



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

JUN 10 2016

MCPB No. 16-008
Site Plan No. 820160030
Saul Center White Flint West Building A
Date of Hearing: June 2, 1016

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, under Section 59-7.7.1.B.1., the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014, including the zoning then in effect; and

WHEREAS, on October 26, 2015, Saul Holdings Limited Partnership ("Applicant") filed an application for approval of a site plan for construction of up to 330 dwelling units including 12.5% MPDUs and up to 15,500 square feet of non-residential uses on 1.91 acres of CR-4 C3.5 R3.5 H300-zoned land, located in the southwest quadrant of the intersection of Rockville Pike and Marinelli Road ("Subject Property"), in the North Bethesda Policy Area and White Flint Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820160030 Saul Centers White Flint West Building A ("Site 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 May 23, 2016, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on June 2, 2016, 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 conditions, by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820160030 for construction of up to 385,000 square feet of residential

Approved as to
Legal Sufficiency:

8787 Georgia Av

Christina Sonnet 5/26/16

MNCPPC Legal Department

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development for up to 330 dwelling units including 12.5% MPDUs, and up to 15,5000 square feet of non-residential development, the Subject Property, subject to the following conditions:¹

1. Sketch Plan Conformance
The Applicant must comply with the binding elements and conditions of approval for Sketch Plan No. 320140010 as listed in MCPB Resolution No. 14-20, dated May 2, 2014.
2. Preliminary Plan Conformance
The Applicant must comply with the conditions of approval for Preliminary Plan No. 120160080.
3. Staging Allocation Request
Prior to issuance of core and shell building permits, the Applicant must receive staging allocation approval by the Planning Board. The exemption outlined in the Staging Allocation Request Regulations (COMCOR 50.35.02.01) may be utilized by the Applicant for this Site Plan or any other subsequent Site Plan implementing the Preliminary Plan.
4. Forest Conservation & Tree Save
The Applicant must comply with the conditions of the Final Forest Conservation Plan No. 820160030:
 - a. The limits of disturbance shown on the Sediment Control Plan must be consistent with the limits of disturbance on the Final Forest Conservation Plan.
 - b. Prior to any on site land disturbance, or demolition the Applicant must record, in the Montgomery County Land Records, a Certificate of Compliance to use an off-site forest mitigation bank equal to 0.37 acres of credit.
5. Noise Attenuation
 - a. Prior to Certified Site Plan approval, the Applicant must submit a noise study to the M-NCPPC Staff. If the Site Plan changes in any manner that affects the validity of the noise analysis for acoustical certifications and noise attenuation features, the Applicant must conduct a new noise analysis to reflect the revised plans, and new noise attenuation features may be required.
 - b. Before issuance of the any building permit, the Applicant must provide certification to the M-NCPPC Staff from an engineer who specializes in

¹ 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.

acoustical treatment that the building shell for residential dwelling units affected by exterior noise levels above 65 dBA Ldn noise contour is designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.

- c. Before issuance of any Use and Occupancy Certificate for residents, the Applicant must certify that the noise impacted units have been constructed in accordance with the certification of the engineer that specializes in acoustical treatments.
- d. For all residential dwelling units to be constructed within the projected 65 dBA Ldn, the Applicant must disclose in writing to all prospective purchasers that those units are impacted by transportation noise.

6. 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 one.

a. Major Public Benefit

Prior to issuance of the final Use and Occupancy Certificate, the Applicant must provide an onsite location for a bikeshare station. The exact location, design and construction of the bikeshare station must comply with requirements set forth by the Montgomery County Department of Transportation, and must be shown on the Certified Site Plan. The Applicant must contribute to the cost of bikeshare facilities and service in the North Bethesda Transit Management District in accordance with County Code and other regulations in place at the time of occupancy.

b. Transit Proximity

c. Connectivity between Uses, Activities, and Mobility Options

- i. Minimum Parking - The development must include up to 419 parking spaces (415 structured parking spaces and 4 surface parking spaces) to be finalized at Certified Site Plan.
- ii. Public Parking - The development must include a minimum of 40 parking spaces available for public use.

