

Town of Chevy Chase
Proposed Binding Elements for Corso Chevy Chase Rezoning
9/22/2022

A. Property Use

1	Purpose	Use of the property will be limited to senior housing with ancillary commercial establishments.
2	Commercial Space	Maximum 5,000 SF for retail/service establishments, with no single establishment larger than 2,500 sq. ft. Establishments to be made available to the general public. Use of establishments to be approved by the Town Council.
3	On-site Parking	Corso to provide a needs analysis for parking requirements. Minimum [] spaces in Phase 1 and total of [] spaces for the entire development. Phase II will include [] free short-term surface level parking spaces for use by visitors to retail shops. On-site parking must be provided for all employees and visitors, including during peak use/visitation times.
4	Town vehicle parking and storage	Corso to provide, at no cost to the Town, enclosed and secure garage space approximately equal to what is currently occupied. Additional parking spaces also will be provided to Town employees when present or using the space.

B. Building Restrictions

5	Density	FAR limited to []. The project will include a maximum of [] independent and assisted living dwelling units and [] memory care units.
6	Building Heights	Maximum of 65 feet above measuring point for buildings facing Connecticut Avenue, and a maximum of 55 feet above the measuring point for all buildings on the perimeter of the South, West and North sides of the complex; provided that the building on the NW of the project not exceed 40 feet in height above the measuring point.
7	Vehicular Access	Vehicular access to/from Thornapple Street, Woodside Place and Meadow Lane shall be prohibited, and no street access shall be constructed. The sole vehicular access to the project will be from Connecticut Avenue.
8	Create Forest Conservation Easements	The Applicant will place areas as more accurately depicted on the Final Forest Conservation Plan, and generally along the western, northern and part of the southern property lines, in a Category I Conservation Easement(s), with the intent of maintaining these areas natural, forested, wildlife habitats. A public walking path through the proposed Easement along the western property line shall be prohibited.
9	Storm Water Management	Require ESD to the MEP. No adverse impact to adjoining residential properties, and no net decrease in the carrying capacity of the SWM system servicing the rest of the Town for a 10-year storm event.
10	Exterior Façade Materials	Exterior façade materials must be specified on the Certified Site Plan. EIFS or similar, and vinyl siding, are prohibited. Final façade materials to be approved by Town and Planning staff.
11	Location of refuse storage/collection areas and loading/service areas	Corso to screen and locate refuse storage/collection areas and loading/service areas away from adjacent property boundaries. Noise mitigation measures will be provided for all such areas.

C. Grounds

12	Open Space Exhibit	Depicts the location and amount of Public Open Space for the Project.
13	Landscaping	Landscaping materials to be primarily native species. Corso will remove invasive plants, including the bamboo on the south side of the property, in accordance with all applicable Town and County pesticide/herbicide use laws. Solid evergreen (non-deciduous) screen along south property line, outside the FCE and not interfering with the path to Woodside, to grow to a minimum of [] feet and be properly maintained by Corso. Sufficient depth above garage planters to support canopy/shade trees. Foundation screening required outside west elevation retaining wall and north elevation where garage wall extends above grade.
14	Fencing	Fencing plan, including location, height, materials, and fenestration, must be specified on the Certified Site Plan. Corso to maintain and/or provide fencing along the side yards of abutting residences on the south side of the property. Final fencing plan to be approved by Town and Planning staff.
15	Exterior Lighting	Lighting plan must be specified on the Certified Site Plan and must demonstrate no exterior light bleed beyond the perimeters of the property. Final lighting plan to be approved by Town and Planning staff.
16	Circulation Diagram	Depicts the vehicular and pedestrian circulation patterns throughout the Project.
17	Concept Fire Access Exhibit	Depicts the vehicular and pedestrian access necessary for emergency service.
18	Pathways for public site ingress and egress	Pathway access between Corso and Thornapple Street, Woodside Place and Connecticut Avenue will be provided. Pathway connecting Woodside Place to the Corso development will not connect directly to Connecticut Avenue.

D. Planning & Construction

19	Town Participation in Forest Conservation Easement planning	Town forester to be included in any current and future meetings and proceedings regarding the creation and maintenance of the Forest Conservation Areas.
20	Town Participation in Storm Water Management Plans	Town appointed engineer to be included in all meetings and proceedings with Corso and County officials regarding development of the storm water management plans, and Corso will provide the Town with all stormwater management plans created as a part of the redevelopment.
21	Undertake traffic study	Corso to study traffic signalization related to the Project and provide the Town with all traffic studies or traffic impact analyses undertaken for the Project. Corso will work with the State Highway Administration to determine the need for a traffic light on Connecticut Avenue to permit a safe means for northbound traffic to enter Corso and for exiting traffic from Corso to turn northbound on Connecticut Avenue.
22	Construction Management Agreement	Corso to prepare and codify a set of construction rules and regulations which will be reviewed and approved by the Town to minimize, to the greatest extent practicable, the impact of construction on adjacent Town residents. These regulations will cover, among other items, working hours, noise, construction worker parking, construction traffic, rat control, and prohibition of construction vehicles from using and/or parking on Town streets during the construction process. Corso and the Town also will agree on a system for notification of residents about upcoming construction activities through a listserv or other regularly updated distribution method prior to and during construction activities. Corso commits to minimize, to the greatest extent practical, the duration between construction phases.
23	Temporary garage for Town vehicles	Corso to provide a temporary enclosed and secure garage during construction for Town vehicles and storage of equipment and hardware. The structure will be shown on the Certified Site Plan.
24	Phasing	Phasing plan must be specified on the Certified Site Plan. Corso will provide reasonable intermittent measures, including landscaping, to ensure the attractiveness of temporary, undeveloped areas. Final phasing plan to be approved by Town and Planning Department.

E. Requirement for a Declaration of Covenants between Corso and the Town

25	Commitment to enter into Declaration of Covenants with Town	This Declaration of Covenants, executed by Corso and the Town and running with the land so as to be enforceable against successors and assigns, will include the binding elements included in the LMA and additional material items that are agreed upon during the subsequent site planning and subdivision review processes. The Declaration of Covenants will be ratified by Corso and the Town and recorded among the Land Records of Montgomery County prior to final approval of the Certified Site Plan for Corso and shall also be specifically cross-referenced as a recorded instrument on the Record plat(s) for the Property.
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Items for Declaration of Covenants but not Binding Elements:

1	Parking	Corso will maintain an active program to ensure that all employees and visitors know that they are to park on Corso property and not use Town streets.
2	81' Thornapple Street Setback	Corso to comply with the Declaration of Covenants entered into between the National 4-H Club Foundation and the Town of Chevy Chase on April 27, 1968, including a minimum building setback of 81 feet. A public walking path from the current curb cut on Thornapple Street along the existing grass and dirt path within the setback will comply with this Declaration.
3	Use of theater	Corso commits to ensure activities scheduled at the proposed theater be provided to the Town on a regular basis and that Town residents remain welcome to attend such activities with the goal of encouraging engagement between Corso and other Town residents.
4	Town Meetings	Corso commits to provide access to the theater for holding official Town meetings on a case-by-case basis with the intent of furthering engagement between Corso and Town leadership.
5	Indoor pool and spa use	In the event an indoor pool and spa have excess capacity upon substantial occupancy of the Project, Corso commits to open the respective facilities to Town residents (age-restricted) according to a set of reasonable rules and regulations, one of which will include availability of parking for guests in the Corso garage.
6	Annual meeting	Corso commits to meet annually with the Town to review issues and suggestions from residents.