



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

MCPB No. 16-121
Sketch Plan No. 320170040
The Crescent at Chevy Chase
Date of Hearing: November 17, 2016

DEC 21 2016

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review sketch plan applications; and

WHEREAS, on August 10, 2016, Newdale Mews, LLC (“Applicant”) filed an application for approval of a sketch plan for construction of up to 129,742 square feet of residential uses, consisting of up to 135 dwelling units, including 12.5% moderately priced dwelling units (“MPDUs”), on 1.98 acres of CRT 1.5, C 0.25, R 1.5, H 50 zoned-land, located on the north side of Newdale Road, 200 feet west of Connecticut Avenue (“Subject Property”) in the Bethesda/Chevy Chase Policy Area and *Chevy Chase Lake Sector Plan* (“Sector Plan”) area; and

WHEREAS, Applicant’s sketch plan application was designated Sketch Plan No. 320170040 The Crescent at Chevy Chase (“Sketch Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated November 4, 2016, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions (“Staff Report”); and

WHEREAS, on November 17, 2016, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain binding elements and conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320170040, The Crescent at Chevy Chase, for construction of up to

Approved as to
Legal Sufficiency: 
M-NCPPC Legal Department

129,742 square feet of residential uses, consisting of up to 135 dwelling units, including 12.5% MPDUs, on the Subject Property, subject to the following binding elements and conditions:¹

A. Binding Elements. The following site development elements are binding under Section 59-7.3.3.F of the Montgomery County Zoning Ordinance:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location of vehicular access points; and
4. Public benefit schedule.

All other elements are illustrative.

B. Conditions. This approval is subject to the following conditions:

1. Density

The development is limited to a maximum of 129,742 square feet of multi-family use consisting of up to 135 dwelling units, including 12.5% MPDUs onsite.

2. Height

The development is limited to the maximum height of 50 feet, as measured from the approved building height measuring point for each building.

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59-7.3.3.I. Total points must equal at least 50 and be chosen from at least three categories as required by Section 59-4.5.4.A.2. The requirements of Division 59-4.7 and the *Commercial/Residential and Employment Zones Incentive Density Implementation Guidelines* must be fulfilled for each public benefit proposed. Final points will be established at site plan approval.

- a. Transit Proximity, achieved through proximity to a future Purple Line station;
- b. Connectivity and Mobility, achieved through provision of fewer than the maximum parking spaces;
- c. Diversity of Uses and Activities, achieved through providing a mix of dwelling unit types and enhanced accessibility for the disabled; and

¹ For the purpose of these binding elements and conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

- d. Quality of Building and Site Design, achieved through structured parking and exceptional design;

4. Commencement of Construction

The Applicant must not begin excavation or construction until construction of the Purple Line between Bethesda and Silver Spring has started.

5. Building Placement

The minimum building setback from the rear property line must be not less than 37.5 feet. At the time of site plan review, the Applicant must address garage setback and the need for tree protection on or near the rear lot line in relation to zoning requirements and Sector Plan recommendations.

6. Shared Use Path

The Applicant must participate in the implementation of the sector-planned shared-use path on the south side of Newdale Road between Connecticut Avenue and the end of Newdale Road. The extent of participation will be determined at the time of site plan review.

7. Street Trees

The Applicant must plant street trees along the Subject Property frontage on the northwest side of Newdale Road.

8. Environment

The following items must be addressed at the time of preliminary plan or site plan submission, as appropriate:

- a. The Applicant must submit a noise analysis prepared by an engineer specializing in acoustics that quantifies the existing and 20-year projected noise levels and addresses the type and locations of noise mitigation techniques that may be required to appropriately attenuate noise levels for any affected dwelling units and areas of common outdoor activity, as applicable.
- b. The Applicant must identify proportionate enhancement project(s) within the same watershed as the Subject Property, which may include elements such as removal of invasive species and plantings of native species.
- c. The Applicant must address NRI/FSD approval and forest conservation and variance requirements.
- d. The Applicant must provide appropriately-sized planting beds (to accommodate mitigation plantings) that are free and clear of buildings, structures, utilities and conflicting easements, and that are readily capable of sustaining the mitigation plantings so that they will ultimately replace the form and function, especially canopy spread, of the resources removed.

