

Montgomery Planning

CHEVY CHASE LAKE BLOCK A PRELIMINARY PLAN 120230110 & PRELIMINARY FOREST CONSERVATION PLAN F20230410



Description

Preliminary Plan, and associated Preliminary Forest Conservation Plan, to consolidate existing Lots 1-12 (Block 22) into a single lot for up to 246,454 square feet of overall development, including up to 19,000 square feet of ground floor non-residential density and up to 220 multi-family dwelling units and associated structured parking.

No. 120230110
No. F20230410
Completed: 11-27-2023

MCPB
Item No. 7
12-07-2023

Montgomery County
Planning Board
2425 Reedie Drive, Floor 14
Wheaton, MD 20902

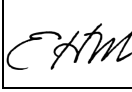
Planning Staff



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LOCATION/ADDRESS

8550 Connecticut Avenue; SW quadrant,
intersection of Connecticut Avenue and
Manor Road

MASTER PLAN

2013 Chevy Chase Lake Sector Plan

ZONE

CRT-2.0, C-1.0, R-2.0, H-70' and
CRN-1.0, C-0.25, R-1.0, H-40'.

PROPERTY SIZE

1.81 acres

APPLICANT

The Chevy Chase Land Company

ACCEPTANCE DATE

August 9, 2023

REVIEW BASIS

Chapter 59, Chapter 50, Chapter 22A



Summary:

- Staff recommends approval of the Preliminary Plan and Preliminary Forest Conservation Plan with conditions.
- The site was covered at a schematic level in Sketch Plan 320160030, approved by the Planning Board on January 21, 2016.
- The Project will provide a mixed-use development with a maximum height of 40 feet along Loughborough Place and 70 feet tall along Connecticut Avenue.
- The applications will provide a minimum of 12.5% Moderately Priced Dwelling Units (MPDUs).
- Staff has received public correspondence to this Application which will be summarized within this Staff Report and included as an attachment.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

PRELIMINARY PLAN 120230110

Staff recommends approval with conditions of Preliminary Plan 120230110 for a mixed-use development of up to 246,454 square feet of overall development, including up to 19,000 square feet of ground floor non-residential density and up to 220 multi-family dwelling units. All site development elements shown on the latest electronic version of Preliminary Plan No. 120230110 as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.

GENERAL APPROVAL

1. This Preliminary Plan is limited to one (1) lot for up to 246,454 square feet of total development, including up to 19,000 square feet of non-residential density and up to 220 multi-family dwelling units (including 12.5% MPDUs) and associated structured parking.

ADEQUATE PUBLIC FACILITIES AND OUTSIDE AGENCIES

2. The Adequate Public Facilities (“APF”) review for the Preliminary Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

PLAN VALIDITY PERIOD

3. The Preliminary Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and before the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

OUTSIDE AGENCIES

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated November 14, 2023 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration (“SHA”) in its letter dated November 16, 2023, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MDSHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

7. Before the issuance of access permits, the Applicant must satisfy the Maryland State Highway Administration's requirements for access and improvements.
8. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its stormwater management concept letter dated November 22, 2023 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
9. 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 November 6, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

FUTURE SITE PLAN APPROVAL REQUIRED

10. The Applicant must receive Staff certification of a Planning Board-approved site plan prior to recordation of a plat. The number and location of site elements, including but not limited to buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined through site plan review and approval. The Applicant may submit the record plat application concurrent with the first submission of the Certified Site Plan.
11. If an approved site plan or site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan or site plan amendment.
12. The Applicant will demonstrate, through further analysis at the time of Site Plan submission, that their alternative approach and justification meet the intent of the 2013 Chevy Chase Lake Sector Plan recommendation for a mid-block connection between Loughborough Place and Connecticut Avenue.
13. A draft loading plan must be included with future submittal of the Site Plan.
14. The future Site Plan must demonstrate substantial conformance to the Sector Plan recommendations for a residential townhouse-scale appearance of development along Loughborough Place and the recommendations of the associated design guidelines.

TRANSPORTATION

Existing Frontage Improvements

15. The Applicant must provide the following dedications and show them on the record plat(s) for the following existing roads:
 - a) All land necessary to accommodate thirty (30) feet from the existing pavement centerline along the Subject Property frontage for Laird Place.

- b) All land necessary to accommodate thirty (30) feet from the existing pavement centerline along the Subject Property frontage for Loughborough Place.
 - c) All land necessary to accommodate fifty-three (53) feet from the existing pavement centerline along the Subject Property frontage for Connecticut Avenue.
16. Before the recordation of the plat, the Applicant must satisfy all necessary requirements of MDOT SHA to ensure construction of the following improvements:
- a) a 10-foot wide sidepath with a five-foot street buffer along the Property frontage on Connecticut Avenue;
 - b) a 10-foot-wide street buffer and a six-foot-wide sidewalk along the Property frontage on Laird Place;
 - c) a six-foot-wide street buffer and a six-foot-wide sidewalk along the Property frontage on Loughborough Place; and
 - d) a six-foot-wide street buffer and an eight-foot-wide sidewalk along the Property frontage on Manor Road.

RECORD PLATS

17. With the exception of clearing and grading associated with the demolition of the existing paving and buildings, there shall be no clearing or grading of the site before recordation of plat(s).

Easements

18. The record plat must show necessary easements.
19. The record plat must reflect common ingress/egress and utility easements over all shared driveways.

Notes and Labels

20. The record plat must reflect any areas under common ownership.

DEVELOPMENTS WITH MPDUS

21. The final number of MPDUs as required by condition 1 above will be determined at the time of site plan approval.

CERTIFIED PRELIMINARY PLAN

22. The certified Preliminary Plan must contain the following notes:
- a. *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.*
23. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
- a) Show resolutions and approval letters on the certified set.

PRELIMINARY FOREST CONSERVATION PLAN F20230410

Staff recommends approval of Preliminary Forest Conservation Plan No. F20230410, to impact and remove specimen trees and satisfy afforestation/reforestation requirements associated with Preliminary Plan application 120230110, subject to the following conditions:

1. The Applicant must plant the variance tree mitigation plantings for removed on-site specimen trees on the Subject Property; mitigation plantings for removed off-site specimen trees within the right-of-way may be located within the right-of-way following coordination with the M-NCPPC Forest Conservation Inspector. Minimum planting size of 3-inch caliper totaling 17 caliper inches is required. Planting locations to be shown on the Final Forest Conservation Plan (“FFCP”).
2. Applicant must submit a Final Forest Conservation Plan (“FFCP”) for review and approval with any future development plan for this Subject Property.
3. The FFCP must be consistent with the approved Preliminary Forest Conservation Plan.

SECTION 2: SITE DESCRIPTION

VICINITY

The 1.81-acre Property is located on the west side of Connecticut Avenue (MD 185) approximately ¼-mile south of Jones Bridge Road. This area of Chevy Chase is identified as the Chevy Chase Lake Center within the Sector Plan and serves as part of the neighborhood center of Chevy Chase Lake. This area features a collection of uses including residential developed properties to either side of Connecticut Avenue which transition to a mixed-use and commercial core along the roadway. The Capital Crescent Trail features prominently to the south while Connecticut Avenue stretches northward towards Interstate highway 495 (I-495) approximately 0.66 miles north of the Subject Property. The Howard Hughes Medical Institute lies to the northwest while residential properties, which face away from the major roadway of Connecticut Avenue, are generally located along Manor Road.

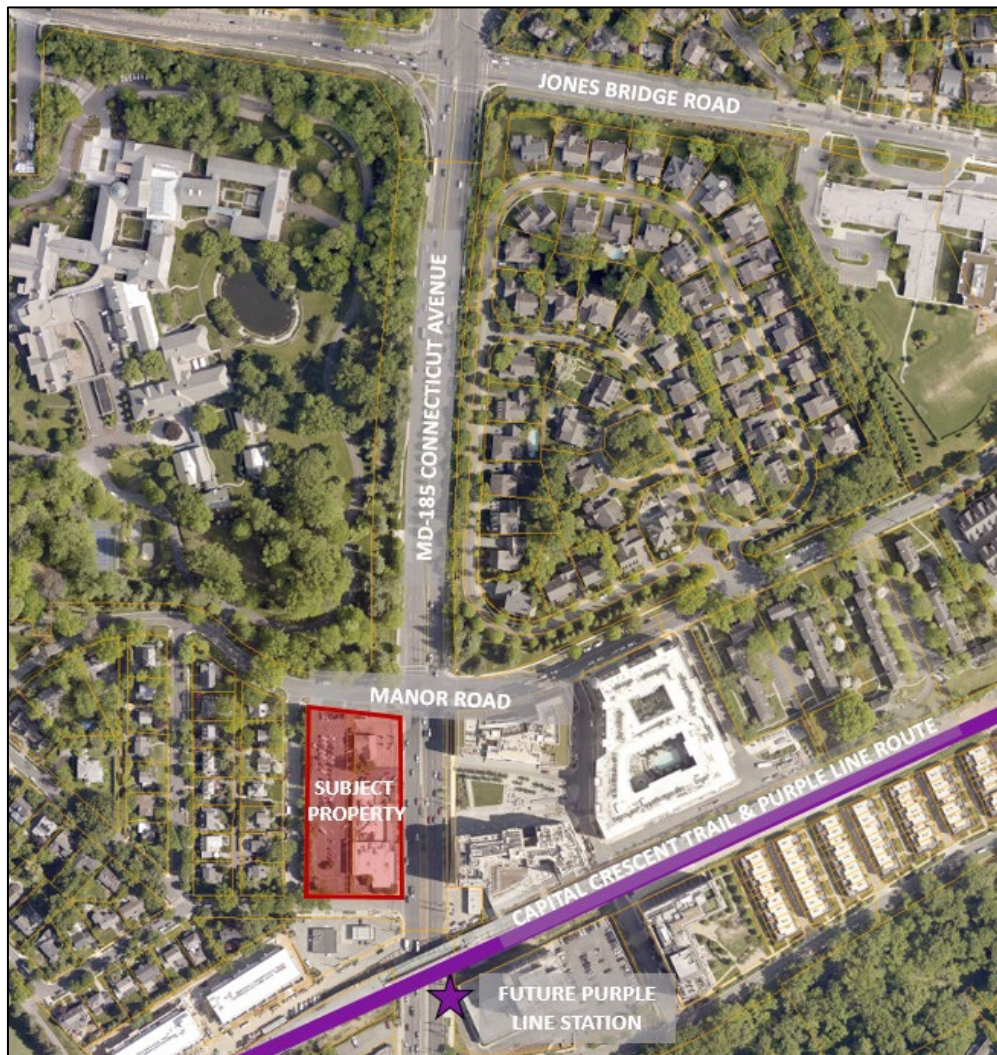


Figure 1 – Vicinity Map (Subject property outline and shaded in red)

PROPERTY DESCRIPTION

The Subject Property, which can also be identified as the Chevy Chase Lake West Shopping Center, consists of Lots 1-12 in Block 22 of the “Chevy Chase Section 4-A” subdivision per Plat No. 334. These lots are bordered by Loughborough Place to the west, Manor Road to the north, and Laird Place to the south. The Property is approximately 76,904 square feet and is currently improved with a low-rise commercial shopping center, which contains various retail/restaurant uses, a bank with a drive-thru, and a gasoline service station, and associated surface parking. In total, the Site contains approximately 28,497 square feet of existing commercial floor area. Access to the site is currently provided by three curb cuts along Connecticut Avenue, three curb cuts along Manor Road, and one curb cut along Laird Place.

