



MCPB

Item

Date: 09/08/16

The Collection (Formerly Chevy Chase Center): Site Plan Amendment No. 82001013C, The Collection II, and Site Plan Amendment No. 82001021E, The Collection I

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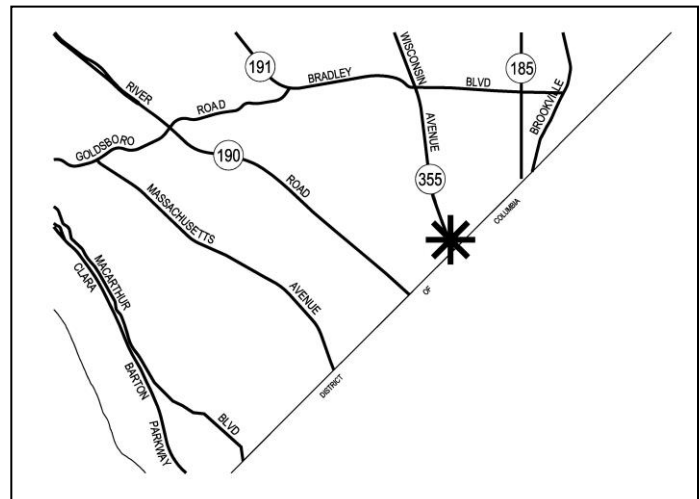
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Description

Staff Report Date: 08/26/16

- Amendment for modifications to the public use and amenity space, on-site pedestrian and vehicular circulation, architecture, and calculation of on-site parking under the standards of the New Zoning Ordinance;
- Located at the northeast quadrant of the intersection with Wisconsin Avenue and Wisconsin Circle;
- 10.35 gross acres zoned CR 2.0, C 2.0, R 1.5, H 90T and CR 0.75, C 0.75, R 0.25, H 55T in the 1998 *Friendship Heights Sector Plan*;
- Applicant: Chevy Chase Land Company;
- Acceptance Date: April 13, 2016;
- Review Basis: Section 59-D-3.7 of 2004 Zoning Ordinance.



Summary

- This is a split-zoned site that is governed, in part or in whole, by a Project Plan, Development Plan, Preliminary Plan, and Site Plans and amendments, all of which were approved between 1999 and 2013. The Amendments propose modifications to the public use and amenity space, on-site pedestrian and vehicular circulation, architecture, and calculation of on-site parking under the standards of the New Zoning Ordinance.
- The Applications are being reviewed under the CBD-1 Zone and TS-M Zone development standards in effect on October 29, 2014, as permitted under Section 59.7.7.1.B.3 of the Zoning Ordinance.
- Staff has received correspondence regarding the Amendments.
- Staff recommends approval of the Site Plan Amendments, with conditions.

SECTION 1: RECOMMENDATION

Site Plan Amendment No. 82001013C

Staff recommends approval of Site Plan Amendment No. 82001013C, The Collection II, for modifications to the public use and amenity space, on-site pedestrian and vehicular circulation, and architecture. The Amendment also modifies the parking requirements to reflect the specifications of the current Zoning Ordinance approved on October 30, 2014, as allowed under Section 59-7.7.1.B.3.b. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required. The Amendment adds the following conditions, and all conditions of previous approvals remain valid and binding. In the event of a conflict between the following conditions and those of previous approvals, the conditions as amended shall control.

1. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities on the Subject Property including, but not limited to, pedestrian pathways, landscaping, hardscape, recreation facilities, and public use space.

2. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety as required by Section 59-7.3.4.G.1. of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan Amendment elements, including, but not limited to plant material, on-site lighting, recreational facilities, art, site furniture, retaining walls, fences, railings, paths and associated improvements.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety will be followed by inspection and potential reduction of the surety.
- d. The bond or surety must be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of development.

3. Wisconsin Circle

Prior to any work within the public right-of-way, the Applicant must satisfy the provisions for access and improvements as required by Montgomery County Department of Permitting Services-Right-of-Way Permitting and Plan Review Section (MCDPS-RPP).

4. Certified Site Plan

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 forest conservation approval, stormwater management concept approval letter, Site Plan resolution(s), and the Art Review Panel letter on the approval or cover sheet(s).
- b. Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."

- c. Address all MCDPS-RPP comments, date August 16, 2016.
- d. Ensure consistency of all details and layout between Site and Landscape Plans.
- e. For the option to Wisconsin Circle that modifies the curb line for parking, show the public improvement easement (PIE) between the property line and the building face along Wisconsin Circle, to ensure unencumbered use by pedestrians.
- f. Modify data table to reflect development standards.
- g. Provide vehicular and bicycle parking spaces in accordance with the Certified Site Plan.
- h. Provide both alternatives of improvements to the pedestrian and vehicular circulation along Wisconsin Circle on the plans.

5. Forest Conservation

Prior to certification of the revised Final Forest Conservation Plan (FFCP), the Applicant shall coordinate with Staff to address the following items:

- a. Coordinate all drawings to reflect the proposed condition, including plan notes and details.
- b. Provide ISA-certified arborist evaluation/input for proposed work impacting trees to be preserved.
- c. Details for the bench installations along Wisconsin Avenue need to be provided. The methods shall be coordinated with an ISA-certified arborist to avoid/minimize any impacts to the existing trees to be preserved.
- d. Address forest conservation credit for any trees that are missing, in poor condition and/or declining health. Such trees will not be credited unless replacements are provided.

6. Art Review

The Planning Board accepts the recommendations of the Art Review Panel in its letter dated July 27, 2016, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter.

