



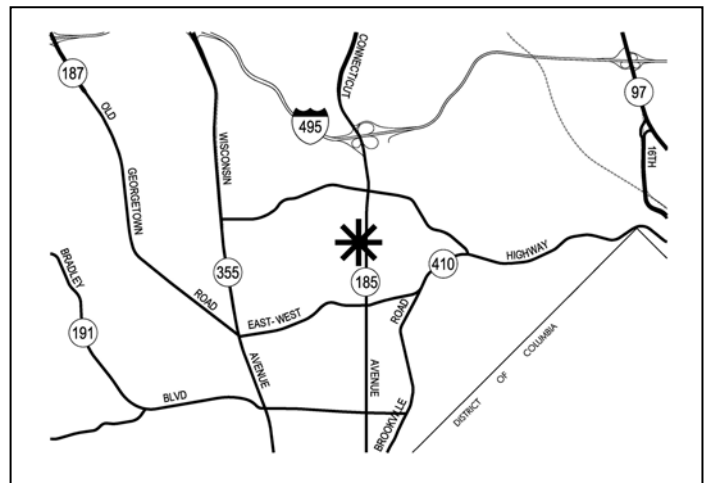
The Crescent at Chevy Chase, Preliminary Plan No. 120180150 and Site Plan No. 820180130

CH | Elza Hisel-McCoy, Supervisor, Area 1, Elza.Hisel-McCoy@montgomeryplanning.org, 301.495.2115
MP | Mark Pfefferle, Interim Chief, Area 1, Mark.Pfefferle@montgomeryplanning.org, 301.495.4730

Description

Completed: 11.16.2018

- Creation of one lot for a multi-family residential development with up to 129,742 total square feet for up to 111 multi-family dwelling units;
- Current use(s): Garden Apartments;
- Located on the north side of Newdale Road, 200 feet west of Connecticut Avenue;
- 1.98 gross acres zoned CRT 1.5, C 0.25, R 1.5, H 50
- *Chevy Chase Lake Sector Plan* area;
- Applicant: Newdale Mews, LLC;
- Acceptance date: March 2, 2018



Summary

- Staff recommends approval of the Crescent at Chevy Chase Preliminary Plan and Site Plan with conditions.
- The Planning Board approved Sketch Plan 320170040 on November 17, 2016.
- The Applicant has worked extensively with Staff and neighbors to address design and compatibility issues on this uniquely constrained site. The resulting design creates a new and inviting sense of place at the end of a one-block street that is also the Purple Line's and Capital Crescent Trail's gateway into Chevy Chase Lake. The deceptively simple design skillfully balances all of the requirements of the program, the recommendations of the Chevy Chase Lake Sector Plan, and development standards and other regulatory requirements.
- To further enhance the sense of place, the Applicant will be participating financially in the implementation of the Sector Plan-recommended shared-use path opposite the site that will connect the Capital Crescent Trail to Connecticut Avenue, committing to plant street trees along the completed path, and performing off-site environmental enhancements to the Coquelin Run stream valley.

SECTION 1: RECOMMENDATION AND CONDITIONS

Preliminary Plan No. 120180150

Staff recommends approval of Preliminary Plan 120180150. The development must comply with the binding elements and conditions of approval for Sketch Plan No. 320170040 as listed in the MCPB Resolution No. 16-121 dated December 21, 2016.

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 except as modified by the following conditions.

1. This Preliminary Plan is limited to 1 lot for up to 111 multi-family dwelling units with 12.5% MPDUs.
2. The Adequate Public Facility ("APF") review for the Preliminary Plan will remain valid for sixty-one (61) months from the date of mailing of this Planning Board Resolution.
3. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letters dated October 5, 2018, and November 13, 2018, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with other conditions of the Preliminary Plan approval.
4. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
5. In accordance with the MCDOT letter, the Applicant must pay to MCDOT \$29,968 for the Newdale Road Bicycle side path prior to recordation of any plat associated with the Subject Application.
6. The Planning Board accepts the recommendations of the Maryland State Highway Administration ("SHA") in its letter dated October 22, 2018, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDSHA if the amendment does not conflict with other conditions of the Preliminary Plan approval.
7. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its stormwater management concept letter dated October 12, 2018, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with other conditions of the Preliminary Plan approval.
8. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS"), Fire Department Access and Water Supply Section in its letter dated October 23, 2018, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.
9. The record plat must show necessary easements.

10. In lieu of right-of-way dedication, along the Newdale Road property frontage, the Applicant must provide and show on the record plat a 5' public improvement easement (PIE).
11. The Applicant must construct all road improvements within the rights-of-way shown on the approved Preliminary Plan to the full width mandated by the master plan and/or to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the Preliminary Plan, "To Be Constructed By _____" are excluded from this condition.
12. Before submitting a record plat application or clearing or grading the Subject Property, the Applicant must receive Staff certification of Site Plan No. 820180130.
13. If a future site plan or site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan amendment.
14. No clearing or grading of the site prior to recordation of plat.
15. The Applicant must include the stormwater management concept approval letter and Preliminary Plan Resolution on the approval or cover sheet(s).
16. The certified Preliminary Plan must contain the following note:

Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

Site Plan No. 820180130

Staff recommends approval of Site Plan 820180130. The development must comply with the binding elements and conditions of approval for Sketch Plan No. 320170040 as listed in the MCPB Resolution No. 16-121 dated December 21, 2016.

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 except as modified by the following conditions.

1. Density
The Site Plan is limited to a maximum of 129,742 square feet of residential development on the Subject Property, for up 111 number of units.
2. Height
The development is limited to a maximum height of 50 feet, as measured from the building height measuring point illustrated on the Certified Site Plan.

3. Moderately Priced Dwelling Units (MPDUs)

The Planning Board accepts the recommendations of Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated September 24, 2018, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.

- a) The development must provide 12.5% percent MPDUs or MCDHCA-approved equivalent on-site consistent with the requirements of Chapter 25A and the applicable Master Plan.
- b) Before issuance of any building permit for any residential unit(s), the MPDU agreement to build between the Applicant and the MCDHCA must be executed.

4. Landscaped Buffer

Within the landscaped buffer along the rear property line, the Applicant must:

- a. To further reduce to the greatest extent practicable impacts to existing trees to be retained, reduce the limits of disturbance (LOD) to exclude an area of six times the trunk diameter of the affected tree, as determined by Staff at Certified Site Plan;
- b. Provide additional plantings on-site along the new 6-foot privacy fence to provide additional visual buffer above the fence line, as determined by Staff at Certified Site Plan;
- c. Include provisions for ivy removal and canopy pruning; and
- d. Arborist oversight of plantings in coordination with MNCPPC Forest Conservation Inspection Staff.

5. Streetscape

- a. The Applicant must construct streetscape, including but not limited to street trees, street lighting, and sidewalk, along the Subject Property's frontage, as shown on the Certified Site Plan.
- b. Along the south side of Newdale Road, opposite the Subject Property's frontage, the Applicant must provide street trees along the planned shared-use path, to be implemented by others. If after a period of five years from the date of this resolution the shared-use path has not been completed, or if the implementation of the shared-use path does not provide a minimum planting area of 5 feet in which to plant the street trees, the Applicant is released from the requirements of Condition 5.b

6. Off-Site Environmental Enhancements

- a. Consistent with the recommendations of the Sector Plan and subject to the approval of the property owner, the Applicant must provide off-site environmental enhancements to three clearings on the 8100 Connecticut Avenue site where non-native invasive plants have prevented canopy trees and shrubs from growing.
- b. The final scope, general location and details of the enhancements must be shown on the Final Forest Conservation Plan (FFCP), and must include at a minimum the following elements, subject to Staff approval:
 - i. Utilize a rubber-tracked skid-steer forestry mower to cut and shred ground vines, honeysuckle shrubs, and hanging vines, leaving shreds on the ground. Stumps and stubs are flayed thus radically reducing resprouting;
 - ii. For non-mowable areas adjacent to native trees, cut and remove targeted vines, shrubs, and trees with hand tools and chainsaws, and treat the stumps with an appropriate herbicide to reduce resprouting;
 - iii. Cut vines attached to tree trunks carefully, and allow to die off and fall from trees;
 - iv. Blow in wood chip mulch where soil is barren to 2-3" depth to minimize run-off, minimize resprouting, and provide easier targeted treatment. Large mulch trailers can run hoses over 300 feet into the site from paved access;
 - v. Restoration planting of shade tolerant shrubs and trees to repopulate barren areas;

- vi. Follow up treatment of sprouts 2-3 times per growing season; and
- vii. Maintenance for three years minimum;
- c. Should the 8100 Connecticut Avenue property owner not allow the improvements, the Applicant must identify another suitable location as determined by Staff.

7. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the *CR Zone Incentive Density Implementation Guidelines* for each one.

