

Introduced by: Councilmember Schultz

**CITY OF TAKOMA PARK, MARYLAND**

**Resolution No. 2015-60**

**Resolution Recommending the Approval of the  
Site Plan Application 820150150 for Taco Bell at the  
NE Quadrant of New Hampshire Avenue and Holton Lane**

WHEREAS, MUY Brands, LLC (the Applicant) has submitted a site plan (File 820150150) for review by the Maryland-National Capital Park and Planning Commission to facilitate the development of a one-story commercial building to be used for a Taco Bell quick service restaurant with a Drive-Thru aisle; and

WHEREAS, the Montgomery County Planning Board (Planning Board) is expected to review the site plan (File 820150150) in late December, 2015; and

WHEREAS, the Takoma Park Master Plan (2000) and the Takoma/Langley Crossroads Sector Plan (2012) recommend the revitalization of the Takoma/Langley Crossroads commercial district, which includes the subject site; and

WHEREAS, the Taco Bell site plan is the first development project to be reviewed in the Takoma/Langley Crossroads area after adoption of the Takoma/Langley Crossroads Sector Plan, and the first development project to be reviewed within the City of Takoma Park since the adoption of the updated Montgomery County Zoning Ordinance on October 30, 2014; and

WHEREAS, the City Council and community have expressed a strong interest in the revitalization and redevelopment of the New Hampshire Avenue corridor, with the adoption of the New Hampshire Avenue Concept Plan (2008), development of the Holton Lane Area Improvement Vision (2009), and New Hampshire Avenue Streetscape Standards (2012) which recommend the transformation of New Hampshire Avenue into a pedestrian friendly multi-way boulevard with a mix of retail, office, and residential uses; and

WHEREAS, the subject property is a recorded lot, not subject to a subdivision process whereby right-of-way dedications and public improvement easements are required; and

WHEREAS, the proposed building is set back 75' from the New Hampshire Avenue centerline, providing for the 150' right-of-way recommended in the Takoma Park Master Plan (2000) and Countywide Transit Corridors Functional Master Plan (2013); and

WHEREAS, the property is zoned Commercial Residential Town (CRT), a mixed use zoning designation with maximum floor area ratio (FAR) of 2.5, and as permitted under the CRT standard method of development, the applicant has proposed a single use building with a stated maximum FAR of approximately 0.1, based on the net lot area; and

WHEREAS, the Montgomery County Planning Department considers the site plan an interim development that would not preclude future implementation of the Takoma/Langley Crossroads Sector Plan, as the other lots and parcels on the site would require a subdivision process for the property as a whole to redevelop, thus triggering right-of-way dedication and public improvement easements; and

WHEREAS, the City of Takoma Park supports the expansion of business that provides local employment and investment in real property in the city; and

WHEREAS, the applicant has applied the Takoma/Langley Crossroads Sector Plan Urban Design Guidelines to place the Drive-Thru behind the building and screen it from the street using landscaping, screen dumpsters with a fence, and locate appropriately screened HVAC units on the roof; and

WHEREAS, the City of Takoma Park appreciates the application of the Holton Lane Area Improvement Vision and the New Hampshire Avenue Streetscape Standards to incorporate pedestrian-oriented urban design features including the siting of the building, use of attractive architectural details, outdoor seating on Holton Lane, multiple building entrances, abundant windows that provide transparency to activate the streetscape, and decorative street lighting on Holton Lane; and

WHEREAS, approval of an accessory Drive-Thru use must satisfy standards outlined in Section 3.5.14.E and Section 6.2.7 of the Montgomery County Zoning Ordinance; and

WHEREAS, the Montgomery County Planning Board must make a make a finding that a need exists for a Drive-Thru, “due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood,” as outlined in Section 7.3.4.E.3 of the Montgomery County Zoning Ordinance; and

WHEREAS, the applicant provided a Need Study for a Taco Bell Restaurant with a Drive Thru, performed by Thomas Point Associates, which identified nine Quick Service Restaurants with Drive-Thru uses within the four-minute drive time radius of the proposed Taco Bell, as generated by the Nielson Company; and

WHEREAS, City staff identified two additional Quick Service Restaurants with active Drive-Thru uses (total of 11) within the four-minute driving radius of the proposed Taco Bell based on the Need Study provided by the applicant; and

WHEREAS, the City acknowledges the concerns of many residents that a drive-thru restaurant does not match the smart-growth vision of the Takoma/Langley Crossroads Sector Plan and the New Ave principles; and

WHEREAS, the City of Takoma Park supports provisions for promoting alternative transportation, including bicycle parking on the site, the installation of a concrete pad for a future bus shelter at an existing bus stop on New Hampshire Avenue, and the installation of a signalized pedestrian signal across the north leg of New Hampshire Avenue; and

WHEREAS, the City of Takoma Park commends the responsiveness of the applicant's representatives throughout the site plan application process, outreach conducted to area residents, and comprehensive public presentations to City Council; and

WHEREAS, the City of Takoma Park appreciates the applicant's stated intent, in response to community input, to provide ample indoor seating, earlier opening hours for the restaurant for serving breakfast, free wireless internet, and outlets for personal electronics to encourage patrons to linger at the location and consider it a local meeting place; and

WHEREAS, the City of Takoma Park acknowledges the applicant's stated commitment to maintaining the site of the future Taco Bell restaurant, mitigating current community concerns of litter and loitering; and

WHEREAS, the City of Takoma Park applauds the applicant's stated commitment to work with Takoma Park-based group Making A New United People (M.A.N.U.P.) to employ local youth at this Taco Bell location.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Takoma Park recommends approval of the proposed site plan (File 820150150), recognizing that this site plan operates as an interim use, provides community amenities and pedestrian improvements, and includes a Drive-Thru that adheres to design standards set forth in the Montgomery County Zoning Ordinance.

BE IT FURTHER RESOLVED that the City Council of the City of Takoma Park requests the Montgomery County Planning Board to clarify the text of Section 7.3.4.E.3 of the Montgomery County Zoning Ordinance to include objective measures for making a finding that a need exists for a Restaurant with a Drive-Thru accessory use in advance of future site plan application submissions, with special consideration for historic districts and transit-oriented master plan and sector plan areas like Takoma/Langley Crossroads.

BE IT FURTHER RESOLVED that the City Council requests the Planning Board's careful consideration of the need for the drive-thru at this location, given that the community is currently served by eleven Quick Serve Restaurants with Drive-thrus within a four-minute drive time of the site.

BE IT FURTHER RESOLVED, that the City Council of the City of Takoma Park requests the Planning Board's careful consideration of whether a project with a maximum proposed FAR of 0.1 on a property zoned CRT-2.5 is in substantial conformance with a sector plan that prioritizes smart growth and transit-oriented development.

BE IT FURTHER RESOLVED, that the City Council of the City of Takoma Park requests a written commitment from MUY Brands, LLC and Taco Bell to:

1. manage litter on the site with new receptacles;
2. maintain the trees and landscaping on the site year-round;
3. hire and train local youth in cooperation with M.A.N.U.P. and similar programs;
4. actively participate in the Takoma/Langlely Crossroads Development Authority;
5. continue to work with the community.

Adopted this 19th day of October, 2015.

Attest:

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Jessie Carpenter, CMC  
City Clerk