

Resolution No.: 21-06
Adopted: November 10, 2021
Effective: November 10, 2021

**RESOLUTION OF
THE TOWN OF CHEVY CHASE**

**SUBJECT: RESOLUTION TO APPROPRIATE FUNDS FOR PARKS
CREATION PROJECT**

WHEREAS, the properties known as 7121 Wisconsin Avenue, the Farm Women's Market, the parking lots located between Willow Lane and Leland Street, and between Leland Street and Walsh Street (Lot 24 and Lot 10, respectively), are proposed to be re-developed;

WHEREAS, On September 20, 2021, at an open meeting hosted by the Town Council, Town residents received an update on the project from Montgomery County and the developers, EYA, LLC and Bernstein Management Corporation;

WHEREAS, as more fully reflected by the PowerPoint presentation provided at said meeting, the project, as currently proposed, would refurbish and expand the Farm Women's Market and result in a much-needed expansion of park and green space immediately adjacent to the Town's borders for the benefit of the Town and the larger Bethesda area;

WHEREAS, as proposed, most of the surface parking lot directly behind the Market would become a park, as would the entire parking lot between Leland and Walsh Streets, and a new underground garage would be constructed under the parking lot behind the Market;

WHEREAS, as proposed, the project would include much needed storm water drainage infrastructure to help address growing drainage issues in the area and provide resiliency to climate change; the project would include a significant "intensive" green roof above a below-grade parking garage, incorporating a deep soil section designed to retain stormwater, and the project would further treat stormwater through rain gardens and microbioretention;

WHEREAS, efforts of the Town and other neighboring communities to have the size of the buildings reduced and the size of the parks and stormwater drainage infrastructure increased, has resulted in the financial contribution for the parks from the developers being decreased commensurate with the reduction of the size of the project; and, as a further result, other sources of funding must be located to pay for the desired expansion of green space and creation of parks;

WHEREAS, the Town Council requested input from Town residents on the project and the Town's potential participation in its funding;

WHEREAS, the Town Council discussed the project and the comments received from Town residents at the Town Council's open meeting held on October 13, 2021;

WHEREAS, the Town Council finds that the proposed project presents significant value for the Town as the project would substantially increase available green space; provide stormwater drainage infrastructure; offer shopping and dining; re-vitalize retail trade along Wisconsin Avenue; and create active parks with many amenities for Town residents to enjoy;

WHEREAS, the Town Council finds that the Town is presented with a rare opportunity to help in the creation of parkland and significant stormwater drainage infrastructure in a densely-developed urban area;

WHEREAS, the Town Council finds that the Town's contribution should be conditioned upon such requirements that ensure the Town receives the value paid for and that the value endures; and

NOW, THEREFORE, BE IT RESOLVED this 10th day of November 2021, by the Council of the Town of Chevy Chase that:

1. The Town of Chevy Chase Council hereby authorizes the appropriation of up to \$4,000,000.00, subject to the following conditions:
 - (a) The Town's contribution shall not exceed twenty-five percent (25%) of the total contribution needed from public sources. As used herein, public sources refer to the funding from government sources, and does not include any payments from the developer(s) or from the fund created with Park Impact Payments from Bethesda developers;
 - (b) The sum total of funds committed by the Town, County, and developers are sufficient to build the parks, stormwater drainage infrastructure, and otherwise complete the project, as currently designed, in its entirety, including the parks on both Lot 24 and Lot 10;
 - (c) The developers and the Parks Department of the Maryland-National Capital Park and Planning Commission will engage in an active charrette process with the surrounding communities to determine the amenities that the parks will offer;
 - (d) The Parks Department and the County will provide assurance that they will properly maintain the new parks;
 - (e) The parks will be maintained in perpetuity, and the Town may purchase an interest in the land of both parks to ensure such condition; and
 - (f) The Town will be involved in all future decisions regarding the regulations and programming of these parks.
2. The Town's commitment to fund remains subject to review and approval by the Town Council of all terms, conditions, and documents which the Town may be required to execute.

3. This resolution is effective as of this 10th day of November 2021.

We, the undersigned Mayor and Secretary of the Town Council, hereby certify that the foregoing Resolution was adopted by the Council at its open meeting on the 10th day of November 2021.

Witness:



Joel Rubin, Secretary
Town Council
Town of Chevy Chase, Maryland



Barney Rush, Mayor
Town of Chevy Chase, Maryland