- a. Transit Proximity – The site is located within 1/4-mile of the Purple Line Level 2 Transit Service.
- b. Connectivity between Uses, Activities, and Mobility Options
 - i. Minimum Parking –The Applicant must not provide/construct more than 88 parking spaces.
- c. Diversity of Uses and Activities
 - i. Dwelling Unit Mix – The Applicant must integrate a mix of residential unit types with at least 8 efficiency units, 56 1-bedroom units, 28 2-bedroom units, and 5 3-or-more-bedroom units. Final unit mix approved by the Planning Board must be shown on the CSP. Before issuance of any residential use-and-occupancy certificate, the Applicant must provide as-built floor plans to MNCPPC and a copy of the approved layout to DPS Zoning & Site Plan Enforcement.
 - ii. Enhanced Accessibility for the Disabled – The Applicant must construct a minimum of 2 dwelling units that satisfy American National Standards Institute A117.1 Residential Type A standards or an equivalent County standard.
- d. Quality Building and Site Design
 - i. Exceptional Design – The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the Certified Site Plan, as determined by M-NCPPC Staff.
 - ii. Structured Parking – The Applicant must provide no more than 88 parking spaces within a below-grade structure.

8. Lighting

- a. Prior to certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b. All onsite down-lights must have full cut-off fixtures (or BUG equivalent).
- c. No fixtures on the northern building façade are permitted to have illuminated elements directed toward the northern property line.
- d. Uplighting fixtures are prohibited on the north side of the building.
- e. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting residentially developed properties.
- f. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- g. Light poles are prohibited on the rooftop of the building.

9. Forest Conservation

The Applicant must comply with the conditions of the Final Forest Conservation Plan (FFCP), including but not limited to:

- a. The net tract area for the forest conservation worksheet and associated notes must be revised to clearly reflect the net tract area as being the area contained within the current property boundaries plus the offsite LOD.
- b. At least 10.5 caliper inches of native canopy mitigation trees must be provided on the Subject Property.
- c. Adjust plans as applicable so that all the credited mitigation plantings are at least 5 feet away from any structures, ROWs, SWM facilities, utility lines, and/or their associated easements.
- d. The following trees must be preserved:
 - a. 22" Norway maple, identified as Tree MT9 on the NRI/FSD; and
 - b. 7" mulberry, identified as Tree MT8 on the NRI/FSD.
- e. Coordinate with staff on minor corrections & clarifications of the plans notes and details.
- f. Prior to any clearing, grading or demolition within the project area, the Applicant must submit a certificate of compliance which satisfies the offsite 0.30-acre afforestation credit requirements (or as approved in the certified FFCP). The M-NCPPC approved document must be recorded in the Land Records of Montgomery County prior to any clearing, grading, or demolition.
- g. The limits of disturbance shown on the final Sediment Control Plan must be consistent with the limits of disturbance shown on the Final Forest Conservation Plan.

10. Noise Attenuation

- a) Before issuance of the any building permit, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatment that the building shell will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
- b) Before issuance of any Use and Occupancy Certificate for residents, the Applicant must certify that the noise impacted units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.

Transportation & Circulation:

11. Transportation

The Applicant must enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT to participate in the Bethesda Transportation Management District (TMD), when and if it is expanded to include Chevy Chase Lake, if applicable.

12. Pedestrian & Bicycle Circulation

- a. The Applicant must provide a minimum of 53 long-term and 3 short-term bicycle parking spaces.
- b. The long-term spaces must be in a secured, well-lit bicycle room adjacent to the covered parking area, and the short-term spaces must be inverted-U racks (or approved equal) installed in a location convenient to the main entrance (weather protected preferred). The specific locations of the bicycle racks must be identified on the Certified Site Plan.

13. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, 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 in accordance with Section 59.7.3.4.K.4 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 elements, including, but not limited to any on-site plant material, site lighting, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, sidewalks, private utilities, paths, and storm drainage facilities, off-site environmental enhancements per Condition 5, and off-site street trees per Condition 4.b. The surety must be posted before issuance of the any building permit of development and will be tied to the development program.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

14. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

15. Certified Site Plan

Before 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 stormwater management concept approval letter, development program, Site Plan resolution, and other applicable resolutions on the approval or cover sheet(s).
- b. Add a note to the Site Plan stating that “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
- c. 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.”
- d. Modify data table to reflect development standards approved by the Planning Board.
- e. Ensure consistency of all details and layout between Site and Landscape plans.
- f. Revise landscaping to maximize native species.
- g. Provide final location of and details for fence installation along the northern property line, including specific measures to protect existing trees.

SECTION 2: SITE DESCRIPTION

Site Vicinity and Analysis

The Subject Property is located on the north side of Newdale Road, 200 feet west of Connecticut Avenue, in Chevy Chase Lake. To the north of the site is a single-family residential neighborhood zoned R-90, and directly east and northeast of the site are commercial uses including a gas station and shopping center. Directly to the west is the Columbia Country Club. The future Purple Line and Capital Crescent Trail, currently under construction, are located on the south side of Newdale Road. Across Connecticut Avenue to the east are a number of new developments around the planned Purple Line station, including include Chevy Chase Lake/HOC (Site Plans 820150040 and 820150050) – currently nearing completion of construction – and redevelopment of the shopping center as Chevy Chase Lake Block B (Site Plan 820160190).

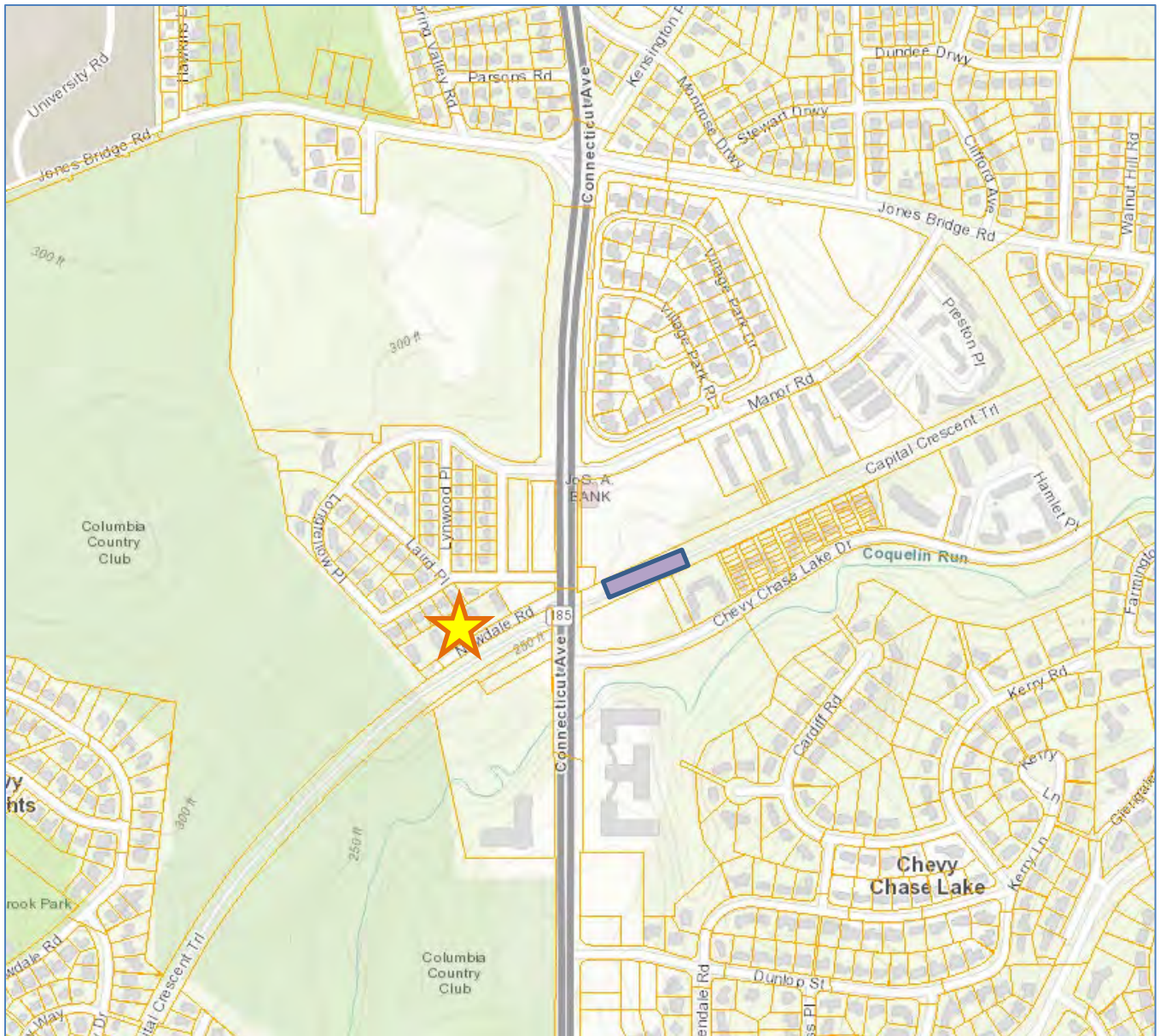


Figure 1: Vicinity Map (with Purple Line Station)

The Property is currently developed with five three-story multi-family buildings with 41 units and surface parking, which will be removed to accommodate the development proposed by this application. The property is located in the Lower Rock Creek watershed. The site is entirely developed, and there are no rare threatened or endangered species, no stream/buffers, or known historical or cultural resources on site. The site slopes downward from the rear property line towards the street, such that the one-family houses north of the property are at a higher elevation than the front of the subject property at Newdale Road.