d. Diversity of Uses and Activities

- i. Enhanced Accessibility for the Disabled - The Applicant must construct a minimum of 7 dwelling units that satisfy American National Standards Institute A117.1 Residential Type A standards or an equivalent County standard. Locations of such units will be finalized at Certified Site Plan.
- ii. Structured Parking - The development must include up to 415 parking spaces in a below-grade parking structure as shown on the Certified Site Plan.

e. Quality of Building and Site Design

- i. Public Open Space - The development must include a minimum of 3,800 square feet (7% of net lot area) of on-site open space in addition to the minimum required Public Use Space, as shown on the Certified Site Plan.
 - ii. Exceptional Design - The Applicant must construct the building and site design with visual and functional elements that enhance the character of the setting, as shown on the Certified Site Plan.
 - f. Protection and Enhancement of the Natural Environment
 - i. Building Lot Terminations (BLTs) - Prior to issuance of the first building permit, the Applicant must provide proof of purchase and/or payment of 0.897 BLTs to the Department of Permitting Services (DPS).
 - ii. Tree Canopy - The Applicant must plant a minimum of three shade trees in addition to canopy trees used to satisfy Forest Conservation requirements for on-site tree canopy coverage at 15 years of growth, as shown on the Certified Site Plan.
 - iii. Vegetated Roofs - The Applicant must install plantings in a minimum of 4 inches of soil covering a minimum of 33% of the building's roof as shown on the Certified Site Plan.
 - iv. Cool Roof - The Applicant must provide a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ration of 2:12, and a minimum SRI of 25 for slopes above 2:12, as shown on Certified Site Plan.

7. Public Use Space, Facilities, and Amenities

- a. The Applicant must provide a minimum of 8,961 square feet of Public Use Space (5,161 sf) and Public Open Space (3,800 sf) for a total 17.36% of net lot area on-site as shown on the Certified Site Plan.
- b. Prior to release of the final Use and Occupancy Certificate for the residential development all public use and open space must be completed.

8. Recreation Facilities

- a. Prior to Certified Site Plan, the Applicant must meet the square footage requirements for all of the applicable recreational elements and demonstrate to Planning Staff that each required recreational element is in conformance with the approved 1992 M-NCPPC Recreation Guidelines.
- b. The Applicant must provide at a minimum the following recreation facilities conforming to the 1992 M-NCPPC Recreation Guidelines:
 - i. Four Picnic/Sitting areas
 - ii. Pedestrian System
 - iii. Bike System
 - iv. Swimming Pool
 - v. Indoor Community Space

vi. Indoor Exercise Room

9. Maintenance of Public Amenities

The Applicant is responsible for maintaining and ensuring the long term maintenance of all publicly accessible amenities including, but not limited to, paving, plantings, lighting, benches, public art, tables and bike racks as shown on the Certified Site Plan.

10. Pedestrian & Bicycle Circulation

- a. The Applicant must provide a minimum of 100 private, and a minimum of 10 public, bicycle parking spaces.
- b. The private spaces must be located in a secured, well-lit bicycle room adjacent to the covered parking area. The public spaces must be inverted-U racks or equivalent, installed along the building's retail frontages in a location convenient to the main entrance and must be identified on the Certified Site Plan.
- c. Prior to the release of the final Use and Occupancy Certificate, the Applicant must construct Woodglen Drive extended and the master planned pedestrian and bicycle facilities, the exact location, design and construction of which must comply with requirements set forth by the Montgomery County Department of Transportation, Division of Traffic Engineering and Operations as shown on the Certified Site Plan.
- d. Prior to the release of the final Use and Occupancy Certificate, the Applicant must construct the private road along with the associated pedestrian facilities, as shown on the Certified Site Plan.

11. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Service – Fire Code Enforcement Section in its letter dated February 18, 2016, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by Montgomery County provided that the amendments do not conflict with other conditions of Site Plan approval.

12. Moderately Priced Dwelling Units (MPDUs)

- a. The Applicant must provide 12.5 percent MPDUs on-site in accordance with the requirements of Chapter 25A of the County Code.
- b. Prior to issuance of the first building permit, the Applicant must execute the MPDU agreement-to-build with the Department of Housing and Community Affairs (DHCA).
- c. The Planning Board accepts the recommendations of DHCA in its letter dated May 11, 2016, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the

recommendations as set forth in the letter, which may be amended by DHCA provided that the amendments do not conflict with other conditions of the Site Plan approval.