The Property is located within the Rock Creek watershed, a Use I watershed¹. The Property is generally flat with only a slight slope rising towards the east at the rear of the Property. In its existing condition, the Site features a sidewalk along Connecticut Avenue which is intersected by numerous curb cuts and contains no street trees or vegetated buffers. The Property is buffered from? Loughborough Place by an existing row of trees which includes extensive evergreens as well as three deciduous canopy trees, two of which are specimen trees sized 30-inch diameter-at-breast-height (DBH). Other specimen trees exist offsite to the west and north.

¹ 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.

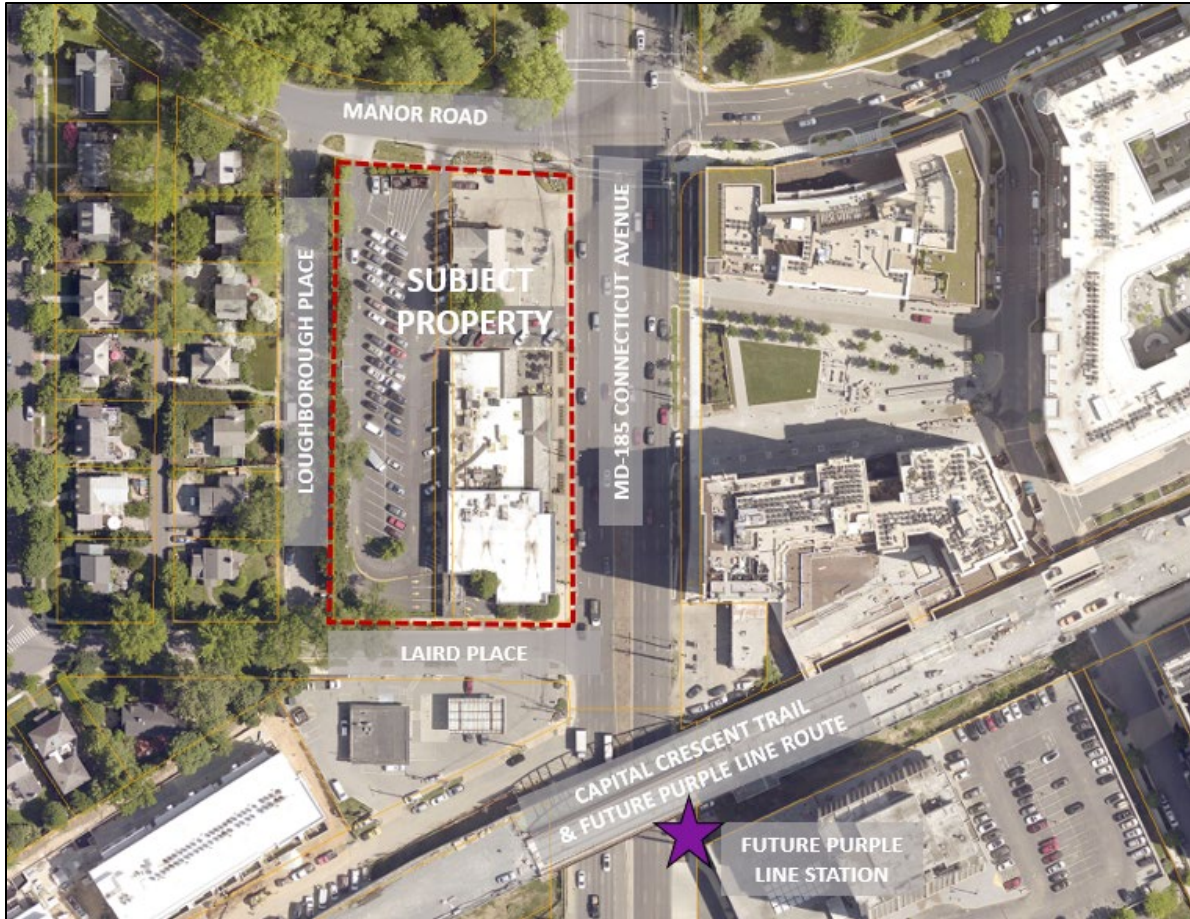


Figure 2 – Subject Property (outlined in red)

SECTION 3: PROJECT DESCRIPTION

PREVIOUS APPROVALS

SKETCH PLAN

The Project is the second phase of a larger overall mixed-use, multi-phase redevelopment known as the Chevy Chase Lake Blocks A, B and D which was introduced in Sketch Plan Application No. 320160030 and approved by the Planning Board on January 21, 2016. The approved Sketch Plan includes the Subject Property located on the west side of Connecticut Avenue as well as the redevelopment currently underway of the former Chevy Chase Lake East Shopping Center, now known as Chevy Chase Block B. Specifically, the previous Sketch Plan approval proposed redevelopment of Chevy Chase Lake Blocks A, B and D with a mixed-use development containing a maximum of 1,526,289 gross square feet, including up to a maximum of 1,385,360 square feet of residential and up to 676,700 square feet of non-residential development.

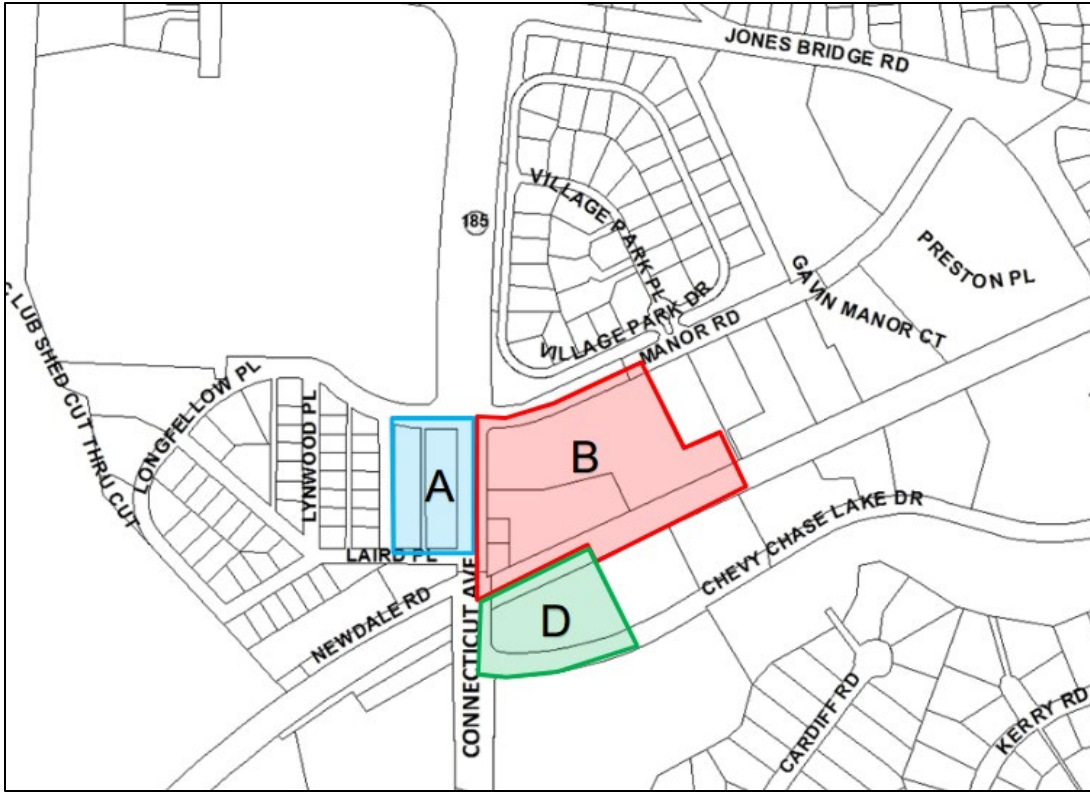


Figure 3: Sketch Plan Development Block Diagram

The Sketch Plan approved a maximum density on Block A in combination with Block D of 667,559 square feet of overall development, all of which may be residential use and up to 459,800 square feet may be commercial use. The Sketch Plan approved three options for Block A including (1) multi-family over retail; (2) three story townhomes (on Loughborough Place) with office over retail (along Connecticut Avenue); and (3) three story townhomes (on Loughborough Place) with multi-family over retail (along Connecticut Avenue). The Project proposed by this Application implements the multi-family over retail option that was approved with the Sketch Plan (option 3 above).

ALLEYWAY ABANDONMENT

As illustrated in Figure 3 above, Block A is bisected by a public alleyway which helped to facilitate connectivity between Laird Place and Manor Road. As the existing development was established, the abandonment of this alleyway was requested to enable Block A to function as one development rather than two.

The Montgomery County Council approved Abandonment Case No. AB-252 on January 9, 1968 for the abandonment of the 15-foot wide alley in Block 22, between Laird Place and Manor Road (Resolution No. 6-972) subject to the following conditions:

(1) This abandonment shall become effective at such time as the Chevy Chase Land Company records in the Land Records of Montgomery County (the "Land Records") the appropriate instrument

approved by the County Attorney guaranteeing perpetual ingress and egress to the rear of commercial properties fronting on Connecticut Avenue; and

(2) Easement required by the Potomac Electric Power Company for installation and maintenance of electric power facilities shall be granted and recorded.

The conditions of approval were satisfied through an agreement recorded in the Land Records at Liber 3712, Folio 644 through which the Chevy Chase Land Company “declared and agreed such easements within the bounds of the Alley abandoned will be granted to the Potomac Electric Power Company as it may find necessary for installation and maintenance of its facilities to service the commercial buildings on lots 1 through 6 in said Block [22];” and the recordation of an agreement recorded in the Land Records at Liber 3712, Folio 642 through which the Chevy Chase Land Company “declares and agrees that... off-street parking will be provided and maintained on the remaining lots in said block and the abandoned alley for customer parking and for vehicles loading and unloading goods, wares, merchandise and equipment to the commercial establishments ... on Lots 1 through 6 in Block 22...”