Figure 2: Aerial View

The Coquelin Run stream is approximately 500' away from the subject property, generally flowing parallel to the south side of Newdale Drive (at the opposite side of both the Purple Line corridor and Newdale Drive from the subject Property). Coquelin Run drains to Rock Creek which is a Use I¹ Watershed.

A noise analysis shows that excessive noise impacts (measuring at 65 dBA Ldn and above) do affect the Subject Property. However, the report indicates that interior noise levels for the affected residential units can be mitigated to appropriate levels (less than 45 dBA Ldn) by suitable modification to the building construction and by the installation of appropriate windows designed to mitigate sound. Standard conditions of approval are recommended to address the interior noise mitigation.

¹ Use I:

WATER CONTACT RECREATION & PROTECTION OF AQUATIC LIFE

Waters that are suitable for: water contact sports: play and leisure time activities where the human body may come in direct contact with the surface water; fishing; the growth and propagation of fish (other than trout); other aquatic life, and wildlife; agricultural water supply and industrial water supply.

SECTION 3: PROJECT DESCRIPTION

Previous Approvals

The Planning Board approved Sketch Plan No. 320170040 for this project by Resolution dated December 21, 2017, (Attachment A) for a maximum of 129,742 square feet of residential development for up to 130 multi-family dwelling units, including a minimum of 12.5% MPDUs, subject to binding elements and conditions. During the Planning Board Hearing Planning Commissioners and residents raised concerns about compatibility, specifically the adequacy of the buffer in the rear and the impact on the single-family dwellings. To address the concern, the Board included the following condition of approval:

5. Building Placement

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

Proposal

Uses and Density

The Applicant proposes to create one lot for a maximum density of 129,742 square feet with up to 111 multi-family dwelling units, including 12.5% moderately priced dwelling units on 1.98 acres in the CRT 1.5, C 0.25, R 1.5, H 50 zone.



Figure 3: Site Plan



Figure 4: View from Purple Line down Newdale Road

Buildings

The application proposes two residential buildings with shared lobby and amenity area. The buildings will have a maximum height of 50 feet. Each building has structured parking built into the hillside with a shared entrance court off Newdale Road. Pedestrian entrances are provided from the Newdale Road sidewalk for the lower-level units fronting that street and internally via the shared entrance court.



Figure 5: Typical Bay Elevation with Entry Stair and Planter



Figure 6: Entry Court

The architecture of the building has been designed with sensitivity to the area, utilizing materials found in surrounding single family dwellings such as brick, siding, masonry, and stone. The building massing has been modulated into a series of vertical and horizontal breaks that include plane changes to fit the surrounding context. The base will be designed with natural and/or cast stone, while bio-planters, stoops and walk-up unit entry doors help activate the street. The middle, or body, of the buildings are broken in scale with a cadence of brick townhouse facades along Newdale Road, a second color of brick is utilized at prominent corners and fiber cement panels at secondary corners. The rear façade incorporates both white and red brick as well as vertical and horizontal breaks. The top incorporates setbacks on both the front and rear facade as well as architectural finishes such as cornices to further reduce perceived height.



Figure 7: Newdale Road Schematic Elevation of Western Building

To better address compatibility with the single-family homes abutting to the north, the Applicant has taken a three-pronged approach: provide a significant landscaped rear setback; provide screening through new fencing and landscaping and preserving existing viable trees; and additional architectural modulation to further break down the scale of the building.

Landscaped Setback

As mentioned above, the Planning Board conditioned a minimum rear building setback of 37.5 feet, later clarified by MCDPS to be measured from the rear property line to the above-grade portion at the back of the building. As shown in the site sections in Figure 9, the Applicant has provided this setback. In this space, atop the structured parking, the design features an elevated landscaped courtyard at the foot of a steeper hill up to the common property line with the single-family homes to the north. From this private courtyard, the slope is generously landscaped to provide a visual buffer for the single-family homes and is capped by a six-foot wooden privacy fence along the property line. To help ensure that the new and retained plantings on the rear slope have sufficient soil to grow, the Applicant has reduced the size of the below-grade parking garage to provide 17'.

Screening

In addition to the new 6' privacy fence on the Subject Property (in front of any screening the neighbors may have on their properties), the Applicant is proposing a richly landscaped buffer to enhance the existing screening trees to be retained. Figures 10 and 11 show excerpts from the detailed drawings provided by the Applicant to illustrate the proposed landscape screening conditions. Staff and the Applicant have been working closely to ensure that the screen meets the intent of the Sector Plan and has recommended Conditions to that effect.

Architectural Treatments



Figure 8: Schematic Rear Elevation

As seen in the architectural elevation above, the Applicant's designers have layered in additional material and surface breaks to minimize the building massing while balancing the visual interest of the north façade, which is one story shorter here due to the underground garage. Additionally, Staff has recommended conditions of approval to ensure that the lights on the rear balconies do not throw light toward the adjacent homes.

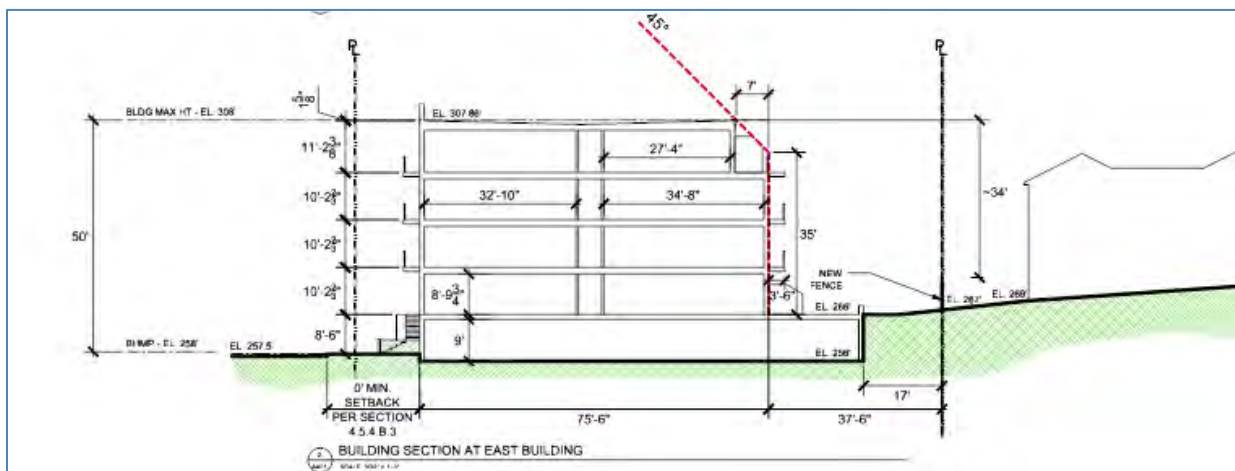
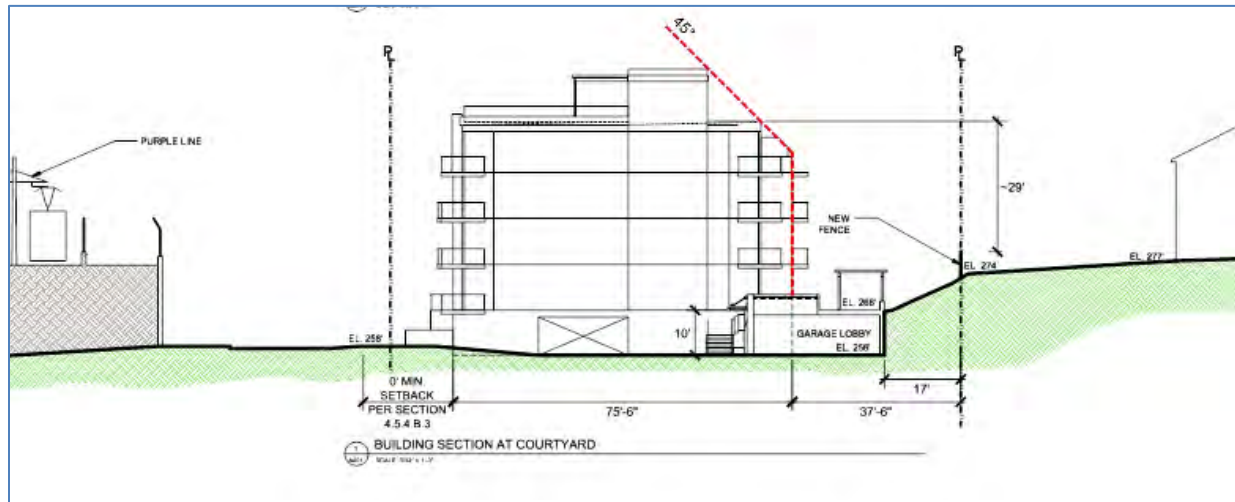
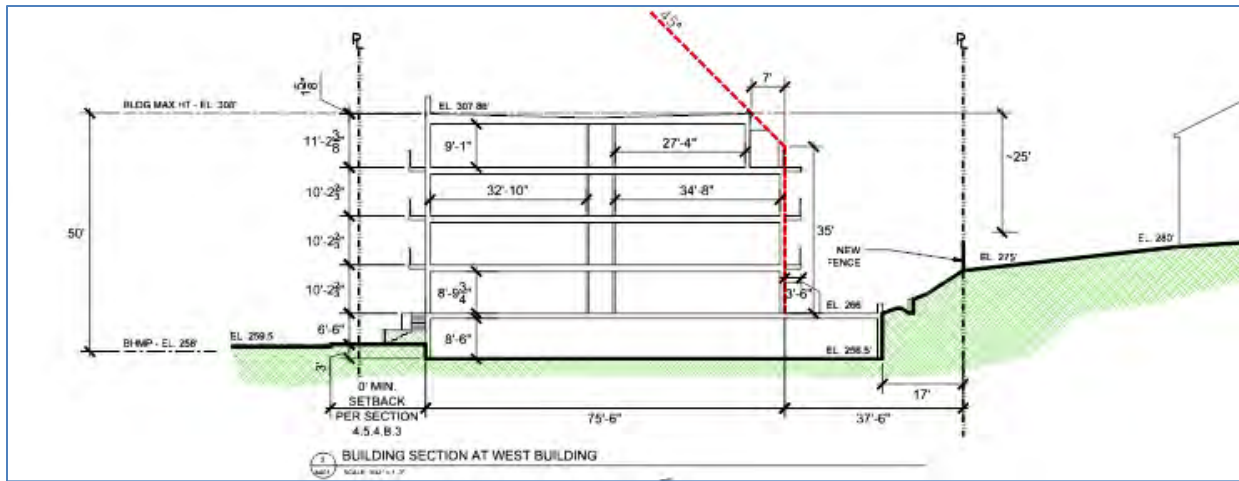


