



Takoma Park City Council Meeting – May 3, 2017 Agenda Item 1

Voting Session

Resolution on the Subdivision Application for the NE Quadrant of Ethan Allen and Jackson Avenue
(Plan #120170120)

Recommended Council Action

Vote on the resolution.

Context with Key Issues

The Memorandum of Understanding between the City of Takoma Park and the Montgomery County Planning Board establishes a coordinated review process for subdivision and site plan applications in Takoma Park. The City Council communicates with the Planning Board via resolution. The Council may elect not to take any action on a specific plan or proceed with the adoption of a resolution to recommend approval of the plan as presented, approval of the plan with conditions, or disapproval of the plan.

City Council held two work sessions on the proposed subdivision on March 8, 2017 and March 22, 2017 to consider the subdivision application for the property at the north east quadrant of the intersection of Ethan Allen and Jackson Avenues (Plan #120170120). The owner has submitted an application to subdivide an existing parcel to create two new residential lots.

The site is zoned R-60, which allows for single family detached homes. City of Takoma Park and Montgomery County staff has indicated that the proposed subdivision application follows all provisions in the master plan and zoning code that prescribe minimum lot size, minimum frontage, and residential density for the subject property. An illustrative site plan was also included in this application, though the final decision as to where the houses will be placed on the subject property is within the purview of Montgomery County Permitting services and will be determined at a later date.

During the Council's discussions, concern was raised that the illustrative site plan shows that one of the two houses will be built closer to the Ethan Allen Avenue (MD 410) Right-of-Way than the five houses located immediately East of the subject property. Based on this divergence in set-back, council has considered opposition to the proposed subdivision.

Further, council considered waving the sidewalk requirements based on concerns with compliance with the American with Disabilities Act (ADA). If a sidewalk is built along the southern and western sides of the subject property it would not connect to other sidewalks or pedestrian infrastructure along either Ethan Allen Avenue or Jackson Avenue. Currently, the city does not anticipate building a sidewalk in the foreseeable future beyond the subject property along the northern side of this section of Ethan Allan Avenue, nor along the eastern side of this section of Jackson Avenue.

Staff has researched the issue and has found that building a sidewalk that does not connect to other pedestrian infrastructure would not present compliance issues with the Americans with Disabilities

Act (ADA). However, Council may still choose to wave the sidewalk requirement based on the fact that a sidewalk is not planned along the rest of these portions of Ethan Allen Avenue and Jackson Avenue

The building setback issue has called attention to larger questions concerning setback rules along streets with uneven property frontage lines throughout the city. The official plat record throughout the city shows many instances where the Right-of-Way width varies along one stretch of roadway, which can create a situation where the frontage line of one property is significantly out of line with the frontage lines of adjacent properties. When the owners of these parcels apply to develop or redevelop their land, the regulations regarding building setbacks make it difficult to guarantee that future structures will follow a similar setback to the adjacent and surrounding structures. To address this, staff recommends that Council consider an additional resolution to the Montgomery County Planning Board recommending that The County develop a city-wide (or county-wide) policy for such situations. Please see the attached background memo for further details.

Council Priority

A Livable Community for All; Engaged, Responsive & Service-oriented Government; Advance Economic Development Efforts

Environmental Impact of Action

The proposed plan incorporates new onsite stormwater management improvements; provides for the removal of invasive vegetation and landscaping.

Fiscal Impact of Action

The site plan proposes the construction of two two-story single family homes which would result in additional annual real property taxes collected by the City. Adjacent properties with single family homes have assessed values ranging from \$340,000 to \$635,000 and, in Levy Year 17, paid between \$2,200 and \$3,600 in property taxes to the City of Takoma Park.

Racial Equity Impact of Action

In the US Census designated block group where the subject property is located, 47.5% of residents are non-white (23.5% - Black or African American, 4% - Asian, 7% - 2 or more races, and 13% - other races). Approximately 30% of residents are of Hispanic origin. We do not believe this Council action will adversely affect or disproportionately impact any particular group.

