

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

March 7, 2024

MCPB No. 24-014

Site Plan No. 820240030

Corso Chevy Chase

Date of Hearing: February 8, 2024

RESOLUTION

WHEREAS, under Sections 59-7.1.2 and 59-7.2.1.I.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications and include within that review minor amendments to a floating zone plan; and

WHEREAS, on October 24, 2023, Corso DC, LLC (“Applicant”) filed an application for approval of a site plan, including a minor amendment to the Floating Zone Plan, for the construction of a maximum 695,000 square foot senior living community, and up to 5,000 square feet of commercial/neighborhood-serving retail use, and associated antenna on a building, parking, open space, and amenities on 13.62 acres of CRNF 1.5, C-0.25, R-1.25, H-70 zoned-land, located at 7100 Connecticut Avenue, approximately 1300 feet north of Bradley Boulevard (“Subject Property”), in the Bethesda/Chevy Chase Policy Area and 1990 *Bethesda Chevy Chase Master Plan* (“Master Plan”) area; and

WHEREAS, the site plan application, including a minor amendment to the Floating Zone Plan associated with Local Map Amendment H-148, for the Subject Property was designated Site Plan No. 820240030, Corso Chevy Chase (“Site Plan” 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 January 29, 2024, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on February 8, 2024, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick, seconded by Vice Chair Pedoeem, with a vote of 4-0; Chair Harris, Vice Chair Pedoeem, Commissioners Hedrick and Linden voting in favor with Commissioner Bartley being absent.

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Approved as to

Legal Sufficiency: /s/ Emily Vaias
M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820240030, including a minor amendment to the Floating Zone Plan, for the construction of a maximum 695,000 square foot senior living community, and up to 5,000 square feet of commercial/neighborhood-serving retail use, and associated antenna on a building, parking, open space, and amenities, on the Subject Property, subject to the following conditions:¹

Density, Height, & Housing

1. Density

The Site Plan is limited to a maximum of 700,000 square feet of total development on the Subject Property, including an up to 695,000-square foot Residential Care Facility (over 16 persons) containing up to 287 independent living units, 190 assisted living beds, 30 memory care beds, and 5,000 square feet of commercial uses, including a temporary Telecommunications Tower and permanent Antenna on an Existing Structure.

2. Height

The development is limited to a maximum height of 70 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

3. Moderately Priced Dwelling Units (MPDUs)

- a) The Planning Board has reviewed and accepts the recommendations of Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated January 8, 2024, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.
- b) The development must provide 15% percent MPDUs or MCDHCA-approved equivalent consistent with the requirements of Chapter 25A and the applicable Master Plan.
- c) Before issuance of any building permit for any residential unit(s), the MPDU agreement to build or alternative agreement between the Applicant and the MCDHCA must be executed.

4. Occupancy Provisions

- a) All residential units must be Age-Restricted (restricted to persons who are fifty-five (55) years of age or older), as defined by Section 59.1.4.2. of the Zoning Ordinance.

¹ 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.

b) Before Certified Site Plan:

- i. The Applicant must enter into a covenant with the Planning Board reflecting the age restriction in a form approved by the M-NCPPC Office of General Counsel;
- ii. The covenant must be recorded in and among the Land Records of Montgomery County; and
- iii. The Book/Page reference must be included on the Certified Site Plan.

Open Space, Facilities, and Amenities

5. Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 53,273 square feet of public open space (10% of net lot area) on-site.
- b) Before the issuance of the final use and occupancy certificates OR release of the surety bond for the residential development, all public open space areas on the Subject Property must be completed.

Environment

6. Stormwater Management

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Service (MCDPS) Water Resources Section in its stormwater management concept letter dated January 04, 2024 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

Noise

7. Before issuance of the first above-grade building permit, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatments that the building shell for residential dwelling units affected by exterior noise levels projected at or above 65 dBA Ldn, will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. Any noise impacted units must be identified on the Certified Site Plan.
8. If any changes occur to the Site or Preliminary Plan(s) which affect the validity of the noise analysis dated December 01, 2023, acoustical certifications, and/or noise attenuation features, a new noise analysis will be required to reflect the changes and new noise attenuation features may be required.
9. Before issuance of any Use and Occupancy Certificate or Final Inspection, whichever is relevant, for any of the noise impacted units, a Professional Engineer must certify to the Planning Department and Department of Permitting Services that the noise

impacted units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.