Figure 9: Site Sections from West to East

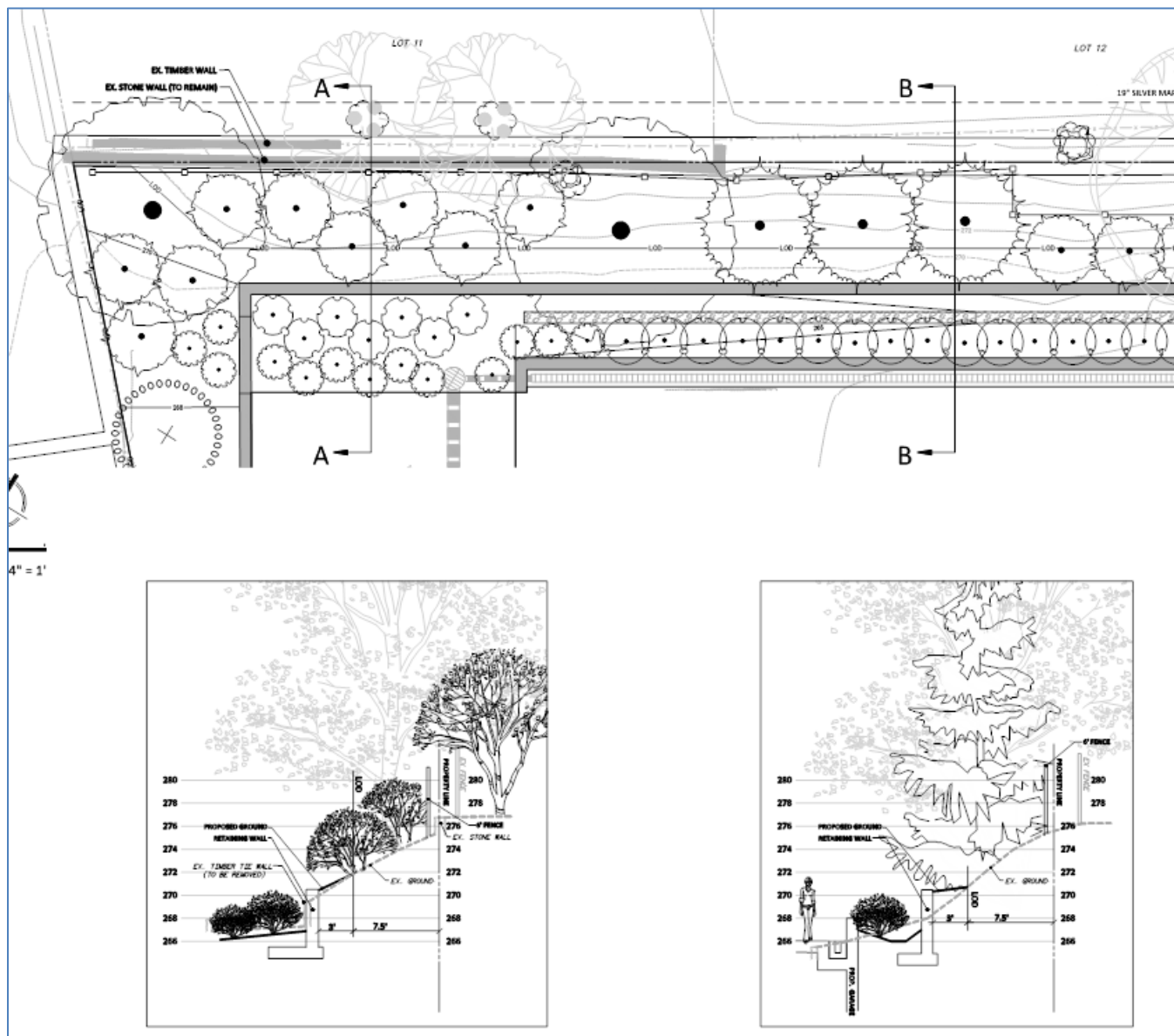


Figure 10: Detail from Buffer Landscape Plans

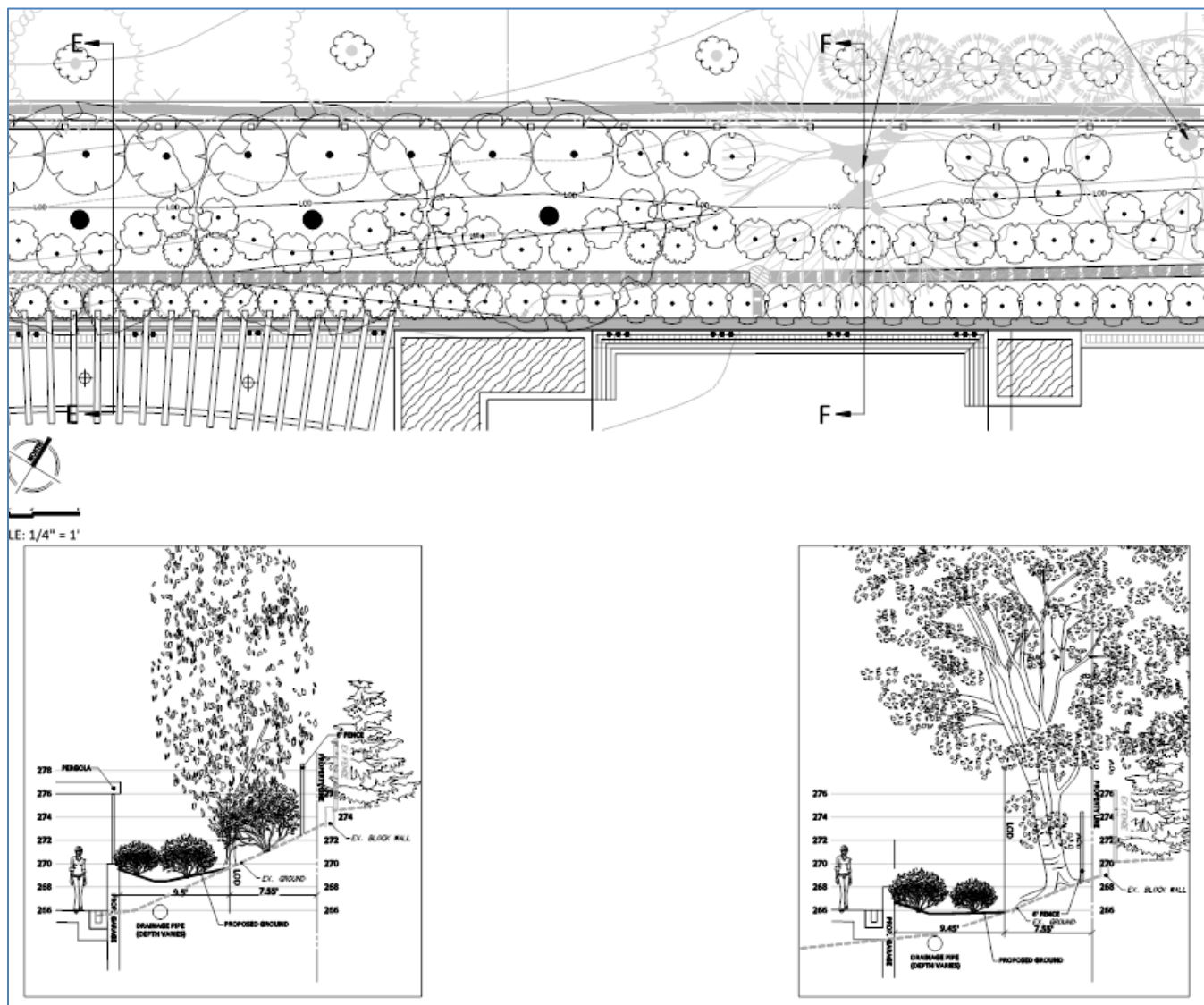


Figure 11: Detail from Buffer Landscape Plans

Public Open Space

With a Site area of 129,742 square feet and frontage on one public roadway, the Applicant is not required to provide public open space.

