

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 23-088

Staging Allocation Request No. 28200 (Site Plan No. 820220150)

MHP Nebel Street

Date of Hearing: July 13, 2023

JUL 26 2023

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 May 16, 2023, Montgomery Housing Partnership (“Applicant”) filed an application for approval of a single building Allocation Request (SAR) associated with Site Plan No. 820220150 (MHP Nebel Street), which is approved for up to 172,720 square feet of residential uses, up to 163 multifamily dwelling units on 2.66 acres of land located at the southwest and southeast intersection of Nebel Street and Old Georgetown Road in the North Bethesda (White Flint) Sector Plan area; and

WHEREAS, Applicant’s Staging Allocation Request application was designated Staging Allocation Request No. 28200, MHP Nebel Street (“SAR”); and

WHEREAS, following review and analysis, the Planning Department issued a memorandum to the Planning Board, dated June 29, 2023, setting forth its analysis, and recommendation for approval of the SAR; and

WHEREAS, on July 13, 2023, 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 50.35.02.02, 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 1,809,860 square feet and 3,393 residential dwelling units, rendering sufficient capacity to meet the Applicant’s request; and

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Approved as to

Legal Sufficiency: /s/ Matthew T. Mills

M-NCPPC Legal Department

WHEREAS, at the hearing, the Planning Board approved the Application on motion of Commissioner Hedrick, seconded by Commissioner Linden, with a vote of 4-0-1, Commissioners Bartley, Hedrick, Linden, and Vice Chair Pedoeem voting in favor. Chair Harris recused himself.

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Board APPROVES an allocation of staging capacity for 163 multifamily residential units as approved in Site Plan No. 820220150; 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 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' 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 which have 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

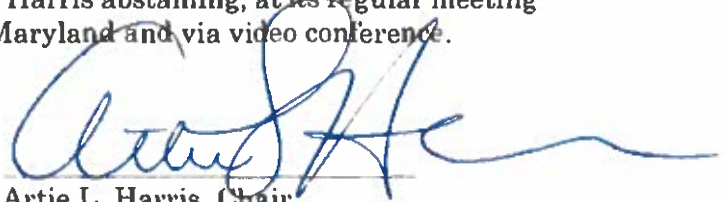
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUL 26 2023 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal consistent with the Maryland rules for the judicial review of administrative agency decisions.

* * * * *

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 Linden, seconded by Commissioner Bartley, with a vote of 4-0-1; Vice Chair Pedoeem, and Commissioners, Bartley, Hedrick, and Linden, voting in favor of the motion, Chair Harris abstaining, at its regular meeting held on Thursday, July 20, 2023, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board