10. For all noise impacted residential dwelling units, the Applicant/developer/builder must disclose in writing to all prospective purchasers that those homes are impacted by transportation noise. Such notification may be accomplished by inclusion of this information and any measures to reduce the impacts in brochures and promotional documents and must be included in any noise impacted sales or lease contracts, any illustrative site plan(s) on display within any sales related offices(s); in Homeowner Association documents; with all Deeds of Conveyance of noise impacted units; and by inclusion on all signature subdivision and site plans.

Transportation & Circulation/Adequate Public Facilities

11. Transportation

- a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated October 16, 2023, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

12. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 67 long-term and 4 short-term bicycle parking spaces.
- b) The long-term spaces must be in secured, well-lit bicycle rooms in the parking garage, and the short-term spaces must be inverted-U racks (or approved equal) installed in a location convenient to the main entrance (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.
- c) The Applicant must provide one bicycle repair station.
- d) The Applicant must construct the following master planned pedestrian and bicycle facilities before issuance of the final use and occupancy permit.
 - i. Connecticut Avenue: 11-foot-wide asphalt sidepath with an eight-foot-wide vegetated buffer from traffic.

13. Fire and Rescue

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 January 8, 2024, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

Site Plan

14. Lighting

- a) Before certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on proposed fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by street lights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- f) On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

15. Site Plan Surety and Maintenance Agreement

Before issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, whichever comes first, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, trash enclosures, retaining walls, fences, railings, private sidewalks, private utilities, paths and associated improvements of development, including sidewalks, storm drainage facilities, street trees and street lights all on private Property. The surety must be posted before

issuance of any building permit of development and will be tied to the development program.

- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

16. Development Program

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

17. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Include the stormwater management concept approval letter, development program, and Site Plan resolution and other applicable resolutions on the approval or cover sheet(s).
- b) Add the following notes:
 - i. “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
 - ii. “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services or MDSHA.”
 - iii. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.”
- c) Include approved Fire and Rescue Access Plan.
- d) Modify data table to reflect development standards approved by the Planning Board.

- e) Ensure consistency of all details and layout between Site and Landscape plans.
- f) Include ADA passing areas within the sidewalk along Thornapple Street at a frequency of no more than 200 linear feet, as required by the Town of Chevy Chase.
- g) Adjust vehicular parking table and plans to reflect a maximum of 501 parking spaces.

18. Minor Modification to Floating Zone Plan

- a) As part of the Certified Site Plan set of drawings, the Applicant must create a plan entitled “Minor Amended Floating Zone Plan as Part of Site Plan” to show the location of both the temporary, ground mounted antenna and permanent antenna on the building.
- b) Once Planning Staff certifies the Minor Amended Floating Zone Plan as Part of Site Plan, the Applicant must provide a certified copy of the plan and a copy of the final Site Plan resolution to the Hearing Examiner for inclusion in the record of the Local Map Amendment Case H-148.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Corso Chevy Chase, Site Plan No. 820240030, 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 considered the recommendations of its Staff as presented at the hearing and/or 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:

1. *The development satisfies any previous approval that applies to the site.*

Local Map Amendment (LMA) No. H-148, and the associated Floating Zone Plan, are applicable to this Site. Under Section 59-7.2.1.I.2, at Site Plan, the Planning Board may approve an amendment to a floating zone plan that does not increase density or height, add a previously disallowed use, decrease a setback, or change any binding element. The proposed minor amendment to the Floating Zone Plan does not increase density or height, add any disallowed use, or decrease any setbacks. The minor amendment to the Floating Zone Plan is to show the proposed temporary telecommunication facility (during construction) and a permanent antenna on a building, on the Floating Zone Plan, which was inadvertently left off the plan sheet, but was shown on other approved plan sheets.

There are currently telecommunication facilities located on the existing buildings pursuant to Special Exception S-2196. These existing facilities will continue to be

located on the Residential Care Facility building following construction. However, to allow the facilities to remain in service during construction, they will need to be temporarily relocated to a telecommunications tower. This tower will only be up during the construction of Phase One. Once Phase One is complete, the facilities will be permanently located on the building. The approved LMA identified these facilities on several plan sheets, however these facilities were inadvertently left off of the certified Floating Zone Plan. The proposed amendment to the Floating Zone Plan serves to rectify this oversight.

