



## Takoma Park City Council Work Session – June 23, 2021 Agenda Item 4

### **Voting Session**

Takoma Junction Redevelopment Site Plan

### **Recommended Council Action**

Approve Resolution Recommending that the Montgomery County Planning Board disapprove the Takoma Junction Redevelopment site plan.

### **Context with Key Issues**

The Takoma Junction redevelopment project has been the focus of a great deal of planning, discussion and community interest over the past seven years. After selecting Neighborhood Development Company LLC (NDC) as the City's development partner pursuant to a 2014 Request for Proposals and through a 2016 Development Agreement and Ground Lease, NDC began working on plans for the project. Through Council Resolution 2018-41, the City Council authorized the submission of a draft combined site plan to proceed through the Montgomery County development review process. A number of site plan changes were made through this process, including changes to the façade as a result of the review by the Montgomery County Historic Preservation Commission. The City has received recent correspondence from the Maryland Department of Transportation State Highway Administration (MDOT-SHA), including a letter received June 16, 2021, that indicated that the proposed layby designs were not approved.

At the Work Session of June 16, NDC presented the site plan and Councilmembers asked clarifying questions about the elements of public space, stormwater, parking and the rear of the property. Staff noted some of the positive attributes of the development and the site plan, but, because accommodations for deliveries are essential components of a development and the layby was not approved by MDOT-SHA, staff stated that they could not recommend approval of this site plan. Councilmembers discussed other aspects of the site plan to include in the resolution.

Councilmembers discussed the draft resolution and determined that they would consider a Resolution Recommending Disapproval of the site plan. Some discussion of the components of the draft resolution took place at the Work Session and other recommendations were subsequently received by staff. The revised resolution is attached for consideration. The adopted resolution will be transmitted to the Montgomery County Planning Board.

### **Council Priority**

A Livable Community for All

Fiscally Sustainable Government

Environmentally Sustainable Community

Community Development for an Improved & Equitable Quality of Life

### **Environmental Considerations**

One of the main reasons for undertaking this project was to advance the environmental goals of the Council. If the project were to proceed there would be remediation of any environmental contamination of the site (as the property had been a dump site for many years), removal of the asphalt parking lot which is a heat sink, preservation and improvement of the health of the forested area (including establishment of a Forest Conservation Easement), stormwater management (currently there is none on the property), construction of a building that meets strong energy-

efficiency and sustainability standards and goals, and improvement in the walking and biking environment. Construction vehicles could result in some additional short-term GHG emissions.

### **Fiscal Considerations**

Pursuant to the Ground Lease with NDC, the City receives ground lease payments, property tax, and stormwater fees. The ground lease payments will increase according to the schedule. Payments for 2021 are: Ground Lease \$10,000, Property Tax \$47,503.90 (\$15,605.25 to the City; \$28,660.21 to the County; \$3,238.44 to the State), and Stormwater Fee \$1,250.

If development were to take place, additional revenue from the project once completed would come from personal property tax paid by businesses on equipment and furnishings, income tax from employment of residents.

### **Racial Equity Considerations**

Major reasons for undertaking this project were to increase opportunity for residents and business owners and to increase revenue for the City of Takoma Park to be able to provide services to residents to advance equity. The Development Agreement and Ground Lease encourage local and regional businesses rather than national chains, thus providing a greater likelihood of ownership and entrepreneurship by Black and Brown people. NDC itself is a Black-owned company. The project provides revenue from a site that previously did not generate taxes or stormwater fees that could be used to bolster the City of Takoma Park's work assisting residents, a majority of whom are people of color, by continuing rent stabilization, providing financial assistance for City childcare programs, working to create and expand affordable and attainable housing, and providing grants and training programs.

### **Attachments and Links**

- Draft Resolution
- [June 16, 2021 agenda item](#) (see agenda item 8)
- [Takoma Junction Project Page](#)

1 Introduced by:  
2

3 **CITY OF TAKOMA PARK, MARYLAND**

4  
5 **RESOLUTION 2021-XX**

6  
7 **RECOMMENDING DISAPPROVAL OF TAKOMA JUNCTION**  
8 **DEVELOPMENT SITE PLAN BY THE MONTGOMERY COUNTY**  
9 **PLANNING BOARD - *Draft of June 17, 2021***  
10

11 WHEREAS, with Council Resolution 2018-41 in July 2018, the Takoma Park City Council  
12 authorized the submission of plans by the Neighborhood Development Company,  
13 LLC, for redevelopment of properties in Takoma Junction on the south side of  
14 Ethan Allen Avenue (MD 410) at the intersection with Carroll Avenue (MD 195);  
15 and  
16

17 WHEREAS, most of the properties involved in the redevelopment project are owned by the City  
18 of Takoma Park (“City”) and one property is privately owned, but under contract  
19 for purchase; and  
20

