



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

Staff Report: Limited Project Plan Amendment 91999002A, Chevy Chase Center

ITEM #: _____

MCPB HEARING DATE: May 13, 2010

REPORT DATE: May 3, 2010

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Robert Kronenberg, Supervisor *RK*
Development Review Division

FROM: Elza Hisel-McCoy, Assoc. AIA, LEED-AP *cm*
Planner Coordinator
Development Review Division
301.495.2115
Elza.Hisel-McCoy@montgomeryplanning.org

APPLICATION DESCRIPTION:

Modification of streetscape improvements, including plantings, paving, and street furniture to enhance the pedestrian experience; located north of Wisconsin Circle between Wisconsin Avenue and Western Avenue, NW, on 8.22 acres of land zoned TS-M and CBD-1, with the Chevy Chase Neighborhood Retail Preservation Overlay Zone on the CBD-1 portion; in the Bethesda-Chevy Chase Master Plan

APPLICANT: Chevy Chase Land Company

FILING DATE: December 10, 2009
90-day extension granted by Planning Board on March 4, 2010

RECOMMENDATION: Approval with conditions

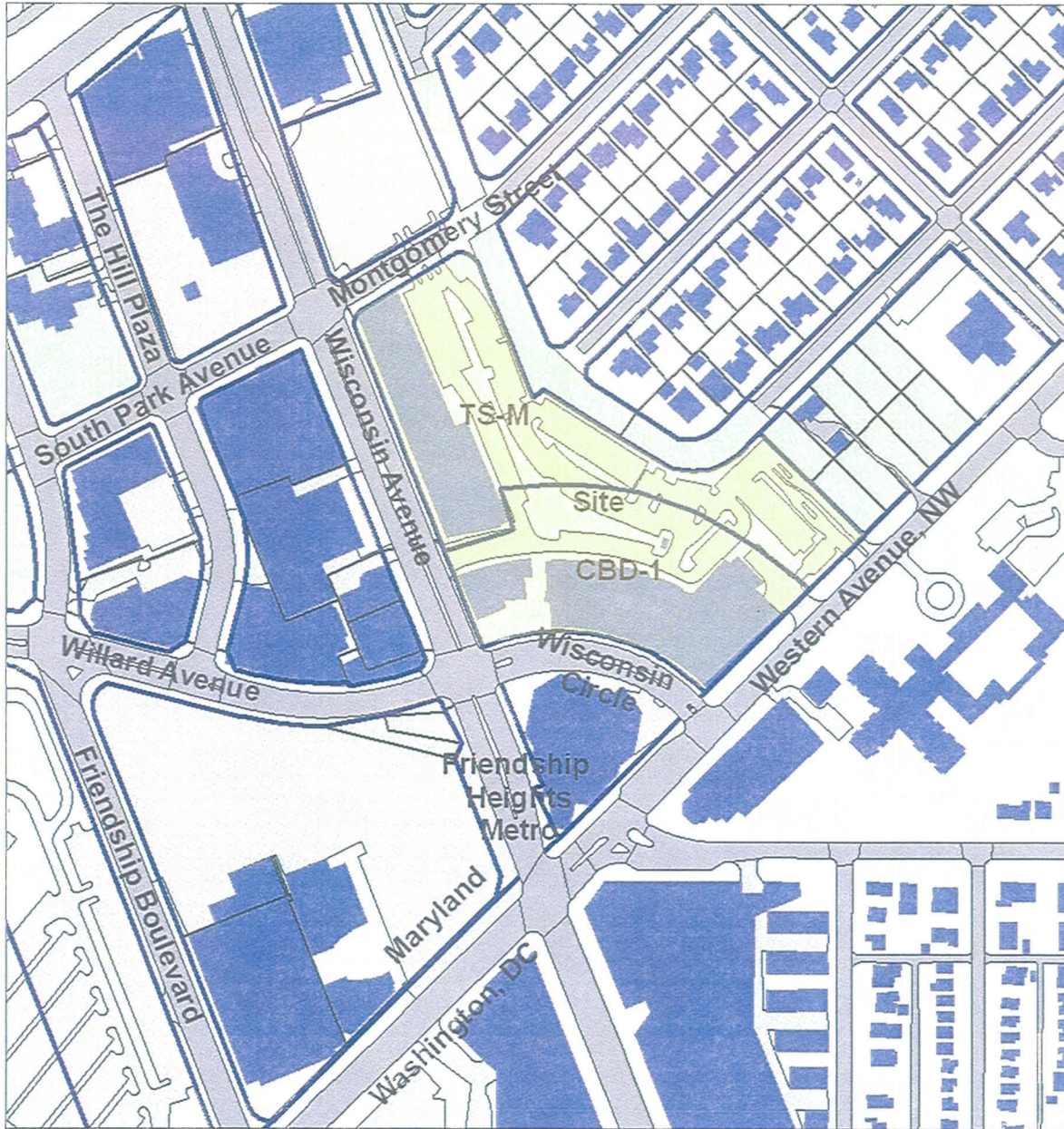
EXECUTIVE SUMMARY:

The overall site is split-zoned CBD-1 and TS-M, with the current development approved under a Project Plan and a Development Plan, respectively. The Applicant is pursuing minor changes to the design of the exterior spaces and streetscape concurrently through a Project Plan Amendment and a Development Plan Amendment. The proposed changes to the CBD-1 portion of the site include improvement of the pedestrian areas, along both public and private streets, with plantings, paving, and street furniture.

