

# **Montgomery County Planning Board**

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**APR 01 2022**

MCPB No. 22-029

Staging Allocation Request No.27800 (Site Plan No. 82013012G)

Pike & Rose-Phase II

Date of Hearing: March 17, 2022

## **RESOLUTION**

WHEREAS 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 February 11, 2022, Federal Realty Investment Trust (“Applicant”) filed an application for approval of a single building Allocation Request (SAR) associated with Site Plan No. 820130120G (Pike & Rose-Phase II), which is approved for up to 427,000 square feet of residential uses and 1,193,831 square feet of non-residential uses on 13.21 acres of land located on Grand Park Avenue, north of Old Georgetown Road and west of 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. 27800, Pike and Rose-Phase II, Building No.9 (“SAR”); and

WHEREAS, following review and analysis, the Planning Department issued a memorandum to the Planning Board, dated March 10, 2022, setting forth its analysis, and recommendation for approval of the SAR; and

WHEREAS, on March 17, 2022, the Planning Board held a hearing on the SAR 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

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Approved as to

Legal Sufficiency: /s/ Matthew T. Mills

M-NCPPC Legal Department

WHEREAS, at the time of the hearing, the available non-residential staging capacity was 2,359,360 square feet and 3,604 residential dwelling units, rendering sufficient capacity to meet the Applicant's request; and

WHEREAS, at the hearing, the Planning Board approved the Application on motion of Commissioner Rubin, seconded by Commissioner Verma, with a vote of 4-0, Chair Anderson, Commissioners Cichy, Rubin and Verma voting in favor with Commissioner Patterson being absent.

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Board APPROVES an allocation of staging capacity for 297,500 square feet of non-residential development for Building No.9 as approved in Site Plan No. 820130120G; 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; 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") no later than the 90<sup>th</sup> 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' 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 two 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 and any or all successor(s) in interest; 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 APR 01 2022 (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 (Maryland Rule 7-203)

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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 Rubin, seconded by Vice Chair Verma, with Chair Anderson and Vice Chair Verma, and Commissioners Cichy and Rubin voting in favor of the motion, and Commissioner Patterson absent at its regular meeting held on Thursday, March 31, 2022, in Wheaton, Maryland.



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Casey Anderson, Chair  
Montgomery County Planning Board

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