The binding elements, as listed below, remain unchanged and the Project remains in compliance with these binding elements, therefore the Board recommends approval of the Floating Zone Plan amendment.

The Floating Zone Plan established 21 binding elements, which are reflected in the Declaration of Covenants recorded in the Land Records at Book 67118, Page 391 and referenced in the Hearing Examiners decision letter. As discussed herein and illustrated on the plans, the Project complies with these binding elements:

1. *Use of the property will be limited to a residential care facility and ancillary commercial establishments. No more than 5,000 square feet of commercial use, with no single establishment larger than 2,500 square feet shall be permitted. Such commercial establishments shall be made available to the general public.*
 - a. The Site Plan seeks approval for up to 5,000 square feet. No individual commercial establishment will be more than 2,500 square feet.
2. *Vehicular access will be limited to Connecticut Avenue. Vehicular access to and from Thornapple Street, Woodside Place, and Meadow Lane and the property must be prohibited. Before submission of Preliminary Plan and/or Site Plan Applications, the Applicant will complete a Comprehensive Vehicular Site Access Study that shall include, but not be limited to review of the existing roadway and crosswalk intersection geometrics, speed limits, existing turning movements, vehicular and pedestrian counts, evaluation of collision data for the most recent three-year period, forecasted future traffic volumes based upon the existing traffic counts and proposed program, and a signal warrant analysis. The Applicant will work with the State Highway Administration and the Town of Chevy Chase to determine the need for traffic-related measures along Connecticut Avenue. In addition, the Applicant will coordinate with Section 3 of the Village of Chevy Chase to address traffic-related impacts to that municipality.*

- a. As discussed herein, the Project conforms with this requirement. Vehicular access is restricted to Connecticut Avenue. The Applicant prepared a Comprehensive Vehicular Site Access Study, which was submitted to and reviewed collectively by MDOT SHA, MC DOT, Montgomery Planning, The Town of Chevy Chase and Section 3 of the Village of Chevy Chase. Comments were provided and addressed by the Applicant during review of the Application.
3. *Before submission of Preliminary Plan and/or Site Plan Applications, the Applicant will complete a Parking Demand Analysis to ensure on-site parking for all property employees and visitors, including during peak use and visitation periods, is adequate. The Applicant will implement the recommendations of the Parking Demand Analysis to ensure that all parking necessary to meet the needs of the Project is accommodated on-site, subject to approval by the necessary governmental entities.*
 - a. The Applicant has prepared and circulated to the Town of Chevy Chase, Section 3 of the Village of Chevy Chase, and Planning Staff a Parking Demand Analysis which demonstrates that adequate parking will be provided on-site to meet parking demand.
4. *The Applicant shall provide garage space and five (5) separate parking spaces for use by the Town of Chevy Chase, the details of which will be provided during site plan review.*
 - a. The Applicant and the Town of Chevy Chase have agreed to enter into a separate agreement to accommodate this Binding Element.
5. *The Applicant shall place areas, as more accurately depicted on the Final Forest Conservation Plan, generally along the southern, western and northern property lines, in a Category I Conservation Easement. The Town of Chevy Chase forester shall be included in proceedings regarding the creation and maintenance of the Category I Conservation Easement.*
 - a. As shown on the Final Forest Conservation Plan these areas have been designated as Category I Conservation Easement.
6. *The Applicant shall construct new pathways connecting the existing sidewalk on Thornapple Street with Connecticut Avenue and connecting the Property with Woodside Place. No pedestrian*

pathway shall directly connect between Woodside Place and Connecticut Avenue. A public walking path through the proposed Category I Conservation Easement, as applicable, generally located along the western property boundary, shall be prohibited.