SITE DESCRIPTION

Site Vicinity & Analysis

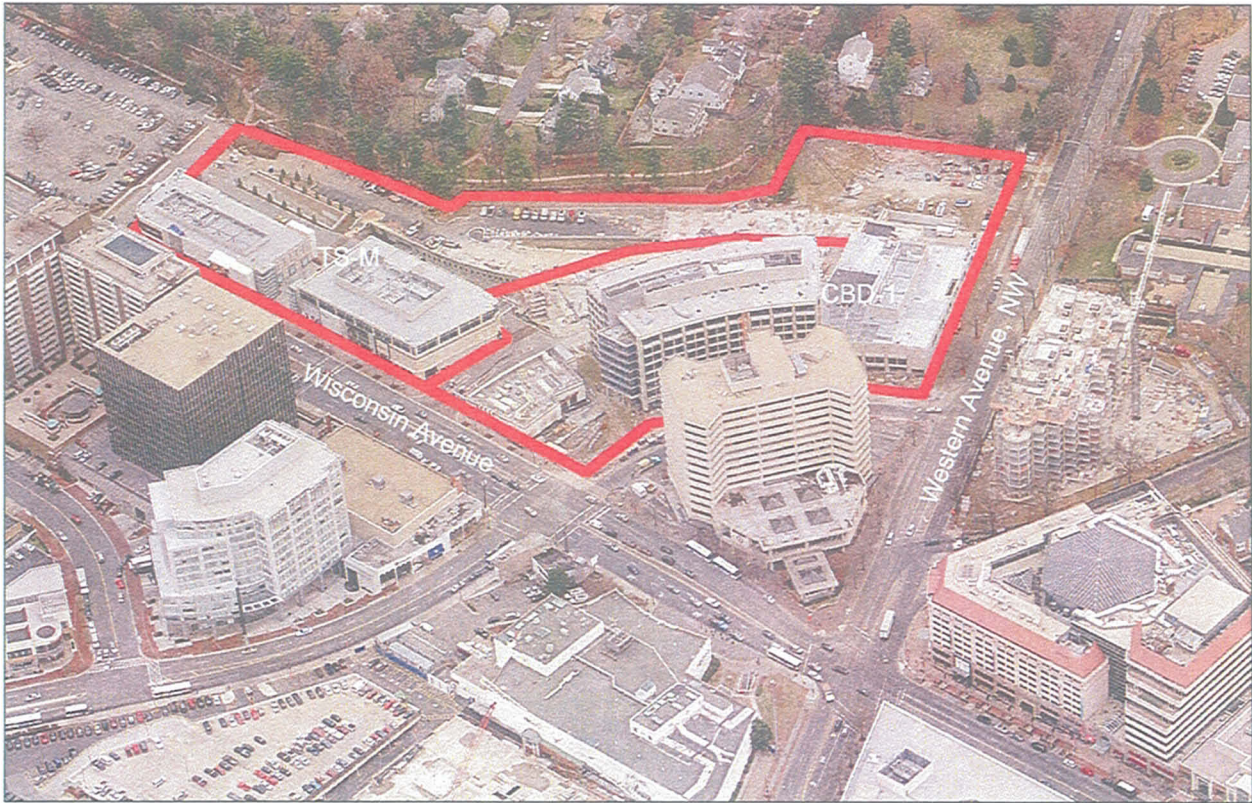
The subject site is located in the wedge formed by Wisconsin Avenue and Western Avenue, NW, north of Wisconsin Circle. The Western Avenue, NW, right-of-way forms the border between the state of Maryland and the District of Columbia. Adjacent to the site to the north is Chevy Chase Village. To the west, across Wisconsin Avenue, are the higher-density commercial and residential buildings of Friendship Heights. The Friendship Heights Metro station is located at the intersection of Wisconsin Avenue and Western Avenue, with entrances on all four corners.



Vicinity Map

Recently approved site plan applications nearby include updates to the Wisconsin Place project in the west quadrant of the intersection of Wisconsin Avenue and Western Avenue. The general context of this area consists of higher-density development along Wisconsin Avenue scaling down to one-family residential behind.

The subject site is split-zoned CBD-1 and TS-M, with the Chevy Chase Neighborhood Retail Preservation Overlay Zone over the CBD-1 portion. It is currently occupied by the Chevy Chase Center shopping center, which includes a supermarket, several restaurants, and high-end retail development. Each of the buildings fronts directly onto Wisconsin Avenue, Wisconsin Circle, or a private interior drive. Surface parking lots above underground structured parking are located behind the buildings and are themselves buffered from the adjacent single-family residential development by a landscaped pedestrian path installed by the Applicant with the original development of this site. Vehicular entry to the site is provided off Wisconsin Circle, Wisconsin Avenue, and Western Avenue, NW.



