




November 14, 2022

MEMORANDUM

TO: Steve Robbins, Attorney
Lerch, Early, & Brewer, Chtd

VIA: Elza Hisel-McCoy, Chief
Stephanie Dickel, Regulatory Supervisor
DownCounty Planning Division

FROM: Grace Bogdan, Planner III 
DownCounty Planning
301-495-4533
grace.bogdan@montgoomeryplanning.org

SUBJECT: Corso Chevy Chase
1st Round Comment Summary for LMA & PFCP H-148

Please see the enclosed comments/requested revisions for the proposed rezoning of 7100 Connecticut Avenue and associated Preliminary Forest Conservation Plan.

LEAD REVIEW	Reviewer: Grace Bogdan
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1. Add proposed publicly accessible retail location to the floating zone plan.
2. Open Space for standard method development must be in a contiguous space (Section 59.6.3.6.B.1.d). Please remove proposed POS along southern portion of Connecticut frontage. Consider adding space into the site along Thornapple frontage and/or expanding proposed POS along the northern portion of the Connecticut Avenue frontage.
3. Submit precedents for open space concept and furnishings.
4. Please provide confirmation from DPS Zoning the setback from Woodside Place is a side setback and not a front setback.
5. Provide sections showing conceptual conformance with the Residential Compatibility height provisions, to be finalized at site plan.
6. Add screening requirements of Section 59.6.5 to the Floating Zone data table, included in the Land Use Report but not the Floating Zone Plan.
7. Land Use Report references a Stormwater Strategy Plan but could not find in the application materials or within other drawings provided, please include in resubmittal.
8. If not already included, please add Chevy Chase Section 3 to the notice list with attention to the Village Manager, Andy Leon Harney.

DESIGN	Reviewer: Paul Mortenson, Atul Sharma, Grace Bogdan
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1. We recommend adding a binding element requiring architectural features along Connecticut Avenue and Thornapple Street that will reduce perceived height to read as four stories plus roof level.
2. We recommend adding a binding element requiring a minimum number of ground floor entries along Thornapple Street and Connecticut Avenue.
3. We recommend adding a binding element requiring the porte cochere with upper stories as proposed at the site entrance and shown in online renderings. Please confirm vertical clearance and habitable space above the porte cochere with MCDPS Fire Access Division.
4. We recommend adding a binding element requiring a gateway feature such as, but not limited to, a water fountain near Connecticut Avenue entrance.
5. Provide exhibits showing conceptual massing, renderings, and elevations.
6. Break up the large mass of the northern portion of Phase 2 facing Connecticut Avenue.
7. Provide sections showing building height stepping down and through Connecticut Avenue and from building face to curb through Thornapple Street.
8. Submit fencing diagram showing boundary, with details of height and material, and location of secure gates/publicly accessible gates.
9. Concur with the Town of Chevy Chase on the prohibition of Exterior Insulating and Finish System (EIFS) and request it be added to proposed Binding Element #15.

TRANSPORTATION	Reviewer: Katie Mencarini
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1. With future submission of the Site Plan provide additional detail about the design vehicle on the truck turning templates.

2. With the future submission of the Site Plan provide a discussion of how queuing will be avoided on Connecticut Avenue with the installation of a gated entrance.
3. At the time of Preliminary/Site Plan, ensure compliance with the Complete Streets Design Guide.
 - a. Connecticut Avenue is a Boulevard with a master-planned ROW of 120 feet. Dedication along the Site frontage may be required.
 - b. Thornapple Street is a Neighborhood Street with a Code-required minimum ROW of 60 feet. Dedication along the Site frontage may be required.
 - c. Improvements to the sidewalks network will also likely be required at the time of Site Plan. Please dimension the proposed sidewalk and buffer improvements.
 - d. Provide cross sections for all Site frontages with the Site Plan showing existing and any proposed changes to the dedicated ROW and curb alignments.
 - e. The Pedestrian Master Plan is underway, and this Project may be subject to new requirements of that Plan.

ENVIRONMENT	Reviewer: Marco Fuster
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PFCP Sheet 1

1. The project will impact many variance trees and needs to have input from an ISA Certified who is also a MD Licensed Tree Care Expert having at least 5 year of related plan preparation experience. Need a detailed tree save plan to determine realistic tree preservation and the associated variance request/mitigation.
2. Rather than basing the permanent Category I footprint on the somewhat erratic LOD, please refine the conservation easement shapes. Areas which are temporarily disturbed for grading, demolition, etc. can be planted back as needed (can use some of the variance mitigation trees which are required but not yet shown).
3. It is difficult to see existing/proposed easements - Provide an inset and/or other means to clearly show all existing easements to remain along with the proposed utility easements, PUEs, PIEs etc. which may preclude the placement of a new Category I conservation easement.
4. A conservation easement may be recommended to enhance the screening/compatibility and tree protection at the SE corner of site.
5. Show where the split-rail fencing is proposed – needed to delineate/protect conservation easement for some of the internal areas and near adjacent Lots such as 10 and 24 (and possibly others). May be sufficient in some areas to delineate with standard post/signs.
6. Address any existing encroachments (such as those associated Lot 10).
7. Show stormwater management facilities per the submission requirements.
8. Move BRLs to be at least 20’ from conservation easement footprints.
9. More separation between buildings and Category I Easement needed along north side of site, although cross sections would be helpful to demonstrate adequacy.
10. A future conservation bank is proposed however it doesn’t appear that the banking criteria is met.
11. Provide the preparers’ certifications on the next submission.
12. Update notes per NRI 420222220 where applicable (such as note 4).
13. Further clarify that the line of parking blocks in the forest is to be removed.