13. Lighting

- a. Prior to issuance of any above-grade building permit, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b. All onsite down-lights must have full cut-off fixtures.
- c. Deflectors must be installed on all fixtures to prevent excess illumination and glare.
- d. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially developed properties.
- e. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- f. On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

14. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit or sediment control permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include 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. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private roads and sidewalks, paths and associated improvements of development. The surety must be posted before issuance of the any building permit of development and will be tied to the development program.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of

development will be followed by inspection and potential reduction of the surety.

- d. The bond or surety shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of development.

15. Private Road

The Applicant must design, construct, and maintain Private Road A as identified on the Site Plan, subject to the following conditions:

- a. The Private Road must be created by a Private Road Easement, or Staff approved equivalent, that reflects this Condition of Site Plan approval, including that Applicant is fully responsible for the design, construction, operation and maintenance of the improvements as required by the Site Plan, including sidewalks, bikeways, storm drainage facilities, stormwater management, street trees and street lights within the Easement (collectively, the "Private Road"). The format, terms, and conditions of the Private Road Easement are subject to approval by the M-NCPPC Office of General Counsel. The Private Road Easement may not be revised or terminated without a Preliminary Plan and Site Plan Amendment.
- b. Prior to Use and Occupancy Permit, Applicant must provide certification to MCDPS by a structural engineer that the Private Road has been constructed in accordance with the paving detail and cross-section specifications of the Preliminary Plan and Site Plan.
- c. Utilities may be located within the Private Road Easement as private connections.
- d. The Private Road must remain open for pedestrians and both motorized and non-motorized vehicles at all times as part of the project common area, except for temporary closures as allowed under the terms of the Private Road Easement. This access is not intended to create a public-right-of-way under the International Building Code ("IBC").
- e. Structures are permitted above or below the designated Private Road Easement. The Applicant must provide bi-annual third-party certifications to MCDPS that the structural integrity of the Private Road, and any below-ground structures, have been properly maintained in good fashion and in accordance with applicable laws and regulations.
- f. The Applicant must enter into a Maintenance and Liability Agreement, subject to approval by the M-NCPPC Office of General Counsel, that identifies the Applicant's responsibility to properly maintain all of the improvements within the Private Road Easement in good condition and in accordance with applicable laws and regulations. At a minimum, Applicant is obligated to remove snow and provide repairs to keep the Private Road open and in good repair.

- g. The Applicant must maintain commercially reasonable capital reserves to address both short and long-term maintenance of the Private Road. The amount of the reserves will be at least 5% of the construction cost of the Private Road as approved with the Site Plan Surety. The Applicant must include bi-annual certification of the reserves to MCDPS.

16. Development Program

The Applicant must construct the development in accordance with a development program that will be reviewed and approved by Staff prior to the approval of the Certified Site Plan.

17. Certified Site Plan

The following revisions must be made and/or information provided subject to Staff review and approval for inclusion on the Certified Site Plan:

- a. Include the Final Forest Conservation Plan approval letter, stormwater management concept approval letter, development program, and Planning Board Resolutions for Sketch, Preliminary and Site plans in the Certified Site Plan set.
- b. Add a note stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices prior to demolition, clearing and grading".
- c. Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- d. Provide additional Public Improvement Easement to include the sidewalk ramps on private property or redesign ramps to completely fit in the public ROW.
- e. Provided onsite signage restricting unsafe turning movements into the loading docks.
- f. Remove specialty paving of Private Road A from public ROW.
- g. Add note on title page that all specialty pavements will require a maintenance and liability agreement.
- h. Modify data table to reflect development standards approved by the Planning Board.
- i. Ensure consistency of all details and layout between site and landscape plans.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Saul Centers White Flint No. 820160030, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the 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:

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 subject to the binding elements and conditions of Sketch Plan No. 320140010, which may be modified at the time of Site Plan review under Section 59-C-15.43(d). The Site Plan removes the public art public benefit from this phase of development to be provided at another time. The Site Plan conforms to the approved Sketch Plan.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

Section 59-C-15.61 - Master Plan and Design Guidelines Conformance

The Site Plan is in substantial conformance with the recommendations of the 2010 White Flint Sector Plan. The Property is located in the Metro West District (Block 3: Holladay) and 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 Sector 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 Zone. 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). While the Sector Plan's zoning recommendations focus on employment and retail use, the Zoning Ordinance provides the flexibility for a redevelopment project to be predominantly residential in response to market demands.