Aerial Photo

PROJECT DESCRIPTION

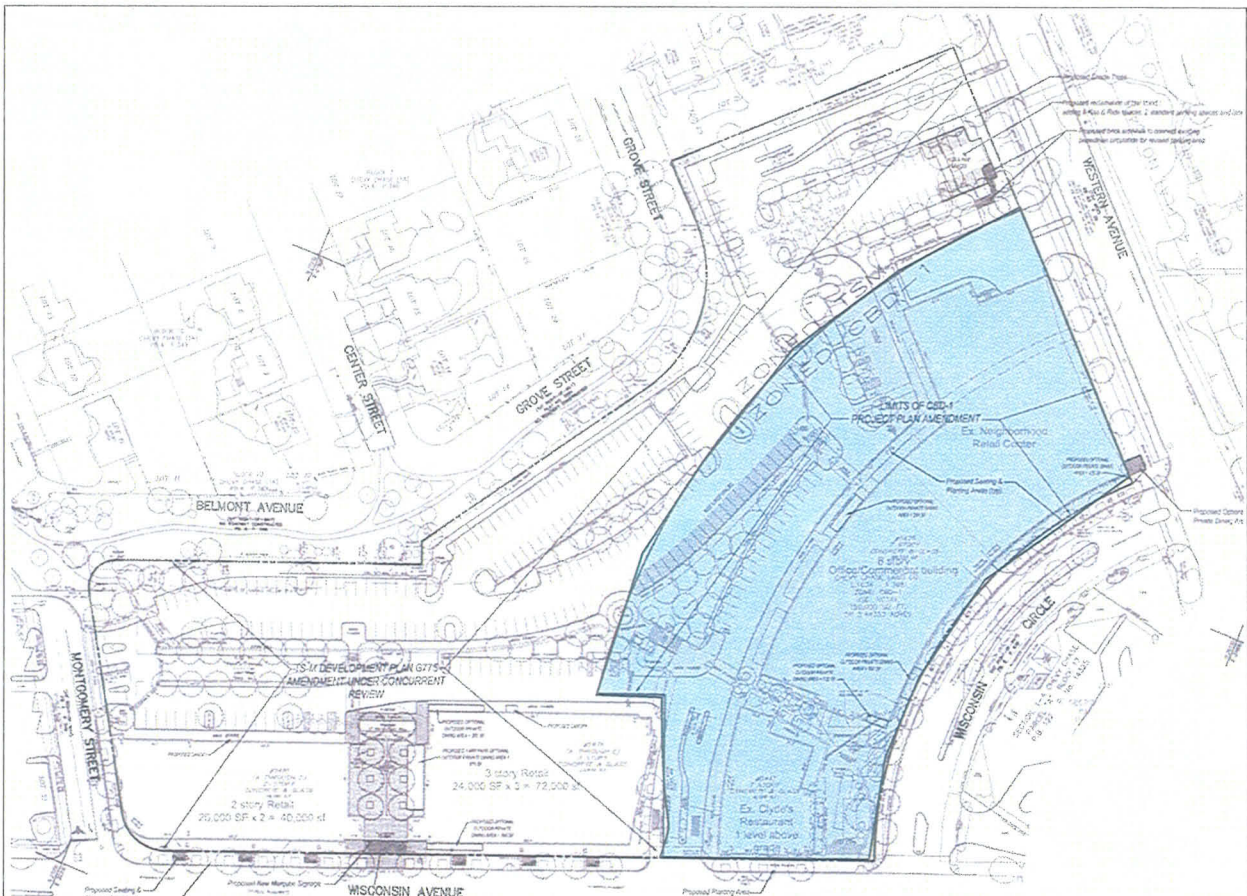
Previous Approvals

Because the site is split-zoned CBD-1 and TS-M, the initial approvals for the project were conducted under separate mechanisms. For the CBD-1 portion of the site, the Planning Board approved on July 29, 1999, Project Plan 919990020, for 300,000 sf. of office, retail, and restaurant uses. For the TS-M portion, the District Council approved on February 27, 2001, Local Map Amendment G-775, allowing 112,000 sf. of office, retail, and restaurant uses.

Both parts of the development were combined for Preliminary Plan 119990830, which the Planning Board approved on May 31, 2001. On that date the Board also approved two site plans, 820010130 for the CBD-1 portion of the site and 820010210 for the TS-M section. The joint resolution, mailed December 20, 2001, reconfirmed the maximum development area established by the Project and Development Plans and established new public use and amenity space amounts (see discussion below).

On August 15, 2005, the Director of the Planning Department approved Site Plan Amendments 82001013A and 82001021A for minor changes to the site. On August 23, 2007, the Applicant submitted another Amendment, 82001021B, for outdoor restaurant seating in the TS-M area of the site. Citing significant neighborhood opposition, however, the Applicant withdrew the application on October 23, 2007. The Applicant is reintroducing this last modification as part of the Development Plan Amendment DPA 10-1 under concurrent review with this Project Plan Amendment.

