

Resolution No.:	<u>17-1019</u>
Introduced:	<u>March 11, 2014</u>
Adopted:	<u>March 11, 2014</u>

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Chevy Chase Lake Sectional Map Amendment (G-958)

OPINION

Sectional Map Amendment (SMA) G-958 was filed by the Maryland-National Capital Park and Planning Commission and is a comprehensive rezoning application for the purpose of implementing the zoning recommendations contained in the Approved and Adopted Chevy Chase Lake Sector Plan. The SMA application covers approximately 380 acres, of which approximately 65.2 acres are proposed for change in zoning classification. The remaining acreage is to be reconfirmed as currently zoned.

The District Council approved the Chevy Chase Lake Sector Plan on July 30, 2013. The Sector Plan sets forth the specific land use and zoning objectives for the development of the Chevy Chase Lake Sector Plan area and was subject to extensive and detailed review by the District Council. The District Council held a public hearing on March 5, 2013, wherein testimony was received from interested parties, and the County Executive transmitted to the County Council his fiscal impact analysis for the Chevy Chase Lake Sector Plan on March 14, 2013.

Sectional Map Amendment (SMA) G-958 was filed on October 30, 2013 by the Montgomery County Planning Board to implement the specific zoning recommendations of the Chevy Chase Lake Sector Plan. In a subsequent memorandum to the Planning Board, Planning Department Staff recommended that zoning in the rights-of-way extend to the centerline of each right-of-way (rather than assuming the zoning of the less dense of the adjacent properties). This is consistent with the density calculations and presentations made to the Council during its consideration of the Chevy Chase Lake Sector Plan, and is also consistent with the new procedure for determining right-of-way zoning established in the Zoning Ordinance Rewrite. The exception Planning Staff recommended is for the Georgetown Branch right-of-way. Along the Georgetown Branch right-of-way, for areas 7 and 8, the final zoning maps should show zoning lines to the center line of the right-of-way. For area 1 and the portion of area 2 confronting area 9, the final zoning maps should show zoning lines extending the full width of the abutting Georgetown Branch right-of-way. For areas 9 and 10, the final zoning maps should not extend zoning lines into the Georgetown Branch right-of-way. The Planning Board and Council supported these changes.

The Council held a public hearing on the SMA for the Chevy Chase Lake Sector Plan on December 10, 2013. All testimony submitted was in support of the SMA and specifically in support of the change in how right-of-way zoning would be determined.

The Council considered the Sectional Map Amendment at a worksession held on March 11, 2014. The Council finds Sectional Map Amendment Application G-958 to be consistent with the Approved and Adopted Chevy Chase Lake Sector Plan and necessary to implement the land use and development policies expressed in the Approved and Adopted Chevy Chase Lake Sector Plan.

The evidence of record for Sectional Map Amendment G-958 consists of all record materials compiled in connection with the County Council public hearings on the Planning Board Draft of the Chevy Chase Lake Sector Plan, dated March 5, 2013, and all record materials compiled in connection with the public hearing held by the Council on December 10, 2013 on Sectional Map Amendment G-958.

For these reasons, and because to grant this application will aid in the accomplishment of a coordinated, comprehensive, adjusted and systematic development of the Maryland-Washington Regional District, this application will be GRANTED.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland approves the following resolution:

1. Application No. G-958, Maryland-National Capital Park and Planning Commission, Applicants for the Sectional Map Amendment covering the area of the Chevy Chase Lake Sector Plan consisting of approximately 380 acres, more or less, is GRANTED. Approximately 65.2 acres are rezoned as a result of this action. The remaining acreage is to be reconfirmed as currently zoned.
2. The following areas are reclassified as part of this action, consistent with the recommendations in the Chevy Chase Lake Sector Plan.

Table 1: Parcels to be Rezoned¹


Area	Existing Zoning	Proposed Zoning	Acres
1	R-30, C-1, C-2	CRT-2.0, C-2.0, R-2.0, H-80	6.30
2	C-1, C-2	CRT-2.0, C-1.0, R-1.75, H-120	2.83
3	C-1	CRT-2.0, C-1.0, R-2.0, H-70	1.55
4	R-90	CRN-1.0, C-0.25, R-1.0, H-40	1.24
5	R-30	CRT-1.5, C-0.25, R-1.5, H-50	1.71
6	C-1	CRT-1.5, C-1.5, R-1.5, H-50	0.87
7	C-1, R-10, R-90	CRT-2.0, C-0.5, R-2.0, H-70	2.01
8	C-1, R-30, I-1	CRT-4.0, C-3.5, R-3.5, H-150	3.05
9	R-30	CRT-2.0, C-0.25, R-2.0, H-100	1.63
10	R-30	CRT-1.5, C-0.25, R-1.5, H-50	3.75
11	R-90	LSC	40.29

3. The boundary between areas 1 and 2 is defined by the following metes and bounds:

- North 65° 04' 50" East, 60.00 feet to a point; thence leaving said southerly line of Montgomery County, Maryland right of way and northerly line of Lot 1, Block 1, and running thence
- North 24° 55' 10" West, 333.35 feet to a point; thence
- South 65° 04' 50" West, 126.88 feet to a point; thence
- 197.94 feet along the arc of a tangent curve to the right having a radius of 455.00 feet and a chord bearing distance of South 65° 04' 50" West, 126.88 feet to a point in Connecticut Avenue, width varies, and shown on State Road Commission Plat No. 22386; thence running within Connecticut Avenue
- North 89° 59' 40" West, 7.65 feet to a point in the center of said Connecticut Avenue; thence running with said center of Connecticut Avenue
- South 00° 00' 20" West, 362.74 feet to a point; thence leaving said center of Connecticut Avenue and running along the centerline of said Montgomery County, Maryland right of way
- North 65° 04' 50" East, 418.44 feet to a point; thence
- South 24° 55' 10" East, 50.00 feet to the point of beginning, containing 123,355 square feet or 2.83184 acres of land.

¹ The acreages shown in this table are estimates of acreage to be rezoned; actual acreage will depend on future engineering surveys and the metes and bounds delineation in this resolution. In approving the Zoning Maps, the District Council is approving the boundary lines, not a precise acreage amount.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