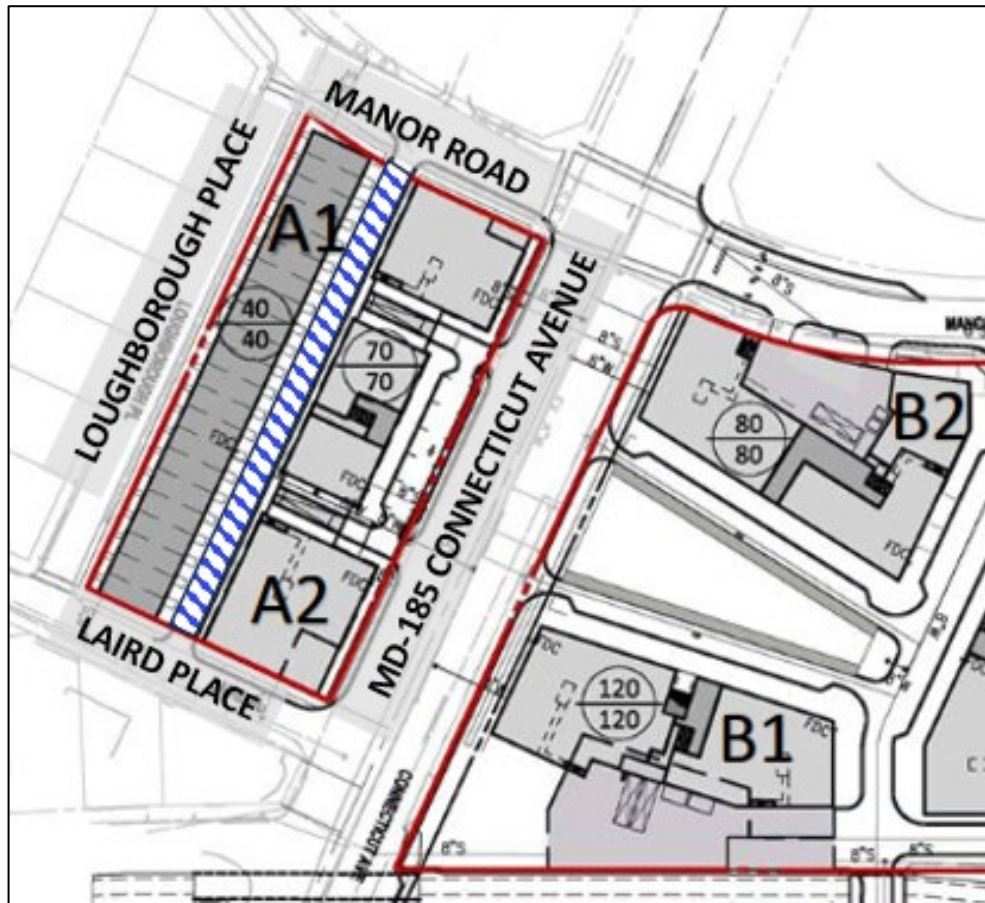


Figure 4: Detailed Block Diagram – (abandoned alleyway shown dashed in blue, located between A1 and A2)

PROPOSAL

The entirety of Block A is proposed for consolidation into one lot to accommodate the future contemplative redevelopment of the Property. As mentioned above, the Project seeks to implement the mixed-use, multi-family residential over retail option approved by the Sketch Plan. The Applicant anticipates a mixed-use, predominately residential, development with up to 246,454 square feet of overall development, including up to 19,000 square feet of ground floor commercial density and up to 220 dwelling units and associated structured parking. Although the Project will be constructed as one building, it is divided into two programmatic sites, “Site A1” and “Site A2” as identified in Figure 4 above. Site A1 is located along Loughborough Place and will have a maximum height of 40 feet and is proposed to be designed to read as a series of townhouse style buildings along the street. Site A2, fronting Connecticut Avenue, is where the majority of the development is proposed for a maximum height of 70 feet and will have ground-floor commercial uses with residential above.

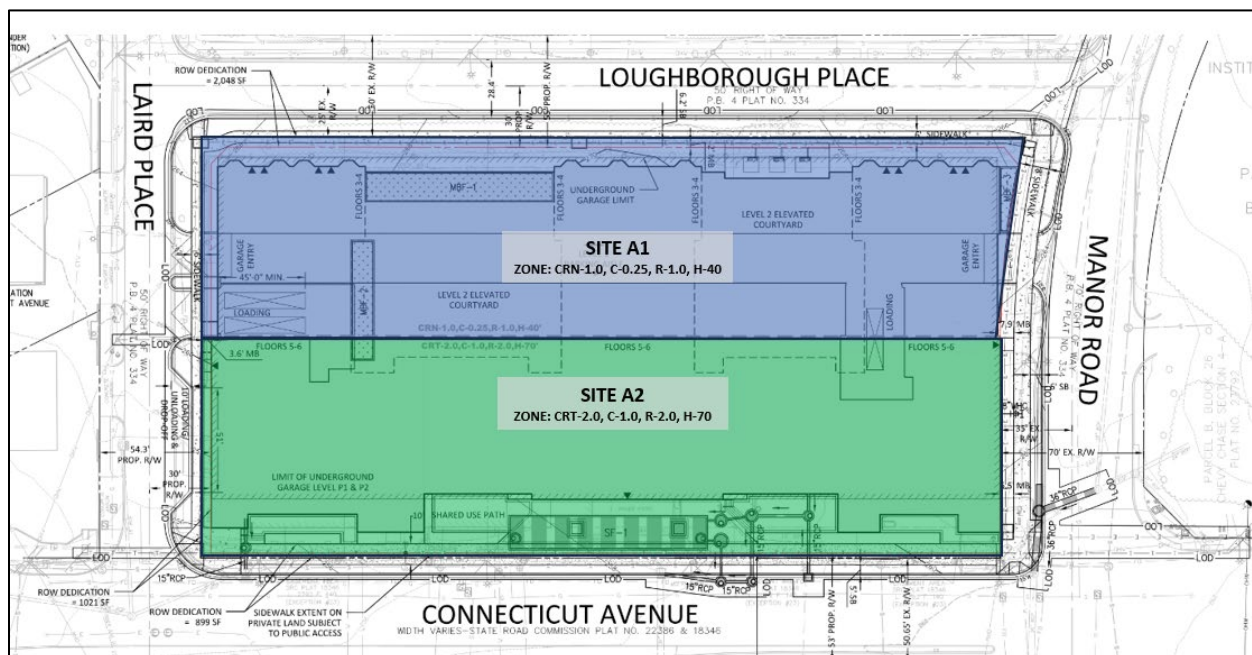


Figure 5: Lot Diagram

OPEN SPACE

Under Sections 4.3.C and 4.5.4.B.1 of the Zoning Ordinance, the Applicant is required to provide a minimum of 10% on-site public use space (or 7,690 square feet). The approved Sketch Plan included a comprehensive open space strategy for the entire Sketch Plan Property. As shown on the Sketch Plan data table and as proposed currently, the open space is proposed to be allocated over blocks A & B and will be constructed proportionally with each phase.

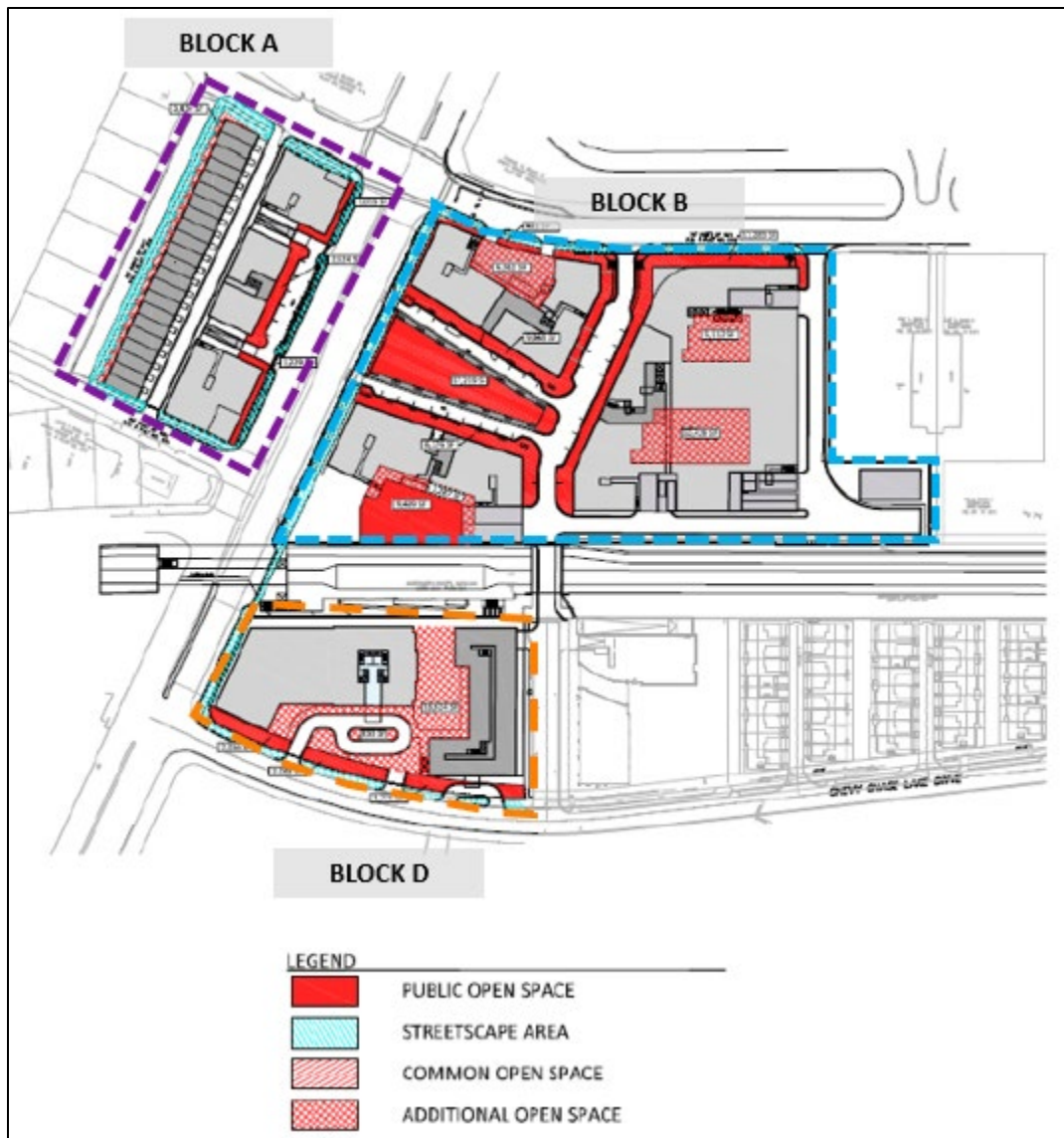


Figure 5: Sketch Plan Open Space Diagram

Among Blocks A, B and D, a bulk of the shared, required open-space was provided on Block B through the Neighborhood Square, the raised Purple Line Platform and internal streetscapes. Particular to Block A, 1,127 square feet of Block A’s required open space is being provided on Block B, consistent with the Sketch Plan approval. Block A itself will provide an additional 6,563 square feet of public open space on-site through diverse public open space offerings that will enhance the pedestrian circulation and create opportunities for social gathering.