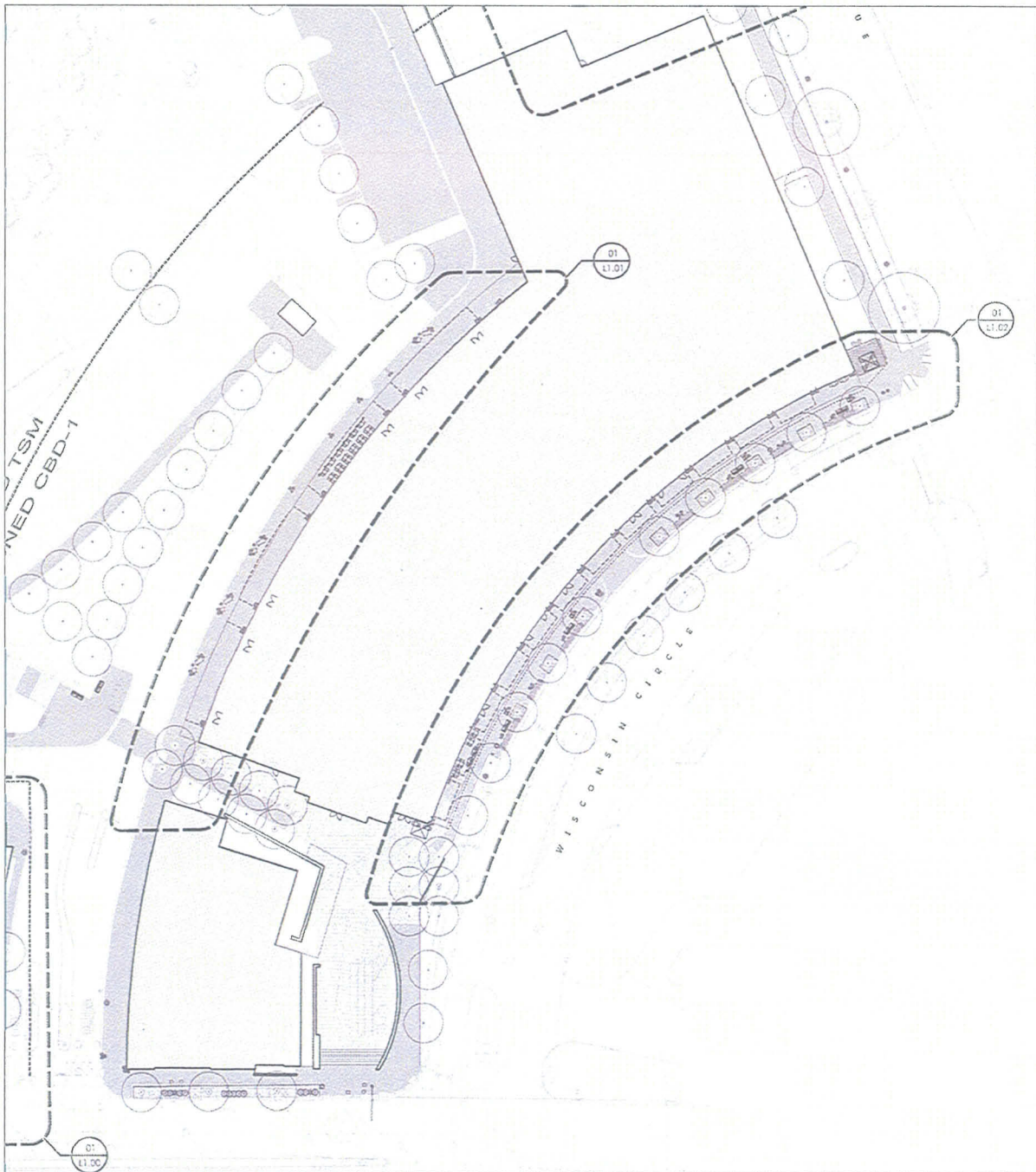
Proposal



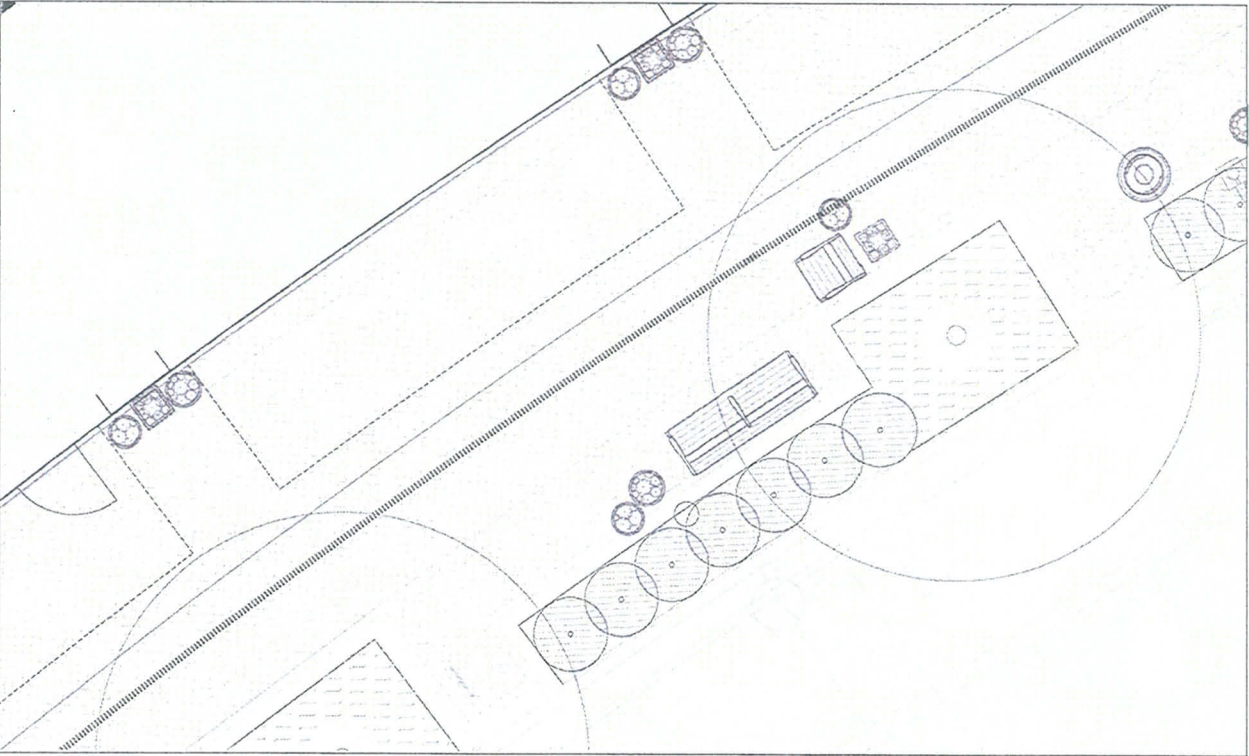
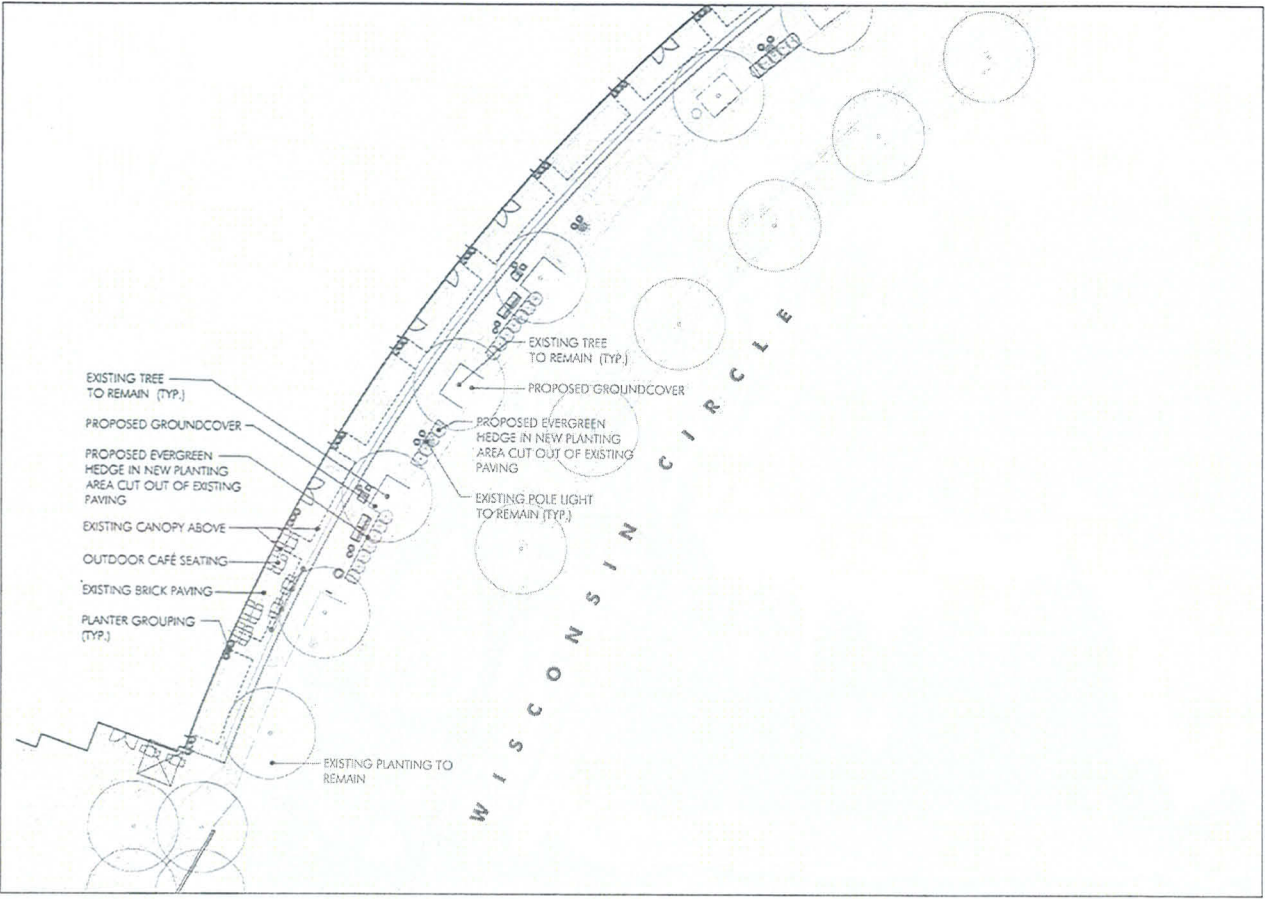
Project Plan Amendment, Overall View, with CBD-1 Section Highlighted

