



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

MCPB No. 20-063  
Site Plan No. 82016019C  
Chevy Chase Lake Block B  
Hearing Date: July 23, 2020

**AUG 13 2020**

**RESOLUTION**

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

WHEREAS, on June 19, 2017, the Planning Board approved by MCPB Resolution No. 17-042, Site Plan 820160190, to allow a maximum density of 789,450 square feet of total development, including up to 681,746 square feet of multi-family residential uses, consisting of up to 534 dwelling units (including 12.9% MPDUs), and up to 107,704 square feet of nonresidential uses (retail, restaurant, or service) on 9.06 acres of CRT-2.0 C-1.0 R-1.75 H-120 and CRT-2.0 C-2.0 R-2.0 H-80 zoned-land, located in the southeast quadrant of the intersection of Connecticut Avenue and Manor Road ("Subject Property"), in the Bethesda/Chevy Chase Policy Area and *Chevy Chase Lake Sector Plan* ("Sector Plan") area; and

WHEREAS, on March 19, 2019, the Planning Director approved 82016019A, an administrative amendment, to reduce the on-site parking requirement; and

WHEREAS, on October 10, 2019, the Planning Board Site Plan Amendment No. 82016019A (MCPB No. 19-121) was approved to eliminate garage access along Chevy Chase Lake Terrace; relocate transformers; revise the Manor Road/ Connecticut Avenue intersection improvements; make minor changes to the secondary driveway at the Manor Road intersection; modify bio-retention planters; refine building elevations; and make associated modifications to site design (e.g. sidewalks, landscaping, and lighting on the Subject Property; and

WHEREAS, on April 21, 2020, Bozzuto Development Company and Chevy Chase Land Company ("Applicant"), filed an application for approval of an amendment to the previously approved site plans to reallocate up to 5,000 square feet of residential density approved under the Sketch Plan from Blocks A & D to Block B, to increase the maximum

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Approved as to  
Legal Sufficiency:

  
M-NCPPC Legal Department

residential density for Block B to 686,746 square feet, within the approved maximum 534 dwelling units, and the associated maximum total density to 794,450 square feet; reconfigure private outdoor dining areas while maintaining 27,000 square feet of previously approved public use space; and clarify retail parking on private streets; and

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 82016019C, Chevy Chase Lake Block B ("Site Plan," "Amendment," 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 July 10, 2020, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on July 23, 2020, the Planning Board held a public hearing at which it heard testimony and received evidence on the Application; and

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

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 82016019C, for modification of Conditions 2 and 15, which supersedes the previous, and addition of Conditions 23 and 24:

2. Preliminary Plan Conformance

The Applicant must comply with the conditions of approval for Preliminary Plan 120020200 and all subsequent amendments.

15. Parking Restriction

Prior to the first day of revenue service of the Purple Line, the Applicant must, subject to MCDOT approval, install signs stating that the on-street parking spaces reflected in the Declaration of Covenants (Book 56311, Page 362) are for drop-off and pick-up only during the hours of 6:30am – 9:30am and 4:00pm – 7:00pm, or other hours deemed appropriate by MCDOT.

23. Density allocation

Any reallocated density not utilized in Block B may revert back to Blocks A & D at the time of Preliminary Plan review associated with development on those Blocks under Sketch Plan 320160030.

24. 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. Revise Public Open Space exhibit to:
  - i. delineate square footage of proposed open space areas;
  - ii. clearly identify outdoor private dining areas; and
  - iii. reflect a 6-foot wide minimum clear pedestrian path along all outdoor dining areas.

BE IT FURTHER RESOLVED that all other site plan conditions of approval for this project remain valid, unchanged and in full force and effect.

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference, the Montgomery County Planning Board FINDS, with the conditions of approval, that this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan and as revised by previous amendments, and that all findings remain in effect except as modified below:

4. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

The data table has been updated to reflect the increase in density proposed with the Amendment, which is in keeping with the requirements of the CRT 2.0 C-1.0 R-1.75 H 120 and CRT 2.0 C 2.0 R 2.0 H 80 zones.

