Plan includes a mix of uses to achieve the recommended density and building height in the Sector Plan. The building and site design achieve compatibility with existing and approved but unbuilt building heights that range between 150 and 300 feet, while minimizing the impacts on existing view sheds of adjoining neighbors;

- v. *Allow an appropriate balance of employment and housing opportunities.*

The Sketch Plan offers a variety of housing options including market-rate units, MPDU, and enhanced accessible units for the disabled. The Sketch Plan also provides non-residential uses in the form of ground floor retail and an office building; and

- vi. *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

The Sketch Plan provides the required public benefits from a minimum of four categories to achieve the desired incentive density above the standard method limit.

b. The Sketch Plan meets the general requirements of Section 59-C-15.6 as follows:

i. Section 15-C-15.61 - Master Plan and Design Guidelines Conformance

The Sketch Plan conforms to the Sector Plan and Design Guidelines as outlined in Finding #2 below.

ii. Section 59-C-15.62 - Bicycle Parking Spaces and Commuter Shower/Change Facility

The Sketch Plan provides accommodation for the minimum required number of bicycle parking spaces for residents and visitors and commuter shower/change facilities within each building. Details will be provided at the time of Site Plan(s).

iii. Section 59-C-15.63 - Parking

The number of parking spaces satisfies the minimums and maximum as outlined in the Section. The final number of parking spaces will be determined at Site Plan(s) based on the number of residential dwelling units, retail and office square footage.

Section 59-C-15.7 - Development Standards

The Sketch Plan meets the development standards of Section 59-C-15.7, as shown in the Data Table below:

Project Data Table			
Section 59 - C	Development Standard	Permitted/ Required	Approved
	Gross Tract Area (sf) WEST: CR4, C3.5, R3.5, H300 EAST: CR4, C3.5, R3.5, H300 TOTAL	n/a n/a	238,597 171,839 410,436
15.71	Density (sf) <i>Non-residential (C)</i> WEST EAST subtotal	835,089 601,437 1,436,526 (3.5 FAR)	202,500 2,500 205,218¹ (0.5 FAR)
	<i>Residential (R)</i> WEST EAST subtotal	835,089 601,437 1,436,526 (3.5 FAR)	720,000 716,526 ² 1,436,526 (3.5 FAR)
	TOTAL CR DENSITY	1,641,744 (4.0 FAR)	1,641,744 (4.0 FAR)
	15.71 Building Height (feet)	300	(up to) 300
	15.72 Minimum Setback	n/a	n/a
15.73	Minimum Public Use Space (%)	10	10
15.74	Residential Amenity Space (sf)	Determined at Site Plan based on final unit count.	
15.631	Parking (spaces) <i>Minimum</i> <i>Maximum</i>	1,188 2,461	2,188

¹Applicant seeks 0.5 FAR of non-residential uses to achieve the maximum allowed 4.0 FAR for a mixed-use development

²Applicant is utilizing the CR density averaging provision by "transferring" 115,089 square feet of permitted residential density from the West Side to the East Side.

2. *Further the recommendations and objectives of the White Flint Sector Plan;*

The proposed Sketch Plan is consistent with, and furthers, the recommendations of the Sector Plan. The western portion is located in the Metro West District (Block 3:

Holladay), while the eastern segment is in the NRC District. The western segment is identified in the Sector Plan as the Holladay property, after the name of the previous property owner.

The Sector Plan states that the "Wisconsin and The Grand multifamily developments reflect earlier success with high-rise residential development, while the [proposed] Holladay development along Rockville Pike represents the type of mixed-use envisioned in this Plan. There is already substantial residential development in this block and redevelopment should focus on employment and retail uses" (p.29).

The Sector Plan recommends to "rezone the TS-M zoned Holladay property, located at Marinelli Road and Rockville Pike and the C-2 property at the corner of Nicholson Lane and Rockville Pike to the CR-4: C3.5, R3.5, H300. The Holladay property is currently subject to a development plan with a maximum 2.2 FAR. If the owners choose to take advantage of the greater potential FAR of the CR Zone, the new plan will be subject to the requirements of the CR Zone" (p.29).