Site Plan Amendment No. 82001021E

Staff recommends approval of Site Plan Amendment No. 82001021E, The Collection I, for modifications to the public use and amenity space, on-site pedestrian and vehicular circulation, and architecture. The Amendment also modifies the parking requirements to reflect the specifications of the current Zoning Ordinance approved on October 30, 2014, as allowed under Section 59-7.7.1.B.3.b. . All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required. The Amendment adds the following conditions, and all previous conditions of approval remain valid and binding. In the event of a conflict between the following conditions and those of previous approvals, the conditions as amended shall control.

1. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities on the Subject Property including, but not limited to pedestrian pathways, landscaping, hardscape, recreation facilities, and public open space.

2. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety as required by Section 59-7.3.4.G.1. of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
 - b. The cost estimate must include applicable Site Plan Amendment elements, including, but not limited to plant material, on-site lighting, recreational facilities, art, site furniture, retaining walls, fences, railings, paths and associated improvements.
 - c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety will be followed by inspection and potential reduction of the surety.
 - d. The bond or surety must be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of development.
3. Certified Site Plan
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 forest conservation approval, stormwater management concept approval letter, Site Plan resolution(s), and the Art Review Panel letter on the approval or cover sheet(s).
 - b. Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
 - c. Ensure consistency of all details and layout between Site and Landscape Plans.
 - d. Modify data table to reflect development standards.
 - e. Provide vehicular and bicycle parking spaces in accordance with the Certified Site Plan.
4. Forest Conservation
Prior to certification of the revised Final Forest Conservation Plan (FFCP), the Applicant shall coordinate with Staff to address the following items:
- a. Coordinate all drawings to reflect the proposed condition, including plan notes and details.
 - b. Provide ISA-certified arborist evaluation/input for proposed work impacting trees to be preserved.
 - c. Details for the bench installations along Wisconsin Avenue need to be provided. The methods shall be coordinated with an ISA-certified arborist to avoid/minimize any impacts to the existing trees to be preserved.
 - d. Address forest conservation credit for any trees that are missing, in poor condition and/or declining health. Such trees will not be credited unless replacements are provided.
5. Montgomery Street
- a. The Certified Site Plan must include approved alternative options for the terminus of Montgomery Street.
 - b. If the Applicant selects the roundabout option for Montgomery Street and the Chevy Chase Village approves the roundabout option, then, if required, the Applicant must:
 - i. amend the existing special exception for the Saks Fifth Avenue property;
 - ii. amend Preliminary Plan No. 119990830 for the Collection to reflect the modification to Montgomery Street;
 - iii. bond and obtain the necessary approvals or permits from the Chevy Chase Village; and
 - iv. record new plats or documents in the land records to reflect the modification to Montgomery Street.

- c. The Applicant shall be permitted to obtain all necessary permits and approvals to implement and thereafter occupy all remaining portions of the Site Plan Amendment while pursuing the modifications and approvals necessary for the roundabout improvements to Montgomery Street.

6. Art Review

The Planning Board accepts the recommendations of the Art Review Panel in its letter dated July 27, 2016, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter.

SECTION 2: SITE DESCRIPTION

Site Vicinity and Analysis

The Subject Property is located in the wedge formed by Wisconsin Avenue and Western Avenue, NW, north of Wisconsin Circle. The Western Avenue, NW, right-of-way forms the border between the State of Maryland and the District of Columbia. Adjacent to the site to the northeast is Chevy Chase Village. To the west, across Wisconsin Avenue, are higher-density commercial and residential buildings. The Friendship Heights Metro station is located at the intersection of Wisconsin Avenue and Western Avenue, with entrances on all four corners. The general context of this area consists of higher-density development along Wisconsin Avenue scaling down to one-family residential behind.



Figure 1 – Site Aerial



Figure 2-Vicinity Map

The subject site is split-zoned CBD-1 and TS-M¹, with the Chevy Chase Neighborhood Retail Preservation Overlay Zone over the CBD-1 portion. It is currently occupied by the Chevy Chase Center shopping center, which includes a supermarket, several restaurants, and high-end retail development. Each of the buildings fronts directly onto Wisconsin Avenue, Wisconsin Circle, or a private interior drive. Surface parking lots above underground structured parking are located behind the buildings and are themselves buffered from the adjacent single-family residential development by a landscaped pedestrian path installed by the Applicant with the original development of this site. Vehicular entry to the site is provided off Wisconsin Circle, Wisconsin Avenue, Montgomery Street and Western Avenue, NW. There are no known rare, threatened, or endangered species on site.

¹ The CBD-1 and TS-M zones are being referenced here because Site Plans 820010130 and 820010210 were submitted prior to the adoption of the 2014 Zoning Ordinance that changed the zones.

Previous Approvals

Because the site is split-zoned CBD-1 and TS-M, the initial approvals for the project were conducted under separate mechanisms. For the CBD-1 portion of the site, the Planning Board approved Project Plan 919990020 on July 29, 1999, for 300,000 square feet of office, retail, and restaurant uses. For the TS-M portion, the District Council approved Local Map Amendment G-775 on February 27, 2001, allowing 112,000 square feet of office, retail, and restaurant uses.

Both parts of the development were combined into Preliminary Plan 119990830, which the Planning Board approved on May 31, 2001. On that date the Board also approved two site plans, 820010130 for the CBD-1 portion of the site and 820010210 for the TS-M section. The joint resolution, mailed December 20, 2001, reconfirmed the maximum development area established by the Project and Development Plans and established new public use and amenity space amounts.

On August 15, 2005, the Director of the Planning Department approved Site Plan Amendments 82001013A and 82001021A for minor changes to the site. On August 23, 2007, the Applicant submitted another Amendment, 82001021B, for outdoor restaurant seating in the TS-M area of the site; however, the Applicant withdrew the application on October 23, 2007.

