

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 22-122

JAN 13 2023

Staging Allocation Request No.28000 (Site Plan No. 820220040)

Grand Park Development (Phase 1)

Date of Hearing: December 15, 2022

RESOLUTION

WHEREAS, 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 November 30, 2022, Silverstone Bethesda Owner, LLC (“Applicant”) filed an application for approval of a single building Staging Allocation Request (SAR) associated with Site Plan No. 820220040, Grand Park Development (Phase 1), which is approved for up to 210 residential units and 16,000 square feet of non-residential uses on 2.14 acres of land located at the southeast quadrant of Old Georgetown Road and Executive Boulevard in the White Flint Sector Plan area; and

WHEREAS, the Applicant’s Staging Allocation Request application was designated Staging Allocation Request No.28000, Grand Park Development (Phase 1), (“SAR”); and

WHEREAS, following review and analysis, the Planning Department issued a memorandum to the Planning Board, dated December 15, 2022, setting forth its analysis, and recommendation for approval of the SAR; and

WHEREAS, on December 15, 2022, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hill, seconded by Commissioner Presley, with a vote of 5-0; Chair Zyontz, Vice Chair Presley, Commissioners Branson, Hill and Piñero voting in favor.

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

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Approved as to

Legal Sufficiency: /s/ Matthew T. Mills

M-NCPPC Legal Department

WHEREAS, at the time of the hearing, the available non-residential staging capacity was 1,825,860 square feet and 3,598 residential dwelling units, rendering sufficient capacity to meet the Applicant's request; and

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

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Board APPROVES an allocation of staging capacity for 210 residential units and 16,000 square feet of non-residential development as approved in Site Plan No. 820220040; 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, 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") no later than 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' 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 two 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 and any or all successor(s) in interest; 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 JAN 13 2023 (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 any 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 decisions in Circuit Court (Maryland Rule 7-203)

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 the motion of Commissioner Branson, seconded by Commissioner Presley, with a vote of 5-0-; Chair Zyontz, Vice Chair Presley, and Commissioners Branson, Hill, and Piñero, voting in favor of the motion, at its regular meeting held on Thursday, December 22, 2022, in Wheaton, Maryland and via video conference.



Jeffrey Zyontz, Chair
Montgomery County Planning Board