



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

MCPB No. 21-058  
Preliminary Plan No. 12002020E  
Chevy Chase Lake Block B  
Date of Hearing: July 8, 2021

**JUL 15 2021**

**RESOLUTION**

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on November 22, 2002, the Planning Board approved Preliminary Plan No. 120020200, creating one lot for a maximum of 174,016 square feet of retail uses and 48,708 square feet of office uses on 5.0 acres of land in the C-1, C-2, and R-30 zones, 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 February 21, 2006, the Planning Board approved Preliminary Plan Amendment No. 12002020A (MCPB 16-078) to increase the office use floor area to 74,356 square feet on the Subject Property; and

WHEREAS, on June 15, 2017, the Planning Board approved Preliminary Plan Amendment No. 12002020B (MCPB 17-041) to create two lots for 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 (retail, restaurant, or service) uses on 6.19 acres of land in the CRT-2.0 C-1.0 R-1.75 H-120 and CRT 2.0 C 2.0 R 2.0 H80 zones, on the Subject Property; and

WHEREAS, on February 22, 2018 the Planning Board approved Preliminary Plan No. 12002020C (MCPB 18-023) to formally abandon an easement which has not been put to public use on the Subject Property; and

WHEREAS, on July 23, 2020, the Planning Board approved Preliminary Plan No. 12002020D (MCPB 20-071) to reallocate up to 5,000 square feet of residential density approved under the Sketch Plan from Blocks A & D to Block B, increasing

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Approved as to  
Legal Sufficiency: /s/ Delisa Coleman  
M-NCPPC Legal Department

maximum 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 on the Subject Property; and

WHEREAS, on March 24, 2021, Bozzuto Development Company/Chevy Chase Land Company ("Applicant") filed an application to amend the previously approved preliminary plan(s) to modify access points, internal street circulation on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan No. 12002020E, Chevy Chase Lake Block B ("Preliminary 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 June 28, 2021, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on July 8, 2021, 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 conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 12002020E to modify access points, internal street circulation by modifying Condition 5, which supersedes the previously approved Condition as set forth in Preliminary Plan Amendment 12002020B<sup>1</sup>, and adding Conditions 21 and 22:<sup>2</sup>

5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated April 28, 2017 and confirmed on May 3, 2021 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 any other conditions of the Preliminary Plan approval.

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<sup>1</sup> Preliminary Plan Amendment 12002020C is not changed and did not include any conditions, and Preliminary Plan Amendment 12002020D included one condition which is not modified by this Amendment.

<sup>2</sup> For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

21. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration ("SHA") in its letter dated April 16, 2021 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 SHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
22. Within 9 months of mailing of the Preliminary Plan Amendment Resolution, the Applicant must amend Declaration of Restricted Covenants for Private Roads currently recorded at Book 56311 and Page 362 to include Private Street C and amend and re-record the plat with new Covenant references and delineation of the changes to the Private Road Area (Chaplin Place (Street A) and new Private Street C).

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

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

*Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved preliminary plan as revised by previous amendments, and all findings not specifically addressed remain in effect.*

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUL 15 2021 (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 Resolution, 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 Commissioner Cichy, seconded by Vice Chair Fani-González, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma, voting in favor of the motion at its regular meeting held on Thursday, July 8, 2021, in Wheaton, Maryland.

  
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Casey Anderson, Chair  
Montgomery County Planning Board