On May 13, 2010, the Planning Board approved Project Plan Amendment 91999002A, for streetscape improvements on the CBD-1 portion of the site, and recommended approval of DPA 10-1, for modification of the central public space to allow for a private outdoor dining area, minor reconfiguration of the parking lot, and streetscape improvements on the TS-M portion of the site. On July 13, 2010, the District Council approved DPA 10-1.

On October 20, 2010, the Planning Board approved Site Plan Amendments 82001013B and 82001021C for: modifications of Farr Park to include a private dining area; upgrades to streetscape, including plantings, paving, and street furniture; reconfiguration of former taxi stand; and a waiver of limits for ground floor uses required by the overlay zone.

On January 16, 2013, the Director of the Planning Department approved Site Plan Amendment 82001021D to convert a portion of restaurant's outdoor private dining area to public use space and to add square footage to entrance vestibule of restaurant.

SECTION 3: PROJECT DESCRIPTION

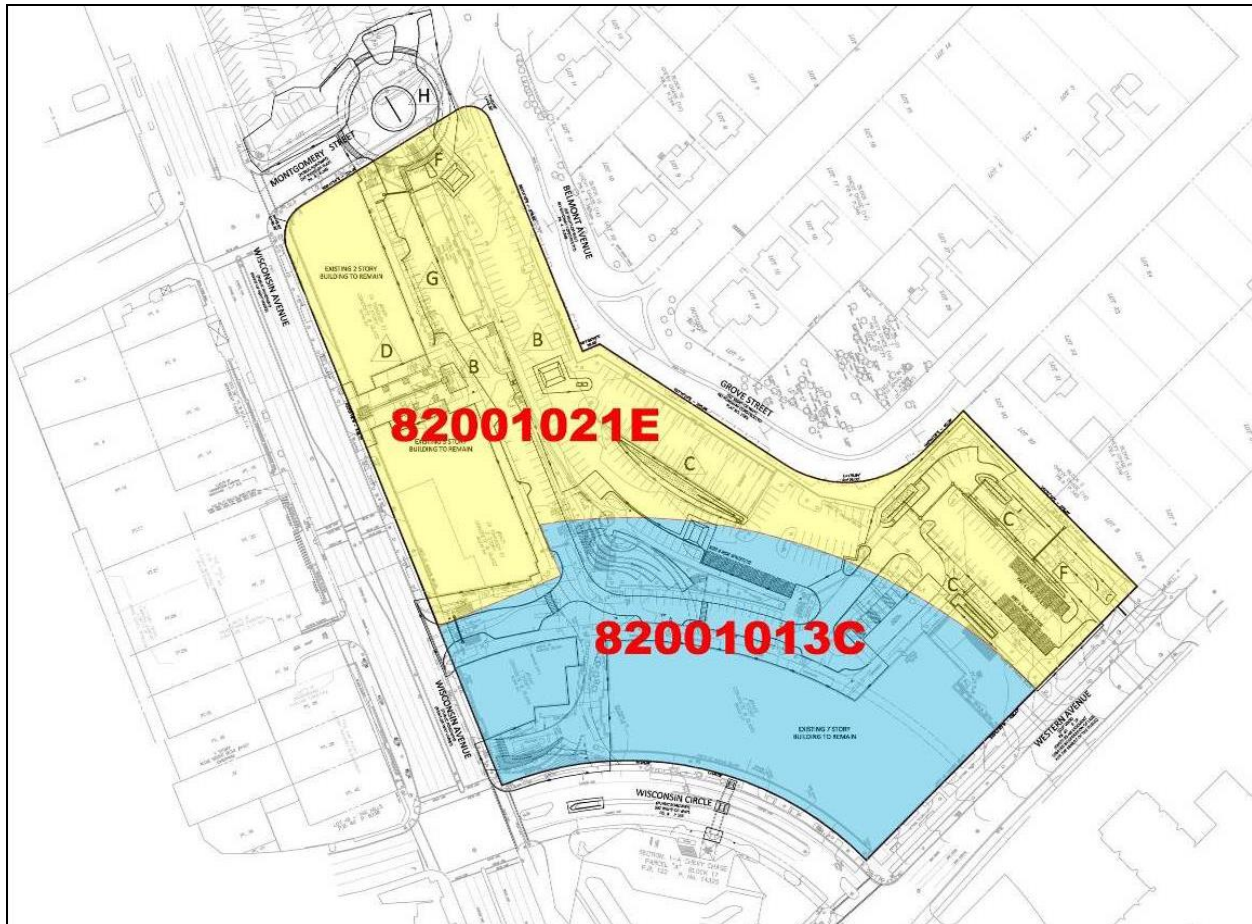


Figure 3 – Limits of Proposed Site Plan Amendments

Proposal

The Amendment proposes modifications to the public use and amenity space, on-site pedestrian and vehicular circulation, architecture, and calculation of on-site parking under the standards of the 2014 Zoning Ordinance. The Amendments will allow the Applicant to create a vibrant retail environment, which is unified under a common brand and visually connected and accessible to the surrounding community, to be called "The Collection Chevy Chase." The proposed modifications are intended to attract and maintain a desirable mix of tenants, improve internal site circulation, and activate the pedestrian environment.

