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

MCPB
Item No.:
Date: 5-03-18

Pike and Rose, Phase I: Site Plan Amendment No. 82012002D

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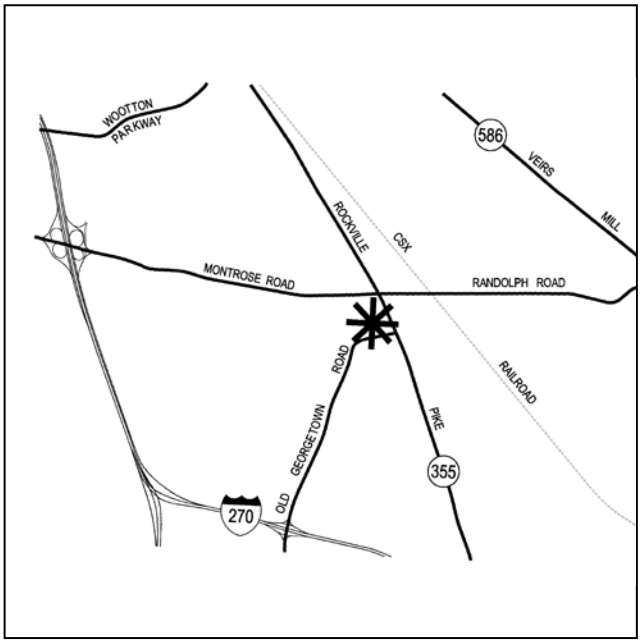
Staff Report Date: 04-19-2018

Description

Request to revise the Phase I Public Use Space plan; modify the Public Benefit Points and Development Program to reflect addition of solar panels and bikeshare stations, and removal of daycare center; and minor modifications to reflect as-built conditions.

Location: North side of Old Georgetown Road (MD 187), between Rockville Pike (MD 355) and Towne Road;
Master Plan: 2010 *White Flint Sector Plan;*
Zone: Split-zoned CR3.0, C-1.5, R-2.5, H-200 and CR4.0, C-3.5, R-3.5, H-300;
Size: 8.78 acres;
Acceptance Date: September 1, 2017;
Applicant: Federal Realty Investment Trust;



Summary

- Staff recommends approval with conditions.
- Staff reviewed this amendment under the Zoning Ordinance in effect on October 29, 2014, pursuant to the grandfather provisions of Section 7.7.1.B.3 of the current Zoning Ordinance.
- The changes in this amendment are to revise the Phase I Public Use Space plan; modify the Public Benefit Points and Development Program for Phases I and II; and minor modifications to reflect as built conditions.
- Per Section 59-C-15.43(d), the Applicant seeks to amend the binding elements and conditions of approved Sketch Plan No. 320110010 to modify the Public Benefit Points by removing the daycare center and adding bikeshare stations and solar panels.
- This Amendment and Site Plan Amendment 82013012D are being reviewed concurrently.
- The proposed changes meet all development standards, and do not significantly modify the original findings of the approval.
- Staff has not received community correspondence regarding this amendment.

SECTION 1 - RECOMMENDATION AND CONDITIONS

Site Plan Amendment 82012002D

Staff recommends approval of Site Plan Amendment No. 82012002D, subject to conditions listed below. All site development elements shown on the latest electronic version of the Site Plan Amendment No. 82012002D submitted via ePlans as of the date of this Staff Report are required. All previously approved plans (320110010, 120120020, 12012002A, 820120020, 82012002A, 82012002B, 82012002C), findings, binding elements, and conditions of approvals remain in full force and effect, except as modified herein by the following conditions:

1. Compliance with Previous Sketch Plan Approvals
   All previously approved conditions in the Resolution for Sketch Plan 320110010 and subsequent corrections remain in full effect, except as modified herein.

   On October 10, 2011, the Planning Board approved Sketch Plan No. 320110010 by corrected Resolution No. 11-05, which was further corrected by the Planning Board on July 19, 2012 for up to 3,442,888 square feet of total density, including a maximum of 1,716,246 square feet of non-residential development (Phase I and Phase II).

   Per Section 59-C-15.43(d), the Applicant seeks to amend the binding elements and conditions of the Sketch Plan to modify the public benefit points by eliminating the daycare center and adding bikeshare stations and solar panels on Block 7.

   The following condition supersedes Condition 3 of Sketch Plan No. 320110010, and all other conditions remain in full force and effect:

   3. Incentive Density
      The proposed development must be constructed with the public benefits listed below, except that the Applicant may request to adjust the percentage or type of public benefits shown on the Public Benefits Table of the sketch plan during site plan review provided the total equals at least 100 percent of the incentive density required by Section 59-C-15.81. The Applicant may eliminate, add, or modify individual public benefits if the Planning Board finds that any changes continue to support the findings required by the zone.

PUBLIC BENEFIT SUMMARY

Category	Public Benefit	% Requested by Sketch Plan	Adjusted total points	Points for Phase I 820120020	Points for Phase II 820130120	Proposed points for Phase II 82013012D	Future Phases/ Remaining Points	Project Proposed Total
Major Public Facility	Bikeshare Station	0	0	0	0	5		**5**
Transit Proximity		33.09	33	8.25	15.87	15.87	8.88	**33**
Connectivity	Neighborhood Services	10	10	2.49	4.79	4.79	2.72	**10**
	Minimum Parking	6.32	7.03	0.88	4.84	4.84	1.31	**7.03**
	Through-Block Connection	10	10	5	5	5	0	**10**
	Public Parking	7.62	7.05	1.85	4.09	4.09	1.11	**7.05**
	Advance Dedication	3.72	3.72	3.72	0	0	0	**3.72**
Diversity	Adaptive Buildings	4.37	4.12	0.65	1.59	1.59	1.88	**4.12**
	Care Center	15	15	0	15	0	0	**0**
	Dwelling Unit Mix	2.19	3.67	1.48	0	0	2.19	**3.67**
Design	Structured Parking	14.32	13.92	3.43	6.57	6.57	3.92	**13.92**
	Tower Setbacks	1.53	1.47	0	0.8	0.8	0.67	**1.47**
	Public Art	5	5	1.65	2.5	2.5	0.85	**5**
	Exceptional Design	6.7	6.46	0	4.35	4.35	2.11	**6.46**
Environment	BLTs	5	5	1.25	2.4	2.4	1.35	**5**
	Tree Canopy	10	10	3.33	5	5	1.67	**10**
	Vegetated Roof	4.48	4.23	0.65	2.54	2.54	1.04	**4.23**
	Solar panels on garage block 7	0	0	0	0	10	0	**10**
	Total	**139.34 Points**	**139.67 Points**	**34.63 Points**	**75.34 Points**	**75.34 Points**	**29.70 Points**	**139.67 Points**

2. Compliance with Previous Preliminary Plan Approvals
   All previously approved conditions in the Resolution for Preliminary Plan 120120020 and subsequent Preliminary Plan Amendments remain in full effect.

3. Compliance with Previous Site Plan Approvals
   All previously approved conditions in the Opinions and Resolutions for Site Plan 820120020 and subsequent Site Plan Amendments remain in full effect except as modified by this Amendment.

4. Bikeshare Stations
   The Applicant must provide spaces for a total of 3, 15-dock bike sharing stations for Phase II. One bike sharing station will be located within the right-of-way of Rockville Pike and two will be located within the subject property, with final approval of locations from the Montgomery County Department of Transportation (MCDOT).

5. Placemaking Plan
   Condition 4 of Site Plan No. 820120020 is replaced by the following:

   Prior to the issuance of the first use and occupancy permit, the Applicant must update the Placemaking Plan with approval from Staff and the Public Arts Trust Steering Committee. For all future Site Plan Amendments, the Applicant must hold a review of the Site for compliance with the Placemaking Plan and update the Placemaking Plan as required by Staff and the Public Arts Trust Steering Committee.

6. Public Benefits
   Condition 5 of Site Plan No. 820120020 is replaced by the following:

   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 Guideline, 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. Major Public Facility
      - Bikeshare Stations
   b. Transit Proximity
   c. Connectivity
      - Neighborhood Services
      - Minimum parking
      - Through-block connection
      - Public parking
      - Advance dedication
   d. Diversity
      - Adaptive buildings
      - Dwelling unit mix

e. Design
    - Structured parking
    - Tower setbacks
    - Public art
    - Exceptional design

f. Environment
    - BLT's
    - Tree canopy
    - Vegetated roof
    - Solar panels on block 7 garage

7. <u>Certified Site Plan</u>
   Condition 14 of Site Plan No. 820120020 is replaced by the following:

   Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

   a) Include the Final Forest Conservation Plan approval, stormwater management concept approval, development program, inspection schedule, and Site Plan resolution on the approval or cover sheet.
   b) 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".
   c) Make corrections and clarifications to recreation guidelines, labeling, data tables, and schedules.
   d) Ensure consistency of all details and layout between site plan and landscape plan.
   e) The Applicant must update the Public Use Space table on sheet SP-1 of the Certified Site Plan.
   f) The Applicant must update the Residential Amenity Space table on sheet SP-1 of the Certified Site Plan.