The eastern portion of Saul Center White Flint is located at the north-eastern quadrant of Rockville Pike and Nicholson Lane in the NRC District. The Sector Plan noted that properties south of the Nuclear Regulatory Commission (NRC), including the Subject Property, "may be more appropriate for primarily non-residential uses" (p.43). Nevertheless, the Sector Plan recommended that the Subject Property be rezoned to the CR-4 C3.5 R3.5 H-300, thereby allowing its portion of the development to be predominantly residential.

a. Density and Building Height

The Sketch Plan densities adhere to the Sector Plan's recommendations for density and height. *Buildings A, B, and C West* are 230-300 feet high and *Building A and B East* with a maximum height of 300 feet are consistent with the Sector Plan building height recommendations. The Above Grade Parking Option, proposed as an alternative for *Building B East*, is also consistent with the recommended height.

b. Transportation Network

The proposed streets are consistent with Sector Plan recommendations and White Flint Urban Design guidelines for public and private streets.

Rockville Pike

Along Rockville Pike (M-6), the Sector Plan envisions the reconstruction of the roadway into an urban boulevard with improved pedestrian sidewalks,

on-road bicyclist accommodation, and bus priority lanes (p.53). Rockville Pike is designated as a six-lane divided major highway, with a recommended 162-foot wide right-of-way. The Applicant is dedicating 81 feet from the centerline.

The *Approved and Adopted (2013) Countywide Transit Corridors Functional Master Plan* recommends two-lane median BRT treatment for the MD 355 South Corridor within the Sector Plan area. Montgomery County Department of Transportation (MCDOT) and SHA will conduct future design studies for this Corridor.

According to the Sector Plan, Woodglenn Drive Extended (B-3) can "carry traffic as part of the determination of master plan transportation system adequacy" (p.51). The Sector Plan identifies eight conditions for Woodglenn Drive Extended and three other streets, including:

- "public easements must be granted for the roadway and be reviewed and approved by the Maryland-National Capital Park and Planning Commission (M-NCPPC) and Department of Transportation (MCDOT) for connectivity and consistency with Figure 43 of the White Flint Sector Plan prior to acceptance of the easement" and
- the "design of the road must follow or improve the corresponding Road Code standard for a similar public road, unless approved by MCDOT and the Planning Board at subdivision review stage or otherwise specified in the Sector Plan" (p.52).

Woodglenn Drive Extended along the Subject Property's western frontage is designated as a two-lane business district street, B 3, with a 60-foot wide right-of-way. A 60-foot wide right-of-way is provided.

Nicholson Lane is designated as a four-lane arterial, A-69, with the recommended 90-foot wide right-of-way, including bike lanes, BL-27, and the recreation loop on the south/opposite side. At Preliminary Plan review, right-of-way dedication will be required because the existing right-of-way varies from 83 to 93 feet.

Marinelli Road is designated as a four-lane business district street, B-6, with a 90-foot wide right-of-way, a shared use path, SP-41, on the north side, and a signed shared roadway (i.e., bike lanes without signage). Details regarding dedication will be finalized at Preliminary Plan review because the existing right-of-way varies from 86 to 93 feet.

Private Streets

Street A and *Street C* are private streets that are illustrated in the Sector Plan (p.56). The White Flint Urban Design Guidelines note that local streets may include features, such as a street right-of-way that is 60 feet or less; alternative roadway pavement; and character elements that can distinguish the neighborhood (p.10). All private streets are consistent with the Sector Plan and the Design Guidelines.

c. Public Use

The proposed public use spaces are consistent with the Sector Plan recommendations. The Sector Plan recommends a hierarchical public use space system in which each space contributes variety in function and setting (p.20). The Sketch Plan provides urban plazas and promenades with design elements that include public art, street furniture, bicycle racks and planted areas to enhance the neighborhood experience of residents, workers, shoppers, and visitors.

d. Bikeway Network and Recreation Loop

The Sector Plan recommends Shared Use Paths for Rockville Pike (LB-5), Marinelli Road (SP-41) and Woodglen Drive Extended (SP-41), and bike lanes for Nicholson Lane (BL-27). Woodglen Drive Extended will have a bike lane and shared use path. This segment will complete the route from the White Flint Metro Station to the Bethesda Trolley Trail to the south at the intersection of Woodglen Drive and Edison Lane. The Applicant will dedicate required right-of-way along Nicholson Lane, Marinelli Road and Rockville Pike for the implementation of the bikeway/paths.