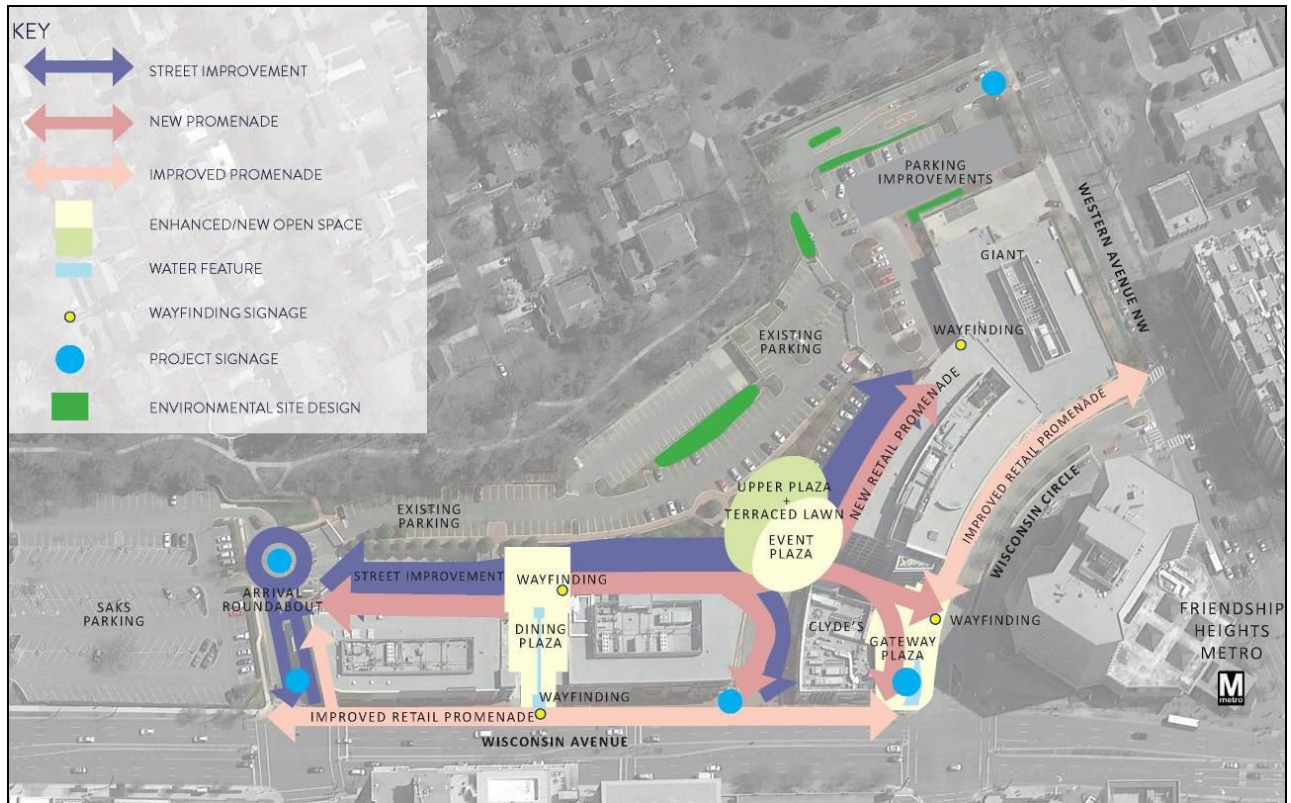


Figure 4-Site Plan Programming and Improvements Plan



Figure 5-Illustrative Site Plan

Public Use Space and Amenity Space

Outdoor Restaurant Seating

To help attract additional restaurant tenants to The Collection, the Applicant proposes to convert a portion of the existing public use space and previous vehicular and parking area into private outdoor seating for particular restaurant users. Importantly, because the other site modifications, as discussed further below, will create additional public use space, the proposed Amendment will result in a net increase in the public use space on-site from 32,848 square feet to 35,000 square feet.

Creation of Tiered Plaza

To create a vibrant retail environment, the Applicant is proposing to create a new tiered lawn and plazas behind The Collection. The tiered lawn and plazas will include two curved outdoor steps and will include decorative paving and ornamental landscaping (Figure 6). This space will draw patrons into the site and provide community gathering space that can serve as a platform for programmed events.

Vehicular access to the internal drive aisle, which is located adjacent to the proposed plaza along the rear of The Collection, will be controlled to allow the street to be closed to traffic for special events like concerts, markets, festivals, and performances. The area also will be designed with a flexible core that when programmed, will overlap with the lower plaza, internal drive aisle, and entrance drive to accommodate larger events and activities on-site.



Figure 6-Illustrative Tiered Plaza

Modifications to Johnston Park Plaza

Johnston Park Plaza, located at the corner of Wisconsin Avenue and Wisconsin Circle, serves as a gateway entrance to The Collection and is the first impression of many visitors. The Amendments seek to redesign Johnston Park Plaza to create a more inviting public space that serves as an icon for The

Collection. To accomplish this, the existing sculptures and fountain will be removed to allow for more public and private outdoor seating and dining areas. Moveable seating will be added to encourage visitors to interact within the Plaza, creating a more flexible and dynamic space.

Currently, a low wall separates the upper portion of Johnston Park Plaza and streetscape. While this separation is needed because of the grade change, the Applicant is proposing to replace the existing wall with a water wall and tiered landscaping in order to open up views to and from Johnston Park Plaza. The water wall also will serve as an icon for The Collection, as it will become the backdrop for illuminated lettering announcing "The Collection." The water wall will transition into tiered seating walls with lawn panels between each tier, providing visitors with various seating options and serving to break up the expansive paving along the Plaza edge. Trees and shade structures also will be incorporated into the Plaza to provide comfortable seating areas during all seasons. (Figure 7)



Figure 7-Illustrative Johnston Park Plaza

The adjoining paseo, adjacent to Clyde's restaurant, continues the design of Johnston Park Plaza, providing a connection between Wisconsin Avenue and the new tiered lawn and plazas, and retail promenade. The paseo will include outdoor seating areas, lighting and new landscaping.

Modifications to Farr Park

Farr Park, located along Wisconsin Avenue between retail buildings, is an underutilized space and the existing sculptures, water fountain, and screen wall are situated in a manner that impedes fluid and comfortable pedestrian movement. The Application proposes a significant redesign of the space into a series of outdoor rooms, which will include seasonal landscaping, decorative hardscaping, water features, lighting and site furniture to create a more inviting outdoor experience (Figure 8).