SECTION 2 - SITE DESCRIPTION AND BACKGROUND

Site Vicinity

The Pike and Rose Property (Property or Subject Property – outlined in red in Figure 1 below), formerly called Mid-Pike Plaza, is approximately 24.4 acres in the northwestern section of the 2010 *White Flint Sector Plan* (Sector Plan) area. The Property for this Site Plan Amendment is approximately 8.78 acres of the overall site. The overall site is bounded by Rockville Pike (MD 355) to the east, Old Georgetown Road (MD 187) to the south, Towne Road to the west, and Montrose Parkway to the north. Primarily commercial uses, including an automotive dealership and retail stores are south of Old Georgetown Road, while two office buildings and a residential high-rise are east of Rockville Pike. A majority of the property is within one-half mile from the existing White Flint Metro Station entrance.

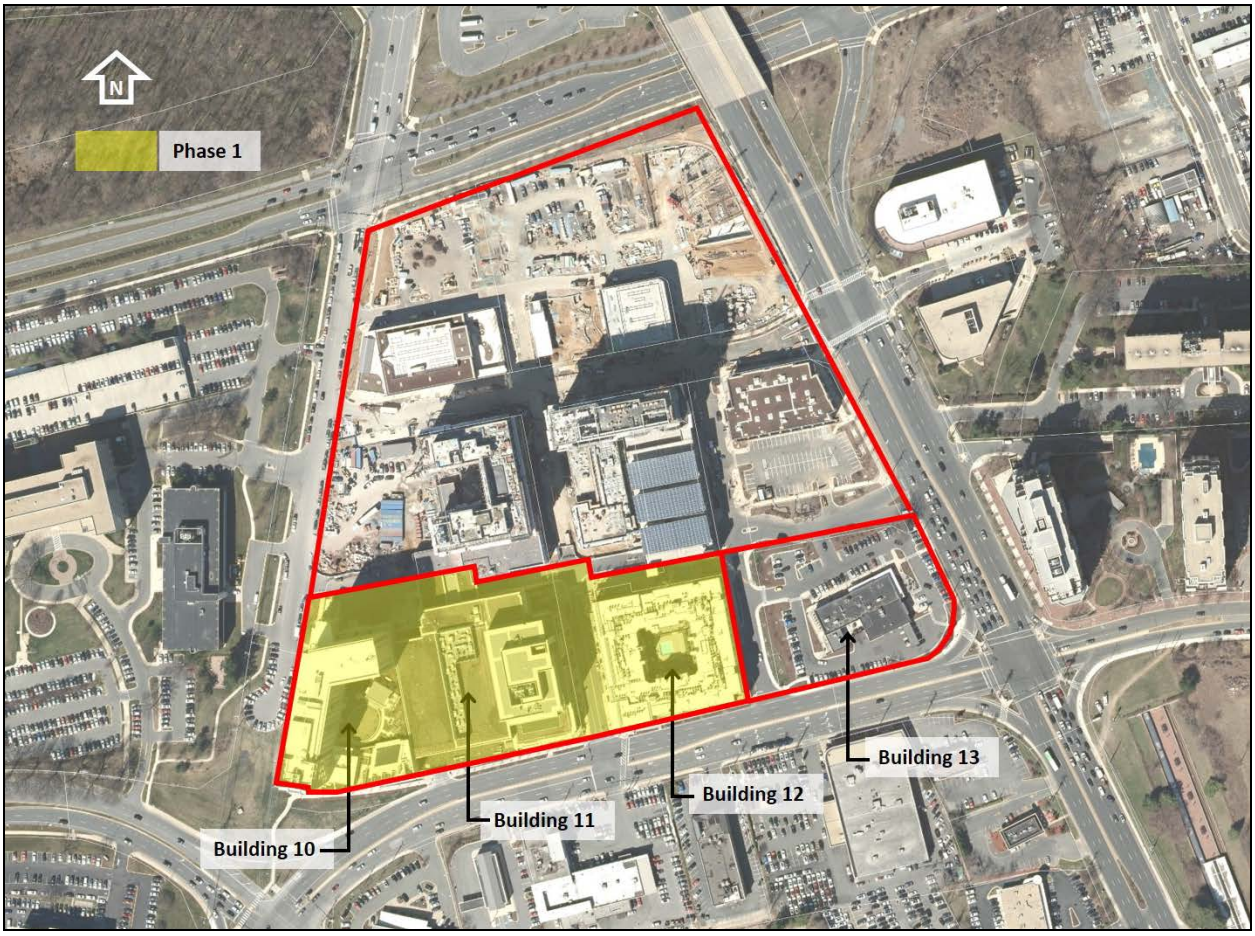


Figure 1: Overall Pike and Rose development: Phase I and Buildings 10, 11, 12 and 13

Site Analysis

Buildings 10, 11 and 12 of Pike and Rose are fully constructed and contain 494 residential units and 296,506 square feet of non-residential development. Building 13 is an existing retail building occupied by several retail tenants. This building has recently been expanded by approximately 1,000 square feet and included the installation of new facades, seating areas, sidewalks and landscaping. There are no known historic resources, wetlands, floodplains, endangered or threatened species or habitats, steep slopes, or other environmental or cultural features on site.

Previous Approvals
A history of the previous sketch plan, preliminary plan and site plan approvals for the Pike & Rose property are described below:

Sketch Plan Approval
On October 10, 2011, the Planning Board approved Sketch Plan No. 320110010 by corrected Resolution No. 11-05, which was further corrected by the Planning Board on July 19, 2012 for up to 3,442,888 square feet of total density, including a maximum of 1,716,246 square feet of non-residential development (Phase I and Phase II).

Preliminary Plan Approvals
On March 14, 2012, the Planning Board approved Preliminary Plan No. 120120020 by Resolution No.12-26, corrected on July 19, 2015, for five lots and a maximum density of 3,442,888 square feet of total development with a maximum of 1,716,246 square feet of non-residential uses (Phase I and Phase II).

On November 15, 2013, the Planning Board approved Preliminary Plan No. 12012002A by Resolution No. 13-133 by replacing conditions 1, 4, 6, 7, 12, 25, and 32 of the previous approval, removing condition 17 of the previous approval, and added conditions 33-38 (Phase I and Phase II).

Site Plan Approvals
On March 14, 2012, the Planning Board approved Site Plan No. 820120020 by Resolution No. 12-27 (Attachment 1), which was corrected by the Planning Board on July 19, 2012 for 951,000 square feet of mixed-use development, including up to 341,800 square feet of non-residential uses and up to 493 residential units on approximately 6.77 gross acres. This approval is for Buildings 10-12 (Phase I).

On November 14, 2013, the Planning Board approved Site Plan No. 820130120 by Resolution No. 13-134 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 (Phase II).

On December 19, 2013, the Planning Board approved Site Plan No. 82012002A by Resolution No. 13-175 for up to 1,000 square feet of additional non-residential development. This additional development is limited to Building 13 (Phase I).

On May 8, 2014, the Planning Board approved Site Plan No. 82012002B by Resolution No. 14-26 for minor adjustments to hardscape and landscape layout, revised unit mix, revised plant list, adjustments to some public and private street curb lines; revised interior building layout; adjustments to utility layout; building footprints, lot lines (Phase I).

On January 11, 2016, the Planning Director approved Site Plan No. 82012002C for installation of a screen on the roof of the Persei Building (Building 12) to screen the existing mechanical equipment (Phase I).

SECTION 3 - PROPOSED AMENDMENT

Proposal

The Pike & Rose project continues to evolve, as such the Applicant seeks the following modifications to Phase I of the approved Site Plan No. 820120020:

- **Add one Residential Unit on Building 12**
  Building 12 is fully constructed and contains 174 residential units and a small leasing office located on the first floor. The Applicant has moved the leasing office from Building 12 to a consolidated office used by other rental buildings on the Project. The Applicant now seeks to convert the former leasing office to a residential unit. This would bring the total number of residential units in Building 12 to 175 units. The addition of a residential unit to Building 12, impacts various calculations for the project including recreation demand, residential amenity space, residential unit mix and parking spaces. Thus, the development tabulations have been revised to reflect the changes, which are discussed in Section 4 below.

- **Update Public Benefits Table**
  The Applicant seeks to modify the approved Public Benefits in Site Plan No. 820120020 and amend the binding elements and Condition 3 of Sketch Plan No. 320110010 by eliminating the daycare center (which had 15 points), adding five points for the proposed bikeshare stations, and adding ten points for the installation of solar panels. A summary of the modified Public Benefits Tabulations is shown in Section 4 below, Figure 8. The reasons for these changes are described below:

  <u>Daycare Center</u>
  Staff understands that the Applicant had engaged in lengthy discussions with a prominent daycare provider in the Pike District about a potential expansion to Pike & Rose (the daycare center was supposed to be delivered in Phase II). However, this was not possible due to the outdoor, ground floor space requirements for daycare centers. There was also a significant gap between the rent the daycare provider was able to pay and the amount of rent that ground floor retail space commands at Pike & Rose. Therefore, the Applicant has requested to remove the daycare center from the development program and the table of Public Benefit Points. The Applicant continues to provide more than the minimum required number of Public Benefit Points to support the project.