- e. Additional onsite green space areas may be necessary to satisfy the requirements.

9. Transportation

The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated September 20, 2016, and incorporates them into the Sketch Plan approval. The Applicant must address each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Sketch Plan approval.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Board finds that as conditioned the necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan and that:

- 1. *The Sketch Plan meets the objectives, general requirements, and standards of the Zoning Ordinance.*

- a. Development Standards

The Subject Property includes approximately 1.98 acres zoned CRT 1.5, C 0.25, R 1.5, H 50. The data table below demonstrates the Application’s conformance to the applicable development standards of the zone.

Data Table

Table 1-Sketch Plan Data Table			
Section	Development Standard	Permitted/ Required	Approved
59 - 4	Gross Tract Area (sf)	n/a	86,495
	Prior Dedication (sf)	n/a	23,184
	Net Lot Area (sf)	n/a	63,311
4.5.4.B.2. b	Density CRT-1.5, C-0.25, R-1.5, H-50 Commercial FAR/GFA Residential FAR/GFA TOTAL FAR/GFA	0.25/21,623 1.5/129,742 1.5/129,742	0/0 1.5/129,742 1.5/129,742
4.5.4.B.2. b	Building Height (feet) CRT-1.5, C-0.25, R-1.5, H-50	50	50
4.5.4.B.3	Minimum Setback (feet) From R.O.W. From rear property line	0 37.5 ¹	0 37.5
4.5.4.B.1	Open Space Public Open Space (%/sq. ft.)	0/0	0/0
6.2	Parking (spaces) Residential uses	74-203	115

¹ Per the compatibility requirements of Section 4.1.8.A.2., the minimum rear setback is 1.5 times the minimum rear setback of the adjacent R-90 zone, that is 25 feet x 1.5, which is 37.5 feet. At the time of site plan, the Applicant will be required to address the garage setback in relation to zoning and master plan requirements.

b. General Requirements

The intent of the CRT zone is to:

- a) *Implement the recommendations of applicable master plans.*

As discussed in Finding 2 below, the Application substantially conforms to the recommendations of the Sector Plan. The Application responds to the Sector Plan's main goals, including enhancing the community character, providing transit-oriented, residential development, and ensuring compatibility with adjacent single-family residences.

- b) *Target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses.*

The Application provides an opportunity to redevelop the existing low-density, multi-family residential apartment buildings and associated surface parking with a residential development that responds to its location within the Chevy Chase Lake Center area (as identified in the Sector Plan) and within walking distance of the future Purple Line station. The Application will eliminate all surface-level parking currently provided on the Subject Property and will replace it with buildings that will be built along the public sidewalk with structured parking below, improved pedestrian areas, and stormwater management where none currently exists.

- c) *Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The Application incorporates a variety of housing options, including a diverse range of unit sizes and MPDUs, near the future Purple Line station. The residential development in the Application will support the existing and proposed commercial uses within the Chevy Chase Lake Center. The Application will also improve pedestrian and bicycle access, which will facilitate multiple modes of transportation and provide improved access to the Subject Property. Parking will be provided in underground garages, not between the building and the street.

- d) *Allows a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.*

The Application provides a context-sensitive design and will complement the surrounding uses – the taller side of the buildings are located toward the front of the Subject Property, adjacent to the Newdale Road and the future Purple Line beyond, and the lower side of the buildings will face the one-family dwellings to the rear.

- e) *Integrate an appropriate balance of employment and housing opportunities.*

The Sector Plan recommends that commercial uses be minimized or completely absent on the Subject Property. As recommended, the

Application provides residential uses, adding to the housing diversity in Chevy Chase Lake.