This redesign also will include eliminating the rear screen wall in an effort to extend the views beyond Farr Park to create a sense of openness and will provide more direct access to a flexible multi-use area abutting the garage beyond. Water features will be located at either end of Farr Park to tie the space together and help diffuse the noise of Wisconsin Avenue. Outdoor restaurant seating is proposed along the sides to help activate the public space. Communal seating will be used to reinforce the edges and separate the public spaces from the private dining areas. Lighting also will be integrated in Farr Park through over-head fixtures and lighting incorporated into the landscaping and hardscape to draw visitors through the space, create ambiance, and provide a ceiling to the outdoor rooms. The Project does not propose any changes to the size of Farr Park – Farr Park will continue to provide 9,000 square feet of public use space, which includes 875 square feet of previously approved outdoor private dining area.



Figure 8-Illustrative Farr Park

Artwork

As part of the effort to rebrand and refresh the site, the Applicant is proposing artistic elements to replace the existing on-site artwork, including the sculptured stones within Johnston Park Plaza and Farr Park, to be decommissioned (Figures 9 and 10).

As part of the prior approvals, the art located in Johnston Park was conditioned for the CBD portion of the site. As part of this Amendment, the Applicant is proposing additional public amenities and public use space that more than compensate for the removal of the art work in Johnston Park. For example, the inclusion of the tiered lawn and plazas is a substantial public amenity (located within the CBD portion of the site) that will serve the public well.



Figure 9-Existing Artwork Location

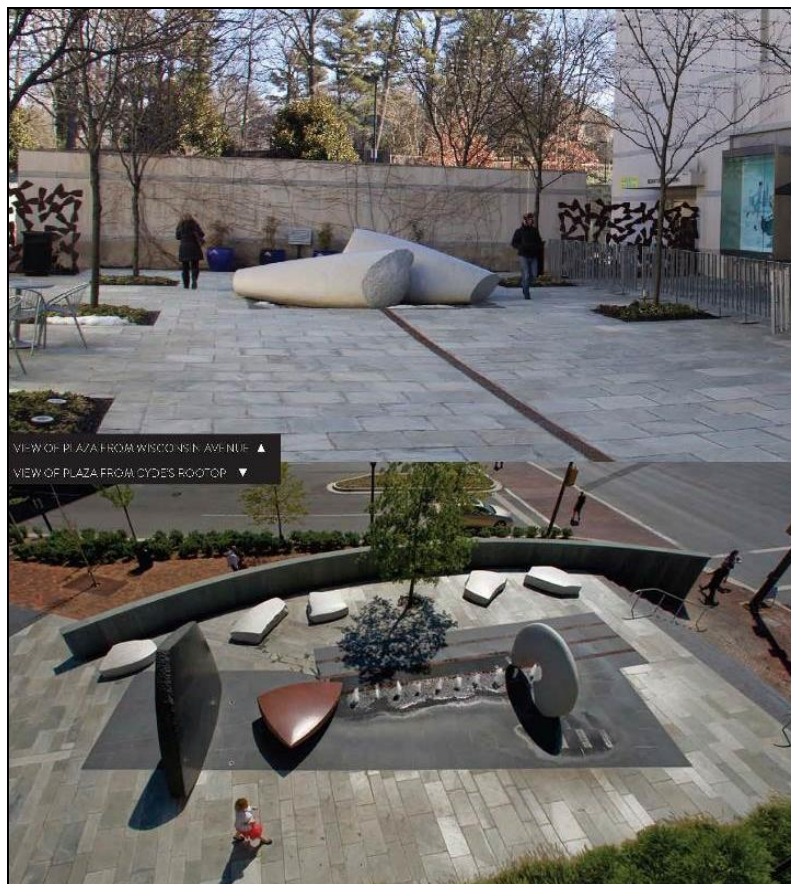


Figure 10-Existing Public Art

The Applicant presented their strategy to the Art Review Panel on July 20, 2016 (Attachment A). The Panel reviewed the proposed changes, recommended approval of decommissioning the public art and suggested that the Applicant strongly consider hiring a professional public artist. The Applicant has agreed to consider hiring a professional public artist to focus on certain function elements that are already a part of the proposed Site Plan Amendments.

Circulation

Modifications to Improve On-Site Circulation

To create a vibrant and active retail experience, the Amendments propose to transform the internal private drive aisle, located along the rear of The Collection, into a retail promenade that blends vehicular, bicycle, and pedestrian circulation. Specifically, the existing drive aisle and perpendicular parking spaces will be reconfigured into a two-way travel lane with parallel parking and wider sidewalks. Special paving treatments will be used to signal drivers that they have entered a pedestrian realm. The retail promenade will promote retail exposure and activity, with street trees and on-street parking to ensure pedestrian safety. Improved signage also will be introduced to enhance wayfinding and branding and improve pedestrian and vehicular circulation.

Vehicular access to the internal drive aisle will be controlled to allow the street to be closed for special events. During these special events, vehicular circulation will continue to be accommodated on-site from both Montgomery Street and Western Avenue. Additionally, Wisconsin Circle will remain open to vehicular circulation at all times and will provide access to the structured parking garage.

The Applicant is also proposing to construct a lay-by along the internal private drive, directly in front of the Clyde's restaurant space to accommodate drop-off space for patrons who need special assistance accessing the site, without impeding on-site circulation.