On the CBD-1 portion of the site, under Project Plan Amendment 91999002A, the Applicant requests the following modifications:

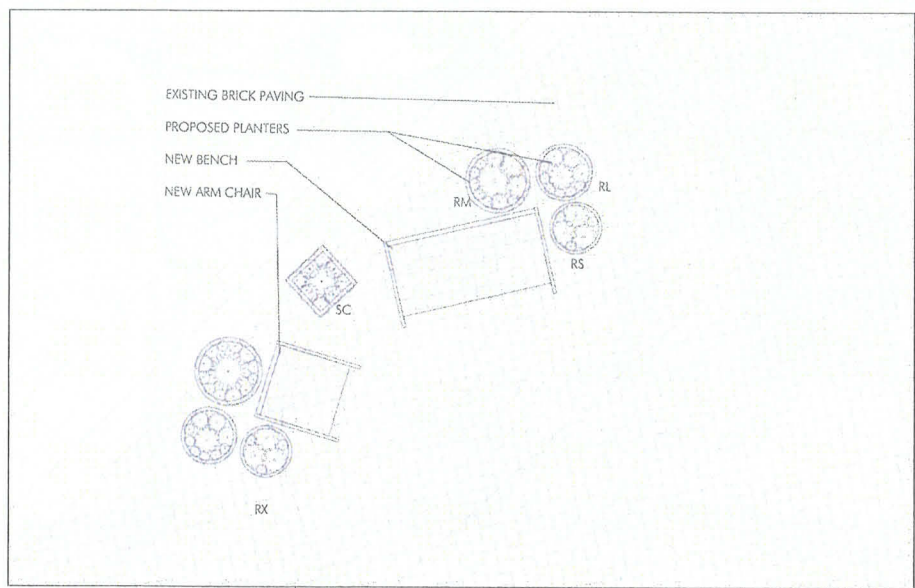
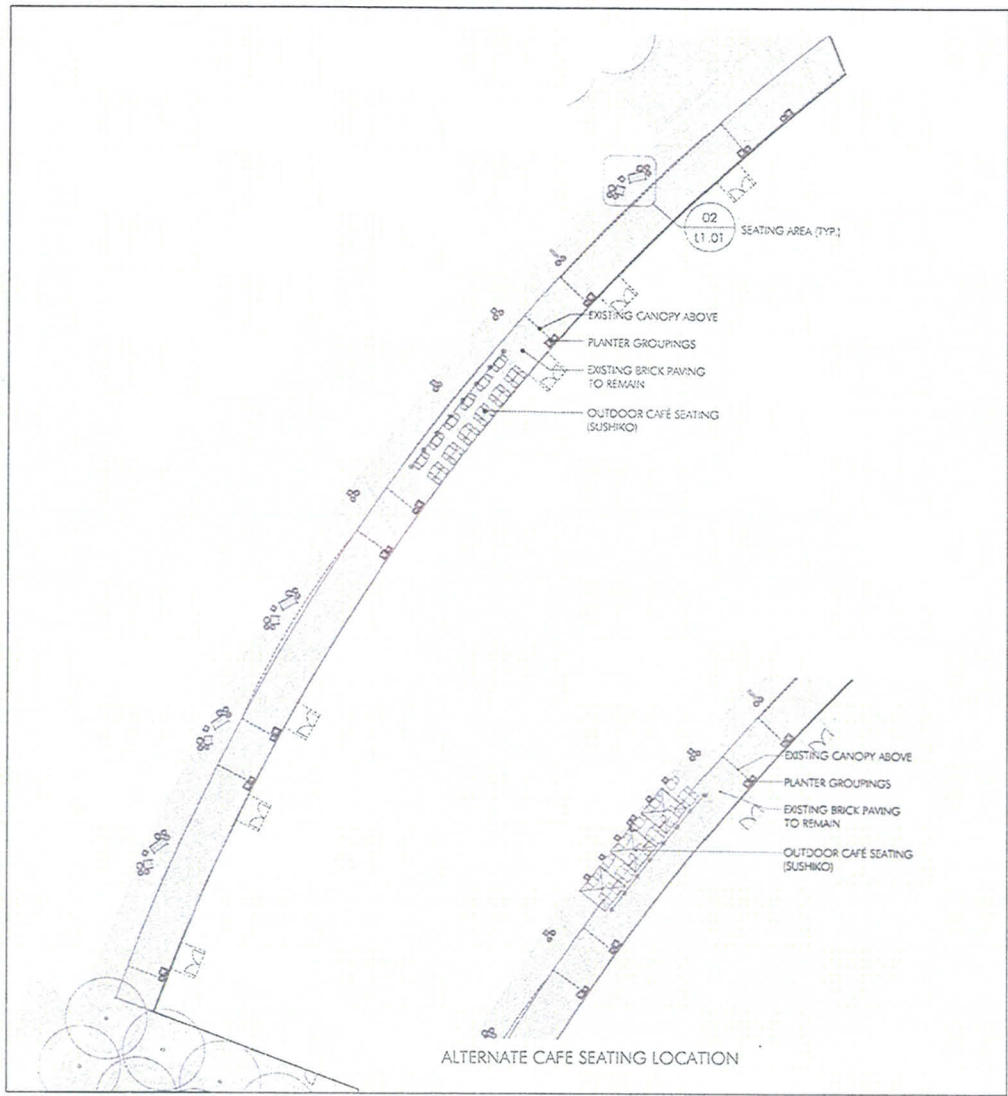
- Along Wisconsin Avenue, introduce additional greenery through planters and pots, and realign the existing benches to encourage conversation;
- Along Wisconsin Circle, provide additional greenery and outdoor seating, potentially to include restaurant and other tenant seating;
- On the internal retail 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.