Circulation

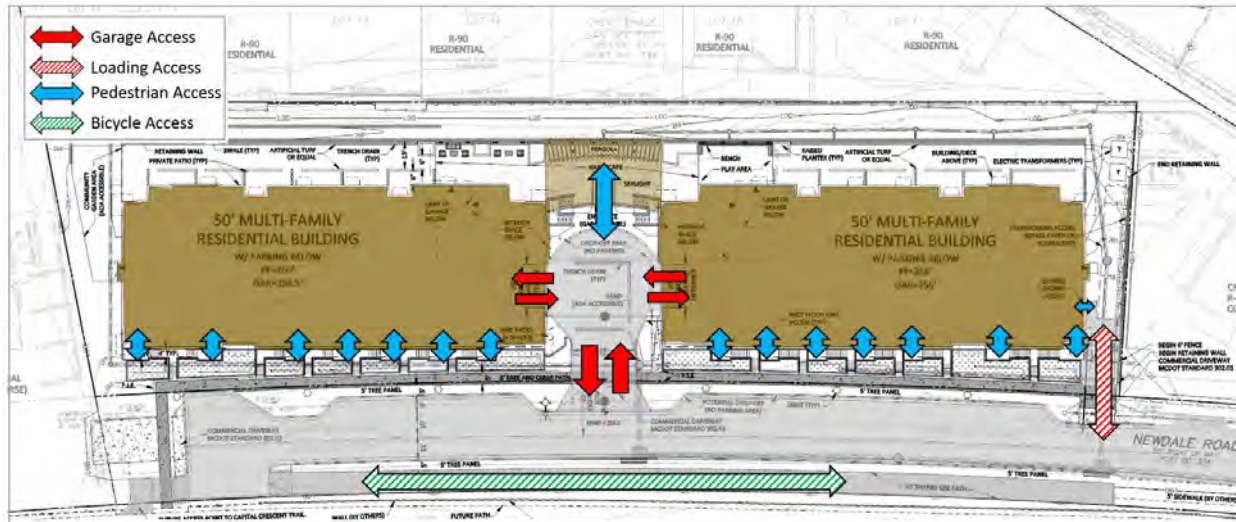


Figure 12: Circulation Diagram

Vehicular access to the multi-family building parking garage is proposed directly off of Newdale Road, approximately 400 feet west of Connecticut Avenue (MD 185). The site will have a two vehicular access points: the main access point, located in the middle of the site, will accommodate parking, while loading activities will be accommodated on the east side of the project in a designated loading area. In its existing condition, Newdale Road is a substandard 50-foot wide secondary residential street with on-street parking on the north side and one travel lane in each direction. The south side of the road is open section and shows signs of consistent use by passing vehicles (i.e. wear and tear on grass). The Project will improve this section of roadway to a standard cross section and will add streetscaping to both improve the aesthetic and pedestrian/ bicycle safety.

Bicycle accommodation will be provided both along Newdale Road and on a new shared use path along the south side of the street to connect with the future Capital Crescent Trail. Pedestrian circulation to the Property will be provided by a sidewalk along the north side of Newdale Road. The proposed circulation pattern is consistent with the Sector Plan recommendations for a new bicycle connection to the Purple Line Station/ Capital Crescent Trail. Based on coordination with the Montgomery County Department of Transportation, Maryland Transit Administration, and Purple Line Transit Partners (the P3 constructing the Purple Line light rail), the applicant will contribute \$29,958 toward construction of the bicycle path along the south side of Newdale Road.

Offsite environmental enhancements for the Coquelin Run stream valley

An objective of the Sector Plan (page 49) is to support stream and forest restoration projects to stabilize banks, remove invasive species, restore native forest structure, and prevent further stream erosion. Consistent with the Sector Plan and Sketch Plan Condition 8.b., the Applicant has secured permission from 8100 Connecticut Ave, located opposite the Purple Line/Capital Crescent Trail right-of-way, to remove invasive species, fortify soils, and plant native shrubs and trees, with a recommended 3-year maintenance and monitoring program.



Figure 13: Areas studied by Applicant for Off-Site Environmental Enhancement

SECTION 4: PRELIMINARY PLAN 120180150

ANALYSIS AND FINDINGS

The Preliminary Plan will create one lot for up to 111 multi-family dwelling units. This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The Application meets all applicable sections. The size, width, shape, and orientation of the proposed lot is appropriate for the location of the subdivision taking into account the recommendations included in the applicable Master Plan, and for the type of development or use contemplated. The Application has been reviewed by other applicable County agencies, all of whom have recommended approval of the Preliminary Plan.

1. *The layout of the subdivision, including size, width, shape, orientation and diversity of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.*

The lot size, width, shape and orientation are appropriate for the location of the subdivision considering the recommendations in the 2013 *Chevy Chase Lake Sector Plan* and the type of development and use contemplated. The lot was reviewed under Chapter 59 and found to be in compliance with the dimensional requirements for the CR zone as specified in the Zoning Ordinance.

2. *The Preliminary Plan substantially conforms to the Master Plan or Urban Renewal Plan.*

As conditioned, the application substantially conforms to the recommendations for the Subject Property included in the 2013 *Chevy Chase Lake Sector Plan* and the approved Design Guidelines, and has been designed to respond to and incorporate the specific recommendations for the Subject Property and the area described as the Town Center. The Application responds to the three main planning theses in the Sector Plan (page 19):

- *Preserve the well-established community character of Chevy Chase by protecting existing residential areas, and focusing on new development and redevelopment in the Center and by defining a standard for compatibility;*

The application proposes redevelopment of the Subject Property, which is located in the Town Center. The Sector Plan included specific recommendations for the redevelopment of the Subject Property to ensure neighborhood compatibility, which have been incorporated into the design of the site and building and is described in detail below.

- *Enhance quality of life and connectivity within and to the Chevy Chase Lake community by promoting pedestrian-oriented mixed-use development within the Center, improving access to different modes of transportation throughout the community;*

The residential development has been designed to improve Newdale Road into a pedestrian friendly street with the enhancement of the streetscape on both sides of the road. The application proposes the street to be lined with trees at thirty feet on center, and when mature, will provide sufficient canopy to screen the retaining wall for the Purple Line. On the south side of Newdale, the Applicant has incorporated the design of a 10-foot shared use path as recommended by the *Chevy Chase Lake Sector Plan*, and the project has been conditioned to contribute financially to the construction of the path which will ultimately be constructed by MCDOT in coordination with the Purple Line Transit Partners (PLTP). Lastly, the Project includes an access point to the Capital

Crescent Trail at the southern point of the Site along Newdale, as recommended by the *Chevy Chase Lake Sector Plan*.

- *Create new choices in the Chevy Chase Lake Center with new opportunities for local shopping, housing, public spaces, and transit.*

As recommended in the Sector Plan, the Project provides new housing opportunities in an area that is appropriate for higher density residential due to being within the Town Center and proximity to transit, local shopping along Connecticut, and public spaces such as the Capital Crescent Trail.

The Sector Plan provided specific recommendations for the development of the Subject Property, which the application addresses:

Newdale Mews (CRT 1.5, C O.25, R 1.5, H 50): The Sector Plan rezoned this site from R-30, used for Garden Apartments, to CRT to prioritize additional housing choices in the Town Center, while maintaining compatibility with the adjacent single-family homes. While the zoning allows a small portion of commercial, the Sector Plan discourages commercial uses unless they can be compatible with the adjacent residential. To ensure compatibility with the adjacent residential, the Sector Plan recommended any proposal to address the following:

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

The Project proposes an entirely residential multifamily building to ensure compatibility of use, and has addressed many of the concerns listed above through building and site design. The building will be setback 37.5 feet from the rear property line, which is within the prescribed range. Through landscaping, the vegetative buffer proposed at the rear will screen the views from the single-family dwellings and has particularly landscaped views from the corridors between the two buildings. The buffer has been designed to preserve existing healthy, non-invasive trees, and will be enhanced by additional plantings of shrubs, ornamental trees, and canopy trees suited to local site conditions.

Environmental Recommendations

The Sector Plan also focuses heavily on minimizing the environmental impacts of development on the Coquelin Run watershed, and the community as a whole. To minimize impacts on the watershed, the Applicant has maximized on-site management of Stormwater to the greatest extent practicable via biofilters integrated into the front walks of the street-level units, and has committed to enhance off-site clearing areas destroyed by non-native invasive plants by eradicating the vines and replacing them with native trees and shrubs.

To meet the Sector Plan goals for retaining the relatively high levels of tree canopy coverage – 25-30% for the core area – the Applicant has committed to over 20% onsite, increasing to over 30% with street tree plantings on both sides of Newdale Road.

3. *Public facilities will be adequate to support and service the area of the subdivision.*

Transportation

Adequate Public Facilities

The Applicant submitted a transportation study, dated January 15, 2017, and revised September 17, 2018, to analyze the Project. The proposed development is estimated to generate 41 net new morning peak-hour person trips (23 vehicle trips) and 51 net new evening peak-hour person trips (29 vehicle trips) (Tables 1 and 2). Because the estimated transportation impact of the Project exceeds 50 net new trips for the vehicular mode of travel, the Project evaluated intersection capacity to satisfy the Local Area Transportation Review requirement.