The Amendments also propose improvements along the perimeter and internal streetscapes in order to create inviting pedestrian streets. The streetscapes will feature new landscaping and inviting site furniture to provide additional seating opportunities for patrons. Parallel parking spaces will be provided along Wisconsin Circle and are currently provided along Wisconsin Avenue as a buffer and traffic-calming mechanism. A new midblock crosswalk on Wisconsin Circle will connect the Chevy Chase Metro Building, located above the Metro Station and WMATA bus facility, to The Collection. Additionally, the existing vehicular access point along Wisconsin Avenue will be narrowed to improve pedestrian access and safety, and to accommodate additional outdoor public/private seating opportunities on the north side of the street.

The Applicant further proposes to relocate existing parking ticket dispensers and barrier gates deeper into the site. This modification will promote more efficient circulation pattern, decreasing the potential for vehicular queuing onto the adjacent rights-of-way, and eliminating barriers in highly visible locations.

Speed humps also will be provided internal to the site along the private driveway to discourage cut-through traffic from Western Avenue. Additionally, to ensure pedestrian safety, the Applicant will incorporate raised crosswalks, special paving treatments and additional signage in the area immediately surrounding the pedestrian crossing which connects the pedestrian path along the eastern boundary of the Property from the Chevy Chase Village to The Collection, in an effort to alert vehicles to pedestrian activity.

Montgomery Street

To create a more inviting pedestrian entrance to the Property, the proposal presents two options for the redesign of Montgomery Street along the northern site boundary. Today the street paving terminates at the entrances to the parking lots for the Collection and the adjacent Saks Fifth Avenue store. The right-of-way continues, unpaved, through a landscape area into the adjacent residential neighborhood before becoming a paved street once again. The street right-of-way is governed by Chevy Chase Village, with whom the Applicant and Staff have been working to explore and evaluate the two options. In order to provide flexibility moving forward, the Applicant is seeking approval from the Planning Board for both alternatives.

The first alternative creates a traffic circle serving the adjoining retail properties to improve vehicular turning movements and provide more efficient internal circulation. To create a more inviting pedestrian entrance to the Property, the proposed design of Montgomery Street will incorporate additional landscaping and decorative hardscaping. The proposed traffic circle is intended to improve vehicular turning movements at the end of Montgomery Street and provide more efficient internal circulation. The entire roundabout, including the sidewalk around its perimeter, will be raised and incorporate special paving. Additional directional signage along Montgomery Street is proposed to improve pedestrian and vehicular wayfinding. In the event that the Applicant chooses to forgo the roundabout options or the proposed modifications are not approved by the Chevy Chase Village, the Applicant has prepared a second alternative design that incorporates the streetscape improvements intended to achieve the look and feel of a boulevard entrance, but which does not include the traffic circle.

Wisconsin Circle

The Applicant is also proposing improvements to the pedestrian and vehicular circulation along Wisconsin Circle. Specifically, this Amendment seeks approval of two alternative design solutions for Wisconsin Circle. At this point in time, the Applicant is not certain which option it will implement along Wisconsin Circle. There are cost implications in terms of moving the curb line to accommodate the additional four parallel parking spaces as well as modifications to the existing streetscaping. The Applicant will need to finalize details with the Montgomery County Department of Permitting Services-ROW Permitting and Plan Review Section and those details may influence the option that ultimately is implemented.

In both scenarios, a new midblock crosswalk will be provided to connect the Chevy Chase Metro Building, located above the Metro Station and WMATA bus facility, to The Collection. Additionally, under both options, the existing taxi stand, located along Wisconsin Circle near the intersection with Western Avenue, will remain in essentially its present location and two painted parallel parking spaces will be provided in front of the retail to the west of the taxi stand.

The second alternative further proposes to provide four additional parallel parking spaces between Western Avenue and the proposed crosswalk. These spaces will be accommodated outside of the existing drive-aisle and will require relocation of the curb and narrowing of the sidewalk to approximately 13 feet wide and the Applicant will provide a public improvement easement to accommodate pedestrian movement. The parallel parking spaces along Wisconsin Circle will serve as a buffer for pedestrians and traffic-calming mechanism.

Under either scenario, Wisconsin Circle will continue to provide the necessary lane widths to accommodate Fire and Rescue.

Modifications to the Architecture

The proposed building footprints will not change and no additional floor area is proposed by this modification. The Applicant is proposing to alter the existing retail/restaurant spaces along Wisconsin Avenue to allow for some smaller spaces that appeal to a broader retail/restaurant market. The retail/restaurant spaces will be designed to have frontage along both Wisconsin Avenue and the internal private drive to further activate the total pedestrian environment.

Additionally, to activate the buildings' frontages and attract desirable retail/restaurant tenants, the Applicant proposes architectural modifications to the storefronts along Wisconsin Avenue, Wisconsin Circle, and the internal private drive to allow for unique storefronts and retail expressions creating a more vibrant retail environment.

The Applicant proposes to create Design Guidelines that are intended to establish a set of parameters for quality design and materials for all retail tenants, while still providing sufficient flexibility to promote individual tenant identity. These Amendments will permit individual tenants to establish unique storefronts without the need for additional Site Plan approvals/modifications and will be noted on the Certified Site Plan.

Modifications to Parking

The site design for the project results in a more pedestrian friendly and activated site compared to what presently exists. In order to achieve this new design, pull in parking in certain locations has been replaced with parallel parking and some parking has been eliminated for the creation of the tiered plaza and improvements to existing public use space. A modest amount of parking also was eliminated within the parking garage in order to accommodate the removal of an elevator and establishment of the tiered plaza. In addition, as part of the Amendments, the Applicant is proposing additional restaurant and outdoor café seating.

