

ATTACHMENT 8



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

MCPB No. 18-039
Site Plan No. 82012002D
Pike and Rose, Phase I
Date of Hearing: May 3, 2018

MAY 22 2018

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;

WHEREAS, under Section 59-7.7.1.B.3, the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014;

WHEREAS, 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 II) on 24.38 gross acres of split-zoned CR-3.0, C-1.5, R-2.5, H-200 and CR-4.0, C-3.5, R-3.5, H-300, located on land bounded by Montrose Parkway to the north, Towne Road (formerly Hoya Street) to the west, Rockville Pike (MD 355) to the east, and Old Georgetown Road to the south ("Subject Property"), in the Area 2 Policy Area and 2010 White Flint Sector Plan ("Sector Plan") area;

WHEREAS, on March 14, 2012, the Planning Board approved Preliminary Plan No. 120120020 by Resolution No.12-26, corrected on July 19, 2012, 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 II);

WHEREAS, on March 14, 2012, the Planning Board approved Site Plan No. 820120020 by Resolution No. 12-27 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);

WHEREAS, on November 5, 2013, the Planning Board approved Preliminary Plan No. 12012002A by Resolution No. 13-133 by replacing conditions 1, 4, 6, 7, 12, 25,

Approved as to
Legal Sufficiency:

A handwritten signature in blue ink, appearing to read "Matty Wells".

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and 32 of the previous approval, removing condition 17 of the previous approval, and added conditions 33-38 (Phase I and II);

WHEREAS, 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);

WHEREAS, 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);

WHEREAS, 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, and lot lines (Phase I);

WHEREAS, 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);

WHEREAS, on September 1, 2017, Federal Realty Investment Trust ("Applicant") filed an application for approval of an amendment to the previously approved site plans 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 on the Subject Property;

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 82012002D, Pike and Rose, Phase I ("Site Plan," "Amendment," or "Application");

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated April 19, 2018, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report");

WHEREAS, on May 3, 2018, the Planning Board held a public hearing on the Application at which it 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 certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 82012002D 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, subject to the following conditions:¹

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:

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.

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.

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 820130120	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	2.77	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	2.3	2.3	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	1.33	5	5	1.67	10
	Vegetated Road	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	0
	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 in consultation with the Art Review Panel. 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.

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. Certified Site Plan

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.

BE IT FURTHER RESOLVED that all other site plan conditions of approval for this project remain valid, unchanged and in full force and effect;

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Pike and Rose, Phase I No. 82012002D submitted via ePlans to the M-NCPPC as of the date of the Staff Report April 19, 2018, are required, except as modified by the above conditions of approval;

BE IT FURTHER RESOLVED that, unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally-approved site plan as revised by previous amendments, and all findings not specifically addressed remain in effect; and

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, 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, 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.*

Development Standards

- 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. The Planning Board considers the 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 affect 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. The Planning Board 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 the Planning Board 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.

Parking Provided by Building		
PH1, Bldg 10	Required	Provided
Residential ADA Spaces <i>(includes van spaces)</i>	7	7
Residential ADA Van Spaces	1	1
Motorcycle Spaces	7	7
Total Parking <i>(includes residential ADA spaces)</i>		313
PH1, Bldg 11	Required	Provided
Residential ADA Spaces <i>(includes van spaces)</i>	12	12
Residential ADA Van Spaces	2	1
Motorcycle Spaces	10	10
Total Parking <i>(includes residential ADA spaces)</i>		608
PH1, Bldg 12	Required	Provided
Residential ADA Spaces <i>(includes van spaces)</i>	3	5
Residential ADA Van Spaces	1	1
Motorcycle Spaces	3	4
Total Parking <i>(includes residential ADA spaces)</i>		163
PH1, Bldg 13*****	Required	Provided
Commercial ADA Spaces <i>(includes van spaces)</i>	4	4
Commercial ADA Van Spaces	1	1
Motorcycle Spaces	2	2
Total Parking <i>(includes commercial ADA spaces)</i>		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 /	Provided Shower /
	Min. Publicly Accessible	Min. Private & Secure	Public	Private	Change Facilities per gender	Change Facilities per gender
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	191	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. Intermittent bike storage for Block 4 bike storage (part 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.

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 with respect to 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 were 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 82012002D	Points for Phase II 82012002D	Proposed points for Phase II 82012002D	Future Phases/Remaining Points	Project Proposed Total
Major Public Facility	Bikeshare Station	0	0	0	0	0	5	5
	Transit Priority	33.09	33	8.25	19.87	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
Diversity	Advance Dedication	3.72	3.72	3.72	0	0	0	3.72
	Adaptive Buildings	4.37	4.12	0.65	1.59	1.59	1.88	4.12
	Care Center	15	15	0	15	0	0	15
Design	Dwelling Unit Mix	2.19	3.67	1.48	0	0	2.19	3.67
	Structured Parking	14.32	13.82	3.43	6.57	6.57	3.90	13.82
	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
Environment	Exceptional Design	6.7	6.46	0	4.35	4.35	2.11	6.46
	BCTs	5	5	1.75	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	0	10	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, the Planning Board approves 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. 82012002D. 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. The Planning Board considers 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.

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 Condition 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.

	Stu di o	Stu di o /MPD U	1 BR	1BR / MP DU	2BR	2 BR/ MPD U	3 BR	3 BR/ MPD U	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

Urban Renewal Plan

The Pike and Rose Property is not within an Urban Renewal Area.

- 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.

- 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, the Planning Board 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.

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 MAY 22, 2018 (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 Fani-González, seconded by Commissioner Cichy, with Chair Anderson and Commissioners Fani-González and Cichy voting in favor, and Vice Chair Dreyfuss and Commissioner Patterson absent at its regular meeting held on Thursday, May 17, 2018, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board