- a. The Site Plan provides new pathways connecting the existing sidewalk on Thornapple Street with Connecticut Avenue and connecting the Property with Woodside Place. The sidewalk connecting to Woodside Place meanders through the Property, before ultimately tying into the main property entrance. As such, there is no direct pedestrian pathway between Woodside Place and Connecticut Avenue.
7. *The Applicant shall maintain minimum building setbacks as shown on the Floating Zone Plan, including a maximum building height of sixty feet (60') for a distance of eighty feet (80') from Connecticut Avenue.*
 - a. The proposed building heights comply with this requirement.
 8. *The Applicant shall comply with all applicable stormwater management regulations. A Town of Chevy Chase-appointed engineer will be included in the review of the stormwater management plans for the Property, as coordinated by the Montgomery County Department of Permitting Services.*
 - a. A stormwater concept plan has been submitted and approved by MCDPS. The Town of Chevy Chase-appointed engineer has also been included in the Applicant's discussions with DPS and is in agreement with the findings.
 9. *The Applicant shall locate and/or screen refuse storage and collection areas and loading and service areas so as to minimize the view and noise from adjacent property boundaries.*
 - a. The trash collection and loading/services areas have been strategically located below adjacent grade, so as to minimize view and noise impacts on the adjacent properties.
 10. *The Applicant shall install planting materials that are primarily native species. The Applicant will remove all invasive species on the Property, in accordance with the Final Forest Conservation Plan. The Applicant will provide sufficient planting depth above garage areas to support canopy and shade trees, where applicable.*

- a. As demonstrated on the Final Forest Conservation Plan, the proposed planting materials are primarily native species and sufficient planting depth is provided to support canopy and shade trees.
11. *The Applicant shall install a non-deciduous tree screen along the south property line outside of the Category I Conservation Easement. Foundation planting shall be installed where garage walls extend above grade.*
 - a. Non-deciduous tree screen and foundation plantings have been provided, as illustrated on the Final Forest Conservation Plan.
12. *The Applicant shall provide exterior lighting according to applicable County regulations and coordinated so as minimize impact to adjacent properties.*
 - a. As illustrated on the landscape plans, exterior lighting will be provided in accordance with all County regulations and has been designed to minimize impacts to adjacent properties.
13. *The Applicant will enter into a Construction Management agreement with the Town of Chevy Chase before approval of the Certified Site Plan for the Property.*
 - a. The Applicant will comply with this requirement.
14. *At the time of Site Plan, the Applicant will provide an interim landscaping plan for the phased build-out of the Project.*
 - a. The Site Plan application includes an interim landscaping plan for Phase One.
15. *Vinyl siding and EIFS are prohibited on all new buildings.*
 - a. As confirmed by the building elevations submitted with the Site Plan application, no vinyl siding or EIFS is proposed.
16. *The Applicant shall execute and record among the land records, so as to be enforceable against all successors and assigns, a Declaration of Covenants that will include the binding elements included in the approved Local Map Amendment prior to approval of the Certified Site Plan for the Property.*
 - a. The Declaration of Covenants, which includes the 21 approved binding elements, has been recorded in the Land Records at Book 67118, Page 391.

17. *The outward-facing architectural facades along all sides of the Property will be designed to read as four (4) stories plus roof, with the exception of the northwest corner of the Property, which shall be designed to read as three (3) stories on top of the garage plus roof. Additionally, these outward-facing facades must adhere to a maximum height, as observed from the established measuring point, of 55 feet with the exception of the northwest corner of the Property, which shall adhere to a maximum height of 50 feet.*
 - a. As illustrated on the Site Plan elevations, the Project complies with these requirements.
 18. *The Project will provide ground floor entrances along both Thornapple Street and Connecticut Avenue commensurate with individual units located along these respective facades.*
 - a. The ground floor entrances along both Thornapple Street and Connecticut Avenue are shown on the Site Plan and are correlated with individual units located along these façades.
 19. *The Project will include a porte cochere at the site entrances featuring specialty paving, with the final design and location to be finalized at the time of Site Plan.*
 - a. The Project includes a porte cochere at the site entrance. The detailed design of the porte cochere, which includes specialty paving, is shown on the Site Plan drawings.
 20. *The Project will incorporate a fountain or similar gateway feature at the main entrance along Connecticut Avenue, with the final design to be approved by the Planning Board in connection with the Site Plan approval.*
 - a. The Project proposes a fountain at the main entrance along Connecticut Avenue.
 21. *Before obtaining any building or grading permits, the Project must receive Site Plan approval.*
 - a. The current Application is for Site Plan approval and, as conditioned, final certification is required before any building or grading permits.
2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