(source: US Census 2010)

Attachments and Links

- Draft resolution
- Revised Site Plan
- Development Review Page (with links to the site plan application and Resolution 2015-53):
<https://takomaparkmd.gov/government/housing-and-community-development/communitydevelopment/development-review/>

Introduced by: Councilmember

CITY OF TAKOMA PARK, MARYLAND

Resolution No. 2017-

**Resolution Providing Comment on the Subdivision of Ethan Allen / Jackson Avenue
(Parcel 952)**

WHEREAS, the owner of the property located at the north east quadrant of the intersection of Ethan Allen and Jackson Avenues (Plan #120170120) has submitted an application to the Montgomery County Planning Board for the subdivision of an existing parcel for the purpose of creating two new residential lots; and

WHEREAS, an illustrative site plan detailing the placement of two single family homes, with frontage on Jackson Avenue, has been simultaneously submitted by the property owner for purposes of development; and

WHEREAS, the Takoma Park City Council plays an important role in the review of development applications by considering the intent and application of zoning and subdivision provisions and formally commenting on the impacts on the environment, the built environment and the community; and

WHEREAS, the Takoma Park City Council supports residential development of the subject property; and

WHEREAS, Montgomery County development review staff have stated that the proposed subdivision plan and the site plan for the Ethan Allen / Jackson Avenue Property (Parcel 952) conform to technical requirements put forth in the Takoma Park Master Plan (2000) and the Montgomery County Zoning Code; and

WHEREAS, approval of the placement of the proposed structures illustrated by the site plan falls under the purview of the Montgomery County Permitting Services (MCP), and is not under consideration with this sub-division application; and

WHEREAS, the proposal illustrated in the site plan is not compatible with the surrounding built environment in terms of the placement of the Ethan Allen Avenue façade of the proposed corner home at a location markedly closer to the pavement of Ethan Allen Avenue than the visible line of the five homes to the east of the property along Ethan Allen Avenue; and

WHEREAS, the subject property is located along Ethan Allen Avenue, a Maryland State Highway, which serves as a gateway to the historic heart of the City of Takoma Park, and is visible to thousands of roadway users passing on a daily basis; and

WHEREAS, the City Council believes that the placement of the corner house closer to the Right-of-Way of Ethan Allen Avenue than the line of houses to the east of it would be visually jarring for those traveling on Ethan Allen Avenue; and

WHEREAS, the City Council understands that the applicable minimum standard lot width is 60 feet and that, in this case, lot width also affects the placement of the proposed corner house by not allowing Lot 2 on Jackson Avenue to be narrower; and

WHEREAS, many single-family lots in Takoma Park have lot widths between 50 and 60 feet, including the lots immediately adjacent to the subject property on Ethan Allen Avenue and Jackson Avenue, and the resulting density of development is a characteristic of Takoma Park; and

WHEREAS, neighborhood residents have expressed strong opposition to the proposed placement of the house to be constructed on the corner lot, citing their concerns for its lack of visual consistency with other residential structures sited along Ethan Allen Avenue; and

WHEREAS, the City Council believes that a creative approach to the subdivision and site plan applications by the developer and/or the Planning Board can result in the development of two single family homes on the subject property in locations that maintain the visible building lines along Ethan Allen and Jackson Avenues and are appropriate for the built environment in this prominent location.

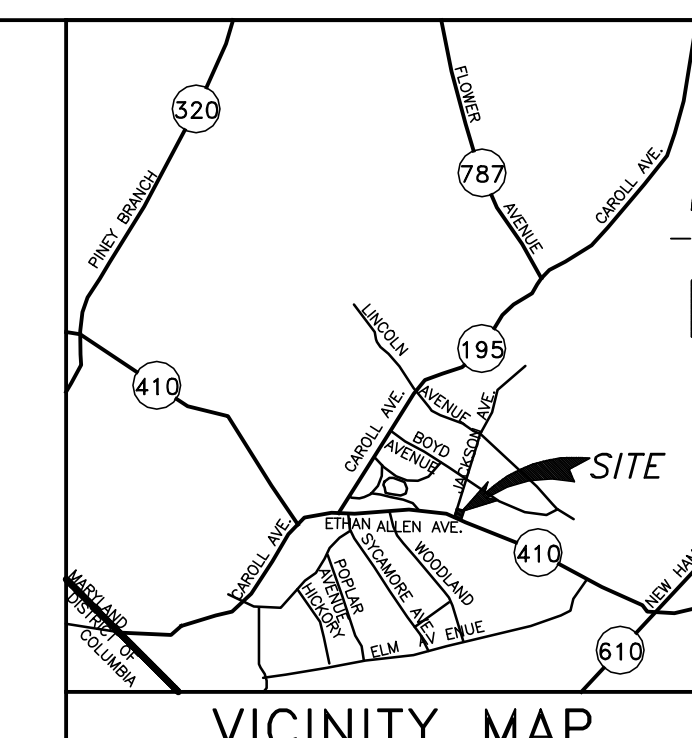
NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Takoma Park, opposes the project as proposed because of the placement of one proposed structure close to Ethan Allen Avenue in the illustrative site plan; and

BE IT FURTHER RESOLVED that the City Council requests the developer and the Montgomery County Planning Board work together to modify the proposed subdivision and site plan applications to place the corner house more in line with properties to the east of the subject property so as to better conform to the built environment in this highly visible location along Ethan Allen Avenue.