Site Plan Amendment 82016019C Data Table				
Section	Development Standard	Permitted/ Required	Approved with Site Plan 820160190	Proposed with Site Plan Amendment 82016019C
<b>59 – 4</b>	<b>Gross Tract Area (sf)</b> CRT-2.0, C-1.0, R-1.75, H-120 CRT-2.0, C-2.0, R-2.0, H-80 <b>Total</b>	   n/a	 118,991 275,735 <b>394,725</b>	 118,991 275,735 <b>394,725</b>
<b>4.5.4.B.2.b</b>	<b>Density<sup>1</sup></b> CRT-2.0, C-1.0, R-1.75, H-120 Commercial FAR/GFA Residential FAR/GFA <b>TOTAL FAR/GFA</b> CRT-2.0, C-2.0, R-2.0, H-80 Commercial FAR/GFA Residential FAR/GFA <b>TOTAL FAR/GFA</b> Entire Site (Block B) Commercial FAR/GFA Residential FAR/GFA <b>TOTAL FAR/GFA</b>	   1.0/118,991 1.75/208,234 <b>2.0/250,802</b>   2.0/551,470 2.0/551,470 <b>2.0/551,470</b>   n/a n/a n/a	   0.17/20,408 1.79/213,432 <b>1.96/233,840</b>   0.32/87,296 1.70/468,314 <b>2.02/555,610</b>   0.27/107,704 1.73/681,746 <b>2.0/789,450</b>	   0.17/20,408 1.80/214,582 <b>1.97/234,990</b>   0.32/87,296 1.71/472,164 <b>2.03/559,460</b>   0.27/107,704 1.74/686,746 <b>2.0/794,450</b>
<b>4.5.4.B.2.b</b>	<b>Building Height (feet)</b> CRT-2.0, C-1.0, R-1.75, H-120 CRT-2.0, C-2.0, R-2.0, H-80	 120 70	 120 70	 120 70
<b>4.5.4.B.3</b>	<b>Minimum Setback</b> From R.O.W.	 0'	 0'	 0'
<b>4.5.4.B.1</b>	<b>Open Space</b> Public Open Space (%/sq. ft.)	 10/26,981	 10/27,000	 10/27,000
<b>6.2</b>	<b>Parking spaces, minimum-maximum</b>	 817-1,296	 1,052	 1,052

<sup>1</sup> Per Section 59.4.5.2.B.c for FAR Averaging, the maximum total, nonresidential and residential FAR limits apply to the entire development, not to individual properties.

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

The Amendment will continue to provide safe, well-integrated parking, circulation patterns, and open spaces and site amenities. The Project proposes to expand private outside dining areas while maintaining a minimum of 27,000 square feet of public open space as previously approved. The expansion of private dining areas will encourage activation of the public open space and support the adjacent retail

tenants. The Project has been conditioned to ensure that any private dining areas will continue to provide a minimum pedestrian travel way of 6-feet.

The Applicant proposes to restrict parking spaces along private streets A and B for retail tenants and/or subject to duration controls. The approved Preliminary Plan located two spaces on private Street A to be reserved for kiss-and-ride for the Future Purple Line, which have been written into the Declaration of Covenants recorded in the Land Records for Montgomery County at Book 56311, Page 362. The proposed Amendment to the remaining street parking on the private street is in conformance with the Zoning Ordinance and these spaces may remain counted towards the number of required parking spaces, per Section 59.6.2.3.A of the Zoning Ordinance. As conditioned, the Amendment will provide safe, well integrated parking and circulation patterns.

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 this Site Plan shall remain valid as provided in Montgomery County Code § 59-7.3.4.H; and

BE IT FURTHER RESOLVED, that the date of this written resolution is AUG 13 2020 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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#### CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Vice Chair Fani-González, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor at its regular meeting held on Thursday, July 23, 2020, in Silver Spring, Maryland.



Casey Anderson, Chair  
Montgomery County Planning Board