The Sector Plan establishes a recreation loop, "a signed pathway that is to be incorporated into the street right-of-way as part of the sidewalk" (p.61). The submitted cross-section for Nicholson Lane will accommodate the recreation loop.

e. Pedestrian Promenades

The Sector Plan recommends using the existing WMATA easement along the east side of MD 355 as a pedestrian promenade. This promenade is envisioned as a "distinctive streetscape [that] lends character and importance to the pedestrian experience" (p.18). The Sketch Plan illustrates the easement; however, it does not illustrate how this space can become a distinctive streetscape. This will be clarified at Site Plan.

Environment

The Sector Plan contains several recommendations to achieve a compact, walkable, and green community that fully integrates all aspects of sustainability. Minimization of carbon emissions; reduction of energy through site design and energy-efficient buildings; improving air and water quality; and usage of environmental site design techniques are some of the Sector Plan's recommendations. The Sketch Plan illustrates vegetated and cool roofs throughout the development along with bio-filters and stormwater vaults. The Sketch Plan also demonstrates increased walkability, utilization of compact building footprints, and decreased imperviousness, all to further the environmental recommendations of the Sector Plan. The approved environmental features of the Sketch Plan are appropriate in concept and are appropriate for further, detailed review at Site Plan(s).

f. White Flint Design Guidelines

The Sketch Plan furthers the recommendations and objectives of the *Approved White Flint Urban Design Guidelines* (Design Guidelines). The Design Guidelines provide specific recommendations for the Metro West and NRC districts. As proposed, the *Buildings A West* and *B West* are consistent with the intent of the design guidelines. The Design Guidelines recommend to "locate and size taller building components to reduce the impact of their shadows on streets and public use spaces," and illustrate a build-to-line along Rockville Pike (p.29). *Building B West* is perpendicular to Rockville Pike so it reduces shadows on *Street A* and public use space at the intersection of Marinelli Road and Rockville Pike. At Site Plan, the above-grade garage for *Building C West*, and possibly *Building B East*, must be designed in a manner that will meet the Design Guidelines.

The *Alternate Street B Layout* supports the Design Guidelines objectives of having building and site design that enhance pedestrian activity by limiting vehicular intrusions in pedestrian priority places (p. 12); integrating private space with adjacent public rights-of-way (p. 12); surrounding the public space by building walls with ground floor activating uses to the maximum extent (p. 14); and designing building components that work together to ensure that public spaces around buildings create a quality of place (p. 16).

The Sector Plan makes no specific recommendations for the NRC District,

but the Design Guidelines illustrate an east-west local street and build-to-lines for the area at Rockville Pike and Nicholson Lane.

3. *Achieves compatible internal and external relationships between existing and proposed nearby buildings, open space, and uses;*

The buildings and open spaces are compatible with existing nearby buildings, open spaces and uses. This compatibility is achieved through:

- Building heights similar to those of the NRC campus (approx. 190 feet), residential buildings of the Grand (approx. 226 feet), existing North Bethesda Market I (approx. 289 feet) approved - but unbuilt North Bethesda Market II (approx. 300) and approved-unbuilt North Bethesda Gateway (approx. 250);
- Strong definition of blocks that transform the suburban, auto-oriented framework of land use in the area;
- Creation of defined streetscapes and open spaces;
- Replacement of surface parking with structured parking creating a stronger relationship between buildings, sidewalks, and streets; and
- Continuation of the existing promenade along the East side.

4. *Provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading;*

The Sketch Plan enhances circulation, parking, and loading for cars, trucks, pedestrians, and bicyclists. Specifically, it provides:

- A finer, urban street grid for cars, pedestrians, and bicyclists to increase mobility options;
- Off-street loading areas for the residential and non-residential uses on side streets alleviating congestion on Rockville Pike, Nicholson Lane, and Marinelli Road;
- Sidewalks, shared use paths and bike lanes to facilitate the safe movement of pedestrians and bicyclists throughout the Subject Property;
- Increased parking for bicycles and sufficient vehicular parking, mostly below-grade, for residents and visitors; and
- Woodglenn Drive Extended with bike lanes to connect the White Flint Metro Station to the Bethesda Trolley Trail.