Adopted this ____ day of _____, 2017.

Attest:

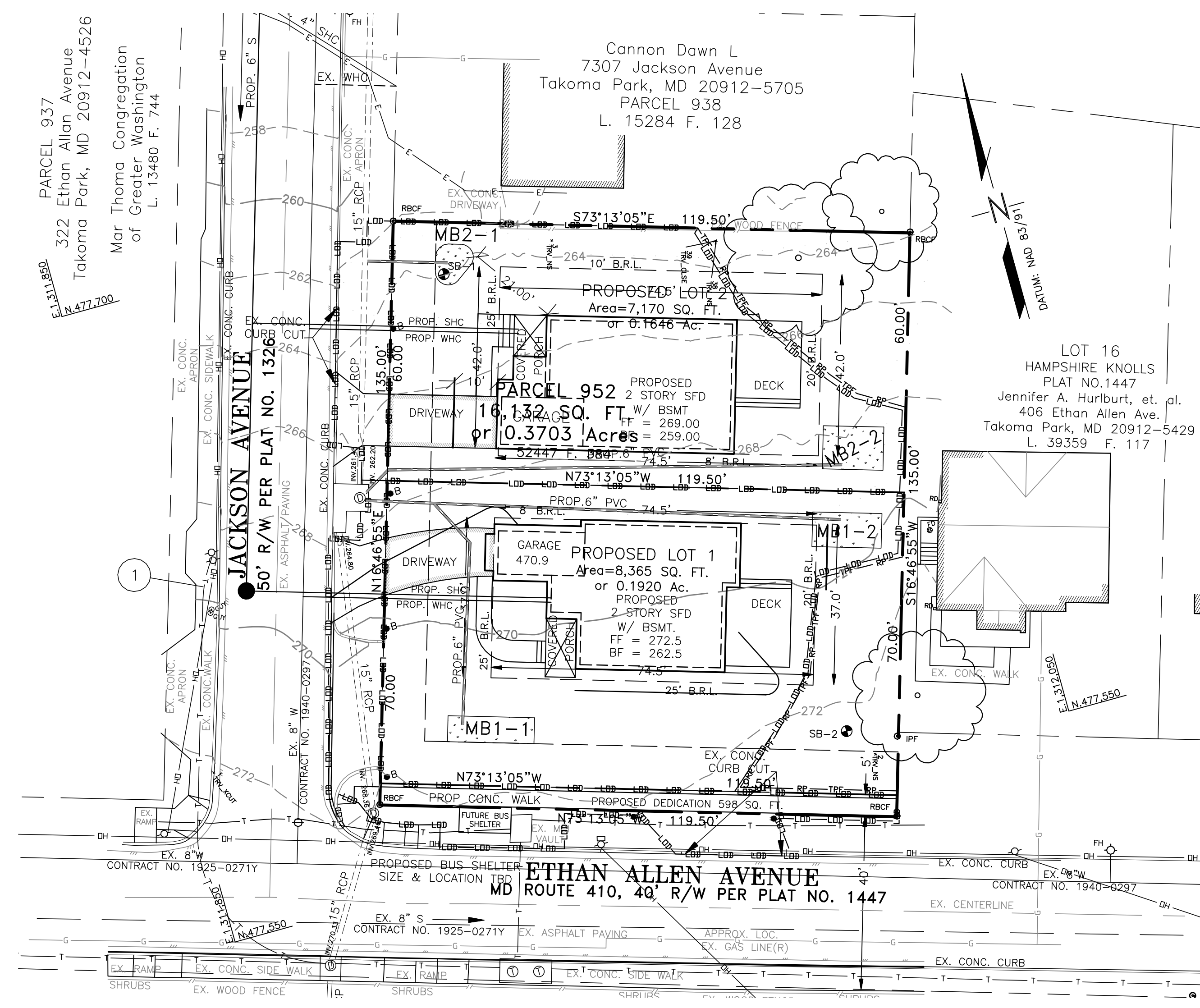
Jessie Carpenter, CMC
City Clerk



VICINITY MAP
SCALE: 1" = 2000'
ADC MAP NO. 5408
GRID: K-4

GENERAL NOTES

- The subject property is identified as Parcel 952 on Tax Assessment Map JN52. Site Zoning = R-60. Total Tract Area = 16,132 sq. Ft. or 0.3703 acres.
- Purpose of subdivision is to subdivide existing Parcel 952 into two single family lots for residential use.
- Boundary and topographic information is field survey performed by Landmark Engineering, Inc. on July 20, 2016.
- The property will be served by public water and sewer. The Water and Sewer Categories are W-1 & S-1.
- Soil delineation map and type shown per Montgomery county as atlas and U.S.D.A. Natural Resources Conservation Service.
- There is no 100 year floodplain on the subject property. The subject property is shown as Zone X, Area of Minimal Flooding on the Flood Insurance Rate Map community panel no 24031C0460D dated September 29, 006.
- The property is shown on WSSC 200' sheet 209NE01.
- The site lies within the Sligo Creek watershed.
- A 10 foot wide public utility easement will be provided along all public rights of way.
- There are no historic sites on or in the vicinity of the property.



PRELIMINARY PLAN
SCALE: 1" = 20'

ZONING TABULAR SUMMARY

Zoning Use	Required	Proposed
Residential	R-60	R-60
Description	6,000 sf	*SEE SITE TABULATION*
Minimum Lot Size:	25 feet	> 25 feet
Frontage on public road	60 feet	=/> 60 feet
Width at building line	35 percent	< 35 percent
Maximum Lot Coverage by main and accessory building	30 feet	< 30 feet
Maximum building height	20 feet	< 20 feet
detached garage	25 feet or E.B.L.	> 25 feet
Minimum Setbacks:	8 feet/Total 18 feet	> 8 feet
front building line, main building from property line	20 feet	> 20 feet
at public road	5 feet	> 5 feet