  <u>Bikeshare Stations</u>
  Condition 8 of approved Preliminary Plan 120120020 requires the Applicant to provide *"…a centralized location within the overall site for a public bike-sharing facility approximately 8-by-40 feet in size, as determined by the applicable subsequent site plan"*. The subsequent Site Plans included several optional locations for a bike sharing facility. The November 21, 2014, Traffic Mitigation Agreement (TMAg) also required the Applicant to reserve space for a bike-sharing facility. Site Plan 82013012D (Phase II), which is going to the Planning Board concurrently with this Site Plan amendment 82012002D, shows three locations for a bike-sharing facility (two within Pike and Rose and one in the right-of-way on Rockville Pike). The Applicant is now seeking Public Benefits Points as part of both amendments for the bike-sharing facilities.

Renewable Energy

The Applicant is seeking five public benefits points for the 240W solar panels that were installed on the roof of its Trade Street parking garage.

- **Landscape and Hardscape Plan Modifications**

  The Applicant proposes the following landscape and hardscape plan modifications:

  Building 10

  Update the landscape area in front of Building 10 (Figure 2) below, by replacing a single large shade tree with four ornamental trees.

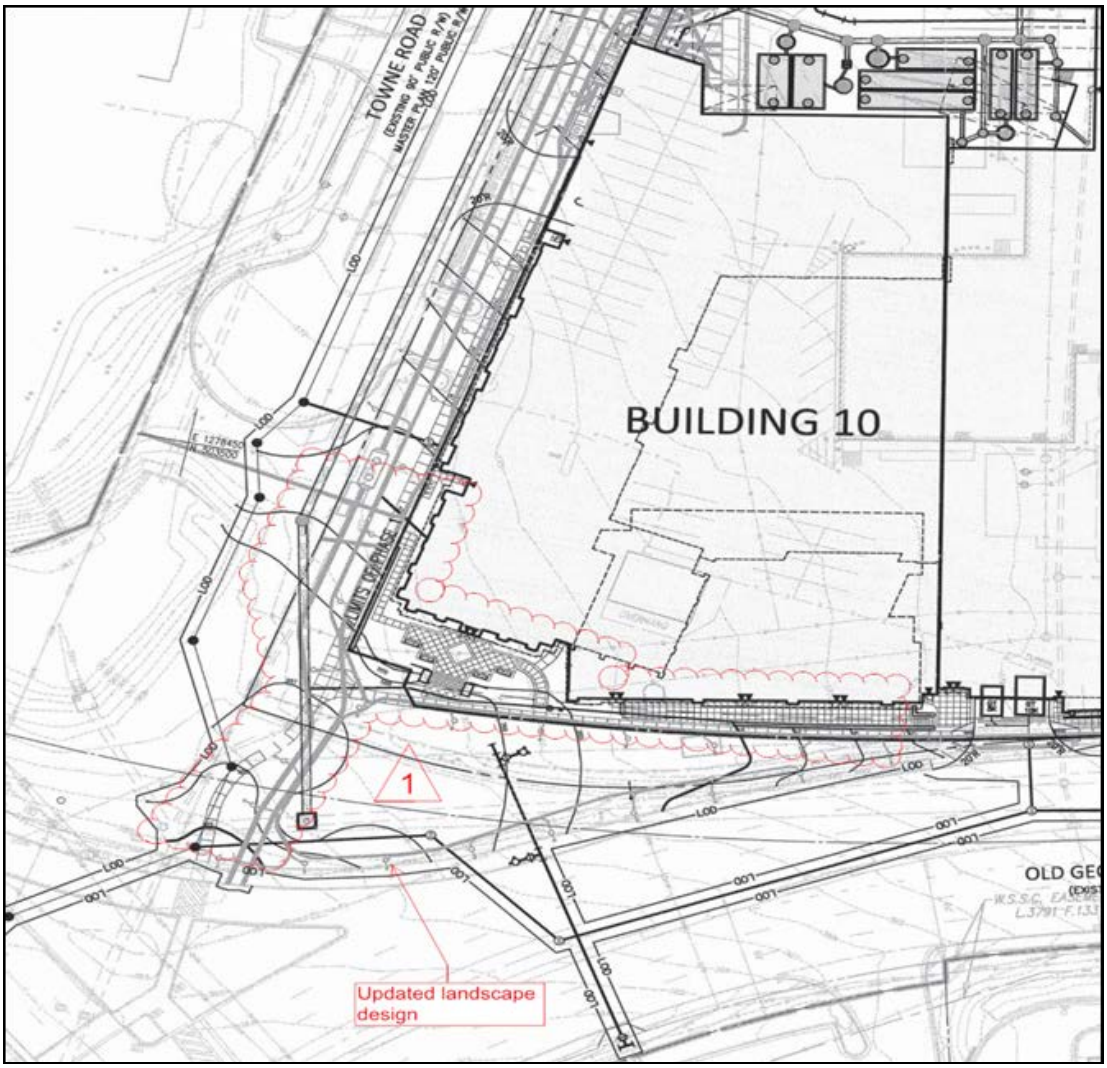


Figure 2: Landscape design modifications near Building 10

Buildings 11 and 12 (Figure 3)

- Reduce planting area on Grand Park Avenue between Buildings 11 and 12.
- Remove temporary trailer and update sidewalk layout on Trade Street.
- On the landscape area near Persei Place (Building 12):
    - Remove fire pit;
    - Replace ground cover planting bed with decorative stone at base of the building; and
    - Replace stone wall and planting bed with tree at grade.

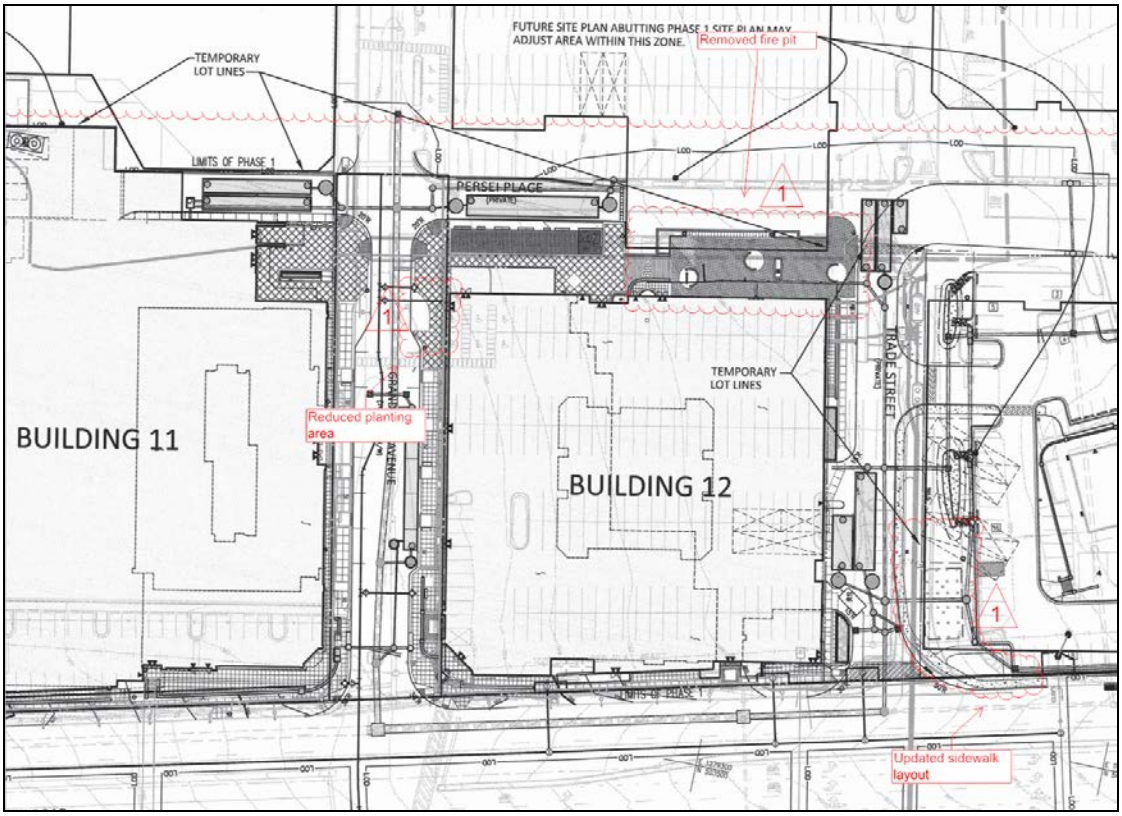


Figure 3: Planting area, sidewalk and fire pit modifications near Buildings 11 and 12

- **Public Use Space Update**
  The Applicant proposes modifications to the location and design (layout) of the outdoor café areas to reflect the changing needs of the restaurant tenants and to activate the streets as shown in Figure 4 (approved) and Figure 5 (proposed) below.