5. *Includes public benefits that support the approved incentive density;*

The Application includes public benefits that address the general incentive and density considerations required by Section 59-C-15.83. The public benefits:

- a. Take into consideration "the recommendations, objectives, and priorities of the applicable master or sector plan" by providing the diversity of housing, general sustainability measures, and connectivity improvements;
- b. Meet "the CR Zone Incentive Density Implementation Guidelines and any design guidelines adopted for the applicable master plan area" by providing the proper calculations and criteria for each public benefit and proposing public open space, structured parking, and public art as recommended in the Design Guidelines;
- c. Are appropriate for "the size and configuration of the tract" by improving the configuration through surface parking lots being replaced largely by underground parking to allow for public use and public open spaces in proximity to Metro;
- d. Adequately address "the relationship of the site to adjacent properties" by designing the building at an appropriate scale for the surroundings with heights and a layout that contributes to the framework for this emerging, urban area;
- e. Consider "the presence or lack of similar public benefits nearby" through the provision of environmental benefits, public open space along Rockville Pike for sitting, and dining, and public art, all which are currently lacking in this area; and
- f. Provide "enhancements beyond the elements listed in the individual public benefit descriptions or criteria that increase public access to or enjoyment of the benefit" which will be developed and assessed during Preliminary and Site Plan reviews.

To achieve the incentive density for this development, the Applicant must provide public benefits from at least four of the seven categories to achieve at least 100 points. The public benefit categories are approved as follows:

Public Benefits Calculations			
Public Benefit	Incentive Density Points		
	Max Allowed	Requested	Approved
59-C-15.851: Major Public Facilities	70	5	5
59-C-15.852: Transit Proximity	50	50	50
59-C-15.853: Connectivity and Mobility			
Minimum Parking	10	2	2
Public Parking	25	2	2
Wayfinding Signage	10	3	0
59-C-15.854: Diversity of Uses and Activities			
Enhanced Accessibility	20	6	6
59-C-15.855: Quality of Building and Site Design			
Structured Parking	20	15	10
Public Art	15	4	4
Public Open Space	20	14	14
Exceptional Design	10	4	4
59-C-15.856: Protection and Enhancement of the Natural Environment			
Building Lot Terminations	30	5	5
Tree Canopy	15	4	4
Vegetated Roof	15	3	3
Cool Roof	10	3	3
TOTAL	320	120	112

Major Public Facilities

Under Section 59-C-15.851(c), the Planning Board may approve up to 70 incentive density points for the conveyance of a site for the construction of a major public facility. In this case, the Applicant requested 5 points for providing a potential location for a bike sharing station on each side of Rockville Pike. This provision will support the County's Capital Bikeshare Program in White Flint and contribute towards Sector Plan goals of minimizing carbon emission and increasing alternative modes of transportation. At Site Plan, the Applicant must provide a detailed layout and acceptance of the bike station by an appropriate public agency, community association, or nonprofit organization. The Planning Board grants the five requested points for this public benefit.

Transit Proximity

Under Section 59-C-15.852, the Planning Board may approve up to 50 incentive density points for the development that adjoins or confronts a service level one transit stop. The Site is across the street from the White Flint Metro Station, which allows the development to be eligible for Level 1 transit as defined in the

Zoning Ordinance. The Planning Board grants all requested points for this public benefit as suggested in the 2012 Commercial/Residential Zones Incentive Density Implementation Guidelines (CR Guidelines).

Connectivity between Uses, Activities, and Mobility Options

Minimum Parking

Under Section 59-C-15.853(b), the Planning Board may approve up to 10 incentive density points for providing less than the maximum allowed number of parking spaces. Per the CR Guidelines, the incentive density is calculated on a sliding scale. The Applicant requested 2 points for providing 2,188 proposed parking spaces which is less than the maximum allowed 2,461 spaces. The calculation yields a total of 2 points with final parking counts to be determined at Site Plan. The Planning Board grants all requested points for this public benefit.