sideline setback, main building, interior lot	5 feet	> 5 feet
rear line, main building	5 feet	> 5 feet
Accessory buildings and structures (must be located in rear yard)		
Minimum side yard setback		
Minimum rear yard setback		

SITE TABULATION

TOTAL SITE AREA =	16,132 S.F. or 0.3703 Ac.
SITE ZONING IS	R-60
EXISTING PARCEL:	2
PROPOSED LOTS:	
LOT 1	8,365 S.F. or 0.1920 Ac.
LOT 2	7,770 S.F. or 0.1646 Ac.
PROPOSED DEDICATION =	598 S.F. or 0.0137 Ac.

PUBLIC UTILITY SERVICE

This project will be served by the following public utilities:
WSSC
PEPCO
WASHINGTON GAS
COMCAST

LEGEND

⊕	SEWER MANHOLE	⊕	POWER POLE
⊙	STORM DRAIN MANHOLE	⊕	GUY WIRE
⊙	WATER MANHOLE	⊕	TELEPHONE MANHOLE
⊕	FIRE HYDRANT	⊕	ROOF DRAIN
⊕	WATER VALVE	⊕	FLOOR DRAIN
MB1-1	PROPOSED STORMWATER MANAGEMENT	⊕	SOIL BORING

---	SUBJECT PROPERTY BOUNDARY
---	ADJACENT PROPERTY BOUNDARY
---	WATER
---	SEWER
---	EXISTING INDEX CONTOUR
---	EXISTING INTERMEDIATE CONTOUR
---	EDGE OF EXISTING PAVEMENT
---	OVERHEAD WIRE
---	UNDERGROUND GAS
---	UNDERGROUND TELEPHONE
---	EXISTING STORM DRAIN
---	PROPOSED STORM DRAIN

OWNER/APPLICANT
ETHAN JACKSON DEVELOPMENT, LLC
BENJAMIN P. DAVIS
P.O. BOX 26378
WASHINGTON, DC 20001-0378
PHONE: (202)-744-8794
EMAIL: b.p.davis@att.net

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 11124, EXPIRATION DATE: OCTOBER 3, 2018.



NO.	DATE	REVISIONS

M-NCPPC PRELIMINARY PLAN 120170120

WSSC SHEET: 209NE01 NRI/FSD: 42017042E

PRELIMINARY PLAN OF SUBDIVISION
ETHAN JACKSON PROPERTY - PARCEL 952

TAX MAP JN52
L. 52447 F. 384
ETHAN ALLEN AVENUE, TAKOMA PARK
ELECTION DISTRICT (NO. 13)
MONTGOMERY COUNTY, MARYLAND

<p>LANDMARK ENGINEERING, INC. 6110 EXECUTIVE BLVD, SUITE 110 ROCKVILLE, MARYLAND 20852 CONSULTING ENGINEERS PLANNERS SURVEYORS</p>	<p>DRN: DCV CK CTG PROJECT NO.: 1620 SCALE: AS SHOWN DATE: JAN. 07, 2017 SHEET 1 OF 1</p>
	<p>PHONE: (301) 230-5881 FAX: (301) 230-5884</p>