Table 1: Project Peak Hour Trip Generation

Existing	Vehicle Rates		Adjusted Vehicle Rates		Person Trips	
	AM	PM	AM	PM	AM	PM
41 Mid-Rise Apartments	14	19	12	16	21	30
Proposed	AM	PM	AM	PM	AM	PM
117 Mid-Rise Apartments	40	52	35	45	62	81
Net New Trips	26	33	23	29	41	51

Source: STS Consulting Transportation Study, dated September 17, 2018.

Table 2: Net New Peak Hour Trip Generation by Mode

	Person Trips	Auto Driver	Pedestrian*	Transit	Bike
AM	41	23	8	3	5
PM	51	29	10	4	6

* Pedestrian trips are the sum of all transit and bicycle trips generated by the project.

Source: STS Consulting Transportation Study, dated September 17, 2018.

Vehicle Adequacy

As a project that generates less than 250 net new peak hour vehicle trips, the Applicant was required to evaluate one tier of intersections within the immediate site vicinity, resulting in two study intersections. In accordance with the 2016-2020 Subdivision Staging Policy, the study locations are presented in Figure 14, and results of the HCM methodology are presented in Table 3. As a result of the traffic analysis submitted with the Subject Application, staff finds that sufficient capacity exists to serve proposed development on the Site.



Figure 14 – Intersection Analysis Map

Table 3: Intersection Capacity
Highway Capacity Manual Methodology
Control Delay (seconds)

Intersection/Corridor		Delay Standard	Existing Conditions		Background Conditions		Future Conditions	
			AM	PM	AM	PM	AM	PM
A	Connecticut Avenue/ Manor Drive	80	19.0	20.6	21.0	46.4	21.1	39.3
B	Connecticut Avenue/ Chevy Chase Lake Dr	80	4.3	6.5	10.0	23.5	10.1	24.0

Source: STS Consulting Transportation Study, dated September 17, 2018.

Transit within the immediate area includes the WMATA Metrobus L8 route on Connecticut Avenue. Future transit in the area includes a proposed Purple Line station at the intersection of the Connecticut Avenue and the Capital Crescent Trail.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The following summarizes recommendations included in the *2013 Chevy Chase Lake Sector Plan*, and the *2018 Bicycle Master Plan*:

1. Connecticut Avenue (MD 185), located just east of the Site, as a Major Highway (M-7) with a minimum right-of-way width of 120 feet and an 11-foot wide two-way cycle track along the east side of Connecticut Avenue.
2. Newdale Road, along the southern site frontage, with a shared-use path (LB-4) within the existing right-of-way.

Traffic Mitigation

The Applicant must enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT to participate in the Bethesda Transportation Management District, when and if it is expanded to include Chevy Chase Lake, if applicable.

School Capacity

Preliminary plan application #120180150 for Crescent at Chevy Chase is scheduled for Planning Board review on November 29, 2018, therefore the applicable annual school test is the FY19 Annual School Test, approved by the Planning Board on June 21, 2018 and effective July 1, 2018. The application proposes development of 111 new multifamily high-rise dwelling units replacing 41 existing multifamily low-rise dwelling units.

Calculation of Student Generation

To calculate the number of students generated by the proposed development, the number of dwelling units is multiplied by the applicable regional student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low- to mid-rise multifamily unit, or high-rise multifamily unit. The subject property is located in the southwest region of the County.

Table 4: Per Unit Student Generation Rates – Southwest Region

	Elementary School	Middle School	High School
SF Detached	0.193	0.111	0.147
SF Attached	0.191	0.094	0.124
MF Low- to Mid-Rise	0.146	0.063	0.083
MF High-Rise	0.055	0.022	0.031

With a net of 70 new dwelling units, the proposed project is estimated to generate the following number of students:

Table 5: Estimated Project Student Generation

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
MF Low-rise	-41	0.146	-5.986	0.063	-2.583	0.083	-3.403
MF High-rise	111	0.055	6.105	0.022	2.442	0.031	3.441
TOTAL	70		0		0		0

This project is estimated to generate no new students.

Cluster Adequacy Test

The project is located in the Bethesda-Chevy Chase High School (B-CC) Cluster. The student enrollment and capacity projections from the FY19 Annual School Test for the B-CC Cluster are noted in the following table:

Table 6: Student Enrollment and Capacity Projections, B-CC Cluster

School Level	Projected Cluster Totals, September 2023			Moratorium Enrollment Threshold	Projected Enrollment + Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	3,690	4,043 ¹	91.3%	4,852	3,690
Middle	1,803	2,024	89.1%	2,429	1,803
High	2,463	2,407	102.3%	2,889	2,463

The Moratorium Enrollment Threshold identified in the table is the enrollment at which the 120% utilization threshold is exceeded, resulting in a cluster-wide residential development moratorium. Current projections for the cluster fall within the threshold at each level, therefore the cluster service area remains open to new residential development. Since this project is not estimated to generate any students, there is sufficient capacity at the elementary, middle and high school cluster levels to accommodate this project.

Individual School Adequacy Test

The applicable elementary and middle schools for this project are Rosemary Hills ES (K-2), North Chevy Chase ES (3-5) and Westland MS. Based on the FY19 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

¹ The projected cluster elementary school capacity of 3,813 has been modified to reflect the impact of a six-classroom placeholder project at Bethesda ES and a four-classroom placeholder project at Somerset ES included by the County Council in the FY 2019 Capital Budget.

Table 7: Student Enrollment and Capacity Projections, Individual Schools

School	Projected School Totals, September 2023				Moratorium Enrollment Thresholds		Projected Enrollment + Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus/ Deficit	120% Utilization	Surplus/ Deficit	
Rosemary Hills ES/No. Chevy Chase ES	1,278	1,492	85.7%	+214	1,791	1,602	1,278
Westland MS	971	935	103.9%	-36	1,123	1,115	971

Under the individual school adequacy test, a school is deemed inadequate if the projected school utilization rate exceeds 120% and if the school seat deficit meets or exceeds 110 seats for the elementary school or 180 seats for the middle school. If a school's projected enrollment exceeds *both* thresholds, then the school service area is placed in a residential development moratorium.

The Moratorium Enrollment Thresholds identified in the table above are the enrollments at which the 120% utilization threshold and the seat deficit threshold are exceeded. Current projections for both Rosemary Hills ES/North Chevy Chase ES and Westland MS fall within the thresholds, therefore both service areas remain open to new residential development. Since this project is not estimated to generate any students, there is sufficient capacity at the applicable elementary and middle schools to accommodate this project.

Analysis Conclusion

Based on the school cluster and individual school capacity analysis performed, using the FY2019 Annual School Test, there is adequate school capacity for the amount and type of development proposed by this application.

Other Public Facilities

Public facilities and services are available and will be adequate to serve the proposed development. The Subject Property is proposed to be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the Subject Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as electrical, telecommunications, gas, police stations, firehouses, and health services are operating according to the *Subdivision Staging Policy* resolution currently in effect and will be adequate to serve the Property.

4. All Forest Conservation Law, Chapter 22A requirements are satisfied.

As conditioned, all Forest Conservation requirements are satisfied. For Forest Conservation purposes the project has a 2.03-acre net tract area which includes the property area of 1.45 acres, plus the offsite LOD which measures 0.58 acres. There is no forest onsite or immediately adjacent to the property, however there is an afforestation requirement of 0.30 acres. The Applicant is proposing to meet all of the forest conservation requirements offsite and Staff is recommending a related condition of approval for the use of a certificate of compliance for an offsite bank. Staff also has a recommended condition of approval for the offsite requirements to be appropriately satisfied and recorded prior to any clearing, grading or demolition within the project area.

Tree Preservation

The Forest Conservation plans includes a tree save component which mainly addresses construction impacts to the existing trees at the rear of the site. The same trees are tied to a Sector Plan recommendation of vegetated screening for the adjacent residential lots which includes maintaining existing viable trees (and increasing landscaping) to create an attractive buffer (page 30).

Forest Conservation Variance

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone (CRZ), requires a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. The law requires no impact to trees that measure 30 inches DBH or greater; are part of a historic site or designated with a historic structure; are designated as national, state, or county champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or to trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. The proposed project includes removal of a tree which is subject to a variance due to its size measuring 30 inches DBH or greater. The Applicant has submitted a variance request dated August 15, 2018, for the removal of one tree that is considered high priority for retention under Section 22A-12(b) (3) of the County Forest Conservation Law.

Table 8: Subject Tree to be Removed

TREE NO.	BOTANICAL NAME	COMMON NAME	D.B.H. (in.)	CONDITION	CRZ (SF)	CRZ IMPACT (SF)	CRZ IMPACT %	DISPOSITION
286	Liquidambar styraciflua	Sweetgum	37	Good	9,677	9,677	100	Remove

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, in order for a variance to be granted. In addition to the required findings outlined numerically below, the Staff notes that failure to grant the variance would result in an unwarranted hardship because the particular tree has decay in the main trunk and a weak union of a major limb. Furthermore, the Sector Plan specifically recommends the redevelopment of the site to (among other things) place greater density in proximity to mass transit opportunities. Although the Sector Plan also has site specific reconditions for preservation of viable trees, this tree is not viable due to the structural conditions noted and its preservation would cause an unwarranted hardship.