The Amendments accommodate parking through an on-site parking garage and surface parking. Pursuant to Section 7.7.1.B.3.b of the Zoning Ordinance that went into effect on October 30, 2014, the Applicant proposes to provide a sufficient number of on-site parking spaces, in accordance with applicable requirements for Commercial/Residential properties in a Reduced Parking Area. The Amendments propose to update the parking requirements to the specifications of the current 2014 Zoning Ordinance, which meets the County goals to discourage excessive automobile usage, given the Property's close proximity to transit. Section 6.2.3.B of the 2014 Zoning Ordinance requires a minimum of 839 parking spaces and a maximum of 1829 parking spaces for the overall development. The Amendment proposes to reduce the parking spaces from 1366 to 1270 total spaces, with the final number to be determined at Certified Site Plan. The total parking on-site will still exceed the minimum parking requirements.

The Applicant is providing greater pedestrian spaces and connectivity, both on and off site, restaurants and outdoor cafes, the tiered plaza and improvements to the existing public use spaces, and, at the same time, advancing the County's policies as it relates to parking, particularly for properties in close proximity to transit.

Community Outreach

The Applicant has met all signage, noticing, and submission meeting requirements. The Applicant posted three signs on the Property regarding the subject Project Plan Amendment and Site Plan Amendment. A notice about the Amendments was sent on April 6, 2016.

The Applicant has also met with the community to discuss the site plan amendments. The Applicant met with the Chevy Chase Village board members on April 4, 2016, a public meeting with the Village of Friendship Heights on April 7, 2016, the Friendship Heights Citizens Coordinating Committee meeting on April 20, 2016, and a public meeting with the Chevy Chase Village on May 2, 2016. The Applicant also attended the Friendship Heights Village Council meeting on May 9, 2016, met with the Chevy Chase Village board and staff on June 2, 2016 and presented the project to the West Montgomery Citizens Advisory Board on June 6, 2016.

Staff received correspondence from the Friendship Heights Village Council (Attachment C). At the time of the initial submission for Site Plan Amendment 82001013C, the Applicant was proposing to eliminate Condition No. 3, which requires a minimum 30,000 square foot grocery store on site. The Friendship Heights Village Council was not in favor of the removal of the condition. The Applicant has since withdrawn their request to eliminate Condition No. 3 at this time, therefore no discussion or consideration of this issue is necessary.

Planning Staff met with representatives of the Chevy Chase Village and received correspondence from the Chevy Chase Village, supporting the proposed Amendments, but with some concerns in regards to parking and parking management, vehicular access and circulation and pedestrian safety (Attachment D). In addition, Planning Staff has received correspondence from two citizens of Chevy Chase Village with concerns on the proposed changes to Wisconsin Circle (Attachment E). Planning Staff and the Montgomery County Department of Permitting Services-ROW Permitting and Plan Review Section have reviewed the proposed changes to Wisconsin Circle. Furthermore, the Applicant will need to finalize details with the Montgomery County Department of Permitting Services-ROW Permitting and Plan Review Section.

Planning Staff also received a letter of support from the Brookdale Citizens Association, dated August 15, 2016 (Attachment F).

SECTION 4: ANALYSIS AND FINDINGS

Section 7.7.1.B.3.a. of the Zoning Ordinance allows for an Applicant to amend any previously approved application under the development standards and procedures of the property's zoning on October 29, 2014, if the amendment: (i) does not increase the approved density or building height unless allowed under Section 7.7.1.C; and (ii) either: (a) retains at least the approved setback from property in a Residential Detached zone that is vacant or improved with a Single-Unit Living use; or (b) satisfies the setback required by its zoning on the date the Amendment or the permit is submitted. The Application complies with this section and accordingly, the Applicant seeks to amend the Site Plan approval under the standards of Section 59-C-2.42 of the Zoning Ordinance in effect on October 29, 2014.

Site Plan Amendment 82001013C

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 proposed Amendment 82001013C conforms to Project Plan 919990020, as amended, for the CBD-1 portion of the property. The Amendment seeks approval of modifications intended to rebrand and revitalize the retail environment. The proposed Amendment will not increase the square footage or building height on site and will result in a net increase in public use space. Additionally, the existing uses on-site will remain unchanged.

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.*

The proposed Amendment continues to satisfy all of the requirements of the CBD-1 Zone and the Chevy Chase Neighborhood Retail Overlay Zone that were previously approved. Pursuant to Section 7.7.1.B.3.b of the New Zoning Ordinance, a sufficient number of onsite parking will be provided in accordance with applicable requirements for Commercial/Residential zoned properties in a Reduced Parking Area (Sections 6.2.3 and 6.2.4). This Property is not located within an urban renewal area. The Site Plan meets all of the development standards of the zone.

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

The Amendment is designed to improve and ensure the adequacy, safety, and efficiency of the overall development. The Amendment will result in significant improvements to the pedestrian environment and vehicular circulation. The redesign and reconfiguration of Johnston Park Plaza is intended to eliminate existing barriers and create more open and inviting public spaces. The Applicant is proposing to create a new tiered lawn and plazas behind The Collection. The tiered lawn and plazas will include two curved outdoor steps and decorative paving and ornamental landscaping. The open spaces, landscaping, and site details adequately and efficiently address the needs of the use while providing a safe and comfortable environment. Recreation facilities are not required for this Site Plan Amendment.

Sidewalks are provided as part of a complete network internal to the site and along all public rights-of-way. These sidewalks will further enhance the focus on pedestrian orientation in the area. Pedestrian access from adjacent sidewalks adequately and efficiently integrates this site into the surrounding area. Safety is enhanced by several improvements, including, but not limited to: a new flush street design for the internal driveway, traffic calming measures, and improved sidewalks that better serve pedestrian demand. The vehicular circulation design efficiently directs traffic into and through the site with minimal impacts to pedestrian circulation. As designed, the paved area for both pedestrians and vehicles reduces imperviousness on site from the existing conditions and is set as far from protected trees as possible.