14. Please provide more legible vicinity map.
15. Provide M-NCPPC Approval Stamp Placeholder (The top left corner of all drawings must be reserved for the Planning Department's electronic stamp).
16. The plan drawing must contain the Developer's Certificates.
17. Invasives control with supplemental native plantings will be required/conditioned as part of future submissions.

PFCP Sheet 2

1. Provide M-NCPPC Approval Stamp Placeholder (The top left corner of all drawings must be reserved for the Planning Department's electronic stamp).
2. The plan drawing must contain the Developer's Certificates.
3. Provide the preparers' certifications on the next submission.
4. General cleanup needed; sheet has extraneous lines, illegible text in title block, etc.

General

1. Variance request will be reviewed after updates are made with input from arborist and the overall comments herein are addressed (changes in tree removals/ retention anticipated).
2. The application proposes residential units along an arterial roadway and a noise analysis will be needed at time of Preliminary Plan submission.

STORMWATER MANAGEMENT	Reviewer: Andrew Kohler (MCDPS)
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1. A Stormwater Management Concept will be required at the Preliminary/Site Plan.

DHCA	Reviewer: Maggie Gallagher
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Land Use Report states there will be 63 MPDUs evenly distributed across all categories, please provide proposed calculation of MPDU distribution with this in mind:

1. Memory Care beds may not fit the definition of a dwelling unit (certain square footage, full kitchen, etc.) and would likely not need to be provided as MPDUs
2. If the assisted living units do meet the regulation definition of a dwelling unit and require MPDUs (this goes for the independent living as well) we may run into some concerns regarding what type of additional care someone who needs an MPDU afford. This topic has been coming up for us more frequently and might be something we have to talk through.

Town of Chevy Chase

See enclosed letter.



Barney Rush, *Mayor*
Joel Rubin, *Vice Mayor*
Irene Lane, *Treasurer*
Rich Brancato, *Secretary*
Joy White, *Community Liaison*

November 10, 2022

Grace Bogdan, AICP
Planner III, DownCounty Planning Division
Montgomery County Planning Department
2425 Reddie Drive, 13th Floor
Wheaton, MD 20902

Dear Ms. Bogdan,

Thank you for the initial opportunity to comment on Local Map Amendment Application H-148 (the “LMA”) filed by Corso Chevy Chase (“Corso”), certified by the Planning Department on October 31, and accepted by the Hearing Examiner on November 3. You have asked for any initial comments to be sent to you by Thursday, November 10 to be included in the Planning Staff’s first review and comments regarding the LMA anticipated to be delivered to Corso on November 14 for Corso’s resubmission on December 5. The Town appreciates being included in this initial agency review process, and we look forward to being an active party of record throughout the entitlement process for this project, including this LMA.

We have reviewed this application and have compared Corso’s proposed binding elements with those that the Town proposed and transmitted to the Planning Department and Corso on September 22. In light of this review, we offer the following comments, which focus on the most significant matters that we have noted. We expect to provide additional comments on more detailed issues and on Corso’s first and final resubmissions, upon review of these resubmissions. It is also the Town’s intention to participate in the Planning Board’s public hearing presently scheduled for February 9, 2023 and in the Hearing Examiner’s evidentiary public hearing on March 3, 2023.

First, we are pleased that many of our recommendations have been accepted in whole or in large part by Corso. This is a testament to their taking the views of the Town seriously and engaging with us as they continue to develop their project. We also are pleased that they welcome the Town’s involvement both in the development of the forest conservation plan and the review of the stormwater management plan. Given the Town’s regulatory authority, this coordinated approach offers the benefit to both Corso and the Town of minimizing redundant processes. It should also advance our goals of minimizing the reduction of our Town’s tree canopy and providing an effective storm water management plan that addresses Town concerns.

The Town generally finds the intended senior housing use to be acceptable if it can be done in a manner that is compatible with the surrounding Town and neighborhood. In that light, despite the developers' acceptance of many of the Town's proposed binding elements, there remain elements in their application that are deficient and do not address concerns of the Town and our residents. We would appreciate having these concerns included in the Planning Staff's initial comments back to Corso.

