



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

MCPB No. 21-010

Staging Allocation Request No.27600 (Site Plan No. 82014018A)

MAR 02 2021

East Village at North Bethesda Gateway

Date of Hearing: January 21, 2021

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 December 15, 2020, New Lake Waverly Associates, LLC ("Applicant") filed an application for approval of a Staging Allocation Request (SAR) associated with Site Plan No. 82014018A, East Village at North Bethesda Gateway, which is approved for up to 567 residential units and 19,000 square feet of non-residential development on 5.1 acres of land located at the southeastern intersection of Huff Court and Nicholson Lane in the White Flint Sector Plan area; and

WHEREAS, Applicant's Staging Allocation Request application was designated Staging Allocation Request No. 27600, East Village at North Bethesda Gateway ("SAR"); and

WHEREAS, following review and analysis, the Planning Department issued a memorandum to the Planning Board, dated January 7, 2021, setting forth its analysis, and recommendation for approval of the SAR; and

WHEREAS, on January 21, 2021, 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 non-residential staging capacity was 2,145,420 square feet and 3,934 residential dwelling units; and

WHEREAS, on January 21, 2021 the Planning Board voted to approve the Application, subject to certain conditions, on the motion of Commissioner Cichy,

seconded by Commissioner Verma, with a vote of 5-0, Chair Anderson, Vice-Chair Fani-Gonzalez, Commissioners Cichy, Patterson and Verma voting in favor.

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Board APPROVES an allocation of staging capacity for 335 residential dwelling units and 5,000 square feet of non-residential development as approved in Site Plan No. 82014018A; 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 90th day after the date of this Resolution, and that failure to meet this deadline will automatically void any staging capacity that has not been perfected by the timely acceptance by DPS of a core and shell building permit application; and

BE IT FURTHER RESOLVED that the Applicant must present evidence of DPS'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 of any successor (s) in interest to the terms of this approval.


BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAR 02 2021 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take any administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative decisions in Circuit Court (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 Commissioner Verma, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor, at its regular meeting held on Thursday, February 25, 2021, in Wheaton, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board