The public open space design follows the design principles outlined in the Sector Plan, which defines the project site as a gateway to a newly constructed Town Center and a well-established neighborhood. The goal of the design is to blend in and create a connection between the two. The Connecticut Avenue façade is the active side of the Project, with a series of outdoor terraces for dining and social gatherings, and planter beds with trees for texture, scale, and shade. The Loughborough

Place edge is the neighborhood side, with greenery at the entrances to the town-house style units, large shade trees that are consistent with the neighborhood characteristics, and lush plantings to incorporate nature and to enhance the pedestrian experience.

Manor Road and Laird Place are transitional streets that connect people from the residential neighborhood to the Town Center. These streets will provide wide sidewalks, separated by street buffers, to provide pleasing pedestrian connections from the abutting residential neighborhood to Connecticut Avenue, where the Applicant is accommodating a 10-foot-wide shared use path to promote connectivity within the Town Center.

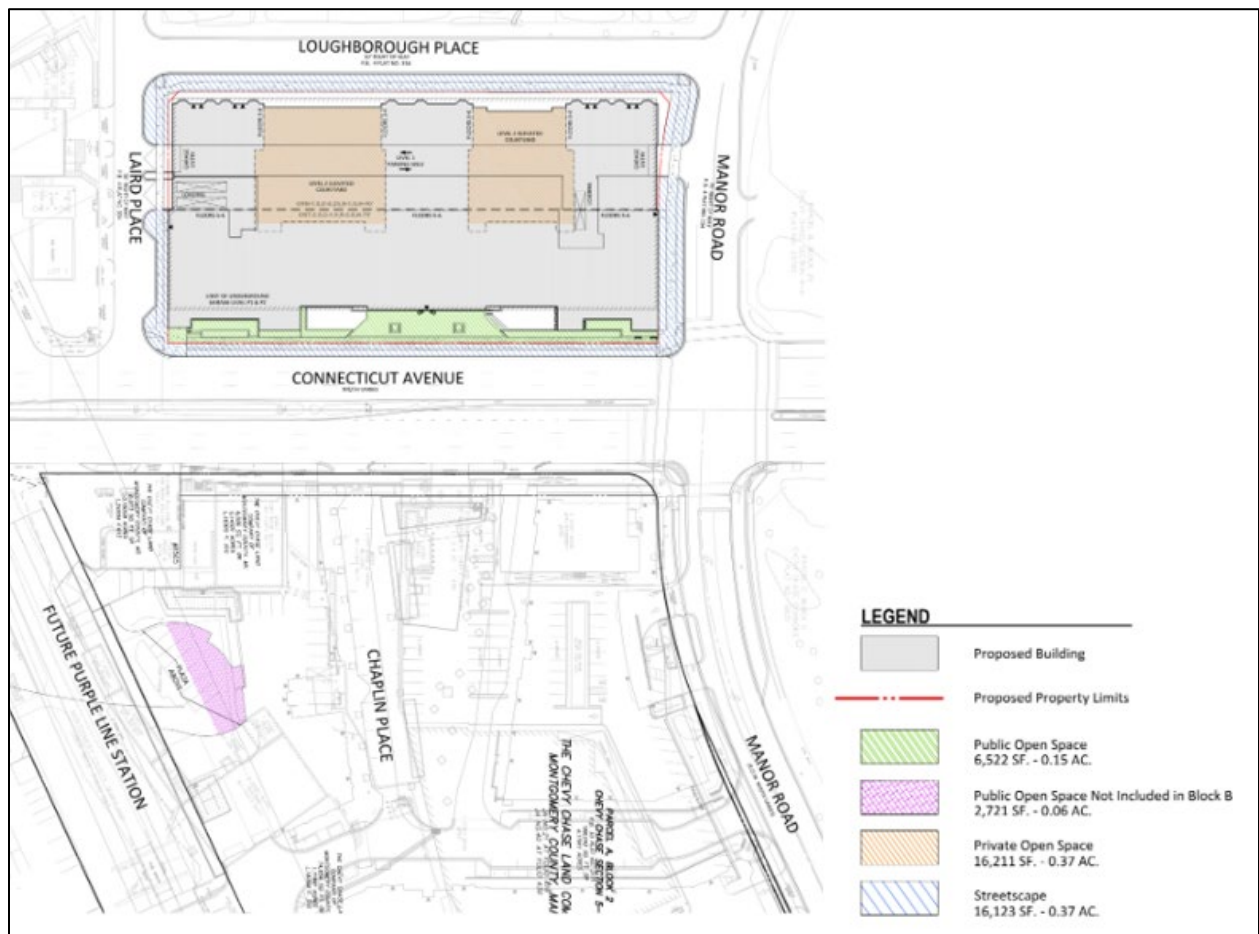


Figure 6: Block A Open Space Exhibit

TRANSPORTATION

The Preliminary Plan proposes two access points, one from Laird Place and the other from Manor Road. These access points will provide for loading activities to support the proposed residential and retail components and provide access for vehicular parking. All loading, vehicular and bicycle parking will be finalized at the time of Site Plan review. The Preliminary Plan is showing an off-street pick-up/drop-off area along the east side of Laird Place to provide a designated space for ridesharing, taxi

usage, and unscheduled deliveries (Figure 7). As indicated in MCDOT’s approval letter for the Preliminary Plan, this design has been approved in concept, but the final design will be determined at the time of Site Plan².

At this time the Project is proposing on-site vehicular parking and long-term bicycle parking spaces in the below-grade parking garage. The final number of spaces will be determined at the time of Site Plan, based on the residential unit mix and non-residential density.

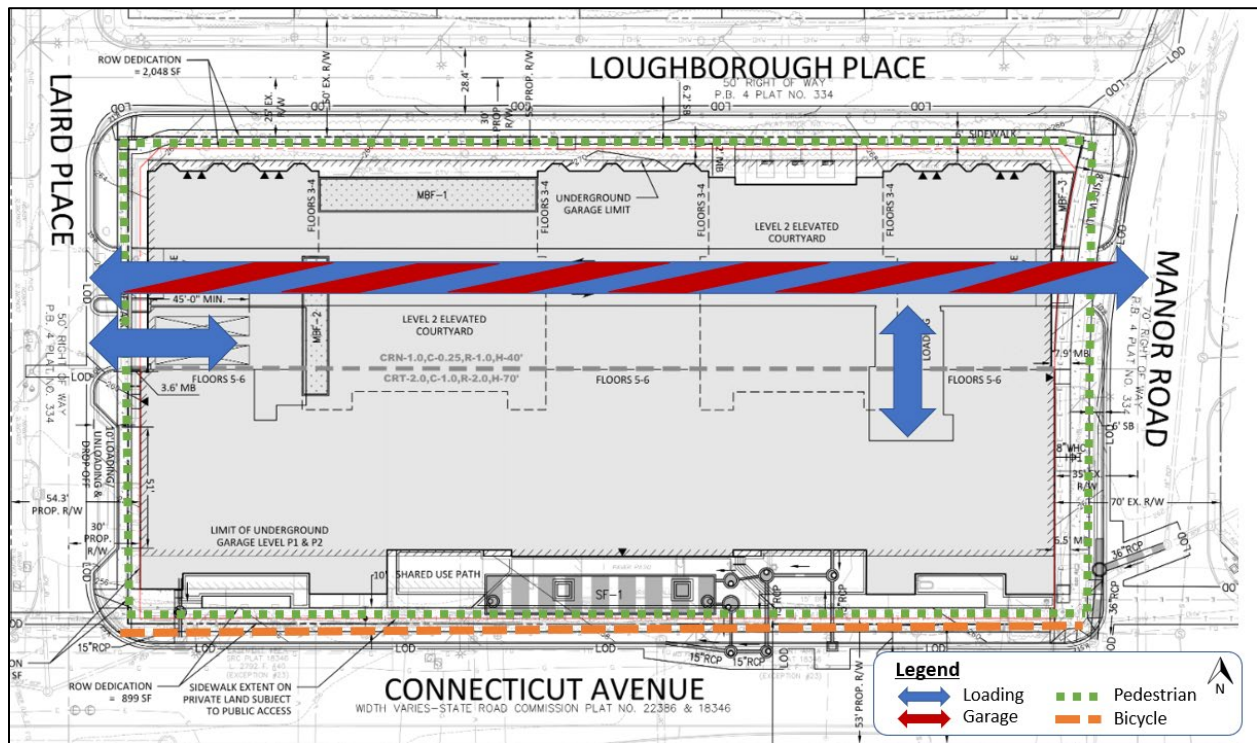


Figure 7: Access and Circulation Exhibit

All Site frontages will be improved with buffered pedestrian pathways. The vegetated street buffer on Laird Place will be widened to 10 feet, and the sidewalk to six feet (6 ft). Loughborough Place will get a new sidewalk where none exists today with a six-foot (6 ft) vegetated street buffer and a six-foot-wide (6 ft) sidewalk. Manor Road will have a six-foot-wide (6 ft) vegetated street buffer and an eight-foot-wide (8 ft) sidewalk. In accordance with the 2021 *Complete Street Design Guide*, all existing driveways on Connecticut Avenue will be eliminated and replaced with a five-foot-wide (5 ft) vegetated street buffer and a 10-foot-wide sidepath, providing access for pedestrians and cyclists. This street buffer is narrower than the recommended six-foot minimum per the *Complete Streets Design Guide*. Achieving a six-foot-wide buffer would be especially challenging on such a small Site, given the existing roadway cross section. The shared pedestrian and bicycle sidepath achieves the default width of 10 feet. The

² Per Memorandum of Understanding, executed May 6, 2011 by the Conflict Resolution Workgroup on Ways to Improve the Development Approval Process, MCDOT is the lead agency on on-street parking and site access, within County rights-of-way.

Site is located within close proximity to the Purple Line, high-density mixed-use development at Chevy Chase Lake Block B (opposite the Site) and the Capital Crescent Trail. All of those things are likely to attract relatively high volumes of pedestrians and bicyclists. With that in mind, the cross section prioritizes the width of the sidepath over the minimum width of the street buffer. A one-foot difference in width will still establish a significant buffer from motor vehicles and will provide suitable soil volume for street trees, other vegetation, and street furniture.