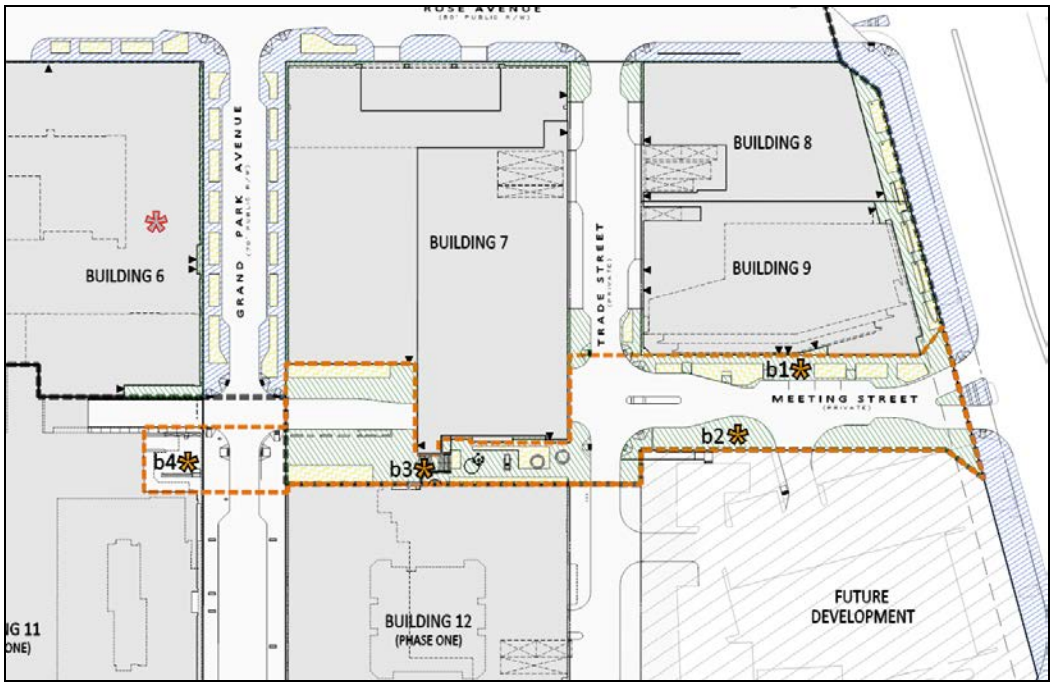


Figure 4: The approved Public Use area along Persei Place and Meeting Street

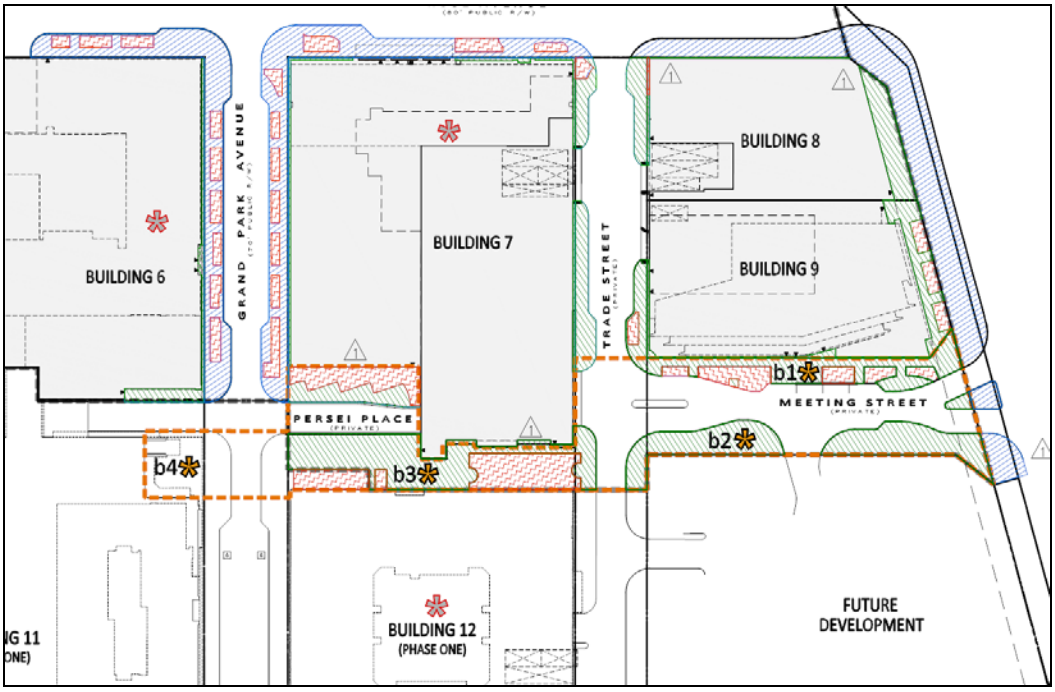


Figure 5: The proposed changes to the Public Use area along Persei Place and Meeting Street

- **Update As-Built Gross Floor Area**
  The Applicant has revised the development tabulations for Phase I to reflect the as-built conditions. These revisions are discussed further in Section 4 below.

SECTION 4 - ANALYSIS AND FINDINGS

Pursuant to the grandfathering provision of Section 59.7.7.1.B.3 of the Zoning Ordinance, this Amendment was reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014, since the original Site Plan was approved March 14, 2012. The proposed Amendment does not alter the intent of the previous findings, except as modified herein:

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, or schematic development plan. As conditioned above, the Site Plan is subject to the binding elements and conditions of the approved Sketch Plan, and all previously approved Preliminary Plans and Site Plans.

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

   <u>Development Standards</u>

   a. *Maximum Density of Development*

      In the original approved Site Plan No. 820120020 and respective amendments, the development meets all the requirements of the CR zones. Staff considered the current modifications to the Site Plan minor in nature to what was approved and believes the Site Plan continues to meet the requirements for the CR zones.

   b. *Public Use Space (% of net lot)*

      The modifications to the locations and design of the outdoor café areas affects the Public Use Space. However, despite the changes, the areas designated for public use space will remain at 24,500 sf, which is consistent with Site Plan 820120020.

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

      The approved residential amenity space data table showed 144 units for Building 12. This has been revised to 145 units to reflect the additional unit in Building 12. Staff considers this change minor and does not significantly affect the residential amenity space data table.

d. Parking

Approved Site Plan No. 820120020 required the Applicant to provide a total of 1,082 parking spaces. Condition 5 (c.) of the approved Site Plan No. 820120020, requires the Applicant to *"Submit as-built drawings of parking garage for each building with tabulation of maximum parking spaces allowed, minimum parking spaces required, and parking spaces provided".*

The Applicant has built 1,169 parking spaces (1,084 for Buildings 10, 11 and 12 and 85 for Building 13) as shown in Figure 6 below. The increase of parking spaces from 1082 to 1084 for Buildings 10, 11 and 12 are considered minor by Staff and the Property continues to provide sufficient parking spaces. The 85 parking spaces for Building 13 are existing and were not included as part of the original Phase I approval for Site Plan 820120020.

2

Parking Provided by Building

PH1, Bldg 10	*Required*	*Provided*
Residential ADA Spaces *(includes van spaces)*	7	7
Residential ADA Van Spaces	1	1
Motorcycle Spaces	7	7
Total Parking *(includes residential ADA spaces)*		***313***
PH1, Bldg 11	*Required*	*Provided*
Residential ADA Spaces *(includes van spaces)*	12	12
Residential ADA Van Spaces	2	1
Motorcycle Spaces	10	10
Total Parking *(includes residential ADA spaces)*		***608***
PH1, Bldg 12	*Required*	*Provided*
Residential ADA Spaces *(includes van spaces)*	3	5
Residential ADA Van Spaces	1	1
Motorcycle Spaces	3	4
Total Parking *(includes residential ADA spaces)*		***163***
*PH1, Bldg 13******	*Required*	*Provided*
Commercial ADA Spaces *(includes van spaces)*	4	4
Commercial ADA Van Spaces	1	1
Motorcycle Spaces	2	2
Total Parking *(includes commercial ADA spaces)*		***85***

provided totals for PH1	**1,169**

***** Existing spaces will be modified at time of future Site Plan Amendment.
Note: Parking calculated and provided is assuming maximum Commercial and Residential build out. If less Commercial square footage or Residential units are built per (Min. / Max. concept), then parking may be adjusted down accordingly, or may remain the same.

Figure 6: Proposed changes to the Parking table

e. Bicycle Parking Spaces & Shower/Change Facilities

Approved Site Plan No. 820120020 required the Applicant to provide 55 publicly accessible and 195 private secured bicycle parking spaces on the Property. The Applicant has built 54 publicly accessible and 193 private secured bicycle parking spaces as shown in Figure 7 below. The proposed changes from what was approved and built are considered minor and the property continues to provide sufficient private and public bicycle parking spaces.