The street network is consistent with Sector Plan recommendations and the 2010 White Flint Urban Design Guidelines.

Along Rockville Pike (M-6), the Sector Plan envisions the reconstruction of Rockville Pike (MD 355) 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 2013 Countywide Transit Corridors Functional Master Plan recommends two-lane median BRT treatment for the MD 355 South Corridor within the Sector Plan area. The MCDOT and SHA will conduct future design studies for this Corridor. The Applicant is dedicating 21 feet along the Property's frontage for a total 81 feet from the centerline of Rockville Pike.

Woodglen Drive Extended along the Property frontage is designated as a two-lane business district street, B 3, with a 60-foot wide right-of-way, and a shared use path, SP-41. Along this frontage, ROW dedication of 60 to 72 feet from the opposite right-of-way line is required since the ROW widens as Woodglen Drive Extended approaches Nicholson Lane in order to align with the existing segment of Woodglen Drive south of Nicholson Lane. The Applicant is providing the 60-foot wide ROW for Woodglen Drive with dedication from the Site. The adjacent property on the west side of Woodglen Drive has already placed the required ROW in escrow, which will be used to widen Woodglen Drive Extended by this Applicant. Dedication for the northern most portion of Woodglen Drive between Marinelli Road and Private Road A will occur with this Application. In Fall 2014, Montgomery County opened its first separated bike lane along Woodglen Drive between Nicholson Lane and Edson Lane as a two-way bikeway along the western curb. Following the request of Planning Staff and MCDOT, the Applicant is providing a separated, two-way bike lane that is located at sidewalk level.

Private Road A is designated as a non-master planned local street, as illustrated in the Sector Plan (p.51), and "may be public or private and provide flexibility for operational functions including property access, loading, and parking." The Design Guidelines (p.10) note that local streets might include:

1. right-of-way of 60 feet or less;
2. streetscape components (sidewalk paving, tree spacing, lighting) compatible with adjoining public streets;
3. alternative roadway pavement materials;
4. ground floor active uses;
5. character elements to distinguish between neighborhoods;
6. limited on-street parking;
7. roadway width to be determined once streetscape requirements are met;

8. may be implemented as private streets, subject to the provisions in the Sector Plan.

Private Road A is consistent with the recommendations in the Sector Plan and Design Guidelines. The right-of-way for Private Road A will be approximately 48 feet, and will be located within a private road easement. Streetscape components are consistent and compatible with the adjoining public streets, ground floor active uses in the form of ground floor retail along the eastern half of Private Road A, and limited on-street parking (approximately four spaces on the south side of Private Road A).

The 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 (pg.20). The Site Plan features an urban plaza and promenade with design elements that include public art, street furniture, bicycle racks, planted areas, and way-finding devices to enhance the neighborhood experience of residents, workers, shoppers, and visitors.

The Sector Plan contains several recommendations to create an environmentally sustainable district. 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 Application provides vegetated and cool roofs throughout the development along with bio-filters and stormwater vaults.

The Application is in substantial conformance with the recommendations and objectives of the Design Guidelines, which provide specific recommendations for the Metro West district. Building A West is 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 establish a build-to-line along Rockville Pike (p.29). Building A West is perpendicular to Rockville Pike, so it reduces shadows on Private Road A and the public use space proposed at the intersection of Marinelli Road and Rockville Pike.

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

The Site Plan provides accommodation for the minimum required number of bicycle parking spaces as detailed in the data table. Commuter shower/change facilities are required of office uses only and therefore not applicable to this Project.

Section 59-C-15.63 - Parking

The number of parking spaces satisfies the minimum and maximum number of parking spaces as specified by the Zoning Ordinance requirements. The Site Plan includes parking in a structured facility and surface parking. The final number of units at Certified Site Plan will determine the final number of required parking spaces.

Section 59-E-1.4 – Off-Street Loading Space Criteria

The Zoning Ordinance requires that "For any building or land used for commercial or industrial purposes, adequate space for off-street parking to accommodate loading and unloading of materials shall be provided, consistent with the size and proposed use of the building."

For this mixed-use development, two (2) loading spaces are adequate given the size and proposed use of the building.

