

ATTACHMENT 5



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

NOV 14 2013

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

RESOLUTION

WHEREAS, under Montgomery County Code Division 59-D-3, the Montgomery County Planning Board (“Planning Board”) is vested with the authority to review site plan applications; and

WHEREAS, on October 10, 2011, the Planning Board approved Sketch Plan No. 320110010 (MCPB Resolution No. 11-05) (“Sketch Plan”) establishing several binding elements, including a maximum density 3,422,888 square feet of total density including up to 1,716,246 square feet of non-residential development on 24.38 gross acres of land bounded by Montrose Parkway to the north, Towne Road (formerly Hoya Street) to the west, Rockville Pike (MD 355) to the east, and Old Georgetown Road to the south (“Property” or “Subject Property”) split-zoned CR3 C1.5 R2.5 H200 and CR4 C3.5 R3.5 H300 in the White Flint Sector Plan (“Master Plan” or “Sector Plan”); and

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

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

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

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

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

Approved as to
Legal Sufficiency:

A handwritten signature in black ink, appearing to be the initials 'M' and 'C'.

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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;
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- 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.

Density of Development (sq. ft.)			
	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

	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
Phase I		
Building 3	150	
Building 8		62
Phase II		
Building 1A	65	
Building 4	60	
Building 6	165	
Building 7	200	
Phase III		
Building 2	200	
Building 3	150	
Building 9		288

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

Public Use Space (Percentage)	
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

Residential Amenity Space (square feet per market rate unit)		
	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.

	Required		Proposed	
	Minimum Publicly Accessible	Minimum Private and Secured	Public	Private
90,000 sq.ft Non-Residential	18	9	18	9
198 Residential Units	10	70	10	70
12,000 sf Non-Residential	3	2	3	2
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 5				
264 Residential Units	10	93	10	93
50,355 sf Non-Residential (0 sf Office)	11	6	11	6
Building 6				
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

	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				
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
Connections 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
Development and Services				
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 of Life 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

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

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

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

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

Req.	Description	Prop.	Req.	Calcd.	Req.	Calcd.	Req.
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-bioretenment. 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

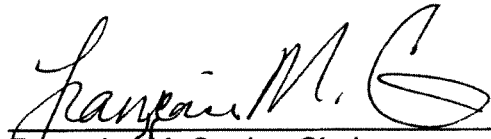
BE IT FURTHER RESOLVED, that the date of this Resolution is NOV 14 2013 (which is the date that this Resolution is mailed to all parties of record); and

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

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12/17/2017*