Public Parking

Under Section 59-C-15.853(d), the Planning Board may approve up to 25 points for providing up to the maximum number of parking spaces allowed as public parking. The Applicant requested 2 points for providing 85 parking spaces as public parking. Per the CR Guidelines, the incentive density is calculated on a sliding scale. Initial estimate of parking calculation yields a total of 2 point with final parking counts to be determined at Site Plan. The Planning Board grants all requested points for this public benefit.

Wayfinding Signage

Under Section 59-C-15.853(i), the Planning Board may approve up to 10 points for design and implementation of a way-finding system orienting pedestrians and cyclists to major open spaces, cultural facilities, and transit opportunities. Per the CR Guidelines, an incentive density of up to 5 points is appropriate for installing wayfinding signage in proposed open spaces and public spaces. The Applicant requested 3 points for identifying potential locations and providing a conceptual design for wayfinding devices to destinations such as the Wall Park, White Flint Recreation Loop, Bethesda Trolley Trail, and the Metro Station. The Planning Board found that this public benefit was not appropriate for the particular context and size of the project and does not grant any requested points for Wayfinding Signage.

Diversity of Uses and Activities

Enhanced Accessibility for the Disabled

Under Section 59-C-15.853(f), the Planning Board may approve up to 20 points for constructing dwelling units that satisfy American National Standards Institute

A117.1 Residential Type A standards or an equivalent County standard. The incentive density points are calculated on a sliding scale as a percentage of complying units. The Applicant requested 6 points for providing 29 accessible units. The Final location and area of the accessible units will be determined at Site Plan. The Planning Board grants all requested points for this public benefit.

Quality of Building and Site Design

Structured Parking

Under Section 59-C-15.855(b), the Planning Board may approve up to 20 points for placing parking within above- or below-grade structures. This incentive is granted on a sliding scale based on the percentage of spaces provided above and below grade. The Applicant requested 15 points for 1,050 spaces above grade and 1,138 below-grade which includes the above-grade parking alternative for Building B East. At the time of Preliminary and/or Site Plan, the Applicant may be eligible for additional points if parking is provided in a below-grade structure. The Planning Board found that points were not appropriate for providing parking within above-grade structures given the particular context. The Planning Board grants 10 points for the provision of 1,138 parking spaces in a below-grade structure.

Public Art

Under Section 59-C-15.855(d), the Planning Board may approve up to 15 points for the installation of public art to be reviewed by the Arts and Humanities Council. Per the CR Guidelines, 7.5 points are appropriate for public art that is found to fulfill at least five of the eight stated criteria including achieving aesthetic excellence; ensuring an appropriate interaction between the art and the architectural setting in terms of scale, materials, and context; and ensuring public access and inviting public participation. The Applicant requested 4 points for identifying plazas, green spaces, and significant corners that will have highest visibility and frequency of interaction with the public. While the public art concept is still evolving, The Planning Board found enough evidence to grant the request for 4 points. Review by the Public Arts Trust Steering Committee by function of the Art Review Panel must be completed prior to any Board hearing on a Site Plan.

Public Open Space

Under Section 59-C-15.855(e), the Planning Board may approve up to 20 points for open space in addition to the minimum 10% public use space required. Points for this incentive are granted on a sliding scale based on the percentage of the net lot area. The Applicant requested 14 points for providing 40,000 square

feet of additional open space above the required square feet of public use space for a total of 14 points. The Planning Board grants all requested points for this public benefit.

Exceptional Design

Under Section 59-C-15.855(d), the Planning Board may approve up to 10 points for building or site design that enhance the character of a setting. Per the CR guidelines, incentive density of 5 points is appropriate for development that meets at least four of the six criteria. The Applicant requested 4 points. The Planning Board found that the project satisfies the following three criteria: creating a sense of place and serves as a landmark; enhancing the public realm in a distinct and original manner; and using design solutions to make compact, infill development living, working and shopping environments more pleasurable and desirable. The Planning Board grants all requested points for this public benefit.

The Sketch Plan features an arrival plaza at the intersection of Rockville Pike and Marinelli Road. This space is designed with streetscape elements and interactive water features to create a distinct landmark. Moving south along Rockville Pike, a collection of public spaces are proposed with design elements along with green spaces, stormwater management areas that double as passive landscape amenities, gathering areas, and walking paths.