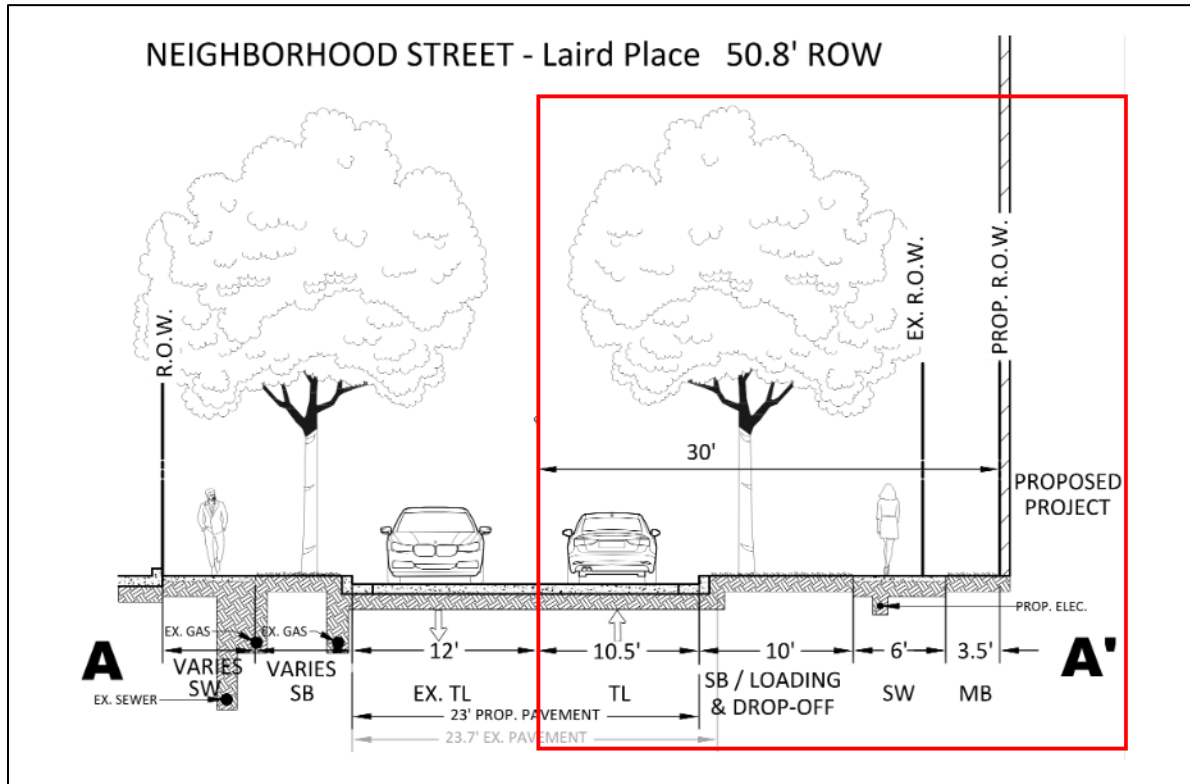


Figure 8 Laird Place Cross Section Looking West

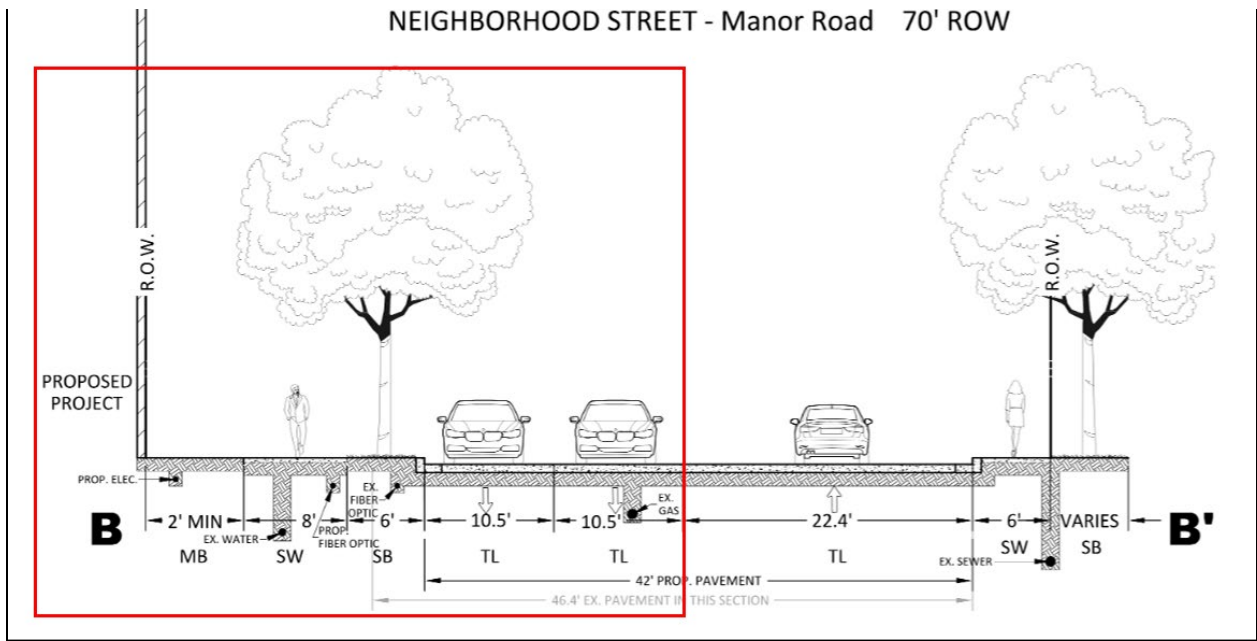


Figure 9 Manor Road Cross Section Looking West

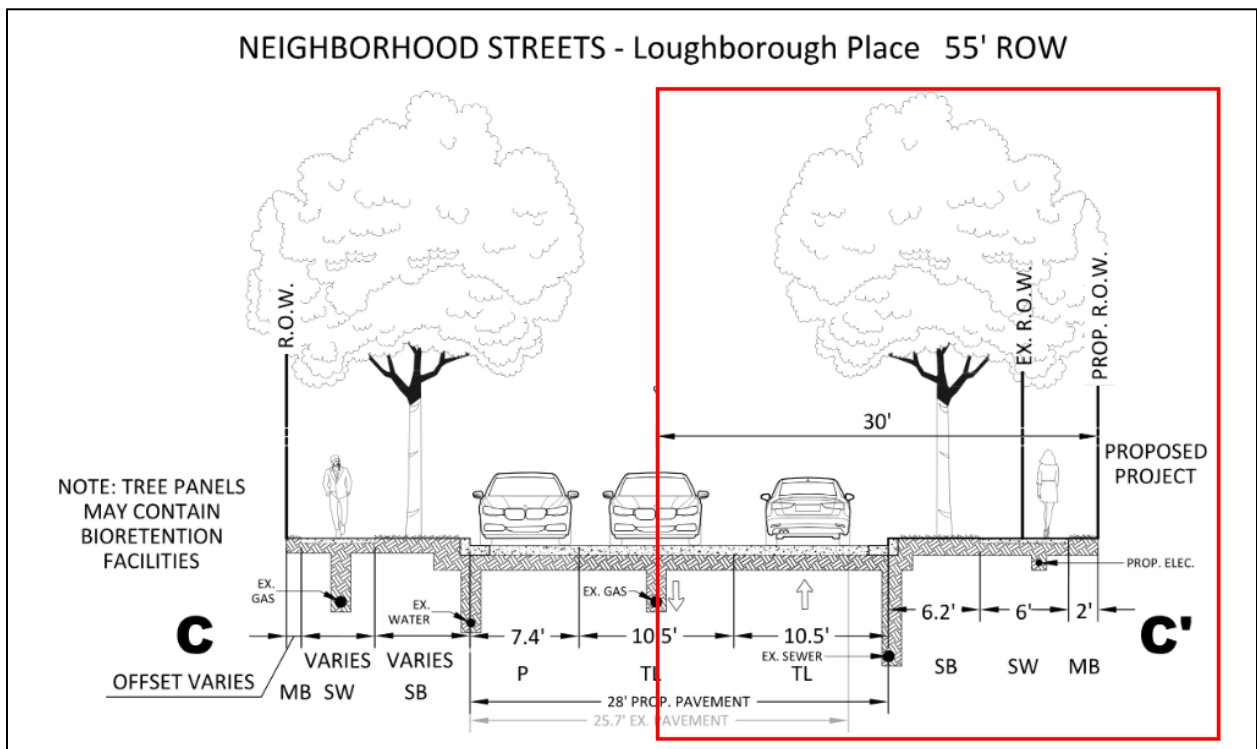


Figure 10: Loughborough Place Cross Section Looking North

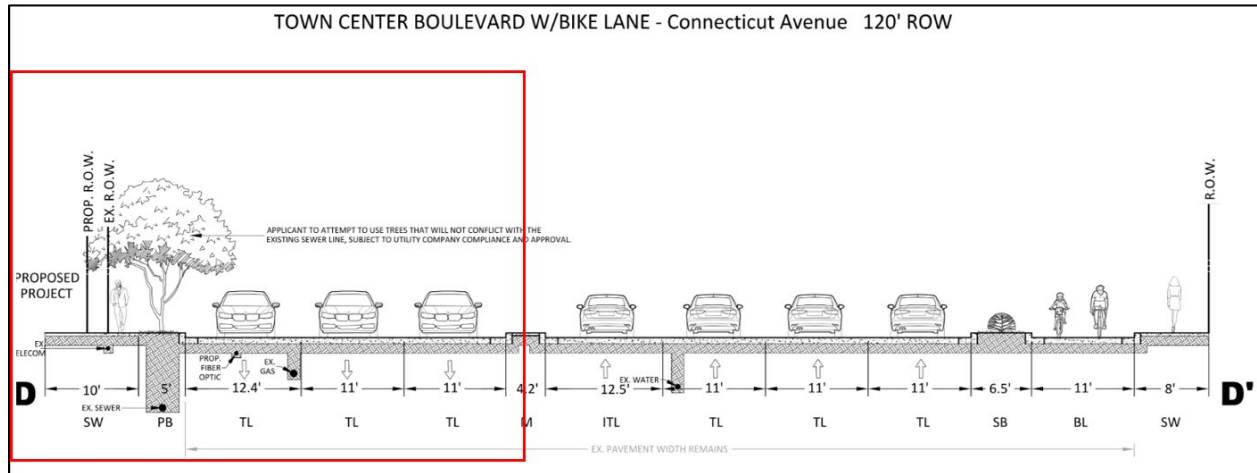


Figure 11: Connecticut Avenue Cross Section Looking North

Bicycle access will be improved with the sidepath along Connecticut Avenue, which contributes to the overall bike network established with the two-way, separated bike lane installed on the east side of Connecticut Avenue, the master-planned sidepath along the north side of Manor Road (east of the Site), and the imminent reopening of the improved Capital Crescent Trail, which runs along the Purple Line.

