

**PUBLIC COMMENT ON TAKOMA JUNCTION**

2018 DATE	NAME	WARD*	COMMENT
6/6	Carter Dougherty	?	<p>One side is not getting exactly what it wants. Maybe you're not getting what you want because the Council is hearing from a large people who support moving ahead with the revitalization. The problem is not that the Council can't hear you, the problem is that they hear from other people. Important arguments, and here's another one:</p> <p>A roundabout but important argument: What makes Takoma Park diverse and affordable for lower-income Takoma Parkers? What makes my children's school look like a scene out of the United Nations?</p> <p>The answer is not an underutilized slab of asphalt. It is not a food co-op. It is not the good intentions of a progressive community. The answers is rent stabilization. When I recently spoke to a family friend who was the city manager of Dayton, Ohio, he marveled at the fact that Takoma Park has such extensive rent stabilization laws.The City Manager’s response recently identified the following sources of property tax funds by land use category:</p> <ul style="list-style-type: none"> <li>- “77.2% residential (\$9.2 million)</li> <li>- 9.0% commercial (\$1.1 million)</li> <li>- 8.4% apartment buildings (\$1 million)</li> <li>- 4.9% residential condominium (\$580K)</li> <li>- 0.5% commercial condominiums (\$60K)”</li> </ul> <p>There were fulminations on the PEN listserv:</p> <p>"It is clear that the single family home in Takoma Park bears almost 80% of the total property tax burden. This is a terrifyingly unbalanced and unsustainable approach."</p> <p>Listen carefully and what you hear are the drumbeats for changing that tax distribution. For undermining the rent stabilization laws.Sure enough, later in that same message:</p> <p>“the rent stabilization program reduces the value of 54% of the rental property in Takoma Park. Another 38% of rental property operates under some form of agreement that provides for a mix of market rate and protected affordableunits, usually with State or County grants and Payment in Lieu of Taxes (PILOT) assistance.”</p> <p>If you want to head off this argument, you need to move ahead with the TJ redevelopment plan.</p> <p>Per city documents, there is the prospect of over \$100,000 in tax revenue from NDC, but probably more</p> <p>If you want the resources to manage the tax burden on homeowners and maintain the rent stabilization, we need a broadertax base in Takoma Park. A vibrant Takoma Junction can help maintain that balance.</p> <p>You are the stewards of a tapestry of a community, one that brings together all sorts of people. Maintaining that tapestry is more than simply saying "no" to new development. It's the challenge of saying "yes" to the right development. Of maintaining public support for rent stabilization and ensuring the revenues are there to make it work. Does revitalizing Takoma Junction help us maintain rent stabilization, and the diversity and welcoming nature of TakomaPark? Yes, it does.</p>
6/6	Bill Hutchins	1	<p>I sent this around the Penlist, and was urged to send it to you. My offering - put the roads in tunnels and free the entire area as a park. Cars should not drive our way of life - creating viable, enlivening public spaces should. No doubt this would be a big expense, but like most such infrastructure projects, it would be worth it in the long run.Brick &amp; mortar development is so 20th century - how about a park, lively and fun and happy, with food trucks, pop up stores, festivals, with a significant water feature for us all to play in - all great cities have a great water element, our lifeforce. Something that can adapt as our needs do - who knows what it'll become over time. It would become another center of the city.</p> <p>Please forward this to the Mayor and Peter Kovar.</p>

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6/6	Byrne Kelly	?	<p>Finding Common Ground for our Community-Public Testimony for Tk Pk Council Mtg. Two weeks ago, I stood before you, and the Citizens of our Community, and the theme of my 3 minutes was: "What would Sammie do? Sammy was an Angry Man. Two weeks ago, when I sat before you, I was an angry man. I didn't like that, and obviously, nor did you, so I apologize, if that made you uncomfortable, or Angry. Your resolve &amp; appearance of accepting the current version of the NDC Plan, Still stirs the pot. This week, I ask you what would Robert Kennedy do,? He asked us to recognize the "Ripple Effect."The Splash, That landed, on us, the taxpaying City's Citizens, the true owner of the City's Central Square and Open Space. That Tidal Wave, that washed the reason, out of the City's "Reasonable Accommodations" to the 10,000 member Economic Engine known as the Takoma Park Silver Spring Co-op.</p> <p>The Ripples are Rising,  The Ripples are Roaring.  Roaring about Fairness, by our Government, to all Colors and Stripes, Stars and Dreams.  The Ripples are Rising, about Housing, Teens Space, Small Businesses, Transit, Planning, Historic Preservation, Parking,  The Waves are forming over Environmental &amp; Economic Justice, Gentrification, Racial Equality &amp; Opportunity.  The Tide of Civil Discontent, and Civil Disobedience is Rising....  and, we don't want you to Drown,  What we want, is a much Better Plan for the Development, &amp; Public Space, for the Community, &amp; The Co-op; FIRST!  Respectfully for, the School of Optimism of the "Community Vision for Takoma Junction-Swarm" We are: in the majority, we are: the taxpaying residents, who keep you employed  and we are: "Against the Current NDC Plan"  We are for: "Better Alternatives, for the Community First."  as we Tread Water,  to reach Common Ground.....</p>