The Project lines a portion of Woodglenn Extended and the two intimately-scaled through-block connections with residential units and residential lobbies. The proposed design of these open spaces featuring public art, street furniture, bicycle racks, and planted areas will create an urban residential-street typology unique to White Flint area.

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT)

Under Section 59-C-15.856(a), the Planning Board may approve up to 30 points of incentive density for the purchase of BLT easements, of which 5 points are mandatory. Points are granted by the calculation of BLTs as provided in Section 59-C-15.87(a) of the Zoning Ordinance. The Applicant requested 5 points for the purchase of 3.59 BLT easements. The Planning Board grants all requested points for this public benefit.

Tree Canopy

Under Section 59-C-15.856(d), the Planning Board may approve up to 15 points for tree canopy coverage at 15 years of growth of at least 25% of the on-site open space. The CR Guidelines finds 7.5 points appropriate for development that meets the requirements of the Zoning Ordinance. The Applicant requested 4 points for meeting the requirement of the Zoning Ordinance. The Planning Board grants all requested points for this public benefit.

Vegetated Roofs

Under Section 59-C-15.856(f), the Planning Board may approve up to 15 points for providing vegetated roofs with a soil depth of at least 4 inches and covering at least 33% of the total roof excluding space for mechanical equipment on four buildings. The CR Guidelines recommends 7.5 points for development that meets the Zoning Ordinance requirements. The Applicant requested 3 points for meeting the requirement of the Zoning Ordinance. The Planning Board grants all requested points for this public benefit.

Cool Roofs

Under Section 59-C-15.856(f), the Planning Board may approve up to 10 points for constructing roof area that is not covered by a vegetated roof with a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum SRI of 25 for slopes above 2:12. Per the CR Guidelines, an incentive density of 5 points is appropriate for sites greater than one acre. The Project proposes 90% cool roof on available roof area throughout the 9.42-acre site. The Applicant requested 3 points. The Planning Board grants all requested points for this public benefit.

6. *Establishes a feasible and appropriate provisional phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

The development will be built in five phases with flexibility to sequence the phasing in any order and/or combination.

Phasing Plan	
Phase A West	Building A West; Street A; and Woodglen Drive between Marinelli Rd and Street A
Phase B West	Building B West; Street B; and Woodglen Drive between Street A and Nicholson Lane
Phase C West	Building C West; and Woodglen Drive between Street A and Nicholson Lane
Phase A East	Building A East; Rockville Pike Promenade; Street C between Rockville Pike and Drive D; and Drive D
Phase B East	Building B East; Drive E; and Street C between Drive D and Drive E

Phasing of roads, parking and public benefits are proportionally appropriate to the scale and characteristics of the relevant phase of development. The table below shows the public benefits approved with this Sketch Plan by each phase of development:

Public Benefits Calculations Phased						
	Points Approved	Phases				
		Bldg A West	Bldg B West	Bldg C West	Bldg A East	Bldg B East
Major Public Benefit	5	2.5	0.0	0.0	2.5	0.0
Transit Proximity	50	10	10	10	10	10
Connectivity between Uses, Activities, and Mobility Options						
Minimum Parking	2	0.25	0.25	1.0	0.25	0.25
Public Parking	2	0.5	0.0	1.0	0.5	0.0
Way finding Signage	0	0.0	0.0	0.0	0.0	0.0
Diversity of Uses and Activities						
Enhanced Accessibility	6	2.0	1.0	0.0	2.0	1.0
Quality of Building and Site Design						
Structured Parking	10	3.33	3.33	0.0	3.34	0.0
Public Art	4	1.0	1.0	1.0	1.0	0.0
Public Open Space	14	3.5	3.0	3.5	2.0	2.0
Exceptional Design	4	1.25	1.0	1.0	0.75	0.0
Protection and Enhancement of the Natural Environment						
Building Lot Terminations	5	1.0	1.0	1.0	1.0	1.0
Tree Canopy	4	1.0	0.75	1.0	0.75	0.5
Vegetated Roof	3	0.75	0.75	0.5	0.5	0.5
Cool Roof	3	0.75	0.75	0.5	0.5	0.5
TOTAL	112	28.08	23.08	20.75	25.33	14.75