Minimum Bicycle Parking Spaces & Shower/Change Facilities, Maximum GSF

	Required Bike Spaces		*Provided Bike Spaces*		*Required Shower / Change Facilities per gender*	*Provided Shower / Change Facilities per gender*
	Min. Publicly Accessible	*Min. Private & Secure*	*Public*	*Private*		
Building 10						
Residential	10	100	10	100	0	0
Non-Residential (No Office)	3	2	3	2	0	0
Building 11						
Residential	0	0	0	0	0	0
Non-Residential (Includes Office)	20	24	20	24	0	0
Building 12						
Residential	10	62	10	62	0	0
Non-Residential (No Office)	9	5	9	5	0	0
Building 13 (For existing development in Block 13)						
Residential	0	0	0	0	0	0
Non-Residential (Includes Office)	2	0	2	0	0	0
Total	54	193	54	193	0	0

At least one shower/change facility is required for each gender for office uses ≥ 100,000sf

Permanent bike storage for Block 4 to be located in Building 3. Preliminary bike storage for Block 6 to be located in Block 11. Interim bike storage for Block 4 bike storage (until all of Building 3 is completed) to be located on Block 1.

Figure 7: Proposed changes to the approved Bicycle Parking Spaces and Shower/Change Facilities table

f. Public Benefits

The approved Public Benefits tabulation has been revised as shown below in Figure 8 as a result of the elimination of the daycare center and addition of bikeshare stations and solar panels, which are described in Section 3 of this Staff Report.

As stated in Section 3 of this Staff Report, the Applicant seeks to amend the Public Benefits Points for the Project set out in Sketch Plan No. 320110010 and Site Plan No. 820120020. Section 59-C-15.43(d) of the Zoning Ordinance permits amendments to the binding elements and conditions of approval of an approved sketch plan during site plan review if such amendments are: recommended by Staff and agreed to by the applicant; notice of proposed amendments to the binding elements are identified in the final notice of the site plan hearing, and any amendments to the binding elements or conditions, 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.

Condition 3 of the Sketch Plan also allows the Applicant "*to adjust the percentage or type of public benefits shown on the Public Benefits Table of the sketch plan during site plan review as long as the total equals at least 100 percent of the incentive density required by section 59-C-15.81".* With the proposed changes, the total number of public benefits points remain the same at 139 points since the 15 points lost from the daycare center was distributed between the bikeshare stations (5 points) and the solar panels (10 points).

The proposed changes to the Public Benefits are also consistent with Condition 8 of the approved Preliminary Plan which requires the Applicant to *" …provide a centralized location within the overall site for a public bike-sharing facility approximately 8-by-40 feet in size as determined by the applicable subsequent site plan"*.

PUBLIC BENEFIT SUMMARY

Category	Public Benefit	% Requested by Sketch Plan	Adjusted total points	Points for Phase I 820120020	Points for Phase II 820130120	Proposed points for Phase II 82013012D	Future Phases/ Remaining Points	Project Proposed Total
Major Public Facility	Bikeshare Station	0	0	0	0	5		**5**
Transit Proximity		33.09	33	8.25	15.87	15.87	8.88	**33**
Connectivity	Neighborhood Services	10	10	2.49	4.79	4.79	2.72	**10**
	Minimum Parking	6.32	7.03	0.88	4.84	4.84	1.31	**7.03**
	Through-Block Connection	10	10	5	5	5	0	**10**
	Public Parking	7.62	7.05	1.85	4.09	4.09	1.11	**7.05**
	Advance Dedication	3.72	3.72	3.72	0	0	0	**3.72**
Diversity	Adaptive Buildings	4.37	4.12	0.65	1.59	1.59	1.88	**4.12**
	Care Center	15	15	0	15	0	0	**0**
	Dwelling Unit Mix	2.19	3.67	1.48	0	0	2.19	**3.67**
Design	Structured Parking	14.32	13.92	3.43	6.57	6.57	3.92	**13.92**
	Tower Setbacks	1.53	1.47	0	0.8	0.8	0.67	**1.47**
	Public Art	5	5	1.65	2.5	2.5	0.85	**5**
	Exceptional Design	6.7	6.46	0	4.35	4.35	2.11	**6.46**
Environment	*BLTs*	5	5	1.25	2.4	2.4	1.35	**5**
	Tree Canopy	10	10	3.33	5	5	1.67	**10**
	Vegetated Roof	4.48	4.23	0.65	2.54	2.54	1.04	**4.23**
	Solar panels on garage block 7	0	0	0	0	10	0	**10**
	Total	**139.34 Points**	**139.67 Points**	**34.63 Points**	**75.34 Points**	**75.34 Points**	**29.70 Points**	**139.67 Points**

Figure 8: Summary of Public Benefits Tabulation

Thus, Staff supports the proposed modifications to the Public Benefit Points as conditioned.

g. Loading Docks

The Applicant has provided details of as-built loading docks for Buildings 10, 11, 12 and 13 as shown in Figure 9, 10, and 11 below. These are new tables which were not part of the approved Site Plan No. 820120020. However, they are consistent with the requirement for loading set out in Preliminary Plan 12012002A. These loading docks have already been built.

Loading Building 10	
Office Area (SF)	0
Retail, (SF)	12,300
Restaurant (SF)	0
Multi-family, 5 stories or more	421,000
WB-50 Loading Spaces Required	**1**
WB-50 Loading Spaces Provided	**0**
SU-30 Loading Spaces Required	**4**
SU-30 Loading Spaces Provided	**2**

Loading Building 11	
Office Area (SF)	86,120
Retail, (SF)	47,774
Restaurant (SF)	11,520
Multi-family, 5 stories or more	0
Fitness	31,850
Theatre	62,688
WB-50 Loading Spaces Required	**1**
WB-50 Loading Spaces Provided	**2**
SU-30 Loading Spaces Required	**4**
SU-30 Loading Spaces Provided	**2**

Figure 9: As-built loading for Buildings 10 and 11

Loading Building 12	
Retail, (SF)	18,467
Restaurant (SF)	25,787
Multi-family, 5 stories or more	176,000
WB-50 Loading Spaces Required	**1**
WB-50 Loading Spaces Provided	**1**
SU-30 Loading Spaces Required	**3**
SU-30 Loading Spaces Provided	**2**

Figure 10: As-built loading for Building 12

Loading Ex. Building on future Block 13	
Retail, (SF)	11,490
WB 50 Loading space required	**0**
SU-30 Loading space required	**0**

Figure 11: As-built loading for Building 13

h. Montgomery County Recreation Demand Calculator, Building 12

The addition of one residential unit within Building 12 has resulted in the modifications to the approved recreational tables for Building 12 as shown on Figure 12 below. Staff consider these changes as minor and will not require additional recreation facilities on the site.

MONTGOMERY COUNTY RECREATION DEMAND CALCULATOR
(Per March 1992 guidelines)
Mid-Pike Block 12

Recreation, Building 12

	D1 Tots	D2 Children	D3 Teens	D4 Adults	D5 Seniors
HI-RISE	0.035	0.040	0.040	0.768	0.460

DEMAND CALCULATIONS

	Number of Units	D1 Tots	D2 Children	D3 Teens	D4 Adults	D5 Seniors
HI-RISE	175	6.1	7.0	7.0	134.4	80.5
Total Units	175.0					
Total Demand		**6.1**	**7.0**	**7.0**	**134.4**	**80.5**
On-Site Supply		37.6	46.8	16.3	100.2	50.3
% Demand Met On-Site		**614.1**	**667.9**	**232.9**	**74.6**	**62.5**
Off-Site Supply		8.1	15.2	23.8	151.5	83.5
Total On-Site/Off-Site		45.8	61.9	40.1	251.7	133.7
% Demand Met On+Off		**747.0**	**884.3**	**572.9**	**187.3**	**166.1**

ONSITE SUPPLY CALCULATIONS

Ref #	Description	No. Provided	D1 Tots	D2 Children	D3 Teens	D4 Adults	D5 Seniors
4.0	Picnic/Sitting	4	36.0	44.0	12.0	28.0	4.0
24B	Wading Pool	1	1.0	1.0	1.5	5.0	2.0
26A	Indoor Community Space	1	0.6	1.1	2.1	40.3	32.2
27.0	Indoor Fitness Facility	1	0.0	0.7	0.7	26.9	12.1
TOTAL			37.6	46.8	16.3	100.2	50.3

OFFSITE SUPPLY CALCULATIONS (WALL PARK)

Ref #	Description	No. Provided	D1 Tots	D2 Children	D3 Teens	D4 Adults	D5 Seniors
4.0	Picnic/Sitting	4	4.0	4.0	6.0	20.0	8.0
7B	Half MP Court I	1	2.0	5.0	7.0	8.0	1.0
10.0	Indoor Racquetball	2	0.0	3.0	8.0	16.0	2.0
21.0	Pedestrian System	1	0.6	1.4	1.4	60.5	36.2
24B	Wading Pool	1	0.9	0.4	0.0	6.7	4.0
25.0	Indoor Swimming Pool	1	0.6	1.4	1.4	40.3	32.2
TOTAL			8.1	15.2	23.8	151.5	83.5

Figure 12: Modifications to recreation tables for Building 12

i. As-built residential and commercial floorspace

The approved phasing program for Phase I under Site Plan No. 820120020, required the Applicant to provide 493 residential units in Buildings 10 and 12; and 297,753 sf of commercial uses in Buildings 10, 11 and 12. The Applicant has built 494 residential units and 296,506 sf of commercial uses as shown in Figure 13 below. The total number of residential units has increased from 493 to 494 as a result of the conversion of the leasing office to a single residential unit on Building 12 (described in Section 3 of the Staff Report). However, this does not exceed the 1,605 residential units approved for Pike & Rose under the Sketch Plan and Preliminary Plan approvals. Therefore, it is consistent with Conditions No. 1 of the Sketch Plan and Preliminary Plan approvals which restricts

development on the site to a total of 3,442,888 square feet. Overall, the as-built gross floor area (GFA) for each building was lower than the approved GFA.

