



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

MCPB No. 21-059
Site Plan No. 82016019D
Chevy Chase Lake Block B
Date of Hearing: July 8, 2021

JUL 15 2021

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 (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 approved Site Plan Amendment No. 82016019B (MCPB No. 19-121) to eliminate garage access along Chevy Chase Lake Terrace; relocate transformers; revise the Manor Road/Connecticut Avenue intersection improvements' make minor changes to secondary driveway at 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

2425 Reedie Drive, 14th Floor, Wheaton, Maryland 20902 Phone: 301.495.4605 Fax: 301.495.1320
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc.org

Approved as to

Legal Sufficiency: /s/ Delisa Coleman

M-NCPPC Legal Department

WHEREAS, on July 23, 2021, the Planning Board approved Site Plan Amendment No. 82016019C (MCPB No. 20-063) to reallocate up to 5,000 square feet of residential density approved under the Sketch Plan from Blocks A & D to Block B, increasing the 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; reconfigure private outdoor dining areas while maintaining 27,000 square feet of previously approved public use space; and clarification of retail parking on private streets on the Subject Property; and

WHEREAS, on March 24, 2021, Bozzuto Development Company and Chevy Chase Land Company ("Applicant") filed an amendment to the previously approved site plans to modify access points, internal street circulation, relocate mitigation plantings on the Forest Conservation Plan, modify design of public open space, and make minor changes to hardscape, landscape and lighting on the Subject Property; and

WHEREAS, the application to amend the site plan was designated Site Plan No. 82016019D, 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 June 28, 2021, setting forth its analysis of, 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 Site Plan No. 82016019D to modify access points, internal street circulation, relocate mitigation plantings on the Forest Conservation Plan, modify design of public open space, and make minor changes to hardscape, landscape and lighting by modifying of Condition 24, which supersedes the previous Condition language of Site Plan Amendment No. 82016019C¹, and adding Condition 25:²

¹ Site Plan Amendment 82016019A was a minor amendment, is not modified and did not include any conditions; and, Site Plan Amendment 82016019B modified only Condition 14 and is not modified.

² 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.

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 Development Table to include requirement for replatting and recordation of amended Declaration of Restricted Covenants for Private Roads.

25. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS"), Fire Department Access and Water Supply Section in its letter dated February 27, 2017 and updated on May 21, 2021 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.

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 all site development elements shown on the latest electronic version of 82016019D, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that, 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.*

d. General Requirements

i. *Site Access*

The proposed circulation reconfiguration will create a one-way counter-clockwise loop around the central green between Connecticut Avenue and Chevy Chase Lake Terrace. Access into the site from Connecticut Avenue will be on the south side, with return access to the Avenue on the north side. The revised circulation will provide a more cohesive environment

between the building facades, allowing the two narrow streets to extend the pedestrian environment from the central lawn to the buildings in either direction, whereas in the former, Building B1 and the dining areas were separated from the rest of the neighborhood square.

The Amendment will have no effect on the previously approved design of the adjacent master-planned two-way separated bike lane and sidewalks along the east side of Connecticut Avenue, along the Site frontage.

ii. Parking, Queuing, and Loading

The proposed amendment will not alter the Project's loading and structured parking. The private on-street parking will be slightly modified on Chaplin Place to accommodate the shared street design and will remain safe and adequate. The Applicant proposes bollards on both Chaplin Place and new Private Street C to ensure on-street parking will not encroach into adjacent private dining areas.

iii. Open Space and Recreation

The proposed redesign of the public open space does not affect the previously approved Site Plan requirement of 10% public open space, which yields a requirement of 26,981 square feet. The Application maintains a minimum of 27,000 square feet of public open space throughout the Site, including sidewalks adjacent to private streets and a majority of the public open space will be provided in the Sector Plan recommended neighborhood square. The original design included benches, lawn area, landscaping, and seating walls to activate the space, all elements remain in the revised design.

5. The development satisfies the applicable requirements of Chapters 19 and 22a of the Montgomery County Code.

a. Chapter 19, Stormwater Management

The MCDPS Stormwater Management Section approved the stormwater management concept on December 16, 2016. On February 26, 2021 MCDPS confirmed that the previously issued approval remains valid with this amendment. As stated in the original approval letter, the stormwater management concept meets stormwater management requirements via environmental site design to the maximum extent practicable through the use of micro-bioretenion and green roofs. The remaining volume will be treated with three underground water quality vaults.

b. Chapter 22A, Forest Conservation

As amended, the Project will maintain the afforestation and reforestation requirements associated with the Forest Conservation Plan, a total of 1.29-acres, via credits purchased from an offsite bank or payment of a fee-in-lieu. This Amendment will modify the locations of these variance mitigation plantings, but the required caliper inches remains unchanged.

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.

As amended, the qualitative redesign does not affect the overall size of the space between Buildings B1 and B2, rather it provides a more cohesive neighborhood square including larger private outdoor dining areas along the ground-floor restaurant spaces, and a change in circulation to allow drop off areas in front of each building. These changes do not affect the overall size between the buildings, but allow for one-way vehicular movement on narrow, curb less lanes with specialty pavers. The newly proposed materials will signal to vehicles that they have entered a pedestrian realm, and provide differing paver texture and/or patterns for pedestrian only areas. The proposal will also relocate 6 mitigation trees within the square and along Chevy Chase Lake Terrace. Other features of the neighborhood square remain largely unchanged such as the lawn, large tree canopy, water wall feature, and various seating areas.

7. The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.

The Chevy Chase Lake Sector Plan recommends that the redevelopment of the Subject Property include a public open space, to be approximately ½-acre in size, privately owned and maintained, and designed through the development review process. The proposed redesign of the public open space does not affect the previously approved Site Plan requirement of delivering the approximately ½ acre (21,780 square feet) neighborhood square. This space, as amended, will continue to serve as a gathering place for existing as well as new residents and contains amenities necessary to make it an appealing destination for the entire community, as envisioned by the Sector Plan. These amenities include a water wall feature, large tree canopy area, lawn, and various seating types.

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 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).

* * * * *

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.



Casey Anderson, Chair
Montgomery County Planning Board