Requirements of the Commercial Residential Zone

Based on the following data table, which sets forth the development standards approved by the Planning Board and binding on the Applicant, and based on other evidence and testimony of record, the Application meets all of the applicable requirements of the Commercial Residential Zone.

DATA TABLE			
Section	Development Standard	Permitted/ Required	APPROVED & BINDING
59 - G	(CR 4.0: C 3.5, R 3.5, H 300 Zone)		
	Gross Tract Area (sf)	n/a	83,366
15.71	Maximum Density (FAR)	4.0 FAR	4.80 FAR*
	<i>Non-residential (sf) C-3.5</i>	835,090	15,500
	<i>Residential (sf) R-3.5</i>	835,090	385,000
	TOTAL CR 4.0	954,388	400,500
15.71	Maximum Building Height (ft)	300	300
15.72	Minimum Setback	n/a	n/a
15.73	Minimum Public Use Space (%)	10	10
15.74	Residential Amenity Space (sf)		
	<i>Indoor</i>	5,000	5,000
	<i>Outdoor</i>	5,000	5,000
	TOTAL	10,000	10,000
15.62	Minimum Bicycle Parking (spaces)		
	<i>Publicly Accessible</i>	10	10
	<i>Privately Secured</i>	100	100
15:631	Vehicular Parking (spaces)		(up to) 419
	<i>Maximum</i>	706	
	<i>Minimum</i>	308	

*Applicant is utilizing the CR density averaging provision across the entire development on both sides of Rockville Pike, as approved by the Sketch Plan 320140010.

Public Benefits

The Application satisfies the minimum public benefits points from the minimum number of appropriate benefit categories.

PUBLIC BENEFIT SCHEDULE		
Public Benefit	Incentive Density Points	
	Sketch Plan Approved Total	BUILDING A WEST SITE PLAN APPROVED
59-C-15.851: Major Public Facilities	5.0	2.5
59-C-15.852: Transit Proximity	50	10
59-C-15.853: Connectivity and Mobility Options		
Minimum Parking	2.0	0.40
Public Parking	2.0	1.0
59-C-15.854: Diversity of Uses and Activities		
Enhanced Accessibility	6.0	1.45
59-C-15.855: Quality of Building and Site Design		
Structured Parking	10	3.65
Public Art	4.0	0.0
Public Open Space	14	1.33
Exceptional Design	4.0	1.25
59-C-15.856: Protection and Enhancement of the Natural Environment		
Building Lot Terminations	5.0	1.0
Tree Canopy	4.0	1.0
Vegetated Roof	3.0	1.0
Cool Roof	3.0	1.0
TOTAL	112	25.58

Major Public Benefit

The Application includes an onsite location for a bikeshare facility.

Transit Proximity

The site confronts the White Flint Metro station, which allows the development to be eligible for level 1 transit as defined in the zoning Ordinance.

Connectivity and Mobility Options

Parking: The Application includes up to 419 parking spaces.

Public Parking: The Application includes a minimum 40 parking spaces available for public use.

Diversity of Uses and Activities

Enhanced Accessibility for the Disabled: The Application includes 7 dwelling satisfy 3 American National Standards Institute A117.1 Residential Type A standards or an equivalent County standard.

Quality of Building and Site Design

Structured Parking: The Application includes up to 415 parking spaces in a below-grade facility.

Public Open Space: The final layout yields a minimum of 3,800 square feet of public open space above the required public use space

Exceptional Design: The Application features an arrival plaza at the intersection of Rockville Pike and Marinelli Road. This space is designed with streetscape elements and interactive water elements to create a distinct landmark feature. At the corner, a water wall and reflecting pool are included to provide vertical interest and a buffer to the surrounding vehicular traffic. Stairs and low walls will define the basin to create an edge to sit upon while accommodating the grade change for pedestrians approaching the retail uses. The reflecting pool will extend south along Rockville Pike creating a collection of public spaces. The linear water feature and band of planted microbioretention areas will define the semi-private spaces at each retail storefront. A series of pedestrian bridges will traverse the microbioretention areas and water feature to create interest and provide additional access to retail. Lastly, the open space will feature a wood deck suspended over non-compact soils allowing tree planting. the soil volume needed to grow, and provide ample shading. The wood deck also brings variety to the texture of the ground plane.

