

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

March 7, 2024

MCPB No. 24-013
Preliminary Plan No. 120240020
Corso Chevy Chase
Date of Hearing: February 8, 2024

RESOLUTION

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

WHEREAS, on October 24, 2023 Corso DC, LLC (“Applicant”) filed an application for approval of a preliminary plan of subdivision of property that would create one (1) lot on 13.62 acres of land in the CRNF-1.5, C-0.25, R-1.25, H-70 zone, 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, Applicant’s preliminary plan application was designated Preliminary Plan No. 120240020 Corso Chevy Chase (“Preliminary 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.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120240020 to create one (1) lot on the Subject Property, subject to the following conditions:¹

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.

General Approval

1. This Preliminary Plan is limited to one (1) lot for up to 700,000 square feet, including a Residential Care Facility (over 16 persons) containing up to 287 independent dwelling units, 190 assisted living beds and 30 memory care beds; and up to 5,000 square feet of commercial/retail use, including a temporary Telecommunications Tower (during construction) and Antenna on Existing Structure (permanent).
2. The Applicant must comply with the Binding Elements enumerated in the May 12, 2023 Notification of Decision letter from the Montgomery County Office of Zoning and Administrative Hearings approving Local Map Amendment No. H-148, approved by the County Council in Resolution No. 20-197, and the Floating Zone Plan, as may be amended.

Adequate Public Facilities

3. 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

4. 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

5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated January 10, 2024 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.
6. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
7. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration (“MDOT SHA”) in its letter dated December 7, 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.
8. Before issuance of the right-of-way permit by MDOT SHA on Connecticut Avenue, the Applicant must inform the Town of Chevy Chase and the Village of Chevy Chase

Section 3 of any final decisions made pertaining to the traffic operations of the access point on Connecticut Avenue, as approved by MDOT SHA.

9. Before issuance of access permits, the Applicant must satisfy the Maryland State Highway Administration's requirements for access and improvements.
10. 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 January 4, 2024, 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.
11. 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 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.
12. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Housing and Community Affairs ("DHCA"), in its letter dated January 8, 2024, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which DHCA may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

Other Approvals

13. Before approval of a record plat or any demolition, clearing or grading for the Subject Property, the Applicant must receive Staff certification of the Site Plan Application associated with this Preliminary Plan.
14. If an approved 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 amendment.

Transportation

Frontage Improvements on Existing Roads

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 Thornapple Street.

16. Before recordation of plat(s), the Applicant must satisfy all necessary requirements of MDOT SHA to ensure construction of an 11-foot wide sidepath, with an eight-foot-wide vegetated street buffer along the Property frontage on Connecticut Avenue.

Record Plats

17. There shall be no clearing or grading of the site before recordation of plat(s).
18. The record plat must show necessary easements.
19. The record plat must reflect the following building restriction lines as shown on the Preliminary Plan:
 - a) A 20-foot Building Restriction Line (BRL) from the Conservation Easement along Thornapple Street.
 - b) A 20-foot BRL from the Conservation Easement along the rear setback.

Notes and Labels

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

Certified Preliminary Plan

21. 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.
22. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
 - a) Show resolutions and approval letters on the certified set.

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 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

The Preliminary Plan reflects that the size, width, shape and orientation of the proposed lot will be appropriate for the location of the proposed subdivision. The Property will be re-platted to accommodate the minor 2,688 square foot dedication along Thornapple Street. Otherwise, the Property will retain the same shape and orientation that exists today; the existing shape, which was previously used for a campus style development is adequate for the proposed senior housing campus style development. The proposed subdivision satisfies the applicable requirements of Chapter 59.

i. *Master Planned Sites*

The Subject Property is not specifically identified in the Master Plan for a site-specific recommendation. However, as described more fully in the findings below, the proposed Application complies with the vision of the neighborhood as described in the 1990 Bethesda Chevy Chase Master Plan.

ii. *Local Recreation*

The proposed subdivision does not include dedication of land for public recreation purposes. Recreation for the proposed use will be provided onsite. Dedication along the right-of-way and frontage improvements are included in this Application.

iii. *Transportation and Utilities*

As conditioned and described in the transportation findings herein, the Site will meet the requirements of the 2021 Complete Streets Design Guide and the Public Right of Way Accessibility Guidelines (PROWAG).

The Property is serviced by existing water and sewer and is located within water and sewer categories W-1 and S-1. Electric, gas, and telecommunications services are also available. Other public facilities and services – including police stations, firehouses, and health care facilities – are currently operating in accordance with the Growth and Infrastructure Policy and will continue to be sufficient following construction of the Project.

c) 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 CRNF zone.