Variance Findings - Staff has made the following determination based on the required findings that granting of the requested variance:

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

The site is located near a planned mass transit station where increased density is highly recommended. Furthermore, the Sector Plan specifically recommends the redevelopment of the site. Although the sector plans also recommends tree preservation, the particular tree subject to

the variance has decay and other structural defects and should not be retained especially since its CRZ extends into the center of the buildable area. Therefore, the variance request would be granted to any applicant in a similar situation.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

The requested variance is based on proposed development allowed under the existing zoning and Sector Plan along with the need to avoid a potentially hazardous condition.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is a result of the current application on the subject property and is not related to land or building use on a neighboring property.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

The Department of Permitting Services (DPS) Staff approved the storm water management (SWM) concept for the project on October 12, 2018. The SWM concept proposes to meet required storm water management goals using micro-bioretenment and a waiver of stormwater management water quantity and partial water quality. However, as conditioned the project will reduce direct stormwater discharge into Coquilin Run and increase the effectiveness of the rear buffer and associated site canopy. Therefore, the project will not violate State water quality standards or cause measurable degradation in water quality.

County Arborist's Recommendations

In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The variance request has been available for the County Arborists review; however, a response has not been provided as of the writing of this report.

Mitigation for Trees Subject to the Variance Provisions

There is one tree proposed for removal in association with the Application. Planting mitigation for the removal should be at a rate that approximates the form and function of the tree removed. Replacement should occur at a ratio of approximately 1" caliper for every 4" DBH of removal, using trees that are a minimum of 3" caliper. For the 37 diameter inches of subject trees to be removed, the Applicant must provide mitigation of at least 9.25 caliper inches of replacements. Therefore, the mitigation requirements would be more than satisfied by the proposed planting of three 3.5" caliper trees.

Staff Recommendation on Variance

As a result of the above findings, Staff recommends the Board approve (with conditions) the Applicant's request for a variance from Forest Conservation Law to remove one subject tree. The variance approval is assumed into the Planning Board's approval of the Forest Conservation Plan.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.*

Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services (MCDPS) on May 30, 2018. The Preliminary Plan proposes to meet stormwater management requirements through the use of an extensive (8-inch depth) green roof over 14,437 square feet of the site and a waiver of quantity and quality control for remaining requirements based on site limitations.

6. *Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.*

No other provisions apply to the Subdivision.

SECTION 5: SITE PLAN 820180130

FINDINGS

1. *When reviewing an application, the approval findings apply only to the site covered by the application.*
2. *To approve a site plan, the Planning Board must find that the proposed development:*
 - a. *satisfies any previous approval that applies to the site;*

As conditioned, the Site Plan conforms to all binding elements of Sketch Plan No. 320170040. To better address compatibility with the single-family homes abutting to the north, the Applicant has taken a three-pronged approach: provide a significant landscaped rear setback; provide screening through new fencing and landscaping and preserving existing viable trees; and additional architectural modulation to further break down the scale of the building. The design provides a minimum rear building setback of 37.5 feet, clarified by MCDPS to be measured from the rear property line to the above-grade portion at the back of the building. In this space, atop the structured parking, the design features an elevated landscaped courtyard at the foot of a steeper hill up to the common property line with the single-family homes to the north. From this private courtyard, the slope is generously landscaped to provide a visual buffer for the single-family homes and is capped by a six-foot wooden privacy fence along the property line. To help ensure that the new and retained plantings on the rear slope have sufficient soil to grow, the Applicant has reduced the size of the below-grade parking garage to provide 17'. In addition to the new 6' privacy fence on the Subject Property (in front of any screening the neighbors may have on their properties), the Applicant is proposing a richly landscaped buffer to enhance the existing screening trees to be retained. Finally, the Applicant's designers have layered in additional material and surface breaks to minimize the building massing while balancing the visual interest of the north façade, which is one story shorter here due to the underground garage. Additionally, Staff has recommended conditions of approval to ensure that the lights on the rear balconies do not throw light toward the adjacent homes.

The applicant is submitting this application for site plan approval concurrently with the proposed preliminary plan. The site plan is consistent with the development proposed under the preliminary plan.

- b. *satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;*

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

- c. *satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;*

This section is not applicable as the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

- d. *satisfies applicable use standards, development standards, and general requirements under this Chapter;*

i. *Division 4.5. Commercial/Residential Zones*

Development Standards

The Tract is approximately 1.98 acres, zoned CRT 1.5 C-0.25 R-1.5 H50. The following Data Table shows the Application's conformance to the development standards of the zone.

Table 9: Data Table

Data Table			
Section 59.4	Development Standard	Permitted/ Required	Proposed
	Tract Area per Zone CRT 1.5 C-0.25 R-1.5 H-50	n/a	86,495 sf (1.98 ac)
	Total Tract Area	n/a	86,495 sf (1.98 ac)
	Prior Dedication	n/a	23,184 sf (0.53 ac)
	Proposed Dedication	n/a	0 (0.00 ac)
	Site Area	n/a	63,311 sf (1.45 ac)
	Residential Density (GFA/ FAR) Residential Density Subtotal	129,745 sf	129,745 sf (1.5)
	Total GFA/ FAR	n/a	129,745 sf (1.5)
	MPDU Density	12.5%	14 units
	Building Height	50 feet	50 feet
	Public Open Space (min)	0%	0%
	Minimum Setbacks	0 front & side 37.5' rear	0 front & side 37.5' rear
	Parking (min./max.)	66/149	88
	Bicycle Parking (long/short)	53/3	53/3

Division 4.7. Optional Method Public Benefits

In accordance with the Zoning Ordinance, Section 59-4.7.1, the Site Plan proposes the following public benefits to satisfy the requirements: Transit Proximity; Diversity of Uses and Activities; and Quality Building and Site Design.

Table 10: Public Benefits

Public Benefit	Incentive Density Points	
	Max Allowed	Requested
59.4.7.3.B: Transit Proximity	15	12.5
59.4.7.3C: Connectivity and Mobility		
Minimum Parking	10	7.3
59.4.7.3D: Diversity of Uses and Activities		
Dwelling Unit Mix	10	5.0
Enhanced Accessibility for the Disabled	20	5.4
59.4.7.3E: Quality of Building and Site Design		
Exceptional Design	10	10
Structured Parking	20	20
TOTAL		60.2

Transit Proximity: The Applicant requests 12.5 points for being in proximity to a master planned transit stop. Transit Proximity is categorized according to three levels, level 2 being in proximity to an existing or master planned station or stop along a rail or bus line with a dedicated, fixed path. The Subject Property is located within a ¼ mile of the future Purple Line Stop in Chevy Chase and will be accessible by bicyclists and pedestrians along the Capital Crescent Trail, with an access point being provided along the frontage of the proposed development. Staff supports the Applicant's request.

Connectivity and Mobility

Minimum Parking: The Applicant requests 7.3 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing the maximum allowable number of on-site spaces, to 20 points for providing no more than the minimum numbers of spaces on site. Staff supports the Applicant's request.

$$\begin{aligned} &[(\text{Maximum Allowed} - \text{Proposed}) / (\text{Maximum Allowed} - \text{Minimum Required})] * 10 \\ &[(149 - 88) / (149 - 65) * 10 = 7.3 \text{ points} \end{aligned}$$

Diversity of Uses and Activities

Dwelling Unit Mix: The Applicant requests 5 points for integrating a mix of residential market-rate unit types with at least 7.5% efficiency units, 8% one- and two-bedroom units, and 5% three- or more bedroom units. Staff supports the Applicant's request.

Efficiency: 8 units (8.25%)
One-bedroom: 56 units (57.73%)
Two-bedroom: 28 units (28.87%)
Three or more bedrooms: 5 units (5.15%)

Enhanced Accessibility for the Disabled: The Applicant requests 5.4 points for providing at least 5% of the Project's units in accordance with ANSI A117.1 Residential Type A standards. Staff supports the Applicant's request.

$$(2 \text{ ANSI Accessible Units} / 111 \text{ Total Units}) * 300 = 5.4$$

Quality of Building and Site Design

Exceptional Design: The Applicant requests 10 points for a building or site design that enhances the character of a setting. Per the Commercial/ Residential and Employment Zone Incentive Density and Implementation Guidelines, incentive density of 10 points is appropriate for development that meets all guideline criteria. The Project 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; designs compact, infill development; and integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements. Based on the materials submitted with the Application, the project demonstrates exceptional design in all categories, as discussed below, and Staff recommends 10 points:

The design provides innovative solutions in response to the immediate context:

The Applicant's team has designed a building that responds well to a particularly constrained site. The shallowness of the site, the significant slope at the rear of the property, the adjacency of both the Purple Line and the existing single-family neighborhood, and what is in essence the only site on a dead-end street, to say nothing of the regulatory requirements of stormwater management, vehicular access and parking, and the recommendations of the Sector Plan to redevelop the site while maximizing compatibility and environmental benefits, all impose significant challenges to the design of a viable development in this location. In its situation of the building along the street front, location of parking beneath the building, incorporation of on-site Stormwater management, transition to the existing neighborhood behind, it appears simply to meet the basic expectations of any site in this portion of the County. But while the particular tactics employed are not innovative in and of themselves, their innovative strategic implementation overcomes the constraints to create a deceptively straightforward site design and a clear and welcoming sense of place along Newdale Road, with an attractive streetscape and pedestrian experience, and merits the 10 points requested.