- f) *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

As discussed in finding 6 below, the Application will provide the required public benefits from a minimum of three categories to achieve the desired incentive density above the standard method limit.

2. *The Sketch Plan substantially conforms to the recommendations of the Sector Plan.*

The 2013 *Chevy Chase Lake Sector Plan* includes recommendations both general to the Sector Plan area and specific to the Subject Property that are organized into four categories: Community Character, Land Use, Access, and Environment.

Community Character

To enhance the compatibility of new development with the surrounding neighborhood, the Sector Plan identifies three “Criteria for Compatibility”: Scaled for People, Tradition(al); and Nature and the Garden (p. 23-24). For the Subject Property, these criteria address a welcoming human scale: “Purely residential streets should be lined with two-story homes that sit close to one another and to the street. Along tree-shaded sidewalks, frequent stoops, lead walks, and entries will help create an intimate neighborhood setting.” The buildings should have a traditional architectural character. Finally, the development should respect the community’s “green and leafy character” by integrating native trees and plantings.

For the green buffer between the new development and the existing homes, the *Design Guidelines* that accompany the Sector Plan (pp. 42-43) provide:

- Based on an arborist’s recommendations, retain existing, healthy trees within the buffer;
- The buffer should be located on uncompacted soil where possible. When feasible, minimize the extent to which the buffer encroaches onto a structure and minimize the use of planters;
- Use plants suited to local site conditions;
- Use low walls or terraces to accommodate grade changes between the Newdale Mews property [the Subject Property] and adjacent homes;
- Use fences or trellises and intervening landscaping to screen adjacent homes; and

- Consult with adjacent neighbors when developing a landscaping plan, paying particular attention to providing some winter light and strategically placing taller evergreens to enhance longer distance views.

Though conceptual in nature, the precedent images the Applicant has included with the Application show a traditional character with front doors on the street and stoops and lead walks for units along Newdale Road. Further, the landscape concept includes grassy front yards, street trees, and a landscaped rear garden that enhances the green and leafy neighborhood character. At the time of site plan review, the Applicant will provide further detail as to how the landscape design is consistent with the Sector Plan and Design Guidelines. Further, the Applicant must address the location of the garage in relation to both the community character recommendations of the master plan and any applicable zoning setback requirements.

Land Use

Under the redevelopment included in this Application, the Subject Property is one that “may not develop to the limit of the new zone until ... construction of the Purple Line between Bethesda and Silver Spring has started” (p. 20). The Subject Property is discussed under the section titled “Sites that may not fully develop until after the Purple Line,” Newdale Mews (p. 29-30). The Sector Plan recommends redeveloping the Subject Property to increase the supply of multi-family housing, while minimizing or eliminating commercial uses on the Subject Property. In addition to recommending a maximum building height to 50 feet, the Sector Plan explicitly limits building height to four stories.

The Sector Plan also emphasizes that redevelopment of the site maximize compatibility with the single-family homes to the north, calling out four issues for particular attention:

- Solar access and shading;
- Maintaining and extending building setbacks from the existing single-family residential properties: new development should be set back from the rear property line between 35 and 50 feet;
- Vegetative screening, including maintaining existing viable trees and increasing landscaping to create an attractive buffer between existing homes and new development; and
- View corridors between the new buildings.

The 2014 *Design Guidelines* that accompany the Sector Plan provide further guidance (p. 42-43).

For building form, location, and design, the Guidelines direct:

- Reference the architectural forms, rooflines, materials, design details and proportions of neighboring homes;
- To maximize views for neighboring homes, arrange new buildings with intervening open spaces that open to Newdale Road to provide attractive views through the site for neighbors.
- Orient balconies, terraces, doors and windows to avoid direct views into adjacent homes and backyards. When not possible, use architectural screens to minimize impacts.