Streetscape Improvements, Location Plan



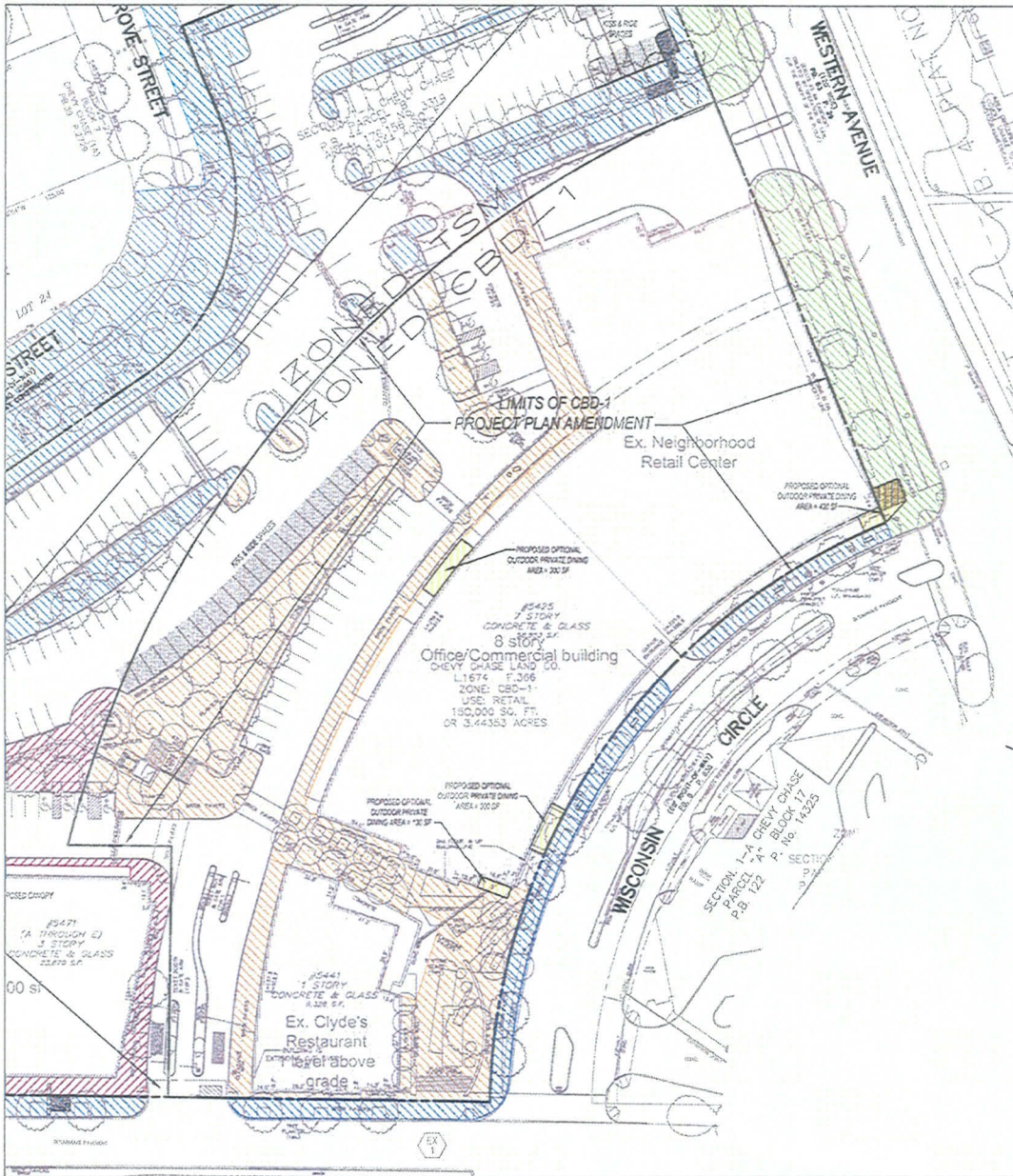
Wisconsin Circle Streetscape Improvements



Internal Retail Drive Streetscape Improvements

Public Use and Amenity Space Impact

For the CBD-1 portion of the site, the original Project Plan approved 34,400 sf. of on-site public use space and 47,650 sf. of off-site amenity space¹. The subsequent approval of Site Plan 820010130 revised these to 32,848 sf. of on-site public use space and 115,253 sf. of off-site amenity space. Under the proposed revisions, the area will increase slightly to 32,880 sf. of on-site public use space (rendered with an orange hatching in the illustration below) and 116,110 sf. of off-site amenity space (partially illustrated below in blue hatching).



Public Use and Amenity Space

¹ This approval included an additional 70,100 sf. of off-site amenities attributed to the TS-M portion of the site. As there is no off-site amenity requirement for the TS-M zone, these numbers were subsequently combined and attributed to the CBD-1 portion of the site, for a Project Plan total of 117,570 sf.

COMMUNITY OUTREACH

The Applicant has met all proper signage, noticing, and submission meeting requirements. Notice of the subject amendment was sent to all parties of record on December 11, 2009, giving 15 days for comments. Staff has received one letter, from the Friendship Heights Village Civic Association indicating support for the proposal. In addition to the required pre-submission community meeting, the Applicant has also met separately with neighboring civic associations.

RECOMMENDATION AND CONDITIONS

The addition of planting and street furniture will enhance the pedestrian experience along Wisconsin Avenue, Wisconsin Circle, and the internal retail street. The thoughtful disposition of elements proposed will help to buffer the impacts of adjacent traffic and create more attractive places to linger.

The proposed modifications to the Project Plan do not adversely alter the design character of the development in relation to the original approval, and the development will remain compatible with existing and proposed development adjacent to the site. The proposed amendment is consistent with the provisions of Section 59-D-2.6 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved project plan.

