

Town of Chevy Chase
Draft of Proposed Binding Elements for Corso Chevy Chase Rezoning
For Review by Town Residents
September 2, 2022

Legend:

Underlined Text = Binding Element proposed by Developer

Regular Text = Commitment Proposed by Developer to be Included in a Memorandum of Understanding with the Town, but Town proposes to be elevated as a Binding Element

Bold Text = Binding Element Proposed by Town

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 neighborhood retail, with no single establishment larger than 2,500 sq. ft. Retail to be made available to the general public. Use and size of retail 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. Prohibition of off-site parking for employees, and commitment to encourage all visitors to park on -site.
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, allowing parking for two trucks, storage of plows, and storage of municipal supplies and hardware. Additional parking spaces also will be provided to Town employees when present or using the space.

B. Building Restrictions

5	Density	FAR limited to [].
6	Building Heights	Maximum actual heights will be stipulated in the massing diagrams. Maximum of 4 stories above ground for all buildings on South, West and North perimeter.
7	Vehicular Access	<u>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.</u>
8	Create Forest Conservation Easements	<u>The Applicant will place areas as more accurately depicted on the 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.</u>
9	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 through the existing grass and dirt path within the setback shall be allowed. (The developers have announced their intention to install this path.)
10	Storm Water Management	No adverse impact to adjoining residential properties, and no net decrease in the carrying capacity of the SWM system within the Town. Final language to be determined upon review of County code requirements.
11	Exterior Façade Materials	To be determined in advance of the approval of the Site Plan. Vinyl siding and EIFS prohibited.
12	Location of refuse storage	Corso to screen and/or otherwise locate refuse storage and collection activities away from adjacent properties.

C. Grounds

13	Open Space Exhibit	Depicts the location and amount of Public Open Space for the Project.
14	Landscaping	<p>Landscaping materials to be primarily native species.</p> <p>Solid evergreen (non-deciduous) screen along south property line, to grow to a minimum of [] feet and be properly maintained by Corso.</p> <p>48" depth above garage planters to support canopy/shade trees.</p> <p>Foundation screening of west elevation retaining wall and north elevation where garage wall extends above grade.</p>
15	Fencing	Corso to keep fencing installation around the property to a minimum, with intent of creating a balance between pedestrian circulation and Corso resident safety.
16	Exterior Lighting	Corso to comply with DarkSky.Org to prevent light trespass/glare onto adjacent properties.
17	Circulation Diagram	Depicts the vehicular and pedestrian circulation patterns throughout the Project.
18	Concept Fire Access Exhibit	Depicts the vehicular and pedestrian access necessary for emergency service.
19	Pathways for public site ingress and egress	Access to Thornapple Street, Woodside Place and Connecticut Avenue. Path connecting Woodside Place to the Corso development will not connect directly to Connecticut Avenue. (The developers have stated their intention to install these paths.)

D. Planning & Construction

20	Town Participation 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. No changes to the FCE plans will occur outside the LMA or Site Plan Process. Corso commits to obtain Town approval of FCE plans prior to Corso submitting plans to Planning Department.
21	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.

22	Undertake traffic study	Corso to study signalization related to the Project and will provide the Town with all traffic studies or traffic impact analyses undertaken for the development. Corso will undertake best efforts to gain approval from the State Highway Administration 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.
23	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 the impact of construction on adjacent Town residents. These regulations will cover, among other items, working hours, noise, construction worker parking, construction traffic , 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.
24	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.
25	Phasing	Define/show phasing and interim conditions. Corso commits to minimize, to the greatest extent practical, the duration between construction phases. Define and show a comprehensive plan for Phase 1, including temporary landscaping to cover or hide the areas to be developed as part of phase 2.

E. Ensuring Town's Consent for future changes

26	Commitment to enter into Declaration of Covenants with Town	This Declaration of Covenants, executed by Corso and the Town, will include the binding elements included in the LMA and additional material items that are agreed upon during the subsequent site planning process. (Items listed in the Declaration can only be modified with consent of the Town. The Town is not a signatory to the Binding Elements, which is an agreement between the Developers and the County.)
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Items for Declaration of Covenants but not Binding Elements:

31	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.
32	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.
33	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.