PIKE & ROSE DEVELOPMENT PROGRAM PHASE 1					
SUB-PHASE	BUILDINGS	RESIDENTIAL UNITS	RESIDENTIAL	MPDU's	COMMERCIAL
N/A	10	319	421,000	32	12,300
	11	0	0	0	239,952
	12	175	176,000	30	44,254
TOTAL	THREE BLDGS	494	597,000	62	296,506

Figure 13: As- built development program

j. Residential Multi-Family (MF) Unit Mix for Phase I Buildings

The approved residential unit mix for Building 12 (Phase I) required the Applicant to provide 94 one-bedroom units and a total of 493 residential units in Buildings 10 and 12. The conversion of the leasing office to one residential unit increases the number of one-bedroom units in Building 12 to 95 and the total for both buildings 10 and 12 to 494. The residential Multi-Family Unit Mix table for Phase I has been updated to reflect the as-built conditions and the additional unit in Building 12, Figure 14 below. This is consistent with the requirements of Condition 5 (g) of the approved Site Plan No. 820120020, which requires the Applicant to *"Submit as-built drawings of floor plans with tabulation of bedroom unit mix, for each applicable building".* The Montgomery County Department of Housing and Community Affairs (MCDHCA) has reviewed this application and supports the proposed changes to the unit mix (Attachment 2 – MCDHCA support letter).

	Studio	**Studio /MPDU**	**1 BR**	**1BR/ MPDU**	**2BR**	**2 BR/ MPDU**	**3 BR**	**3 BR/ MPDU**	**Total Units**
Building 10	23	6	135	14	111	12	18	0	319
Building 11									
Building 12	14	0	95	19	36	11	0	0	175
									494

Figure 14: Updated Multi-Family Unit Mix

<u>Urban Renewal Plan</u>
The Pike and Rose Property is not within an Urban Renewal Area.

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

The proposed changes do not affect the locations of buildings and structures. The proposed amendment does not affect vehicular circulation or pedestrian and bicyclist access. The one additional unit on Building 12 does not trigger any additional recreation facilities.

The proposed landscape and hardscape changes and public use space changes are minor in nature and will make the development more attractive and comfortable for users. Overall, the proposed modifications are considered minor and the development will continue to be 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 proposed modifications are considered minor in nature and the development will continue to be compatible with the surrounding high density residential and commercial developments in the area and with other site plans. The proposed amendment continues to maintain conformance with the Sector Plan and its recommendations for the Property.

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.*

   This Amendment does not include changes to the Forest Conservation Plan. All of the Forest Conservation requirements were satisfied under the original Site Plan (Final Forest Conservation Plan No. 820130120). This Amendment is in compliance with both Chapter 22A Forest Conservation and the Environmental Guidelines. The Site Plan's previous water resources approvals remain in full effect.

Pursuant to 59-C-15.43(d)(3), for any amendments to the binding elements or conditions of approval of a previously approved Sketch Plan, the Planning Board must also 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. Thus, the Planning Board also finds:

6. *The modification of public benefits supports the requested incentive density.*

   As stated in Site Plan finding 2.f. above, Staff supports the proposed modifications to the Public Benefit Points.

7. *A feasible and appropriate provisional phasing plan for all public benefits has been established.*

   The Applicant has already provided the required bikeshare stations and solar panels, thus, the phasing plan for public benefits is acceptable.

Community Outreach
A notice regarding the proposed amendment was sent to all parties of record by the Applicant on August 30, 2017. To date, Staff has not received correspondence regarding the proposed amendment.

Agency Correspondence
This Application has been reviewed by other applicable County agencies including:

- Montgomery County Department of Permitting Services (MCDPS): Support the amendment;
- MCDPS Fire Code Enforcement Section: Support the amendment; and

- Montgomery County Department of Housing and Community Affairs (MCDHCA): Support the amendment as set out in their letter dated February 9, 2018 (Attachment 2).

CONCLUSION

The proposed modifications to the Site Plan will not alter the overall character, or significantly impact the development with respect to the original findings of approval under Site Plan No. 820120020. The proposed project remains compatible with the existing and proposed development adjacent to the site and with respect to the surrounding neighborhood, in terms of efficiency, adequacy, safety, structures, uses, vehicular and pedestrian circulation, open space, landscaping, or lighting. The proposed amendment remains in conformance with environmental regulations, the development standards of the zone and the Sector Plan. Staff recommends approval with modifications to conditions at the beginning of this Staff Report.

Attachments:
1. Approved Site Plan No. 820120020 - Resolution
2. MCDHCA letter dated, February 9, 2018

ATTACHMENT 1

MAR 14 2012

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

MCPB No. 12-27
Site Plan No. 820120020
Project Name: Mid-Pike Plaza (Pike & Rose)
Date of Hearing: February 23, 2012

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, pursuant to 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 320110010 (MCPB Resolution 11-05) ("Sketch Plan") establishing several binding elements, including a maximum density of up to 3,422,888 square feet of total density including a maximum of 1,716,246 square feet of non-residential development on 24.38 gross acres of land bound by Montrose Parkway on the north, Hoya Street on the west, Rockville Pike on the east, and Old Georgetown Road on the west ("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 August 3, 2011, Federal Realty Investment Trust ("Applicant"), filed an application for approval of a Site Plan for 951,000 square feet of mixed-use development including up to 341,800 square feet of non-residential development and up to 493 residential units ("Site Plan" or "Plan") on approximately 6.77 gross acres in the CR3 C1.5 R2.5 H200 and CR4 C3.5 R3.5 H300 zones, on a portion of the Property; and

WHEREAS, Applicant's Site Plan application was designated Site Plan No. 820120020, Mid-Pike Plaza (Pike & Rose) (the "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staff of other governmental agencies, Staff issued a memorandum to the Planning Board, dated February 10, 2012, setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

Approved as to
Legal Sufficiency: 2/29/12
M-NCPPC Legal Department

WHEREAS, on February 23, 2012, the Planning Board held a public hearing on the Application (the "Hearing"); and

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

WHEREAS, on February 23, 2012, the Planning Board approved the Application subject to conditions on the motion of Commissioner Anderson, seconded by Commissioner Presley, with a vote of 4-0; Commissioners Anderson, Carrier, Presley, and Wells-Harley voting in favor, with Commissioner Dreyfuss being absent.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 820120020 for 951,000 square feet of mixed-use development including up to 341,800 square feet of non-residential development and up to 493 residential units, subject to the following conditions:

1. Sketch Plan Conformance
   The development must comply with the applicable binding elements and conditions of Sketch Plan 320110010 approved by the Planning Board by a Corrected Resolution dated October 10, 2011.

2. Preliminary Plan Conformance
   The development must comply with the conditions of the approved Resolution for Preliminary Plan 120120020, unless amended and approved by the Planning Board.

3. Density Allocation
   Building permits may only be issued after 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.

4. Placemaking Plan
   The Applicant must provide public use and open space amenities in accordance with the "Placemaking and Phase 1 Amenity Plan for Pike & Rose" ("Placemaking Plan") under the following stipulations:
   a. Expand area encompassed by Placemaking Plan to include improvements along Hoya Street.
   b. 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.
   c. Remove all notations of specific plantings, amenities and materials that may conflict with the Placemaking Plan.

d. All installed site amenities and materials must meet applicable building codes.
e. The Placemaking Plan should include signage for the recreation loop extension, which may be considered a new public benefit as implemented through subsequent site plans.

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
   - Submit as-built drawings of parking garage for each building with tabulation of maximum parking spaces allowed, minimum parking spaces required, and parking spaces provided.
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. Dwelling Unit Mix
   - Submit as-built drawings of floor plans with tabulation of bedroom unit mix, for each applicable building.
h. Structured Parking
i. Public Art
   - Provide review under Placemaking Plan Condition #4, above.
j. BLTs
   - Purchase or payment for 1.82 Building Lot Terminations must be made prior to issuance of any building permit. Documentation to be provided to Staff.
k. 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.
l. Vegetated Roof

- Provide as-built roof plans showing coverage of roof that is vegetated and cross-section of planting detail, for each applicable building.

m. Advanced Dedication
- Record dedication by plat.