Staff recommends approval of Project Plan 91999002A, Chevy Chase Center, for the amendments delineated above. All site development elements shown on the project plans stamped "Received" by the M-NCPPC on December 10, 2009, are required except as modified by the following conditions:

1. Project Plan Conformance
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.

APPENDICES

- A. Agency Letters
- B. Correspondence



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

April 12, 2010

MEMORANDUM

TO: Carlton Gilbert, Planner
Elza Hisel-McCoy, Site Planner
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning Division

FROM: Ed Axler, Planner/Coordinator
Transportation Planning Division

SUBJECT: Chevy Chase Center
Zoning Application No. DPA-10-1
Project Plan Amendment No. 91999002A
Friendship Heights (Metrorail Station) Policy Area

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject zoning application case and project plan amendment. The original Preliminary Plan No. 11999083 (Chevy Chase Center I & II), Site Plan No. 20010130 (Chevy Chase Center I), and Site Plan No. 20010210 (Chevy Chase Center II), were approved by the Planning Board on May 31, 2001. The Applicant is proposing to add 800 more square feet of outdoor dining area to activate the internal public use space, relocate the taxi stand on Wisconsin Circle, and add more landscaping and streetscaping.

RECOMMENDATION

Transportation Planning staff has no recommended conditions to satisfy the APF transportation test for the subject zoning application case and project plan amendment.

DISCUSSION

Site Location and Vehicular Access Points

The subject site is located on the north side of Wisconsin Circle between Wisconsin Avenue (MD 355) and Western Avenue. The vehicular access points are from Wisconsin Avenue, Wisconsin Circle, Western Avenue, and Montgomery Street.

Master-Planned Roadways and Bikeways

In accordance with the *Friendship Heights Sector Plan*, the following master-planned roadways are:

1. Wisconsin Avenue is designated as a six-lane major highway, M-6, with a recommended right-of-way of 120 feet.
2. Western Avenue is within Washington DC borders, but listed in the Sector Plan as a four-lane roadway with a recommended right-of-way of 120 feet and a Class I bikeway. Accordance to the *Countywide Bikeways Functional Master Plan*, a shared use path, SP-7, is designated along Western Avenue.
3. Wisconsin Circle is designated as a two-lane roadway with a recommended right-of-way of 60 feet.
4. Montgomery Street is designated as a two-lane roadway with a recommended right-of-way of 60 feet and a Class 2/3 bikeway.
5. Belmont Avenue and Grove Street are business district streets with a Class 2/3 bikeway and no recommended rights-of-way.

Pedestrian and Bicycle Circulation

The proposed changes by the subject zoning application case and project plan amendment do not have any adverse impact on pedestrian or bicycle circulation.

Sector-Planned Transportation Demand Management

The Applicant is required to participate in the Friendship Heights Transportation Management District (TMD) to assist in achieving the non-auto-driver mode share goal for employees working and residents living in the Friendship Heights CBD. The Applicant had already signed and executed a Traffic Mitigation Agreement (TMAG) dated December 24, 2003, with the Planning Board and the Montgomery County Department of Transportation to participate in the Friendship Heights TMD. For the site plan amendment, the Applicant is not required to amend the 2003 Agreement.

Adequate Public Facilities Review

One of the proposed changes is adding more outdoor dining area in front of restaurants beyond what was already approved as part of the site plans. For Local Area Transportation Review (LATR) purposes, the traffic impact of outdoor dining area was analyzed based on technical literature from the Institute of Transportation Engineers' (ITE) *Trip Generation Report* and the other Transportation Research Board references. Although the outdoor seating area does increase the restaurant's overall dining area, this area is not included in the overall gross floor area used to calculate ITE's trip-generation rates for restaurants. Outdoor dining area is typically used during the warmer summer months when school is not in session. During the summer,

people tend to take time off from their work resulting in a lower number weekday peak-hour vehicular trips. Thus only the enclosed dining area of restaurants is considered in calculating the number of peak-hour trips generated by the restaurant space.

Please note that restaurant space is not explicitly listed as approved land uses in the Planning Board Opinion mailed December 20, 2001 for the 2001 approval of Preliminary Plan No. 119990930. The restaurant space was considered one of the permitted land uses under general retail space. Therefore, the additional restaurant patron area created by the outdoor seating area will not effectively increase the square footage in general retail space for LATR purposes.

The Policy Area Mobility Review test is satisfied as a previously approve development with no net increase in new weekday peak-hour trips.

EA:tc

cc: Sandra L. Brecher
C. Robert Dalrymple
Elza Hisel-McCoy

mmo to Gilbert re Chevy Chase Center DPA-10-1.doc

April 27, 2010

To: Carlton Gilbert
Via: John Carter
From: Margaret Rifkin
Subject: Chevy Chase Place
DPA 10-1, and Project Plan 9-1999002A

In response to your request the following comments are included.

STAFF FINDINGS

The addition of outdoor dining will provide desirable activation of the public use space along Wisconsin Avenue with the following revisions.

- **Public Use Space** - The proposed outdoor dining area (1,475 square feet in the TS-M Zone) and other spaces(CBD-1 Zone) will reduce the public use space approved in the Site Plan. An equivalent amount of public use space should be identified in the plan prior to approval of the amendment to the Site Plan.
- **Farr Park** - The remaining public use space between the two retail buildings should be CLEARLY public.

URBAN FRIENDSHIP HEIGHTS SECTOR PLAN

The proposed plan with modifications will conform to the recommendations in the Friendship Heights Sector Plan on page 44, of the Friendship Heights Sector Plan in the graphic Figure 23, this space is clearly shown as an Urban Park.

On page 47, item #3 the plan states about this site (Parcel 10A):

3. Create an Urban Park between the buildings along Wisconsin Avenue (See Figure 46).

On page 48

“ Encourage public enjoyment and comfort by providing tables and chairs, shade trees, special paving , lighting , and other features.” and

“Enliven and enrich the space with such elements as fountains and artwork. A significant water features can create a visual focal point and mitigate traffic noise. Works of art can be incorporated into the floor or vertical surfaces or be free standing elements. “

The intent of the Sector Plan is that this space be public and that enhancements to the space reinforce that message. The “proposed new marquee signage” shown on this plan is a concern in that it will communicate that this is a private space associated with the private enterprises in the buildings, and not for public use.