ENVIRONMENT

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) for this Property was approved on May 16, 2023 via Application No. 420231670. The plan identified the existing man-made and natural features associated with the Property, such as the buildings, associated parking, street trees and landscape elements. As shown on the NRI/FSD, the site is currently developed with existing retail buildings, associated surface and existing streetscape areas. The Site is not associated with any environmentally sensitive features such as forest areas, stream buffers, wetlands, 100-year floodplains, or steep slopes. Two specimen trees, a 31" Pin Oak and a 34" Sweet gum, are located on the perimeter of the Property. Additionally, there are street trees generally measuring less than 24" DBH associated with the Subject Property frontage along Loughborough Place.

FOREST CONSERVATION

Although there is no forest on-site or adjacent to the Property, this Application is subject to Chapter 22A Forest Conservation Law and a Preliminary Forest Conservation Plan is included with this Application. Due to the tract area, associated offsite work, and the mixed-use development land use category of this project, the Forest Conservation Worksheets included in the Forest Conservation Plan show a calculated Afforestation Requirement of 0.35 acres if met within the same watershed or 4.10 acres if met outside the watershed, which Staff recommends be met via fee-in-lieu or through the purchase of offsite bank credits. Both of the identified specimen trees are proposed for removal and accordingly the Applicant has proposed mitigation plantings in the form of 17 caliper inches of

replacement plantings to be planted in the location of the proposed removals. Otherwise, impacts to the critical root zones of neighboring trees offsite are expected to be negligible. Due to the impact to specimen trees, sized at 30” or greater in diameter-at-breast-height (DBH), this Application is subject to the variance provisions of Chapter 22A which is further discussed in the findings below.

SECTION 4: PRELIMINARY PLAN 120230110 FINDINGS AND ANALYSIS

The Preliminary Plan would create one (1) lot, approximately 76,904 square feet, with up to 19,000 square feet of non-residential density and up to 227,454 square feet of residential density, for 220 dwelling units, for a total of 246,454 square feet of total density. This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations.

- 1. *The layout of the subdivision, including size, width, shape, orientation and density 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.***
 - a) The block design is appropriate for the development or use contemplated***
 - b) The lot design is appropriate for the development or use contemplated***

Section 50.4.3.E.2.f.iii of the Montgomery County Subdivision Regulations indicates that corner lots at an intersection must be truncated by straight lines joining points 25 feet back from the theoretical property line intersection in each quadrant, which would require a 25-foot truncation at all four corners of the Site: Connecticut Avenue at Manor Road, Connecticut Avenue at Laird Place, Laird Place at Loughborough Place, and Loughborough Place at Manor Road. When more or less width is needed for traffic safety and operations, the Board may specify a greater or lesser truncation than otherwise required. The Preliminary Plan reflects a reduced, eight-foot truncation at all corners of the Site. MCDOT and MDOT SHA have indicated in their approval letters for the project that there are sufficient sight distances at these corners and that the reduced truncation is acceptable. These proposed pedestrian clear zones from building face to edge of curb will allow for clear visibility for different movements (e.g., vehicular, pedestrian, and bicycle).

Therefore, the Applicant is seeking approval from the Planning Board for a reduced truncation at the four corners of the Site. The Project incorporates setbacks and pedestrian queuing areas that are substantially greater than the existing condition at these corner locations. The building form of the ground floor will enhance vehicular and pedestrian visibility at this intersection such that a reduced truncation allows for enhanced traffic operations and safety. Sight Distance evaluations were submitted for review by MCDOT and MDOT SHA, which approved the proposed distances with the reduced truncation. The Applicant will be required to record a perpetual easement for public improvement at these corners in lieu of truncation. The Applicant has also committed to keeping this area free and clear of permanent items that could obstruct motorists’ view of the adjacent roadway network. Staff supports the Applicant’s request for reduced right-of-way truncations at all four

corners of the Site in accordance with Section 50.4.3.E.2.f.iii of the Montgomery County Subdivision Regulations.

c) *The Preliminary Plan provides for required public sites and adequate open areas*

i. *Local Recreation*

Recreation for the proposed use will be provided onsite. Dedication along the right-of-way and frontage improvements are included in this Application.

d) *The Lot(s) and Use comply with the basic requirements of Chapter 59*

The Preliminary Plan meets all applicable sections of the Subdivision Regulations. The size, width, shape, and orientation of the proposed lot are appropriate for the zone, location and residential use proposed for the Site. As shown in Table 1 below, the proposed lot will comply with the applicable development standards for the CRN/CRT zone.

*Table 1: Project Name Site Plan Data Table
CRN-1.0, C-0.25, R-1.0, H-40 and CRT-2.0, C-1.0, R-2.0, H-70
CRT Zone, Optional Method, Section 59.4.5*

Development Standard	Permitted/ Required	Previously Approved (Sketch Plan 320160030)	Proposed
Tract Area Gross Tract Area/ Net Lot Area (SF)	n/a	134,711 / 80,404	136,787 / 76,140
Mapped Density Residential (GFA/ FAR)	CRN – 1.5 FAR CRT– 3.5 FAR	4.88 FAR ³ (667,559 sf)	0.95 FAR (57,454 sf) - A1 2.22 FAR (170,000 sf) - A2
Commercial (GFA/FAR)	CRN – 1.5 FAR CRT– 3.5 FAR	3.36 FAR ³ (459,800 sf)	0 - A1 0.25 FAR (19,000 sf) - A2 0.14 FAR (19,000 sf) - Block A Total
Total Mapped Density (GFA/FAR)	4.0 FAR	4.88 FAR (667,559 sf) ³	1.80 FAR (246,454 sf)
MPDU requirement	12.5%	12.5%	12.5%
Building Height	CRN – 65’ CRT – 150’	A1- 40’ A2 – 70’	A1- 40’ A2 – 70’
Public Open Space (min)	10%	n/a	10% ⁵
Minimum Setbacks (ft)	n/a ⁴	Determined at Site Plan ⁴	Determined at Site Plan ⁴

2. The Preliminary Plan substantially conforms to the Master Plan.

a) Land Use

This Site, the Chevy Chase Lake West Shopping Center, is identified as the Gateway to the Chevy Chase Center and complementary to the Chevy Chase Block B in the Sector Plan. The Project is in substantial conformance with the Sector Plan and the Approved Design Guidelines for Chevy Chase Lake, and has been designed to respond to and incorporate the specific recommendations for the Property; the Site is being designed to make use of the CRT/CRN zoning to provide a “mixed-use development where housing is built above offices, shops, and restaurants, bringing in more people to create mutually supportive and sustainable land use relationships” as stated on page 26 of the Sector Plan. Consistent with the vision to maintain compatibility with the residential areas within the plan, this Project will incorporate lower proposed heights along Loughborough while the frontage along Connecticut Avenue will feature a proposed retail space and transition to a maximum height of 70 feet.

³ At Sketch Plan, density between Blocks A & D was approved as a combined total of 459,800 SF commercial density and 667,559 SF residential density. Block A-1 is limited to a maximum total density of 57,454 SF total.

⁴ 4.1.8.A does not apply, therefore per 4.5.4.B.3 setbacks for principal buildings are established by the Site Plan approval process.

⁵A portion of Open Space to be provided offsite per Section 6.3.6.C.1 and as approved by the Planning Board at Sketch Plan. Open Space area to be reviewed at time of Site Plan.

b) Environment

The Project is proposed to address the environmental recommendations contained in the Sector Plan including protection of the Coquelin Run stream valley network and reducing direct stormwater discharge into Coquelin Run. Specifically, the Project will provide stormwater management, on a site where there currently is none. The Project proposes Environmental Site Design practices, to the maximum extent practicable, through the use of bio-retention planters and underground filtration devices, which will reduce discharge into Coquelin Run. The Sector Plan also seeks to maximize tree cover to achieve an overall goal of 25–30 percent tree canopy cover for the entire Chevy Chase Lake Town Center area. The Project promotes this goal through prioritization of street trees, planting of mitigation trees onsite, and ample landscaping in the residential amenity spaces. The Project also incorporates planter beds against the building with different plantings for texture, scale, and shade.

The Loughborough Place side is the neighborhood side, which is envisioned to have lush plantings at the external walk-up entrances, large shade trees that are consistent with the neighborhood characteristics, and additional plantings to incorporate nature and to enhance the pedestrian experience. Special attention has been given to maximizing street trees, strategically locating stormwater management areas, and providing plants along the building facade to soften the edges and to bring nature into the urban fabric while navigating utilities. Additionally, as with other projects in the Sector Plan, this project will provide environmental benefits for the Chevy Chase Lake area at large under the Sector Plan guidance and the Applicant is currently examining several potential options which will be fully addressed in the forthcoming Site Plan Application.

c) Transportation

The Preliminary Plan shows additional right-of-way dedication on Connecticut Avenue, Loughborough Place and Laird Place to conform with the 2018 *Master Plan of Highways*, and Chapter 49 (Streets and Roads) of the County Code. Manor Road has sufficient right-of-way dedication per Plat 334. The Applicant will dedicate additional right-of-way to achieve a total width of 120 feet on Connecticut Avenue, 60 feet on Loughborough Place and 60 feet on Laird Place.

Per the 2021 *Complete Streets Design Guide*, all frontages will be improved with buffered pedestrian pathways. Connecticut Avenue will be improved with a 10-foot sidepath, and a five-foot street buffer. The 2018 *Bicycle Master Plan* did not recommend any designated bicycle facilities on the four street frontages.

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

a) Roads and other Transportation Facilities

- i. **Existing Facilities:** As discussed in Finding 2, right-of-way dedication, in compliance with the 2018 *Master Plan of Highways and Transitways*, and Chapter 49 of the County Code, the Applicant will dedicate the necessary right-of-way along Connecticut Avenue, Laird Place and Loughborough Place.

The existing sidewalks along all Site frontages are substandard in width and all except the sidewalk on Laird Place are lacking street buffers.