As conditioned, the Application will not be able to begin construction until after the Purple Line begins construction. The schematic drawings and precedent images included in the Sketch Plan conform to the land use recommendations of the Sector Plan and Design guidelines. The drawings and images illustrate an architectural massing and character and landscape concept that minimizes the relative scale of the new development, affords views through the Subject Property, and provides landscaped edges to soften the visual impact of the new development.

Access

To improve bicycle and pedestrian access within the larger Chevy Chase Lake Center, the Sector Plan recommends construction of a shared-use path along the “south side of Newdale Road between the Capital Crescent Trail ramp and Connecticut Avenue,” identified as route number “LB-4” (p. 42, 45). Additionally, the Sector Plan recommends that new development “maximize opportunities to improve the pedestrian and bicycle access to the Capital Crescent Trail” (p. 47).

As conditioned, the Sketch Plan includes the recommended shared-use path and so conforms to the access recommendations of the Sector Plan.

Environment

To maintain and improve the quality of the natural environment in Chevy Chase Lake the Plan recommends:

to maximize tree cover for new development with overall goals of 25 to 30 percent tree canopy cover in the Chevy Chase Lake Center area. New development should also retain or improve canopy cover throughout the [Sector] Plan Area, within street medians, along new and existing streets... The likely removal of many existing, mature trees along the Capital Crescent Trail during the construction of the Purple Line reinforces the need to plant new ones. To expand the tree canopy in Chevy Chase Lake, they must

be planted in association with new development or redevelopment projects. (p. 49)

As illustrated in the Sketch Plan, the Applicant will plant street trees along both sides of Newdale Road to maintain the green residential character of the street. In addition, a canopy exhibit will be required during preliminary plan review to demonstrate conformance with this Sector Plan recommendation.

The Sector Plan also recommends that development projects provide stream restoration work and/or riparian forest enhancements within the same watershed that include elements such as bank stabilization, removal of invasive species, and planting of native species (an objective of the Sector Plan, page 49). This theme is also reflected on Page 19 "Preserve the community character of Chevy Chase Lake by ...restoring Coquelin Run..." There are ample opportunities within the Sector Plan area for offsite forest enhancements (or other restoration efforts) in the Coquelin Run watershed that will need to be explored at the preliminary and/or site plan stages in order to make the finding of substantial conformance with the Sector Plan.

3. *The Sketch Plan satisfies, under Section 7.7.1.B.5 of the Zoning Ordinance, the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

The Sketch Plan is not subject to a development plan or schematic development plan.

4. *The Sketch Plan achieves compatible internal and external relationships between existing and pending nearby development.*

The Application provides a context-sensitive design and will be compatible with the surrounding uses – the taller side of the buildings are located toward the front of the Subject Property, adjacent to the Newdale Road and the future Purple Line beyond, and the lower side of the buildings will face the one-family dwellings to the rear. The Application adheres to the height and density recommendations contained in the Sector Plan and the Zoning Ordinance. The Application will provide additional residential development, near transit, that will promote the creation of a livable and compact Chevy Chase Lake Center. Additionally, the architectural design has been specifically designed to enhance the pedestrian realm by providing front doors and lead walks at the sidewalk for several units that face Newdale Road.

5. *The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.*

The Subject Property is within walking distance of the future Purple Line station on the east side of Connecticut Avenue. The Application will satisfy the applicable minimum parking requirements on-site. The Application will improve pedestrian circulation by providing new streetscape and accommodating a shared-use path on the south side of Newdale Road that will provide connectivity to the Capital Crescent Trail. Loading will be accommodated on the Subject Property, in the courtyard between the two garage entrances.

6. *The Sketch Plan proposes an outline of public benefits that supports the requested incentive density and is appropriate for the specific community.*

Under Section 59.4.7.1.B, in approving any incentive FAR based on the provision of public benefits, the Planning Board must consider:

1. the recommendations of the applicable master plan;
2. *CR Zone Incentive Density Implementation Guidelines*;
3. any design guidelines adopted for the applicable master plan area;
4. the size and configuration of the site;
5. the relationship of the site to adjacent properties;
6. the presence or lack of similar public benefits nearby; and
7. enhancements beyond the elements listed in an individual public benefit that increase public access to, or enjoyment of, the benefit.