Creates a sense of place and serves as a landmark:

The development will constitute the sole building front along Newdale Road opposite the Purple Line. The design takes advantage of its scale and relationship to the street by providing individual stair entrances to each of the units on the first residential floor. These elements, together with the modulated rhythm of the façade along Newdale Road will create a unique sense of place along the road and be a landmark for users of the Capital Crescent Trail and the Purple Line.

Enhances the public realm in a distinct and original manner:

The Project responds to its transit-oriented location, confronting the Purple Line, by providing additional housing opportunities in the Chevy Chase Town Center. The proposed sidewalk, access to the Capital Crescent Trail, and financial contribution to the construction of a shared use path will also provide significant enhancements to the public and pedestrian realm for improved access to the Town Center.

Introduces materials, forms or building methods unique to the immediate vicinity or applied in a unique way:

The building design incorporated details typically found on townhouses and single-family homes in the immediate vicinity. These details begin with a basic material palette of brick, siding, masonry and stone. The rear building façade (which faces the adjacent residential) incorporates both red and white brick to further modulate the building façade and read as multiple smaller buildings. Finishes such as cornices, ornamental railings, trellises, window sills and lintels are comparable to finishes on single family homes.

Integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements:

Given the site constraints, the design incorporates stormwater management into the design in an innovative way by creating stormwater infiltration planters between the entry stairs along the Newdale Road sidewalk. These provide visual interest and environmental function within the overall design concept.

Structured Parking: The Applicant requests 20 points for providing all parking in a below-grade parking structure. Staff supports this request.

$$[(\text{Above grade spaces} / \text{Total Spaces}) * 10] + [(\text{Below grade spaces} / \text{Total Spaces}) * 20] \\ [(0/88) * 10] + [(88/88) * 20] = 20$$

ii. Division 6.1. Site Access

The Applicant proposes separate vehicular and loading access points along Newdale Road. Pedestrians and bicyclists will be able to enter the Project from the shared garage entry on Newdale Road and short-term bicycle parking will be provided at the front entry. The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.

iii. Division 6.2. Parking, Queuing, and Loading

Parking for the residential building will be provided in a structured facility built into the sloped site. Vehicular and loading access will occur via Newdale Road. The loading access is provided at the eastern façade of the building to limit conflicts with vehicles and pedestrians at the main entryway.

iv. Division 6.3. Open Space and Recreation

Due to the size of the site and the Project proposing an optional method development, it is not required to provide onsite public open space per Section 4.5.4 of the Zoning Code.

The Application is in conformance with the *Recreation Guidelines*, as demonstrated in the Recreation Facilities Data table provided with the Application. The Applicant is providing bicycle amenities; indoor community spaces, including a dog cleaning station; terraced garden areas, picnic/seating areas, and rooftop amenities. Final locations and quantities of each of these amenities will be shown on the Certified Site Plan.

v. *Division 6.4. General Landscaping and Outdoor Lighting*

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. Further, as conditioned, the landscaping and privacy fence along the northern site boundary will provide significant visual and noise buffering between the new development and their uphill single-family neighbors. As conditioned, the on-site lighting will be adequate, safe and efficient, while limiting the visual impact on the adjoining properties.

As shown in the Development Standards table, the Site Plan meets all general requirements and development standards of Section 4.5 of the Zoning Ordinance, the optional method public benefits provisions of Division 4.7 of the Zoning Ordinance, and the general development requirements of Article 59-6 of the Zoning Ordinance.

e. *satisfies the applicable requirements of:*

i. *Chapter 19, Erosion, Sediment Control, and Stormwater Management; and*

Consistent with the findings of Preliminary Plan 120180150, the proposal satisfies all requirements of Chapter 19, Erosion, Sediment Control, and Stormwater Management.

ii. *Chapter 22A, Forest Conservation.*

Consistent with the findings of Preliminary Plan 120180150, the proposal satisfies all requirements of Chapter 22A, Forest Conservation.

f. *provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;*

The Project provides adequate, safe, and efficient parking and circulation patterns. The Project provides a separate loading and vehicle entry along Newdale Road. The vehicle entry to the garage is designed as an entry court for residents and guests. The Buildings provide stoops to units along Newdale Road to activate the Project along the façade, which also screens the parking in the rear.

The Project provides a safe and well-integrated building, open spaces and site amenities. The building is designed to define and activate the street edge on Newdale Road with individual unit entrances from the sidewalk in addition to the central common entrance. The design integrates stormwater management into this effect, with bioretention planter boxes in front of each unit. Along the north façade, which faces the existing single-family homes, the modulated building façade breaks down the massing and provides an attractive elevation while the significant setback from the northern property line provides room for a significant landscaped terrace transitioning to a landscaped slope topped with a new privacy fence to provide visual screening to the neighboring homes. The design takes great pains to provide a context-sensitive design that integrates well into this transitional property, between the existing single-family homes and the coming Purple Line.

g. *substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;*

As discussed in the Preliminary Plan Findings of this staff report, the Site Plan substantially conforms with the recommendations of the Sector Plan. The Site Plan proposes a residential development with up to

111 multi-family residential dwelling units with 12.5% on-site MPDUs, as well as underground parking, on-site amenities for the residents, all in proximity to the future Purple Line and Capital Crescent Trail.

- h. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;*

As discussed in the Preliminary Plan No. 120180150 findings, the development will be served by adequate public facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

- i. on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and*

The Subject Property is not located in a Rural Residential or Residential zone.

- j. on a property in all other zones, is compatible with existing, approved or pending adjacent development.*

As conditioned, the Site Plan is compatible with other uses and other site plans, as well with existing and proposed adjacent development. The *Chevy Chase Lake Sector Plan* provided site-specific recommendations to ensure compatibility of this site's redevelopment with the adjacent single family residential neighborhood, which have been addressed in Preliminary Plan No. 120180150 findings above.

- 3. To approve a site plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.*

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

- 4. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.*

Not applicable, the Subject Property is not zoned C-1 or C-2.

Community Outreach

The Applicant has met all signage, noticing, and submission meeting requirements. On January 24, 2018, the Applicant held a pre-submittal public meeting at the North Chevy Chase Elementary School. Staff received correspondence on the application, provided in Attachment C, with specific comments discussed below.

- The commenters want to make sure the building height will not exceed the maximum allowed by the zone. Staff confirmed that consistent with the Zoning Code, the building height measured at the building height measuring point identified on the Certified Site Plan, will not exceed 50'.

- Commenters request that certain trees along the northern property line be preserved rather than removed. The trees recommended for retention are included in the conditions of approval.
 - 22" Norway maple - Staff agrees that the 22" Norway maple referenced in the email appears to be a jointly owned tree (partially belonging to the applicant and the adjacent neighbor) and therefore should not be removed as the consent from both owners would be needed.
 - 15" Norway maple - Staff does not agree with the requested retention of the 15" Norway maple as the tree is hollow at the base and also has a significant lean.
 - 7" mulberry - Staff agrees that 7" mulberry should be retained.
 - 37" sweetgum – As discussed in the variance section of the report, staff does not support the retention of this tree which has decay and structural issues.
 - 12" Norway maple - Staff does not agree with the requested retention of the 12" Norway maple, as the tree has a large wound (with decay) associated with a significantly leaning leader. Additionally, removal of this invasive tree will benefit the adjacent native silver maple tree to be retained.
- Commenters request that the Limits of Disturbance behind adjoining Lot 17 be minimized to further protect existing trees to remain. Staff agrees and has included a condition of approval requiring that the LOD around all existing trees to be retained be reduced to the greatest extent practicable.
- The commenter requests relocation of the transformers from the northeast corner "to a location farther south towards the front of the building so that the line of sight and sound doesn't intersect with the Lot 17 home." The transformers are located to accommodate service without unduly interrupting loading on this relatively small site. The transformers will not be visible from the Lot 17 property due to the 6' privacy fence running along the northern property line and the noise generated by the units will be less than the noise generated by traffic from the adjacent streets.
- The commenters are concerned that existing trees on-site and those off-site with critical root zones on the subject property may not survive the construction process. All existing trees required to be preserved by the conditions of approval and the Certified Site Plan will need to be replaced with equivalent caliper inches of trees should they perish.

CONCLUSION

The proposed development complies with the general requirements and development standards of Section 4.5, the optional method public benefits provisions of Division 4.7, and the general development requirements of Article 59-6 of the Zoning Ordinance. The proposed development satisfies the findings of the Subdivision Regulations and is consistent with the goals and recommendations of the *Chevy Chase Lake Sector Plan*. Therefore, Staff recommends approval of Preliminary Plan No. 120180150 and Site Plan No. 820180130 with the conditions specified at the beginning of this report.

ATTACHMENTS

- A. Sketch Plan Resolution (MCPB No. 16-121)
- B. Agency Letters
- C. Correspondence