Protection and Enhancement of the Natural Environment

Building Lot Terminations (BLT): The Applicant must purchase of 0.897 BLT easements.

Tree Canopy: The Application includes 3 shade trees to achieve tree canopy coverage of the on-site open space.

Vegetated Roofs: The Application includes a minimum of 33% of the total roof for a vegetated roof with a soil depth of at least 4 inches.

Cool Roof: The Application will include cool roof on available roof area.

3. *The locations of the buildings and structures, the open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

a. Buildings and Structures

The location of the building and parking structure is adequate, safe and efficient. The building emphasizes the public realm through a continuous street wall along Rockville Pike, Marinelli Road, Private Road A and Woodglen Drive. The parking structure will be below grade reducing the conflicts between vehicles and other modes of transportation. Below-grade parking is the most efficient use of land given the urban context envisioned in the Sector Plan and proximity to the Metro Station.

b. Open Spaces

The locations of open spaces are adequate, safe, and efficient. The open spaces are organized around the building to create an urban block with active sidewalks and streetscape elements. An arrival plaza at the intersection of Rockville Pike and Marinelli Road will create a distinct node with a landmark feature. Smaller open spaces with trees and stormwater management areas will serve as passive landscape amenities.

c. Landscaping and Lighting

The landscaping and lighting for the Site will ensure the area will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. The pedestrian-scale lighting fixture and street lighting fixtures will illuminate the streets, sidewalks, and walking paths. A mix of shade trees, ornamental trees and foundation plantings will be planted throughout the Site.

d. Recreation Facilities

The Site Plan will provide adequate, safe, and efficient recreation facilities to help residents lead an active and healthy life. The on-site recreation amenities are approved in accordance with the M-NCPPC Recreation Guidelines. The amenities include seating areas, swimming pool, exercise room, indoor community space, and pedestrian and bike systems. Off-site recreation facilities within 1 mile of the Site include Wall Park.

e. Vehicular and Pedestrian Circulation

The Site Plan will create an urban block surrounded by streets on four sides: Rockville Pike, Marinelli Road, Woodglen Drive and Private Road A. The vehicular access point to/from the parking garage on Private Road A and the off-street loading dock is accessed from Woodglen Drive. The separation of these two facilities minimizes potential conflicts with pedestrians and alleviates congestion on the public streets. The pedestrian paths will provide a safe, convenient and attractive walking environment to/from the Metro Station and other destinations in the area. The Site Plan also provides the first phase of master-planned road, Woodglen Drive, which upon full buildout, will provide an alternative, local route for motorists and bicyclists between Nicholson Lane and Marinelli Road. The pedestrian and vehicular circulation systems are adequate, safe, and efficient.

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

The buildings are compatible with other uses and other Site Plans, and with existing and proposed adjacent development. This compatibility is achieved through:

- a. Building heights similar to the NRC buildings (approx. 190 feet), the high-rise residential building, The Grand (approx. 226 feet), the existing North Bethesda Market I (approx. 289 feet), and the approved but unbuilt North Bethesda Market II (approx. 300), and the approved but unbuilt North Bethesda Gateway (approx. 250);
 - b. The proposed "L" shape tower is positioned along the eastern and northern boundaries with a shrinking floor-plate that culminates in the 300-foot-tall tower element at the corner of Rockville Pike and Marinelli Road;
 - c. Strong definition of blocks that transform the suburban, auto-oriented land use in the area into mixed-use development similar to North Bethesda Market and Pike & Rose developments;
 - d. Creation of defined streetscapes and open spaces;
 - e. Replacement of surface parking with structured parking allowing more space on the ground floor to be dedicated to buildings and open spaces; and
 - f. Continuation of the Rockville Pike Promenade along the East side.
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 Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law. Final Forest Conservation Plan No. 820160030 covers all disturbance associated with demolition of the existing McDonald's and a portion of the existing retail development and development of the proposed Parcel A in the northernmost portion of the Property. It will include the construction of Private Road A and a portion of the Woodglen Drive extension from Marinelli Road south to the proposed Private Road A. The net tract area for the Final Forest Conservation Plan is 2.49 acres and reflects the disturbance associated with Phase 1.

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 JUN 10 2016 (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 Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss, Presley, and Fani-González voting in favor at its regular meeting held on Thursday, June 2, 2016, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board