With respect to traffic circulation on and adjacent to the subject site, circulation will be more efficient as a result of the proposed Amendment. Specifically, existing one-way drive aisles internal to the site will be converted to two-way operation and high quality design treatments will be implemented to improve pedestrian and traffic safety. Parking is provided in accordance with standards set forth in Section 59.6.2.4.C of the current Zoning Ordinance.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The Project is compatible with existing and future development surrounding the Property. The proposed Amendment will enhance The Collection's presence along this major thoroughfare and create a more vibrant shopping center that is reflective of the Property's location within close proximity to Metro. Because there are no changes in use, the proposed Amendment remains compatible with the uses surrounding 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 Application is subject to the Chapter 22A, Montgomery County Forest Conservation Law. The site is not associated with any forest areas or other environmentally sensitive resources. The existing Final Forest Conservation Plan (FFCP) approval met all of the 1.23-acre afforestation requirements onsite through landscape credit (the approved plans actually provided a surplus of tree credit). The currently proposed FFCP amendment includes an overall reduction in planting credit although other onsite plantings opportunities may exist, particularly along northeast boundary of the site. The ultimate plantings and associated credit will be addressed at the time of certified FFCP subject to Staff approval. Any FCP credit which is not appropriately satisfied onsite will be addressed in an offsite forest mitigation bank. Therefore, the plans will meet all applicable requirements of Chapter 22A.

A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on August 8, 2016. The plan proposes to meet stormwater management requirements through the use of micro-bioretenment and a bio swale.

Site Plan Amendment 82001021E

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 proposed Amendment 82001021E conforms to all non-illustrative binding elements that were approved as part of Local Map Amendment No. G-775 for the TS-M portion of the Property. The Amendment seeks approval of modifications intended to rebrand and revitalize the retail environment. The proposed Amendment will not increase the square footage or building height on site and will result in a net increase in public use space. Additionally, the existing uses on-site will remain unchanged.

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.*

The proposed Amendment continues to satisfy all of the requirements of the TS-M Zone. Pursuant to Section 7.7.1.B.3.b of the New Zoning Ordinance, a sufficient number of onsite parking will be

provided in accordance with applicable requirements for Commercial/Residential zoned properties in a Reduced Parking Area (Sections 6.2.3 and 6.2.4). This Property is not located within an urban renewal area. The Site Plan meets all of the development standards of the zone.

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

The Amendment is designed to improve and ensure the adequacy, safety, and efficiency of the overall development. The Amendment will result in significant improvements to the pedestrian environment and vehicular circulation. The redesign and reconfiguration of Farr Park is intended to eliminate existing barriers and create more open and inviting public spaces. The open spaces, landscaping, and site details adequately and efficiently address the needs of the use while providing a safe and comfortable environment. Recreation facilities are not required for this Site Plan Amendment.

Sidewalks are provided as part of a complete network internal to the site and along all public rights-of-way. These sidewalks will further enhance the focus on pedestrian orientation in the area. Pedestrian access from adjacent sidewalks adequately and efficiently integrates this site into the surrounding area. Safety is enhanced by several improvements, including but not limited to: a new flush street design for the internal driveway, traffic calming measures, and improved sidewalks that better serve pedestrian demand. The vehicular circulation design efficiently directs traffic into and through the site with minimal impacts to pedestrian circulation. As designed, the paved area for both pedestrians and vehicles reduces imperviousness on site from the existing conditions and is set as far from protected trees as possible.

With respect to traffic circulation on and adjacent to the subject site, circulation will be more efficient as a result of the proposed Amendment. Specifically, both proposed alternatives for Montgomery Street will improve pedestrian accommodation and either will serve as a traffic calming measure; high quality design treatments on the internal driveway will improve pedestrian and traffic safety. Parking is provided in accordance with standards set forth in Section 59.6.2.4.C of the current Zoning Ordinance.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The Project is compatible with existing and future development surrounding the Property. The proposed Amendment will enhance The Collection's presence along this major thoroughfare and create a more vibrant shopping center that is reflective of the Property's location within close proximity to Metro. Because there are no changes in use, the proposed Amendment remains compatible with the uses surrounding the Property.

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This Application is subject to the Chapter 22A, Montgomery County Forest Conservation Law. The site is not associated with any forest areas or other environmentally sensitive resources. The existing Final Forest Conservation Plan (FFCP) approval met all of the 1.23-acre afforestation requirements onsite through landscape credit (the approved plans actually provided a surplus of

tree credit). The currently proposed FFCP amendment includes an overall reduction in planting credit although other onsite plantings opportunities may exist, particularly along northeast boundary of the site. The ultimate plantings and associated credit will be addressed at the time of certified FFCP subject to Staff approval. Any FCP credit which is not appropriately satisfied onsite will be addressed in an offsite forest mitigation bank. Therefore, the plans will meet all applicable requirements of Chapter 22A.

A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on August 8, 2016. The plan proposes to meet stormwater management requirements through the use of micro-bioretenment and a bio swale.

STAFF RECOMMENDATION

The proposed modifications to the Site Plan 820010130 and 820010210 will not alter the overall character or impact of the development with respect to the original findings of approval. Further, these modifications will not affect the compatibility of the development with respect to the surrounding neighborhood. Staff recommends approval of Site Plan Amendment 82001013C and Site Plan Amendment 82001021E.

Attachments:

- A. Applicant's Art Review Panel Submission
- B. Art Review Panel's letter
- C. Citizen Correspondence-Village of Friendship Heights
- D. Citizen Correspondence-Chevy Chase Village Board of Managers
- E. Citizen Correspondence-Chevy Chase Village
- F. Citizen Correspondence-Brookdale Citizens Association
- G. Site Plan 820010130 and 820010210 Opinion