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

3. *The development satisfies any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

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

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

a. Development Standards

The Subject Property includes approximately 13.62 acres zoned CRNF-1.5, C-0.25, R-1.25, H-70. The Application satisfies the applicable development standards as shown in the following data table:

Table 3: Corso Chevy Chase Site Plan Data Table for CRNF-1.5, C-0.25, R-1.25, H-70 Zone, Section 59.4.5.4

<u>Development Standard</u>	<u>Permitted/ Required</u>	<u>Approved</u>
Tract Area	n/a	13.62 acres (594,271 sf)
Tract Area - Prior Dedication	n/a	1.35 acres (58,859 sf)
Tract Area - Proposed Dedication	n/a	0.06 acres (2,688 sf)
Site Area	n/a	12.23 acres (532,733 sf)
Mapped Density CRNF-1.5, C-0.25, R-1.25, H-70 Residential (GFA/ FAR)	1.25 FAR	1.17 FAR 695,000 sf
Commercial (GFA/FAR)	0.25 FAR	0.01 FAR (5,000 sf)
Total Mapped Density (GFA/FAR)	1.5 FAR	1.18 FAR (700,000)
MPDU Requirement	15%	15%
Building Height	70 ft	70 ft
Public Open Space (min s.f.)	10% (53,273 sf)	10% (53,590)
Minimum Setbacks (ft) - Front	15 ft	18 ft
Side Street Setback (Thornapple Street)	15 ft min	81 ft (from existing right-of-way)
Side Setback	12 ft min	45 ft
Rear	30 ft min	45 ft and 145 ft (as shown on CSP)
<u>Parking</u>	<u>Spaces Required (minimum / maximum)</u>	<u>Spaces Provided</u>
<u>Vehicle Parking</u>		
Total Vehicle Parking^{1,2}	299 min / 501 max	501⁴

<u>Development Standard</u>	<u>Permitted/ Required</u>	<u>Approved</u>
287 Independent Units (0.5 per Unit/1 per Unit)	144/287	
101 Assisted Living Units³ (1 per Unit/1 per Unit)	51/101	
30 Memory Care Beds (0.25 per bed/0.25 per bed)	8/8	
150 Employees (0.5 per employee/0.5 per employee)	75/75	
5,000 SF Retail (3.5 per 1,000 SF/6 per 1,000 SF)	18/30	
<u>Loading Spaces</u>	<u>Spaces Required</u>	<u>Spaces Provided</u>
	1	2
<u>Bicycle Parking</u>	<u>Spaces Required (Long Term / Short Term)</u>	<u>Spaces Provided (Long Term / Short Term)</u>
417 total units 0.25 spaces per unit (max 50)	63 / 3 (66 total)	67 / 4 (71 total)
150 employees 01 space per employee		
5,000 SF Retail 0.75 space per 5,000 SF		

¹ The final number of vehicle parking spaces to be determined at building permit based on the final number of dwelling units.

² Adjustment factors to the parking minimums per Section 59-6.2.3.2.b have not been applied.

³ Assisted living suites will have full kitchens and will be classified as Dwelling units for purposes of Chapter 25A.

⁴ The final number of vehicle parking spaces to be determined at building permit based on the final number of dwelling units. Public benefit points are based on 501 parking spaces

b. General Requirements

i. *Site Access*

All vehicular access to the Site will be provided by the two driveways on Connecticut Avenue. This upholds Binding Element 2 of the Local Map Amendment and the agreement made between the Applicant and the Town of Chevy Chase during the Local Map Amendment Process, which proceeded the Preliminary and Site Plan Applications for the Project. Binding Element 2 restricts all motor vehicle access to Connecticut Avenue. Motorists will enter the project from the northern driveway. Motorists exiting the Site northbound will use the northern driveway. The southern driveway will be southbound egress only. This access configuration has been reviewed and approved by MCDPS Fire and Rescue staff.

The Applicant was asked to develop a concept for potential signalization of the intersection of the Site's two driveways and Taylor Street at Connecticut Avenue. Consensus on Concept C2 Revised was reached by the reviewing agencies and adjacent municipalities. MDOT SHA will review signalization of the intersection further at the time of right-of-way permit. As conditioned, the Applicant will inform the Town of Chevy Chase and the Village of Chevy Chase Section three of the status MDOT SHA's review and final determination for improvements of the intersection.