*Table 1: Corso Chevy Chase Preliminary Plan Data Table for
CRNF-1.5, C-0.25, R-1.25, H-70 Zone, Section 59.4.5.4*

Development Standard	Permitted/ Required	Approved
Tract Area	n/a	13.64 acres (594,271 sf)
Prior Dedication	n/a	1.35 acres (58,850 sf)
Proposed Dedication	n/a	0.06 acres (2,688 sf)
Site Area	n/a	12.23 acres (532,733 sf)
Total Density	1.5 FAR	1.18 FAR (700,000 sf)
Minimum Lot Area	n/a	-
Minimum Lot Frontage	n/a	-
Minimum Lot width at B.R.L.	n/a	-
Maximum Lot Coverage	n/a	-
Principle Building setbacks		
Front	15 ft min	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 Cert Site Plan)
Site Plan Required	Yes	

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

a) Land Use

The Project is located within the boundaries of the 1990 Bethesda Chevy Chase Master Plan. The Master Plan generally reconfirmed the R-60 Zone throughout to maintain the residential character where possible, therefore this Site was reconfirmed with the R-60 zoning. The Master Plan also stated that if this site were to be redeveloped from institutional, a residential use is recommended; the proposed residential care facility complies with this recommendation. On page 3 under Land Use and Zoning, Areawide Recommendations No. 4, the Master Plan states “Encourage the continuation of the current country club uses. For country clubs, as well as private schools and institutional uses, endorse housing as the primary future alternative use if these parcels are ever redeveloped.” In addition, the Local Map Amendment approved by the County Council found the new zone, the CRNF and the proposed Project, substantially conformed with the Master Plan.

The Project complies with four of the seven overarching goals of the Master Plan and does not conflict with any of the remaining three goals as stated by the County Council and discussed below:

Provide for a balanced housing supply so that persons of varying income levels, age, backgrounds, and household characteristics may find suitable housing appropriate to their needs.

The Project provides diverse housing opportunities on-site that will help to meet the needs of the surrounding community. As proposed, the Project includes a variety of units for senior living as part of the Residential Care Facility, with three levels of care (i.e. Independent Living, Assisted Living and Memory Care), to allow residents of the surrounding community to age-in-place. The Project will provide MPDUs per the standards of Chapter 25A with final review at the time of Site Plan application.

Protect the high-quality residential communities throughout the Planning Area as well as the services and environmental qualities that enhance the area.

The Project layout has been designed to protect and retain the existing tree canopy that exists along the northern, western and southern Property boundaries to the maximum extent feasible. This natural screening provides a significant physical and visual buffer from the surrounding residential communities, but also serves to protect the environmental features on-site.

Protect the natural resources and environmental qualities of the Planning Area.

The Project will preserve and enhance the natural resources that exist on-site and the environmental qualities of the Planning Area. As mentioned, the Project preserves a majority of the existing tree canopy that exists on-site today and will provide for its permanent protection through Category I Forest Conservation Easement(s) as proposed with the associated Final Forest Conservation Plan. This will also provide for the protection of the steep slopes that exist along the western Property boundary. The Project also will provide stormwater management on-site.

Contribute to a strong sense of community and help reinforce community cohesion.

The Project proposes a conceptual layout design and building heights to be compatible with, and complement, the character of the surrounding residential neighborhood. The proposed conceptual building architecture related to styles found in the surrounding neighborhood, and many of the proposed Binding

Elements of the Local Map Amendment reinforce these styles by restricting certain materials and requiring the future buildings to read as a limited amount of building stories. The Master Plan recognizes that “[t]he way we meet the special needs of the elderly...also relates to our sense of a community that cares about its residents.” The Project accomplishes this by providing a range of services for residents ages 62 years and older, which will serve County residents and allow Chevy Chase residents to stay in their community as they age.

b) Environment

Protect the high-quality residential communities throughout the Planning Area as well as the services and environmental qualities that enhance the area.

The Project layout has been designed to protect and retain the existing tree canopy that exists along the northern, western and southern Property boundaries to the maximum extent feasible. This natural screening provides a significant physical and visual buffer from the surrounding residential communities, but also serves to protect the environmental features on-site.

Protect the natural resources and environmental qualities of the Planning Area.

The Project will preserve and enhance the natural resources that exist on-site and the environmental qualities of the Planning Area. As mentioned, the Project preserves a majority of the existing tree canopy that exists on-site today and will provide for its permanent protection through Category I Forest Conservation Easement(s) as proposed with the associated Final Forest Conservation Plan. This will also provide for the protection of the steep slopes that exist along the western Property boundary. The Project also will provide stormwater management on-site, as approved by the stormwater management concept plan.

c) Transportation

The Site has frontage on two public streets: Connecticut Avenue, controlled by MDOT SHA and Thornapple Street, controlled by the Town of Chevy Chase. The 2021 *Complete Street Design Guide* classifies Connecticut Avenue as a Boulevard, which currently has a seven-foot-wide street buffer with a six-foot sidewalk. As conditioned and shown on the approved plans, the street buffer will be widened to eight feet and the sidewalk will be replaced with an 11-foot sidepath. The 2021 *Complete Street Design Guide* recommends a six-foot-wide buffer and six-foot-wide sidewalk for Neighborhood Streets, such as Thornapple Street; however, the Town would prefer to keep the 4-foot-wide sidewalk, widening it to 5-feet every 200 linear feet to provide ADA passing zones, in compliance with PROWAG.

