



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

MCPB No. 18-079

Staging Allocation Request No. 26800 for Building 12 (Phase I Site Plan No. 82012002D) and Building 3b (Phase II Site Plan No. 82013012D)

Pike & Rose Phase I and II

Date of Hearing: July 26, 2018

AUG 01 2018

RESOLUTION

WHEREAS, under the Subdivision Staging Policy's White Flint Alternative Review Procedure, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review Staging Allocation Requests in the White Flint Sector Plan area; and

WHEREAS, on July 19, 2018, Federal Realty Investment Trust ("Applicant") filed an application for approval of a Staging Allocation Request (SAR)-one additional residential unit in Building 12, Phase I Site Plan No. 82012002D and 234,000 square feet of non-residential for a new building, Building 3b, Phase II Site Plan No. 82013012D, on approximately 13.21 acres of land zoned CR-4.0, C-3.5, R-3.5, H-300 and CR-3.0, C-1.5, R-2.5, H-200, located in the northwest quadrant of the intersection of Old Georgetown Road and Rockville Pike (MD 355), in the White Flint Sector Plan area; and

WHEREAS, Applicant's Staging Allocation Request application was designated Staging Allocation Request No. 26800, Pike and Rose Phase I and Phase II ("SAR"); and

WHEREAS, following review and analysis, the Planning Department issued a memorandum to the Planning Board, dated July 19, 2018, setting forth its analysis, and recommendation for approval of the SAR; and

WHEREAS, on July 26, 2018, the Planning Department presented the SAR to the Planning Board as a consent item for its review and action; and

WHEREAS, under the Planning Board's Regulation on Implementing the Subdivision Staging Policy's White Flint Alternative Review Procedure, COMCOR 50.35.02.01, the Planning Board must approve an SAR if sufficient staging capacity is available under the White Flint Sector Plan to meet the entire SAR; and

WHEREAS, at the time of the hearing, the available staging capacity was 2,362,414 square feet non-residential floor area and 3,939 residential dwelling units; and

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

Patricia Kelly
Approved for legal sufficiency
M-NCPPC Office of General Counsel

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Board APPROVES an allocation of staging capacity for one residential unit in Building 12, Phase I, and 234,000 square feet of non-residential development (216,944 square feet of non-residential development toward staging and all remaining 17,056 square feet of demolition credits) for Building 3b, approved in Site Plan Nos. 82012002D, Pike & Rose Phase I, and 82013012D, Pike & Rose Phase II, respectively; and

BE IT FURTHER RESOLVED that having given full consideration to the recommendations of its Staff as presented in the Staff Report, which the Board hereby adopts and incorporates by reference, the Board finds there is sufficient capacity available in the White Flint Staging Plan to support the staging allocation approval; and

BE IT FURTHER RESOLVED that the Applicant must have all core and shell building permit applications associated with this SAR accepted by the Department of Permitting Services ("DPS") by no later than the close of business on the 180th day after the date of this Resolution, and that failure to meet this deadline will automatically void any staging capacity that has not been perfected by the timely acceptance by DPS of a core and shell building permit application; and

BE IT FURTHER RESOLVED that the Applicant must present evidence of DPS's acceptance of any core and shell building permit application associated with this staging allocation approval no later than 15 days after its acceptance; and

BE IT FURTHER RESOLVED that no later than three years from the date of this Resolution, the Applicant must obtain core and shell building permits from DPS for all buildings associated with this staging allocation approval, and that failure to meet this deadline will automatically void any staging capacity that has not been perfected by the timely issuance of a core and shell building permit; and

BE IT FURTHER RESOLVED that, for the purpose of these conditions, the term "Applicant" also means the developer, the owner and any successor(s) in interest to the terms of this approval; 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 AUG 01 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

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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 Cichy, seconded by Vice Chair Dreyfuss, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, July 26, 2018, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board