BE IT FURTHER RESOLVED that at the time of site plan, the Planning Board may approve changes to this Sketch Plan under certain circumstances. If the Applicant proposes to change a condition of approval or binding element, or agrees to a change proposed by another party, the proposed change must satisfy the requirements for approval of a sketch plan and site plan, including Section 59-C-15, Section 59-D-3.4, and the Sector Plan. If Staff proposes to change a condition of approval or binding

element, however, the Board may approve the change if necessary to ensure conformance with Section 59-C-15, Section 59-D-3.4, or the Sector Plan. In other words, for the Board to approve an Applicant-proposed change of a binding element it must find consistency with applicable standards; for the Board to approve a modification to a Staff-proposed binding element that the Applicant has not agreed to, the Board must find that the proposed change is necessary to meet the site plan approval standards, including conformance with zoning and Sector Plan requirements.

Alternatively, based on detailed review of a site plan, the Board may find that any element of the approved Sketch Plan, including a binding element, does not meet the requirements of the zone, Sector Plan, or other findings necessary to approve a site plan, and deny the site plan application.

The Board's review of sketch plans is governed by Section 59-C-15.43, which provides that "in approving a sketch plan" the Board must find that certain elements of the plan are "appropriate in concept and appropriate for further detailed review at site plan." Because the Board's approval of a sketch plan is in concept only and subject to further detailed review at site plan, it necessarily follows that the Board may find, based on detailed review of a site plan, that any element of a sketch plan does not meet the requirements of the zone, master plan, or other requirements for site plan approval. The Board does not have the authority at the time of sketch plan to predetermine that any element of the Sketch Plan will satisfy all applicable requirements for site plan approval. As a practical matter it would be unwise for it to do so, due to the limited detail contained in a sketch plan and the sketch plan's unlimited validity period. If the Board were unable to require changes to binding elements at the time of site plan to ensure compliance with all code and master plan requirements, the Board might have decided to approve fewer elements of this Sketch Plan as binding.

Although the Board does not have the authority to provide complete certainty about the conditions of approval or binding elements of a sketch plan, this does not mean that the Board should or will require changes to an approved sketch plan without good reason. To do so would be inefficient and unfair to Applicants and community members whose expectations about the future shape of development will be formed by what the Board approves in a sketch plan; and

BE IT FURTHER RESOLVED, that under the Sketch Plan approval, maximum density for the project is 4 FAR based on the Gross Tract Area (GTA) of the Subject Property that is part of the Sketch Plan, and maximum building height for the project is 300 feet. At the time of Site Plan or otherwise, the Sketch Plan may be amended, if necessary, in order to reallocate this approved maximum density among the various buildings included in the Sketch Plan and to increase or decrease building height of any individual building included in the Sketch Plan within the maximum approved building height. Provided such reallocations of approved density and/or increase of individual

building heights do not result in the project exceeding a total density of 4 FAR based on the GTA of the Subject Property and do not result in any portion of the project exceeding the maximum building height of 300 feet. Such an amendment will not be considered to have increased the approved density or building height of the project for the purposes of Section 7.7.1.B.3.a.i of the Zoning Ordinance, as adopted by the Montgomery County Council on March 5, 2014; and

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that all elements of the plans for Sketch Plan No. 320140010 Saul Centers White Flint, stamped received by M-NCPPC on March 21, 2014 are required except as modified herein; and

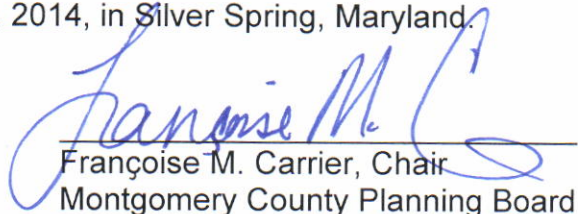
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is ~~MAY 2 2014~~ (which is the date that this Resolution is mailed to all parties of record); and

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 Presley, seconded by Commissioner Dreyfuss, with Chair Carrier, and Commissioners Dreyfuss and Presley voting in favor, and Commissioner Anderson abstaining, and Vice Chair Wells-Harley absent, at its regular meeting held on Thursday, April 24, 2014, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board