- ii. **Proposed public transportation infrastructure:** The Preliminary Plan includes the following right-of-way dedications from the roadway centerlines to achieve the following total widths in compliance with the 2018 *Master Plan of Highways and Transitways* and Chapter 49 of the County Code:

- 120 feet on Connecticut Avenue
- 60 feet on Loughborough Place
- 60 feet on Laird Place

All street frontages will be improved with new, wider sidewalks and street buffers. Laird Place will have a 10-foot-wide vegetated street buffer and a six-foot-wide sidewalk. Loughborough Place will have a six-foot-wide vegetated street buffer and a six-foot wide sidewalk. Manor Road will have a six-foot-wide vegetated street buffer and an eight-foot-wide sidewalk. Connecticut Avenue will have a completely uninterrupted 5-foot vegetated street buffer and a 10-foot-wide sidepath, to be used by bicyclists and pedestrians.

The Project significantly improves the safety of all users by reducing curb cuts along the Site frontages. In the current condition there are three, wide curb cuts on Connecticut Avenue, one on Laird Place and three on Manor Road. The Project removes all vehicular access from Connecticut Avenue and provides a single, consolidated curb cut for loading and parking garage access on Laird Place and a combined parking garage and internal loading access on Manor Road. This upholds the requirements of the Zoning Code (Section 59-6.1. Site Access) the 2021 *Complete Streets Design Guide*, and the County's Vision Zero Action Plan which recommends reducing conflict points and eliminating curb cuts where feasible on the County's main corridors.

iii. **Proposed private transportation infrastructure:**

No private streets or other transportation infrastructure is proposed with the Project.

b) Local Area Transportation Review (LATR)

The previous use on the Site was a gas station with eight fueling positions (“pumps”), 8,532 square feet of retail space, and a bank with two drive-thru lanes. The proposed 220 mid-rise residential units and 19,000 square feet of retail space are estimated to generate a net increase of 38 person trips in the morning peak hour and a net decrease of 9 person trips in the evening peak hour. The 2020-2024 *Growth and Infrastructure Policy* requires a transportation impact study for any project that is estimated to generate a net increase of 50 or more person trips in either the morning or evening peak hours. As that is not the case for this Application, the LATR review is satisfied with a transportation exemption statement. A summary of the trip generation analysis is provided in Table 2 below.

Table 2: Trip Generation Analysis

		ITE Trip Generation Vehicle Rates		Adjusted Vehicle Rates Chevy Chase Lake Policy Area		Total Person Trips	
		AM	PM	AM	PM	AM	PM
Existing	Gas Station (8 pumps)	82	111	65	88	107	145
	8,532 s.f. retail	20	70	17	60	28	97
	Bank (2 drive-thru lanes)	17	54	13	43	21	71
Proposed	220 Residential Units	85	86	74	75	132	134
	19,000 s.f. retail	45	123	38	105	194	304
Net Change						38	-9

Source: Transportation Exemption Statement from Wells & Associates., May 9, 2023

c) Schools

School Adequacy Test

The project is served by Rosemary Hills/North Chevy Chase ES, Silver Creek MS and Bethesda-Chevy Chase HS. Based on the FY24 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Table 3. Applicable FY2024 School Adequacy.

School	Projected School Totals, 2027				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	% Utilization	Surplus/ Deficit		Tier 1	Tier 2	Tier 3
Rosemary Hills/North Chevy Chase ES	1,022	810	79.3%	+212	No UPP	297	417	570
Silver Creek MS	894	761	85.1%	+133	No UPP	259	312	446
Bethesda-Chevy Chase HS ⁵	2,475	2,420	97.8%	+55	No UPP	235	550	922

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school’s adequacy status and ceilings, as determined in the Annual School Test. **Under the FY24 Annual School Test, Rosemary Hills/North Chevy Chase ES, Silver Creek MS and Bethesda-Chevy Chase HS do not require any UPP as identified in Table 3.** If the project is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required.

Calculation of Student Enrollment Impacts

To calculate the number of students generated by the proposed amendment, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

⁵ Projected enrollment reflects the estimated impact of CIP P651908, which will reassign students between the Down County Consortium, Bethesda-Chevy Chase HS, Walter Johnson HS, Walt Whitman HS, and Charles Woodward HS in 2026.

With a net of 220 multifamily high-rise units that are not age-restricted, the proposed project is estimated to generate the following number of students based on the subject property’s location within an Infill Impact Area:

Table 4. Estimated Student Enrollment Impacts.

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
SF Detached	0	0.202	0.000	0.096	0.000	0.141	0.000
SF Attached	0	0.161	0.000	0.087	0.000	0.126	0.000
MF Low-rise	220	0.065	14.300	0.030	6.600	0.040	8.800
MF High-rise	0	0.039	0.000	0.016	0.000	0.018	0.000
TOTALS	220		14		6		8

As shown in Table 4, on average, this project is estimated to generate 14 elementary school students, 6 middle school students and 8 high school students. The number of students generated does not exceed the adequacy ceilings identified for each school in Table 3, therefore no additional UPPs are required and neither are partial payments across multiple UPP tiers.

Analysis Conclusion and Condition of Approval

Prior to issuance of each building permit for a residential dwelling unit, the Applicant must obtain an assessment from Montgomery County Department of Permitting Services for Utilization Premium Payments (UPPs) consistent with County Code and the Growth and Infrastructure Policy, as follows:

No UPP condition required.

Montgomery County may modify the per unit UPP rates prior to payment of any required UPPs. The Applicant must pay the above UPPs to the Montgomery County Department of Finance based on the rates in effect at the time of payment.

d) Other Public Facilities and Services

Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the Growth and Infrastructure Policy currently in effect.

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

a) Forest Conservation Plan/Exemption

As conditioned, the project will meet all requirements of Chapter 22A Forest Conservation Law. This is further detailed in Section 5 of this report below.

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

The Preliminary Plan received an approved stormwater concept plan from the Montgomery County Department of Permitting Services, Water Resources Section on November 22, 2023 (Attachment D). The Application will meet stormwater management goals using micro-bioretenion planter boxes and green roof. In addition, since full stormwater management treatment could not be provided due to site constraints, a partial stormwater management waiver has been granted.

6. Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.

There is no evidence, actual notice, or constructive notice of a burial site on the Subject Property. The Subject Property is not included in the Montgomery County Inventory.

7. 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: FOREST CONSERVATION PLAN F20230220 FINDINGS AND ANALYSIS

FOREST CONSERVATION

The Application is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code) under Section 22A-4(a) as a project by “a person required by law to obtain approval or amendment to a development plan, diagrammatic plan, project plan, floating zone plan, sketch plan, preliminary plan of subdivision, administrative subdivision, minor subdivision, or site plan.” A Preliminary Forest Conservation Plan (“PFCP”) No. F20230410 was submitted for review and approval concurrently with the Preliminary Plan No. 120230110. The total net tract area for forest conservation

purposes includes the tract area of 1.81 acres and 0.50 acres of off-site disturbance for a total of 2.31 acres. The Property is within the CRT and CRN zones and is classified as Mixed-Use Development (“MDP”) as defined in Section 22A-3 of the FCL and specified in the Trees Technical Manual. The Property contains no forest, however due to the disturbance proposed and mixed-use classification of the development, there is an afforestation requirement of 0.35 acres as calculated in the Forest Conservation Worksheet. The afforestation requirement will be met off-site in a forest bank or by payment of fee-in-lieu.

FOREST CONSERVATION VARIANCE

Section 22A-12(b)(3) of the Forest Conservation Law identifies certain individual trees as high priority for retention and protection (“Protected Trees”). Any impact to these Protected Trees, including removal or any disturbance within a Protected Tree’s critical root zone (“CRZ”), requires a variance under Section 22A-21 (“Variance”). Otherwise, such resources as defined under Section 22A-12(b)(3) must be left in an undisturbed condition.

This Application will require the removal or CRZ impact to seven Protected Trees as identified in Tables 5 and 6. The Variance request is for the removal of two and impact to five Protected Trees for the construction of the construction of the proposed development. Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made for a Variance to be granted. Staff has made the following determinations in the review of the Variance request and the proposed Forest Conservation Plan.

Table 5: Removed Protected Trees

Tree ID	Common Name	DBH	% Impact	Status
28	Pin Oak	31 in.	100%	Remove tree
29	Sweet Gum	34 in.	100%	Remove tree

Table 6: Impacted Protected Trees

Tree ID	Common Name	DBH	% Impact	Status
31	Sweet Gum	31 in.	2.6%	Save tree
34	Red Maple	38 in.	5.5%	Save tree
37	Red Maple	36 in.	0.05%	Save tree
2111	Pin Oak	31 in.	22.8%	Save tree
2136	Pin Oak	45 in.	2.8%	Save tree

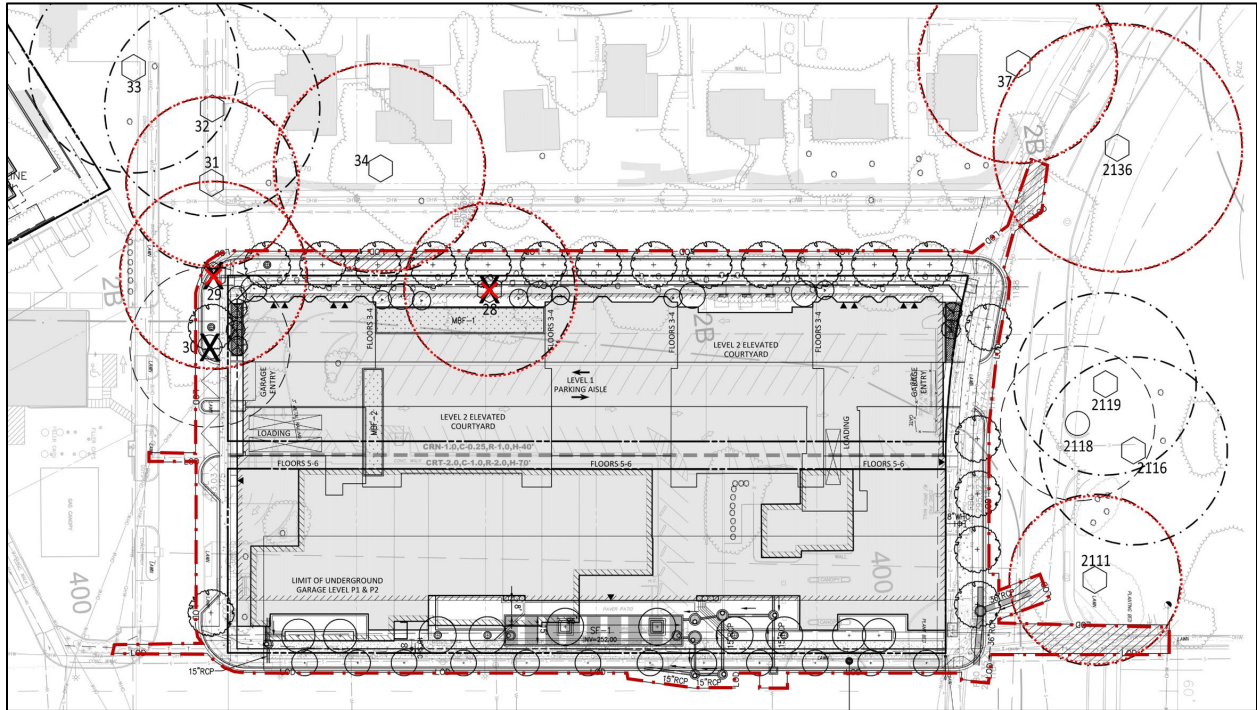


Figure 12: Variance Exhibit

In accordance with Section 22A-21(a), the Applicant requested a Variance (Attachment E), and the Staff agrees that the Applicant would suffer unwarranted hardship by being denied reasonable and significant use for the redevelopment of the Subject Property with commercial and residential uses without the Variance. The Applicant has demonstrated that the denial of the Variance request would cause an unwarranted hardship because the existing buildings and surface parking lot cannot be demolished, and the Property redeveloped in the vision of the Sector Plan without impacting and removing the Protected Trees. Impacts to Protected Trees have been minimized with this development and will be evaluated again at the time of Site Plan and Final Forest Conservation Plan submittal.