Building Height

Our continued major concern relating to compatibility regards the heights of the proposed buildings. We had recommended a binding element limiting the height of buildings along Connecticut Avenue to 65 feet above the measuring point and to 55 feet above the measuring point for buildings around the rest of the perimeter, with a further reduction to 40 feet for the particular building planned for the northwest corner of the property, where the land slopes steeply exposing the full height of the foundation floor. These heights were proposed to ensure compatibility of this large and dense development with the surrounding single family residential neighborhood.

The developers propose to hold the height along Connecticut Avenue to 60 feet but continue to plan for 70-foot buildings around the rest of the perimeter, from the measuring point identified in the application. This translates to 5 stories generally and 6 stories, effectively, for the building on the northwest corner of the site. Meanwhile, in the Statement of Case, Land Use Report, the developers state *"The design of this Project is residential in nature and includes several buildings with heights ranging from four- to five-stories, with the taller heights oriented toward the center of the Property and lower heights adjacent to the perimeter of the site."* [emphasis added.] We are in support of this concept, as a means to adjust the density of the project; but we have not seen plans that demonstrate implementation of this concept.

This matter of height is vital to the Town of Chevy Chase, and we ask that the developers be required to adjust their plans and address the concerns of our residents through an appropriate binding element.

Other Concerns

Other matters of continued concern are set out below.

Paths:

The Town's proposed binding element states: *"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."*

However, the proposed wording for the binding element on this point in the developers' application states: *"The Applicant shall construct new pathways connecting the existing sidewalks on Thornapple Street and Woodside Place with Connecticut Avenue."* The purpose of these paths is to permit Corso residents to gain access safely and easily to Town streets, and for Town residents to enjoy the same when they wish to visit the shops and attend events at Corso. The paths are not for the purpose of opening up more points of access to Connecticut Avenue. We therefore strongly prefer our proposed language on this point.

Parking:

The application states that 503 individual parking spaces and 42 tandem spaces will be provided. We appreciate knowing this number, but what the Town had specifically requested was to see a study that could confirm that parking would be sufficient so that no spill over parking will occur on Town streets. We continue to ask for this study. Specifically, we want to know how the developers have accounted for visitor parking on peak days, along with the need for employees and residents to park their vehicles at all times.

Stormwater Management:

The Statement of Case, Land Use Report refers to a Stormwater Strategy Plan. However, we have not found this document in the application and would like to receive a copy. We will be paying close attention to the provision of an environmental site design to the maximum extent practicable and a storm water management plan that minimizes stress on the downstream pipes.

Building Materials:

Architecture is a vital element in ensuring compatibility of this large-scale project with the Town’s single-family residences. Therefore, materials that will be inherently incompatible with the rest of the Town and the neighborhood should be precluded through a binding element in the LMA. In this regard, the Town had recommended a binding element prohibiting vinyl siding and any Exterior Insulating and Finish System (“EIFS”). Corso has offered only to prohibit vinyl siding. The Town continues to believe that EIFS is incompatible with the homes in our Town and across Connecticut Avenue. Further, as EIFS is a material that has a long and well documented history of moisture problems, it is not compatible long term with the quality project that Corso intends to build.

Fencing:

The Town had proposed the following: *“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.”* The developers did not offer any binding element on this point. We understand that fencing will be discussed in detail during site plan review, but we continue to seek the commitment of the developers to maintain and/or provide fencing along abutting residences on the south side of the development. We also maintain our request for a binding element that requires Town approval of the final fencing plan.

Exterior Lighting:

We note that Corso has deleted our recommendation that the Town approve the lighting plan. We are uncomfortable with their proposed wording, that the plan accord with County regulations and be “coordinated so as to minimize impact to adjacent properties.” “Minimization” could still mean too much for homes adjacent to this very large development. We want adherence to strict standards that will protect residents from exterior light pollution.

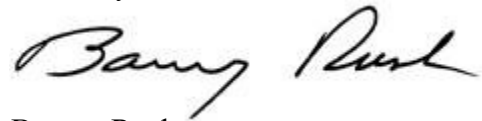
Commercial Space and Use:

We appreciate Corso’s acceptance of our recommended limits on the total amount of commercial space and the size of the individual stores. We also are in support of what we have been told will be the initial uses for this space: shops for flowers, ice cream and coffee. However, we seek

controls on how this space may be used in the future and, potentially, by future owners. Rather than seeking at this time to set out defined limits for what would be appropriate, we believe more flexibility is provided by having potential future changed uses be approved by the Town Council. We therefore request that this provision be included in the binding element on this matter.

These are our initial comments. Again, the Town expects to present further comments upon review of the resubmissions of the application when we receive them. We appreciate being brought into this process by the Planning Staff from the beginning, and we look forward to working with the Staff, Corso, and others participating in the processes as the application progresses.

Sincerely,

A handwritten signature in black ink that reads "Barney Rush". The signature is written in a cursive, flowing style.

Barney Rush
Mayor

cc: Robert Kronenberg, Montgomery County Planning Department
Elza Hisel-McCoy, Montgomery County Planning Department