Alternative Method of Compliance

Pursuant to Section 6.8.1, the Applicant is seeking approval of an alternative method of compliance for the site access requirements in Division 6.1. Specifically, Section 6.1.4.D allows for "[a] maximum of 2 driveways... for every 300 feet of site frontages along any street." The Property currently has two driveways along Connecticut Avenue, spaced less than 300 feet apart, that have served the Property for the past 70 years. These entrances are proposed to remain largely unchanged by the proposed redevelopment.

The Planning Board can waive the site access requirements if it is determined that there is a unique site, a use characteristic, or a development constraint, such as grade, visibility, an existing building or structure, an easement, or a utility line, which precludes safe or efficient development under the requirements of Division 6.1. The retention of this existing site access condition satisfies the specific findings contained in Section 6.8.1, as demonstrated below:

Satisfy the intent of the Applicable Division: The intent of Division 6.1 is to "ensure safe and convenient vehicular, bicycle, and pedestrian circulation

within and between lots on the same block face and to reduce traffic congestion.” The proposed alternative method of compliance seeks to preserve the existing, long-standing site condition. This existing site access configuration must remain to ensure adequate fire department access is provided, which requires two separate points of vehicular access. These access points must be provided along Connecticut Avenue, as a result of the existing site conditions, which contains a large amount of forest around the northern, western and southern property boundaries, and surrounding residential neighborhood. Furthermore, Binding Element No. 2 requires that vehicular access to the site be restricted to Connecticut Avenue.

Modify the applicable functional results or performance standards the minimal amount necessary to accommodate the constraints: The existing Site access points have been in place for decades and are an important operational component of the Property, based on the constraints of the surrounding neighborhood and required fire department vehicular access. To facilitate safe and efficient access of the Site it makes sense to locate both access points within the functional intersection of Taylor Street rather than midblock. Due to the continuous median on Connecticut Avenue, driveways located away from the intersection would have to operate as right-out-only. This restriction would likely increase the frequency of U-turn movements downstream of the Site. To avoid these maneuvers, it is beneficial to locate both driveways at this location.

Be in the public interest: The proposed alternative method of compliance (preserving the existing access points) is critical to provide safe and efficient vehicular access to the site, which conforms with fire department vehicular access requirements and satisfies the Binding Elements contained in the LMA. Furthermore, a grant of the requested alternative method of compliance will facilitate redevelopment of the vacant, aging institutional buildings on the Property with a more compatible residential development, which will facilitate the County’s goals and objectives as expressed through the *Master Plan*.

ii. *Parking, Queuing, and Loading*

The Site Plan has been evaluated for sufficient parking, queuing and loading. The Site Plan indicates that 501 vehicle parking spaces will be provided on site within a below-grade, fully connected parking garage. This accommodates residents, employees, and visitors. Parking on-site will be sufficient to accommodate the maximum shift of employees (150), as well as residents and visitors during peak holiday periods. Additionally, the Applicant exceeds the minimum required bicycle parking spaces with 67

long-term spaces, to be located in the parking garage for use by residents and employees, and four short-term spaces to be used by visitors.

Queuing on the Site will be accommodated by the two entrance lanes: one for visitors at the gatehouse and another for residents and employees that is controlled with a key fob.

The Site is required to provide one loading space, but two bays are provided. One will accommodate residential use for move -in and move-out activity. The other will be available to the commercial uses on site.

The Board finds that there is sufficient parking, queuing, and loading on site.

iii. *Open Space and Recreation*

In accordance with the requirements of Sections 5.3.5.D.2.a and 4.5.3.C of the Zoning Ordinance, the Project provides a minimum of 10% (or 53,273 square feet) of public open space on-site. Currently, the Project is anticipated to provide approximately 53,590 square feet public open space. As required by Section 6.3.6.B of the Zoning Ordinance, this public open space will abut a pedestrian route, be a minimum of 15 feet wide, include seating and shade, and be in a contiguous space. The proposed public open space is primarily located on the north side of the Property, adjacent to Thornapple Street, adjacent to a proposed sidewalk connection, and along Connecticut Avenue. The proposed open space will provide diverse opportunities for the public to gather and socialize (along Connecticut Avenue) and connect with nature (along Thornapple Street). Given the nature of the Project, a significant amount of additional active and passive open space for the residents will be maintained throughout the Project, in excess of zoning requirements. As conditioned, the certified site plan will provide the required amount of recreational facilities onsite.

iv. *General Landscaping and Outdoor Lighting*

All proposed landscape elements, as shown on landscape plan, forest conservation plan, and detail sheets, meet the requirements of Section 6.4.3 Zoning Ordinance; plant materials and locations will be further coordinated with MNCPPC Forest Conservation Inspectors at the preconstruction meeting.

