



JUL 13 2010

MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 10-61
Project Plan No. 91999002A
Project Name: Chevy Chase Center
Hearing Date: May 13, 2010

RESOLUTION

WHEREAS, under Montgomery County Code Division 59-D-2, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved project plans; and

WHEREAS, on December 10, 2009, Chevy Chase Land Company ("Applicant") filed a project plan amendment application designated 91999002A, Chevy Chase Center, (the "Amendment") for approval of the following modifications:

1. Along Wisconsin Avenue, introduce additional greenery through planters and pots, and realign the existing benches to encourage conversation;
2. Along Wisconsin Circle, provide additional greenery and outdoor seating, potentially to include restaurant and other tenant seating;
3. On the internal retail drive, provide additional planters and greenery along the edge adjacent to the existing retailers, with realignment of the existing benches and new single-seats to create more conversational seating areas, with the potential for additional outdoor restaurant seating; and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated May 3, 2010, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on May 13, 2010, Staff presented the Amendment to the Planning Board at a public hearing on the Amendment (the "Hearing") where the Planning Board heard testimony and received evidence submitted for the record on the Amendment; and

WHEREAS, on May 13, 2010, the Planning Board approved the Amendment on the motion of Commissioner Dreyfuss, seconded by Commissioner Wells-Harley, with a vote of 5-0, Commissioners Alfandre, Dreyfuss, Hanson, Presley, and Wells-Harley voting in favor.

Approved as to
Legal Sufficiency: 

8787 Georgia Avenue, N.C. Planning Board, Department 20010 Chairman's Office: 301.495.4605 Fax: 301.495.1320

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NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby APPROVES the Project Plan No. 91999002A, subject to the following conditions:

1. Project Plan Conformance
Except as modified herein, the proposed development must comply with the conditions of approval for Project Plan 919990020, as listed in the Planning Board resolution dated September 22, 1999.
2. Coordination for Additional Approvals Required Prior to Site Plan Approval
The Applicant must obtain written approval from the Montgomery County Department of Transportation (DOT) and the Maryland State Highway Administration (SHA) for the final design and extent of any and all streetscape improvements within the rights-of-way;

BE IT FURTHER RESOLVED, that the Planning Board adopts the Staff's recommendation and analysis set forth in the Staff Report and FINDS that the proposed Amendment is consistent with the provisions of § 59-D-2.6 of the Zoning Ordinance and consistent with the purposes, intents, and requirements of the CBD-1 zone, as well as with the Bethesda-Chevy Chase Master Plan, and remain compatible with the existing and proposed development adjacent to the site; and

BE IT FURTHER RESOLVED that all site development elements as shown on Chevy Chase Center drawings stamped by the M-NCPPC on December 10, 2009, shall be required; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-2.7; and

~~BE IT FURTHER RESOLVED~~, that the date of this written resolution is JUL 13 2010 (which is the date that this resolution is mailed to all parties of record); and

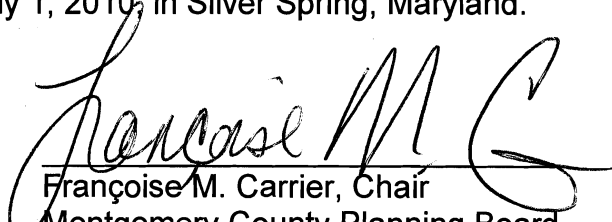
BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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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 Presley, seconded by Commissioner Wells-Harley, with Commissioners Wells-Harley, Alfandre, and Presley voting in favor of the motion, and with Chair Carrier abstaining and Commissioner Dreyfuss absent, at its regular meeting held on Thursday, July 1, 2010, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board