G: Rifkin/Chevy Chase Place

Hisel-McCoy, Elza

From: Dalrymple, C Robert - CRD [bdalrymple@linowes-law.com]
Sent: Wednesday, March 24, 2010 2:09 PM
To: Hisel-McCoy, Elza
Cc: Charles A. Irish, Jr., PE, LS, LEED AP; Dlhopsky, Heather - HXD; MHC@cclandco.com; Ian P. Duke
Subject: RE: Chevy Chase Center DPA and Project Plan Amendment

Elza 0 please see the response from Sarah on behalf of County; Ian sent a similar request for comments to the SHA so we will forward any comments (no substantive comments expected). Any one else that we need to be actively soliciting for review comments? Are there any outstanding development review comments we need to be addressing? I trust we are still on schedule for this going to the Board on May 13? Thanks. Bob

-----Original Message-----

From: Navid, Sarah [mailto:Sarah.Navid@montgomerycountymd.gov]
Sent: Wednesday, March 24, 2010 1:27 PM
To: Ian P. Duke
Cc: Charles A. Irish, Jr., PE, LS, LEED AP; Dalrymple, C Robert - CRD; Dlhopsky, Heather - HXD; MHC@cclandco.com
Subject: RE: Chevy Chase Center DPA and Project Plan Amendment

Ian,

I have reviewed the plan revisions and have no comments besides a reminder that an outdoor café permit is required for any outdoor dining that might extend into the right of way on Wisconsin Circle. It doesn't appear that that is the case. I'm not sure what the District's requirements are for outdoor dining within their right of way (Western Avenue).

Sarah Navid

-----Original Message-----

From: Ian P. Duke [mailto:Duke@vika.com]
Sent: Wednesday, March 24, 2010 10:05 AM
To: Navid, Sarah
Cc: Charles A. Irish, Jr., PE, LS, LEED AP; Dalrymple, C Robert - CRD; Dlhopsky, Heather - HXD; MHC@cclandco.com
Subject: Chevy Chase Center DPA and Project Plan Amendment

Hi, Sarah- per the VM I left you just now, we are looking to see if you have had a chance to review the package sent to you on March 9, and hoping you can provide us with any comments you may have. We are confirmed for two dates and want to make sure we are moving forward in the most efficient manner possible. Many thanks for your assistance in making this happen.

- Planning Board hearing: Thursday, May 13th
- Hearing Examiner hearing: Friday, June 4th

Ian

Ian P. Duke
Planner/Graphic Artist



FRIENDSHIP HEIGHTS VILLAGE CIVIC ASSOCIATION, INC.
4450 South Park Avenue, #417 - Chevy Chase, Maryland 20815

April 21, 2010

The Chairman and Members of
The Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Project Plan Amendment 91999002A
Development Plan Amendment DPA-10-1

Gentlemen:

This statement is submitted on behalf of the Friendship Heights Village Civic Association (FHVCA) in support of the Limited Project Plan and the Development Plan Amendment Applications (referenced above) proposed by the Chevy Chase Land Company (CCLCO). Please accept this statement for consideration at the consolidated Board hearing scheduled on May 13, 2010.

The FHVCA was established in 1973 as an independent voice in the Village of Friendship Heights. The Association's mission is to identify, inform, educate, and address issues of interest to the community by working with various levels of government, with organizations, and with private industry. Since its founding, it has tried to make the greater Friendship Heights community a better place to live, work, and shop. The FHVCA has been actively involved in various local development plans to propose ideas and to express concerns about projects that affect the people who come to this locality. The current CCLCO proposal is consistent with the interests of the community and will make The Chevy Chase Center and The Collection a better place to visit in the Friendship Heights CBD.

Abutting Streets (CBD-1; TS-M)

The proposed amendments relate to improvements along Wisconsin Avenue (MD 355), Western Avenue, and Wisconsin Circle. These streets are primarily major arterials that are heavily used by motorists. The Applicant's proposal to enhance the sidewalks abutting these streets by adding shrubs and plants will result in environmental benefits that will mitigate continuous traffic noise. Additional greenery will also improve air quality by reducing the affect of vehicular emissions and help to lower seasonally high temperatures that are magnified by hard surfaces.

Public Use Spaces (CBD-1; TS-M)

The Applicant's proposals to modify places that people walk will greatly enhance pedestrian's usage and experience on the wide sidewalks of Wisconsin Avenue. Adding streetscape improvements with more greenery in planters and pots and realigning benches in more conversational arrangements, facing away from traffic flows, will make people want to stop or congregate. Placing additional greenery and adding public benches on Wisconsin Circle will help to screen the traffic and reduce the negative effects of the new taxi stand location. Increasing opportunities for outdoor restaurant seating along Wisconsin Circle will help to make the location safer and a destination, rather than just a sidewalk to hurry along. A combination of more greenery and benches will help to activate internal streets within the Applicant's property.

Montgomery County Planning Board
April 21, 2010

Farr Park (TS-M)

The location of Farr Park, between two retail buildings, helps to break up a continuous line of hard facades. While it is well-maintained, it needs to be more inviting and active. The Applicant's proposal to permit outdoor seating at the existing restaurant for a portion of the space would greatly improve the Park. Outdoor restaurant eating space, along the southern side of the Park, would enliven the area. Adding special lighting will make the entire location a more desirable and safer place to stop or to congregate. The Applicant's proposal to extend Farr Park's paving treatment onto the Wisconsin Avenue streetscape will draw people into the locality for dining or to use the public seating areas. The combination of enhanced lighting and outdoor dining will encourage more pedestrian activity in that location, which is now used only by a few during the day and not at all in the evening or at night.

Taxi Holding Area (TS-M)

The history of the taxicab waiting area, near Western Avenue, has been fully explained by the Applicant. Because of a decision by the Montgomery County Department of Transportation to move the taxi stand to Wisconsin Circle, the County's original binding condition for a staging area on the Applicant's property is no longer relevant and should be removed. The space should be returned to the Applicant for extending existing parking, that will be landscaped. The CCLCO should be officially relieved of the condition that was mandated in 2001.

All of the Applicant's proposals in these amendments are consistent with the original concepts set forth in the Friendship Heights Sector Plan of 1998. The Applicant has re-affirmed its intention to abide by the restrictions contained in the Montgomery County Planning Board Opinion of 2001 and to conform with all County ordinances.

The Applicant, CCLCO, has been a good neighbor to the Friendship Heights community. Its current proposal to enhance public use space in this urban location will greatly benefit the community with a safer, more welcoming, lively, and environmentally friendly development. We urge the Montgomery County Planning Board to approve the Applicant's amendments.

Barbara G. Tauben
President