The lighting concept, as depicted on the lighting plan, demonstrates that proposed lighting levels along the perimeter of the Property are in compliance with the maximum foot candles permitted under Section 6.4.4 of the Zoning Ordinance.

v. *Screening*

In accordance with Section 59.6.5.3, screening is required for multifamily residential buildings over 60 feet in height or multi-use buildings over 40 feet in height. For the Subject Property, screening is required from existing uses along the southern, western, and a small portion of the northern property boundary where single family residential homes abut. The Applicant makes use of the existing mature trees, established setbacks and building restriction lines, and proposed Category I Conservation Easements to provide adequate screening.

5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*
 - a. Chapter 19, Erosion, Sediment Control, and Stormwater Management
This Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS Water Resources Division on January 4, 2024. There are no known stormwater management facilities existing on the Property. The Application will meet stormwater management goals through micro-bioretenion planter boxes and green roof to treat stormwater runoff without the use of waivers. A detailed stormwater management review will occur at the time of detailed plan review and all facilities will be designed using the latest MCDPS guidelines.
 - b. Chapter 22A, Forest Conservation
The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines as further discussed in the Resolution for Forest Conservation Plan No. F20240110 (MCPB Resolution No. 24-015).
6. *The development provides safe, well-integrated parking, circulation patterns, building massing, and where required, open spaces and site amenities.*

The Site provides an extensive network of driveways and internal sidewalks buffered from motor vehicle traffic. The driveways are of sufficient width to permit two-way travel, but at a relatively slow speed, as is appropriate for a multi-building senior living establishment.

Sidewalks internal to the Site are generally five-foot wide. They are present around the perimeter of every building and open space. As conditioned and shown on the final Site Plan, the Applicant will replace the existing sidewalks on Connecticut Avenue with an eight-foot vegetated street buffer and an 11-foot-wide sidepath, in compliance with the 2021 *Complete Streets Design Guide*. This will significantly improve pedestrian and bicycle access along the Site frontage. As required by the Town of Chevy Chase, the

Applicant will install ADA accessible passing zones at a frequency of 200 feet along Thornapple Street.

The building massing has been extensively coordinated with the neighboring communities in order to establish a scale and design which integrates and compliments the existing buildings. As discussed above, and conditioned, open space and site amenities will be provided for residents.

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.*

As conditioned and discussed in findings above, this development complies with the 1990 Bethesda Chevy Chase Master Plan and the 2021 Complete Street Design Guide recommendations for a Boulevard along the Sites frontage on Connecticut Avenue. This includes an eight-foot-wide street buffer and an 11-foot-wide sidepath.

8. *The development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

The Project is estimated to generate a net decrease of 121 person trips in the morning peak hour and a net decrease of 60 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. As for other public services and facilities, police and fire protection, water, sewer, roads, and storm drainage are compatible with the proposed development as supported by the agency approval letters which are incorporated as conditions of approval.

9. *The development is compatible with the character of the residential neighborhood.*

As established by the previously approved Local Map Amendment, which includes binding elements which accompany the proposed development, the Board finds this development is compatible with the character of the neighborhood.

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

March 7, 2024

(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 consistent with the Maryland Rules for the judicial review of administrative agency decisions.

* * * * *

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 Hedrick, seconded by Vice Chair Pedoeem, with a vote of 4-0 Chair Harris, Vice Chair Pedoeem, and Commissioners Hedrick, and Linden, voting in favor of the motion, Commissioner Bartley necessarily absent, at its regular meeting held on Thursday, February 22, 2024, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
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Corso Chevy Chase, Preliminary Plan
Application No. 120240020, Site Plan
Application No. 820240030, and Forest
Conservation Plan No. F20230410