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

a) Roads and other Transportation Facilities

i. Existing Facilities

Connecticut Avenue is a Boulevard with a master-planned right-of-way width of 120 feet. Along the Site frontage, the right-of-way is 120 feet, therefore no further dedication is needed. It currently has a seven-foot-wide street buffer with a six-foot sidewalk. A bus shelter is located just north of the Site's northern driveway which is served by RideOn routes 1 and 11 and Metrobus route L8. Taylor Street has a prescriptive minimum right-of-way of 60 feet, and 50 feet of right-of-way has been dedicated.

Thornapple Street has a seven-foot-wide street buffer and a 4-foot-wide sidewalk along the Site frontage.

ii. Proposed public transportation infrastructure

Connecticut Avenue will be improved with an eight-foot-wide vegetated street buffer and an 11-foot-wide asphalt sidepath to be shared by pedestrians and bicyclists. Bus stops on both sides of Connecticut Avenue will be relocated to be closer to the northern crossing of Connecticut Avenue and Taylor Street. The *2021 Complete Street Design Guide* recommends a six-foot-wide buffer for Neighborhood Streets, such as Thornapple Street, however, the Town would prefer to keep the 4-foot-wide sidewalk, widening it to 5-feet every 200 linear feet to provide ADA passing zones, and to comply with PROWAG.

The Applicant has proposed a new traffic signal to direct traffic in and out of the Site's two driveways and on Taylor Street. As conditioned the Applicant will submit a request for review of the traffic signal to MDOT SHA at the time of right-of-way permit. Should MDOT SHA approve the signal (or some other traffic control at this intersection), the Applicant will be required to install it. As a point of clarification, the traffic signal will enhance the Site access point, but it is not required to make a finding for adequate site access. The design of the driveway is acceptable to Planning and MDOT SHA staff, and MDOT SHA has approved the sight distance analysis included in the Application.

iii. Proposed private transportation infrastructure

The Application includes sidewalks connecting the various buildings onsite. In general, the sidewalks will be five feet in width, and will be buffered from the motorized traffic using the interior driveways.

b) Local Area Transportation Review (LATR)

The previous use on the Site was for the 4-H Headquarters and a hotel with 183 rooms. The proposed Senior Living Project which consists of 220 assisted living/memory care beds, 287 senior independent living units, and 5,000 square feet of retail are 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. 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 Bethesda/Chevy Chase Policy Area		Total Person Trips	
		AM	PM	AM	PM	AM	PM
Existing	183-room Hotel	84	108	66	85	109	140
Existing	Corporate HQ	135	121	109	98	176	159
Subtotal						285	299
Proposed	220 Assisted Living/ Memory Care beds ¹	40	53	35	46	62	82
Proposed	287 Senior Living units	55	72	48	63	86	112
Proposed	5,000 SF Retail	12	33	10	28	16	45
Subtotal						164	239
Net Change						-121	-60

Source: Transportation Exemption Statement from Wells & Associates, August 18, 2023, modified by staff

¹ For the purposes of transportation analysis the assisted living bed and memory care beds are evaluated together as they generate trips at the same rate.

c) Schools

The residential component of the Project is age-restricted for residents 62-years of age and older and therefore will not impact schools.

d) Other Public Facilities and Services

Schools

The Development is assigned to Rosemary Hills/North Chevy Chase Elementary School, Silver Creek Middle School, and Bethesda Chevy-Chase High School. While the Project provides new residential density, the proposed senior living facility use

will not generate any new students. Thus, the Project will have no impact on public school capacity.

Water and Sewer

The Property already is served by existing water and sewer. The Property is located within water and sewer categories W-1 and S-1. Water and sewer needs are expected to be met by the Washington Suburban Sanitary Commission ("WSSC") through connections to the existing water and sewer lines. WSSC will evaluate the water and sewer capacity through a Hydraulic Planning Analysis in connection with the building permit.

Other services

Electric, gas and telecommunications services also will be available. Other public facilities and services – including police stations, firehouses, and health care facilities – are currently operating in accordance with the Growth and Infrastructure Policy and will continue to be sufficient following construction of the Project.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

The approved Final Forest Conservation Plan 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. Refer to the Preliminary Forest Conservation Plan No. F20240110 (MCPB Resolution No. 24-015) for the full analysis and findings.

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

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.

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

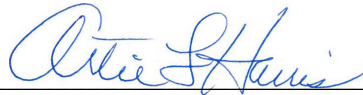
(which is the date that this Resolution is mailed to all parties of record); and

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