21 WHEREAS, there have been governmental and community studies about how to improve the  
22 economic viability, environmental sustainability, and attractiveness of the Takoma  
23 Junction neighborhood commercial area since 1983, and the properties owned by  
24 the City were purchased in 1995 for the purposes of stabilizing and facilitating the  
25 revitalization of the area; and  
26

27 WHEREAS, in January 2014, the Council released a competitive Request for Proposals for  
28 development of the property in a manner that would “act as a stimulus to the  
29 commercial district and locally-owned, independent businesses; improve the  
30 aesthetic appeal of the district; and be contextually sensitive and environmentally  
31 sustainable;” and  
32

33 WHEREAS, the Council selected Neighborhood Development Company, LLC (“NDC”) to  
34 develop the project, and a Development Agreement and Ground Lease were  
35 approved by the Council in July 2016 through Resolution 2016-26; and  
36

37 WHEREAS, from January 2014 through July 2018, there was a high level of public participation,  
38 discussion and sharing of information about the project, including 32 Work  
39 Sessions with public comments, three Listening Sessions, three Open Houses  
40 (including an on-site pop-up Open House), design meetings with over 200  
41 attendees regarding form and character and access and mobility, and over 600  
42 written public comments in 2018 alone; and  
43

1 WHEREAS, this level of public participation and Council consideration informed the adoption  
2 of Resolution 2018-41 with its many provisions to guide and assess the final site  
3 plan to be prepared and submitted to the Montgomery County Planning Board once  
4 the Montgomery County development review process was completed; and  
5  
6 WHEREAS, the agency review of the plans submitted on January 15, 2021 is now nearly  
7 complete; and  
8  
9 WHEREAS, many changes to the plans have been made since July 2018 in response to the  
10 comments made through the agency review process; and  
11  
12 WHEREAS, the development review process requires the Takoma Park City Council to convey  
13 its recommendations on the site plan to the Montgomery County Planning Board  
14 prior to Board action; and  
15  
16 WHEREAS, there are additional provisions in City Council Resolution 2018-41 identifying  
17 actions or outcomes that do not pertain directly to the Montgomery County  
18 Planning Board review and which would need to be addressed separately, such as  
19 how the Auto Clinic property will be combined with the remaining property, final  
20 City approvals of tree and stormwater plans, and plans for continuity of operations  
21 during construction; and  
22  
23 WHEREAS, Maryland Department of Transportation State Highway Administration (MDOT-  
24 SHA) has not approved a layby for use for deliveries for this project on State  
25 Highway MD-410; and  
26  
27 WHEREAS, no other adequate and safe delivery options that can accommodate large vehicles  
28 have been presented that would serve this site and the TPSS Co-op; and  
29  
30 WHEREAS, mediation between NDC and the TPSS Co-op led to an agreement regarding the  
31 accommodation of deliveries, which included accommodation of large vehicles;  
32 and  
33  
34 WHEREAS, Council reserves the option to reopen the review of the site plan as new information  
35 is provided by NDC or by MDOT-SHA or other reviewing agencies; and  
36  
37 WHEREAS, as specified in Resolution 2018-41, NDC added windows and greater detail to the  
38 rear façade and placed windows so as to minimize light pollution on nearby  
39 residences, but there continues to be concern that the façade or the use of space  
40 may need to be addressed to limit noise pollution and other negative impacts to the  
41 neighborhood; and  
42  
43 WHEREAS, as specified in Resolution 2018-41, at least 2700 sq. ft. of public gathering space  
44 should be provided that is not focused on outdoor dining but is shared space for

1 residents, visitors and anyone else in the public realm and under the longer layby  
2 option, 3,850 square feet is provided and under the shorter layby option, 4,500  
3 square feet is provided, however, the type and quality of the public space has  
4 changed because of adjustments to the layby design; and  
5

6 WHEREAS, Resolution 2018-41 specified that public parking will be available for area  
7 businesses; and  
8

9 WHEREAS, Resolution 2018-41 requires that stormwater will be managed within the project  
10 boundary using low-impact development and green infrastructure and treatment  
11 will significantly exceed the City’s 50% requirement for redevelopment, and the  
12 project meets the requirements but, due to design changes for other purposes, the  
13 project does not “significantly exceed” the 50% treatment requirement.  
14

15 NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF TAKOMA PARK,  
16 MARYLAND, recommends the Montgomery County Planning Board disapprove the Takoma  
17 Junction Combined Site Plan for the following reasons:  
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- 19 1. The plan has not received approval from the MDOT-SHA for the layby.  
20
- 21 2. More work is needed to address the rear façade design in order to have a minimal impact  
22 on the residential neighborhood and wooded area behind it and ensure a less intrusive and  
23 more visually appropriate design.  
24
- 25 3. The plan does not provide 2700 square feet of public space of the type and quality of that  
26 included in the plans that were submitted for development review pursuant to Resolution  
27 2018-41.  
28
- 29 4. Public parking for area businesses is not adequate as required by Resolution 2018-41.  
30
- 31 5. Stormwater treatment does not significantly exceed the 50% requirement specified in  
32 Resolution 2018-41.