The Planning Board finds that the public benefits proposed by the Applicant as set forth in the following table are appropriate in concept and appropriate for further detailed review. Final determination of public benefit point values will be determined at Site Plan(s).

Table 2- Sketch Plan Public Benefits Calculations

Public Benefit	Incentive Density Points		
	Total Points Possible	Requested	Approved in Concept
4.7.3.B: Transit Proximity	15	12.5	12.5
4.7.3.C: Connectivity and Mobility			
Minimum Parking	10	7.2	7.0
4.7.3.D: Diversity of Uses and Activities			
Dwelling Unit Mix	10	5	5
Enhanced Accessibility for the Disabled	20	4.4	4.4
4.7.3.E: Quality of Building and Site Design			
Exceptional Design	10	10	10
Structured Parking	20	19.6	19.8
TOTAL	50 Required	58.7	58.7

Transit Proximity

The Subject Property is located within ¼ mile of the future Chevy Chase Lake Purple Line station, which allows the Application to be eligible for Level 2 transit as defined in the Zoning Ordinance. The Planning Board approves in concept the full 12.5 points as provided in the Zoning Ordinance for CRT-zoned properties that are within ¼ mile of an existing or Master Planned rail station.

Connectivity and Mobility

Minimum Parking: The Application provides fewer than the maximum number of allowed parking spaces. The maximum number of allowed spaces is 203, but the Application will provide 115 spaces. The Planning Board approves in concept seven points.

Diversity of Uses and Activities

Dwelling Unit Mix: The Application provides a mix of dwelling units that will include at least 7.5% efficiencies, 8% one-bedrooms, 8% two-bedrooms and 5% three-bedrooms. The Planning Board approves in concept the five points allowed for projects that attain these minimums.

Enhanced Accessibility for the Disabled: The Application will provide at least two dwelling units that satisfy the ANSI A117.1 Residential Type A

standards for accessibility, or an equivalent County standard. The Planning Board approves in concept 4.4 points.

Quality of Building and Site Design

Exceptional Design: Incentive density of up to 10 points is appropriate for development that meets at least four of the following criteria, and ten points for development that meets all of them:

- Provides innovative solutions in response to the immediate context
- Creates a sense of place and serves as a landmark
- Enhances the public realm in a distinct and original manner
- Introduces materials, forms, or building methods unique to the immediate vicinity or applied in a unique way
- Uses design solutions to make compact infill development living, working, and shopping environments more pleasurable and desirable on a problematic site
- Integrates low-impact development methods into the overall design of the site and buildings, beyond green building or site requirements.

The Application is a sketch plan, which is by its nature is general and preliminary. As such, architectural elevations and renderings have not been included in the Application. The Application requests 10 points for exceptional design. At the time of site plan approval, the Planning Board will evaluate the site design and architecture of the building and determine the appropriate number of points in this category.

Structured Parking: The Applicant requests 19.6 points for structured parking consisting of 113 below-grade spaces and two above-grade spaces. This incentive is granted on a sliding scale based on the percentage of spaces provided above and below grade. Based on this calculation, the Planning Board approves in concept 19.8 points.

7. The Sketch Plan establishes a feasible and appropriate phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.

The new development included in the Application will be built in one phase.

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at site plan, when, based on detailed review the Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the Sector Plan, or other requirements; and

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that all binding site development elements shown on the latest version of The Crescent at Chevy Chase Sketch Plan 320170040, received by M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of 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 ~~DEC 21 2016~~ (which is the date that this Resolution is mailed to all parties of record); and

* * * * *

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 Vice Chair Wells-Harley, seconded by Commissioner Fani-González, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Fani-González and Cichy voting in favor, and Commissioner Dreyfuss absent at its regular meeting held on Thursday, December 8, 2016, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board