Tree no. 29 is located at the corner of Laird Place and Loughborough Place and has been struck several times by vehicles, causing trunk damage and scarring. Both Tree no. 28 and 29 are located between the existing sidewalk and curb without enough room for growth without damaging the existing sidewalk and curb and their location prohibits the installation of a new curb, gutter, sidewalk, and landscaped buffer. The Applicant has explored reducing the extent of the impacts to these trees however it is not possible to construct the building without affecting less than 50% of the critical root zone.

The remaining five trees included in the variance request have minimal to moderate impacts from construction activities and are proposed to be protected and saved. Impacts to these trees are generally required to implement complete streets guidelines, ADA improvements, and undergrounding of utilities.

Tree Variance Findings

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

Granting the Variance to remove or disturb the Protected Trees listed in Tables 5 and 6 will not confer a special privilege on the Applicant as the impacts are due to necessary development requirements of the site, as outlined in the preceding paragraphs. Impacts have been minimized but cannot be avoided. Therefore, the granting of this Variance is not a special privilege that would be denied to other applicants.

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

The requested Variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested Variance is based on existing site conditions and the requirements to meet development standards, sector plan goals, and County Code requirements. The Applicant has designed the project to minimize the impacts to Protected Trees to the extent possible.

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 existing conditions and the required improvements on the Property, and not as a result of land or building use on a neighboring property.

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

The Variance will not violate State water quality standards or cause measurable degradation in water quality. The Protected Trees being removed are not located within a stream buffer, wetland, or a special protection area. Mitigation trees will be planted on the Subject Property to replace the lost form and function of Protected Trees being removed. Installation of mitigation trees and general site landscaping in line with sector plan goals will likely improve water quality through increased infiltration and uptake of runoff.

Mitigation for Trees Subject to the Variance Provision

There are two (2) Protected Trees located outside of forest proposed for removal resulting in a total of 65 inches of DBH being removed. The FCP includes mitigation for Protected Trees 28 and 29 to replace the form and function of these trees. Per Planning Board policy, these trees will be replaced at a ratio of approximately 1-inch caliper for every 4 inches removed using trees that are a minimum of 3 caliper inches in size. This results in a total mitigation required of 17 inches. The Applicant is proposing to plant 6 3-inch caliper trees to meet this requirement. The final locations of the mitigation trees will be confirmed at the direction of the MNCPPC Forest Conservation Inspector. Additionally, no mitigation is required for trees that are impacted, but retained.

Variance Recommendation

As a result of the above findings, Staff recommends that the Board approve with conditions the Applicant's request for a variance from Forest Conservation Law to remove 2 protected trees and to impact, but retain, 5 other protected trees associated with the site.

SECTION 6: COMMUNITY OUTREACH

The Applicant held an informal pre-submittal public meeting in person on April 4, 2023 related to the Plan. Subsequently, the Applicant also hosted a formal pre-submission meeting virtually on April 12, 2023 and has complied with all submittal and noticing requirements.

Staff received several letters of correspondence throughout the review of the Project which generally addressed the following topics including the master-planned recommendation for a mid-block crossing, impacts of off-street loading, building design and materiality as related to the Sector Plan recommendations, public open space, construction management/noise, and impacts to/loss of trees.

TRANSPORTATION: MASTER-PLANNED RECOMMENDATION FOR A MID-BLOCK CROSSING

The 2013 *Chevy Chase Lake Sector Plan* recommends a mid-block pedestrian connection between Loughborough Place and Connecticut Avenue (page 42). Residents noted that a mid-block crossing, bisecting the Site is not provided with the Preliminary Plan. Building and design elements of the building and the Site are addressed at the time of Site Plan. As conditioned, the Applicant will need to address this Sector Plan recommendation with future submittal of the Site Plan for the Project. Staff notes the intent of the Sector Plan's recommendation is to improve pedestrian access and circulation on the west side of Connecticut Avenue. Currently the sidewalks surrounding the block are either substandard or missing altogether. A midblock connection would also be a logical place to connect the west side to the newly constructed Chapman Place on the east side. Conversations with MDOT SHA staff indicated that there does not appear to be support for any new, signalized pedestrian crossings between Manor Road and Laird Street. While a mid-block connection would potentially break up the block, pedestrians would still need to walk to the signalized intersection at Manor Road to cross Connecticut Avenue comfortably.

TRANSPORTATION: CONCERNS ABOUT IMPACTS OF OFF-STREET LOADING ON LAIRD PLACE

The Applicant is providing two off-street loading spaces for the uses on the Site: one is located completely internal to the building, and the other is an off-street loading space, accessed from Laird Place. The residents contacted staff with concerns about the back-in maneuvers of the trash and delivery trucks that would occur on Laird Place, and about the potential warning noises generated by trucks backing into the off-street loading bay. The Zoning Code requires off-street loading spaces for all projects with more than 50 residential units. Section 59-6.2.8. addresses the location, minimum

dimensions of the loading bay itself and the maneuvering space based on the design vehicle, as well as surfacing requirements. Operations and maneuvering are not regulated. Furthermore, design of the building and associated elements, such as the loading bays are addressed at the time of Site Plan, rather than Preliminary Plan. To address the residents' concerns, the staff report includes a condition of approval for a loading management plan to be included with the Site Plan.

BUILDING DESIGN

Neighbors raised concerns that the building designs shared at pre-submittal meetings do not show townhomes but rather multi-family units and therefore do not conform to the applicable Sector Plan recommendations. As described within this report, both the Sector Plan and the associated Design Guidelines indicate that the proposed development read as townhomes to match the residential feel of the existing community, however the Sector Plan does not specifically recommend townhomes to be built. Further, the Sector Plan goes on to describe the vision of this site to include multi-family units over retail and offices. Additionally, the previous Sketch Plan Application included a design scheme which featured multi-family units. This approach was approved by the Planning Board and has been incorporated in the Applications currently under review. Specific aspects of site design, including elevations and conceptual renderings, will be further addressed at time of Site Plan and has been incorporated as a condition of approval in response to community concerns.

OPEN SPACE

The community presented questions regarding the presence of open space on Block A. As described in this report, Block A will provide 6,653 square feet of open space onsite while 1,127 square feet is being provided on Block B, which is consistent with the previous Sketch Plan Approval which indicated that "final open space may be allocated over one or more blocks and will be constructed proportionately with each phase". The majority of the 10% open space requirement for Block A is anticipated to be provided onsite and to address the design principles outlined in the Sector Plan, which defines the project site as a gateway to a newly constructed Town Center and a well-established neighborhood. Along Connecticut Avenue, which is the active side of the Project, the project will incorporate a series of outdoor terraces for dining and social gatherings, and planter beds with trees for texture, scale, and shade. The Loughborough Place edge is the neighborhood side, with greenery at the entrances to the town-house style units, large shade trees that are consistent with the neighborhood characteristics, and lush plantings to incorporate nature and to enhance the pedestrian experience.

Manor Road and Laird Place are transitional streets that connect people from the residential neighborhood to the Town Center. These streets will provide wide sidewalks, separated by street buffers, to provide pleasing pedestrian connections from the abutting residential neighborhood to Connecticut Avenue, where the Applicant is accommodating a 10-foot-wide shared use path to promote connectivity within the Town Center. With these proposed qualities, the open space provided meets the requirements of the zone and recommendations of the Sector Plan.

CONSTRUCTION

The community, who has dealt with the recent construction of nearby projects, also raised concerns regarding methods to keep construction noise at a reasonable level and during appropriate times. While Planning Staff does not directly influence these aspects of the development, we have provided recent examples of projects where community groups and developers collaborate to form a construction management agreement. Additionally, Staff will continue to work with the community to connect with the Department of Permitting Services in order to voice these concerns and provide feedback.

ENVIRONMENTAL IMPACT

The loss of trees, particularly along Laird Place – trees #29 and #30, was mentioned as an item of concern during meetings with the community. Although only tree #29 is protected under the variance provisions of the Forest Conservation Law as a tree which is 30” DBH or greater, the preservation and reduction of impact to all nearby trees was considered and detailed as part of the Applicant’s variance request. As discussed in the Forest Conservation section of this report, although these particular trees are mature and provide canopy and other ecosystem services, their location had been detrimental to the ongoing health as vehicles have struck these trees and caused damage and scarring over time. Additionally, in order to implement the required frontage improvements, utility connections, and ultimately construct the proposed development, an overwhelming amount of root disturbance would occur. Replacement plantings above the required mitigation for loss of trees 30” or greater has been proposed on all frontages including Laird Place and Loughborough Place. These plantings will serve to replace the form and function of those trees which are lost while being placed in a more suitable location for the health and safety of the trees and the public. This level of planting also coincides with the Sector Plan recommendations for increased canopy coverage throughout the area.

SECTION 7: CONCLUSION

As conditioned, Preliminary Plan Application no. 120230110 and Preliminary Forest Conservation Plan no. F20230410 each satisfy the findings under Sections 59.7.3.3 & 7.3.4 and the applicable standards of the Zoning Ordinance, substantially conform to the recommendations of the 2013 Chevy Chase Lake Sector Plan and satisfy the findings of the Subdivision Regulations and Chapter 22A Forest Conservation Law. Therefore, Staff recommends approval of the Preliminary Plan and Preliminary Forest Conservation Plan with the conditions specified at the beginning of this report.

ATTACHMENTS

Attachment A: Preliminary Plan

Attachment B: Preliminary Forest Conservation Plan

Attachment C: Previously Approved Sketch Plan

Attachment D: Agency Letters

Attachment E: Variance Request

Attachment F: Community Correspondence