6. Transportation
The Applicant must provide and show on the Certified Site Plan the following pedestrian and bicycle improvements:
   a. The Applicant must provide a minimum of 250 bicycle parking spaces, including 14 publicly accessible bike spaces and 100 private, secure bike spaces for Building 10; 20 publicly accessible bike spaces and 26 private, secure bike spaces for Building 11; and 22 publicly accessible bike spaces and 67 private, secure bike spaces for Building 12. Final location and facility details to be determined at Certified Site Plan and under the Placemaking Plan.
   b. The Applicant must revise streetscape plantings to ensure street trees are spaced a minimum of 35 feet on center for Old Georgetown Road, subject to Maryland State Highway Administration ("SHA") approval.

7. Environment
   a. Applicant must submit and obtain Staff approval of a revised Final Forest Conservation Plan for each of the successive site plan phases addressing the following comments:
      i. Mitigation for the 41-inch diameter willow oak along the eastern Property boundary ("variance tree V-1") must be included in the Final Forest Conservation Plan for the phase that causes the removal of the tree. Applicant will be required to plant at least 4 native canopy trees of at least 3" dbh in mitigation for the removal of variance tree V-1.
      ii. Trees proposed for tree cover credit to satisfy afforestation requirements should be in the shade tree category rather than ornamental trees. Trees used for tree cover credit must appear either in the list of approved trees in the Trees Technical Manual, or on the Montgomery County Department of Transportation's ("MCDOT") approved street tree list.
   b. Applicant to submit and obtain approval of the forest conservation financial security instrument prior to any clearing or grading occurring on site.

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 Recreation Guidelines approved by the Planning Board in September 1992, shown on the Site Plan including:
   a. In Building 10:
      i. Four picnic/sitting areas;
      ii. One open play area II;
      iii. One wading pool
      iv. One indoor community space; and
      v. One indoor fitness facility.
   b. In Building 12:
      i. Four picnic/sitting areas;
      ii. One wading 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 successor(s) and assigns. This includes maintenance of paving, plantings, lighting, benches, fountains, and artwork. Maintenance may be taken over by a governmental agency by agreement with the Applicant or any successor(s) and assigns and applicable agency. For the purpose of this condition, the term "Applicant and any successor(s) and assigns" means the owner or any successor(s) 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.
   b. Subject to the SHA approval, the area within the 10-foot Public Improvement Easement along Old Georgetown Road must be categorized as public use space and be maintained to ensure public accessibility and meet the criteria required by the Zoning Ordinance under Section 59-C-15.73(c).

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 issuance of first building permit within each relevant phase of development, Applicant must provide 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. 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
The Applicant must construct the development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:
a. Demolition of existing buildings may commence prior to approval of the certified site plan.
b. Street lamps and sidewalks adjacent to each building must be installed prior to release of any use-and-occupancy permit for the respective building. Street tree planting may wait until the next growing season.
c. On-site amenities including, but not limited to, recreation amenities and public use space amenities adjacent to each building, must be installed prior to release of any use-and-occupancy permit for the respective building.
d. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all applicable environmental protection devices.
e. The development program must provide phasing for installation of on-site landscaping and lighting.
f. The development program must provide phasing of dedications, stormwater management, sediment and erosion control, afforestation, and other features.

14. Certified Site Plan
Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:
a. Include the Final Forest Conservation Plan approval, stormwater management concept approval, development program, inspection schedule, and Site Plan resolution on the approval or cover sheet.

b. 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".
c. Make corrections and clarifications to recreation guidelines, labeling, data tables, and schedules.
d. Ensure consistency of all details and layout between site plan and landscape plan.

BE IT FURTHER RESOLVED, that all site development elements as shown on the Mid-Pike Plaza drawings stamped by the M-NCPPC on December 8, 2011, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff as presented at the Hearing and in the Staff Report, which the Planning Board hereby adopts and incorporates by reference, 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, which may be modified at the time of site plan review under Section 59-C-15.43(d) of the Zoning Ordinance:

   > 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 on 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.

No modifications to the binding elements or conditions of the Sketch Plan were proposed by the Applicant or recommended by Staff.

2. *The Site Plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

There are several requirements of the CR zones that must be met by this Application:

- Uses;
- General Requirements;
- Development Standards; and
- Special Regulations for the Optional Method of Development (Public Benefits).

a. Uses
The proposed uses, residential, retail, restaurant, health club, theatre, and office, are permitted uses in the zone. There are no proposed limited or special exception uses.

b. General Requirements
The development is substantially consistent with the White Flint Sector Plan and White Flint Urban Design Guidelines:

- The Mid-Pike Plaza property is in the Mid-Pike Plaza District within the Approved and Adopted (2010) *White Flint Sector Plan*. In accord with the recommendations of the Sector Plan, the proposed development will retain its regional marketplace function and include residential and civic uses.
- Building heights of 300 feet will frame the corner of Rockville Pike and Old Georgetown Road in later phases, while the development approved under this Site Plan provides a varied skyline protecting future open spaces to the north and maximum heights of 200 feet on the western edge of the site.

- The highest density will be located at the intersection of Old Georgetown Road and Rockville Pike in later phases under the approved Sketch Plan.
- The approved street network is consistent with the Sector Plan recommendation for public and private streets and with the layout approved in the Sketch Plan.
- Several roads that front the property have bikeway recommendations. Old Georgetown Road, between Hoya Street and Rockville Pike, is classified as a dual bikeway: i.e., a shared use path with bike lanes (LB-2). Rockville Pike is classified as a shared use path (SP-41) and Hoya Street is also classified as a shared use path, LB-1. The applicable bike lanes have been shown on the preliminary plan roadway cross-sections and are accommodated by the interim and final detailed layout in the Site Plan.
- The public use space provides the open spaces approved by the Sketch Plan that implement the recommendations of the Sector Plan, with open spaces along and between blocks adjacent to activating retail, restaurant, and entertainment uses. Larger public use spaces and continued connections will be built with later phases under the binding elements of the Sketch Plan.
- The Sector Plan establishes several recommendations to create an environmentally sustainable district. The proposed development will minimize carbon emissions by providing a pedestrian environment and more balanced jobs/housing ratio; it will reduce energy consumption through site design and energy-efficient buildings meeting a minimum of LEED certification; it will improve air and water quality by implementing tree canopy, vegetated roofs, landscape area, and environmental site design stormwater management facilities.
- The Approved White Flint Urban Design Guidelines provide specific recommendation for each district, including building design and public open space. The design guidelines recommend that buildings be located without significant setbacks along streets, as shown by the proposed building layouts. Regarding public use spaces, the design guidelines recommend that neighborhood open spaces be defined by surrounding building walls on at least three sides when located mid-block, as provided by the pocket park on the west side of Street A. The promenade to the north of Building 10 will have east-west access to early and late sun, but be more protected at midday in the summer when it gets the most use.

c. Development Standards

The approved development will comply with all development standards as shown in the data tables below.

Density of Development (square feet)			
	Total	**Non-Residential**	**Residential (R)**

	(CR)	(C)	
Max Allowed by the Zones	3,442,888	2,106,726	2,911,882
Max Approved with Sketch Plan	3,442,888	1,716,246	2,911,882 (1,726,642 min)
Max Approved with Phase 1	951,000	314,800	636,200
Max Remaining for Later Phases	2,491,888	1,374,446	2,302,682 (1,117,442 min)

Height (feet)		
	CR3.0 C1.5 R2.5 H200	**CR4.0 C3.5 R3.5 H300**
Max Allowed by the Zones	200	300
Approved with Sketch Plan	200	300
Approved with Phase 1		
Building 10	200	n/a
Building 11	110	n/a
Building 12	70	70

Public Use Space (% of net lot)	
Min Required by the Zones (% of net lot)	10 (85,960sf)
Min Approved with Sketch Plan (%)	10 (85,960sf)
Min Approved with Phase 1 (%)	2.8 (24,500sf)[1]
Min Remaining for Later Phases	7.2 (61,460sf)

Residential Amenity Space (square feet per market rate unit[2])		
	Required	Approved
Minimum Indoor Amenity Space		
Building 10 (278 units)	5,000	5,000
Building 12 (152 units)	3,040	3,480
Minimum Outdoor Amenity Space[3]		
Building 10 (278 units)	5,000	5,000
Building 12 (152 units)	3,040	3,340

Parking (spaces, may be provided off-site)			
	Minimum Required	**Maximum Allowed**	**Approved**

[1] This is equal to approximately 10% of the net lot area comprising the site plan.
[2] Amenity space is not required to be calculated for MPDUs within a metro station policy area.
[3] A minimum of 400sf of the outdoor amenity space must be directly accessible from an indoor amenity space.

Approved with Sketch Plan	2,396	6,546	5,234 (approximately)
Approved with Phase 1			
Building 10	312	468	313
Building 11	306	766	611
Building 12	224	406	158

Minimum Bicycle Parking Spaces & Shower/Change Facilities				
	Required		Approved[4]	
	Minimum Publicly Accessible	Minimum Private & Secure	Public	Private
Building 10				
319 Residential Units	10	100	10	100
13,300sf Non-Residential	4	2	4	2
Building 11				
251,200sf Non-Residential	20	26	20	26
At least one shower/change facility is required for each gender for office uses ≥100,000sf.				
Building 12				
174 Residential Units	10	61	10	61
50,300sf Non-Residential	11	6	11	6

d. Public Benefits

The approved development will provide numerous public benefits with proportional incentive density points. The Planning Board has considered these public benefits according to:

- The recommendations, objectives, and priorities of the Sector Plan;
- The CR Zone Incentive Density Implementation Guidelines and the White Flint Urban Design Guidelines;
- The size and configuration of the tract;

[4] As conditioned.

- The relationship of the site to adjacent properties;
- The presence or lack of similar public benefits nearby; and
- Enhancements beyond the elements listed in the individual public benefit descriptions or criteria that increase public access to or enjoyment of the benefit;

The Board finds that the approved public benefits fulfill the priority recommendations of the Sector Plan, meet the criteria of the Implementation and Design Guidelines; are appropriate for the size and configuration of the tract; enhance the site's relationship to adjacent properties; provide benefits that are not provided nearby; and are not appropriate for increased points for enhancements beyond the elements and criteria established by the Zoning Ordinance or the Implementation Guidelines. The Applicant will provide public benefits from 4 categories equal to 100 points for the entire tract comprising the Sketch Plan, a proportion of which will be provided by the Phase 1 Site Plan as follows:

Public Benefit	**Adjusted Total Points [Original Points at Sketch Plan][5]**	**Phase 1 Measurement/Criteria**	**Points Awarded for Site Plan 820120020**
Transit Proximity Category			
Site Split within ¼ mile and ½ mile of Transit	33.00 [33.09 at sketch plan]	25% of total development in Phase 1: 0.25 x 33 total points	8.25
Connectivity & Mobility Category			
Neighborhood Services	10.00	25% of total development in Phase 1: 0.25 x 10 total points	2.49
Minimum Parking	7.03 [6.32]	25% of total development in Phase 1: 0.25 x 3.5 total points[6]	0.88
Through-Block Connection	10.00	50% of through-block connection completed with Phase 1.	5.00
Public Parking	7.05 [7.62]	26% of publicly accessible spaces being provided with Phase 1.	1.85

[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] The total points allowed under the revised CR zones is based on a formula that was revised to allow a maximum of 10 points, rather than the previous allowance up to 20 points (thus the difference between 7 points awarded at sketch plan and the 3.5 total points noted in the table under Phase 1 Measurement).

Advance Dedication	3.72	100% of dedication being provided with Phase 1.	3.72
Diversity of Uses & Activities Category			
Adaptive Buildings	4.12 [4.37]	16% of qualifying floor area provided with Phase 1.	0.65
Care Center	15	No credit requested with Phase 1.	0.00
Dwelling Unit Mix	3.67 [2.19]	40% of qualifying floor area provided with Phase 1.	1.48

Public Benefit	**Adjusted Total Points [Original Points at Sketch Plan]**[7]	**Phase 1 Measurement/Criteria**	**Points Awarded for Site Plan 820120020**
Quality Building & Site Design Category			
Structured Parking	13.92 [14.32]	25% of structured parking spaces provided with Phase 1.	3.43
Tower Setback	1.47 [1.53]	No credit requested with Phase 1.	0.00
Public Art	5.00	33% of public art program implemented with Phase 1.	1.65
Exceptional Design	6.46 [6.70]	No credit requested with Phase 1.	0.00
Protection & Enhancement of the Natural Environment Category			
BLTs	5.00	25% of total development in Phase 1; 1.82 BLTs must be purchased.	1.25
Tree Canopy	10.00	33% of tree canopy implemented with Phase 1.	3.33
Vegetated Roof	4.23 [4.48]	15% of qualifying floor area provided with Phase 1.	0.65
Total			**34.63**

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 locations of the buildings and structures are adequate, safe, and efficient for an infill development site that is envisioned by the Sector Plan and White Flint

[7] 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.

Urban Design Guidelines to provide pedestrian-oriented blocks, street walls along sidewalks, and taller buildings and density near transit facilities.

b. Open Spaces

The locations of the open spaces are adequate, safe, and efficient for an infill development site that is envisioned by the Sector Plan and White Flint Urban Design Guidelines to concentrate on sidewalks relieved by strategically placed pocket parks and consolidated open spaces that will provide passive and active spaces for sitting, relaxing, dining, strolling, and social engagement. The Phase 1 pocket park is located at the terminus of the promenade that, when completed, will provide a through-block connection from Street A to Rockville Pike creating a unique place for pedestrians.

c. Landscaping and Lighting

Landscaping and lighting, as well as other site amenities, will be provided within the parameters of the "Placemaking & Phase 1 Amenity Plan – Pike & Rose". The parameters established by the Placemaking Plan ensure that landscaping, lighting, and site amenities will be safe, adequate, and efficient for year-round use and enjoyment by patrons, employees, and residents. Site furnishings, shade, color, special features such as artwork and fountains, and specialty lighting will be integrated within the site to create a unique and interesting place, while the parameters of the Placemaking Plan will ensure accessibility and comfort.

d. Recreation Facilities

The proposed development is exceeding the active and passive recreation space required by the zone as shown in the data tables above. The approved development will provide on-site recreation facilities as follows.

Building 10:

- 4 picnic/sitting areas;
- 1 open play area II;
- 1 wading pool;
- 1 indoor community space;
- 1 indoor fitness facility.

Building 12:

- 4 picnic/sitting areas;
- 1 wading pool;
- 1 indoor community space;
- 1 indoor fitness facility.

Both buildings can take advantage of the nearby recreational facilities at Wall Park, including:

- 4 picnic/sitting areas;
- 1 half multi-purpose court I;
- 2 indoor racquetball courts;
- 1 pedestrian sidewalk system;
- 1 wading pool; and
- 1 indoor swimming pool.

The approved development exceeds the required supply of recreation facilities based on the calculation methods in the M-NCPPC Recreation Guidelines. As reflected in the outline and data tables above, the approved development will provide adequate, safe, and efficient recreation facilities to allow residents to lead an active and healthy life.

e. Pedestrian and Vehicular Circulation Systems

Vehicular circulation will be mostly unchanged for the interim – until later phases are built and the public improvements to Old Georgetown Road, Hoya Street, and Rockville Pike occur. Until then cars will still enter and exit the site at existing points, although the parking lot drive-aisles will begin to resemble the streets they will eventually become. New parking garage and loading access points will be located on Hoya Street, off Street A, and from the existing parking lot. These circulation routes, access points, and loading movements have been reviewed to ensure minimal conflicts with pedestrians and that full build-out will be in line with the Sector Plan and code requirements.

Pedestrian circulation, conversely, will be greatly improved along the street frontages along the Site Plan area and within the site. The new grid network of sidewalks and open spaces envisioned for this area will begin to be realized and bicycle and pedestrian amenities, such as benches, handicapped access, bike racks, shade trees, and bike lanes will be greatly improved. This new network of sidewalks and through-block connections in and around smaller pedestrian-scaled blocks will provide adequate, safe, and efficient pedestrian and vehicular circulation systems.

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

The mixed-use buildings are compatible with existing uses regarding scale, massing, and height as reflected in the urban design and zoning recommendations of the Sector Plan and White Flint Urban Design Guidelines. There are no pending site plans adjacent to the proposed development.

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 Applicant will stage the Final Forest Conservation Plan with each site plan approved for the site. The amount of afforestation/reforestation credit proposed with each site plan must be commensurate with the proportion of the net tract area being developed, until the total of 3.75 acres of afforestation and reforestation is accomplished. The Final Forest Conservation Plan must be revised with each new site plan to reflect the total forest mitigation completed for all previous phases, including the current phase.

The Site Plan for Phase I has a Limit of Disturbance of 9.21 acres, which represents about 36.85% of the net tract area. The proportional afforestation/reforestation required for Phase I is 1.38 acres. The Final Forest Conservation Plan for Phase I includes 0.50 acres of fee-in-lieu payment and 0.88 acres of off-site reforestation to fulfill the forest mitigation requirement. This leaves 2.37 acres of mitigation to be fulfilled in subsequent phases of development.

b. Stormwater Management
A stormwater management concept plan will meet stormwater management requirements through a variety of Environmental Site Design techniques, including the use of green roofs and micro-bioretention, to be supplemented by underground filters, and the concept plan was approved by the Montgomery County Department of Permitting Services on January 20, 2012. There is currently no stormwater management for the site.

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 § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this Resolution is MAR 14 2012 (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 Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor of the motion, at its regular meeting held on Thursday, March 8, 2012, in Silver Spring, Maryland.

Françoise M. Carrier, Chair
Montgomery County Planning Board

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ATTACHMENT 2

DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett
County Executive

Clarence J. Snuggs
Director

February 9, 2018

Ms. Rhoda Hersson-Ringskog
Area 2 Division
Montgomery County Planning Department
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Pike and Rose Phase 1
Site Plan Amendment No. 82012002D

Dear Ms. Ringskog:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced site plan amendment and recommends Approval.

Sincerely,

Lisa S. Schwartz
Senior Planning Specialist

cc: Ian P. Duke, VIKA Maryland LLC

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