**PUBLIC COMMENT ON TAKOMA JUNCTION**

2018 DATE	NAME	WARD*	COMMENT
6/7	Heather Bruskin	NR	<p>The Montgomery County Food Council is an independent council formed and led by individual community members and representatives of local businesses, government, non-profit organizations, and educational institutions that broadly represent the food system both substantively and geographically. Our mission is to bring together a diverse representation of stakeholders to cultivate a vibrant food system in Montgomery County that consciously produces, distributes, and recycles food, making it accessible to all residents while promoting the health of the local food economy, its consumers, and the environment. From a food system perspective, the Takoma Park Co-op plays an important role in fostering a sustainable and robust food system both in its immediate community and throughout Montgomery County in a variety of capacities. It serves as key access point for local residents, from the City of Takoma Park as well as surrounding communities, to purchase organically and or locally grown, nutritious food. TPSS Co-op supports local farmers and food and beverage producers, carrying products from several Montgomery County businesses. It also employs approximately 50 racially and ethnically diverse staff, who are union members and receive fully paid health benefits. In addition, the Co-op plays an important role in addressing food insecurity in Montgomery County, donating funds through their Poker Chip program to County food assistance programs, collecting food donations from customers through the Pay it Forward program, and promoting food waste reduction through recovery and redistribution to County residents at risk of hunger as a Community Food Rescue donor. It is important that TPSS Co-op have the opportunity to continue serving Montgomery County residents in these ways. However, it is also important to consider the potential benefits to the local food system from commercial development at Takoma Junction that supports community and independent businesses. There exists significant potential that the proposed development could present new opportunities for food entrepreneurs, fostering the establishment of new and expansion of existing locally-owned businesses, bringing new employment opportunities, and serving the diverse needs of our County’s multicultural population. There is also potential that, once the challenges of the construction and transitional period have passed, TPSS Co-op could benefit from increased foot traffic and sales. It is our sincere hope that with input from the TPSS Co-op, NDC, and other community stakeholders, the City of Takoma Park will move forward with a project that reflects reasonable compromises among all the stakeholders regarding parking, truck deliveries, and other areas of concern in order for the important community benefits of the Co-op to be sustained while opening up new opportunities for food businesses entrepreneurs and employment, increased environmental sustainability, and enhanced community services. Thank you for your consideration of our testimony and for the community’s active engagement in representing a diversity of perspectives throughout this process. The Montgomery County Food Council</p>

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6/9	Margot Bass	2	<p>Following up on my letter of March 7, 2018, to City Council and Staff, I remain strongly opposed to the proposed development at the Takoma Junction. Frankly, I don't think there is one thing about the development that benefits Ward 2 residents. I have lived in this area for almost 20 years, just a few blocks from the proposed development. These are among the damaging factors the development poses to us:</p> <ol style="list-style-type: none"> <li><b>1. DANGEROUS TRAFFIC:</b> Worsening traffic and idling cars in our neighborhoods are already of major concern to many Ward 2 residents, including myself. The traffic at the Junction feeds from five directions (Grant Avenue heading S, Carroll Avenue heading SW, Carroll Avenue heading E, Sycamore Avenue heading N, and Ethan Allen heading W). Adding a sixth major feeder into this intersection from cars exiting the new development, and adding parked trucks at the edge of this intersection (as all currently proposed), will make a bad traffic situation seriously dangerous. Many school children who live in Ward 2 and walk to school have to cross through this intersection. A ten-year-old girl whom I coach who lives on Elm Avenue in Ward 2 told me after a practice this spring: "I had to cross the intersection at the Junction today. There was no crossing guard. It was really scary." This is from a ten-year-old girl who can navigate down the entire soccer field in a flash, and is almost never scared of power shots and bigger girls coming at her. The intersection is obviously too complex for cars, pedestrians, bicyclists to get through safely and quickly. Cars are forced onto local streets, including Elm Avenue, to avoid the long delays at the lights. It is a real possibility that this proposed development will turn Elm Avenue into a high-way-like rush hour route. Quiet Ward 2 neighborhood streets should not be sacrificed for a poorly designed development project that Ward 2 do not even want. A priority for the Council, instead of endorsing the proposed development, should be making this intersection safer, perhaps through a rotary where all traffic goes at once, and then stops all traffic stops for pedestrians.</li> <li><b>2. SLOWING FIRE FIGHTERS &amp; EMS:</b> This new development further hinders the path of emergency vehicles coming from the County Fire Station. Delays in the arrival of firefighters and EMS can be a significant factor in loss of life and property. County firefighters and EMS have helped our family in Ward 2 twice in situations that could have turned catastrophic. City Council should not be advocating for plans that hinder public safety services that our County has made massive investments to enhance, as they have with the fire station.</li> <li><b>3. HARM TO CO-OP DELIVERIES &amp; PARKING:</b> Nothing about the development supports or enhances the Co-op delivery or parking situation. The Co-op is a long-term anchor business for the Junction. Ward 2 residents are major users and many of us are members of the Co-op, and we greatly appreciate having a local market we can walk to and support that is based on a local business model supporting local farmers. It is just the type of business that City Council members should support, not national chains that can afford the high rents that will be posted at the new development.</li> <li><b>4. NO SOLID ECONOMIC RATIONALE OR OFFSETTING BENEFIT FOR THE RESIDENTS:</b> I am very concerned that the city council is totally abandoning its fiduciary duty to its residents in supporting this development. There does not seem to be any strong economic rationale for having this development here on our public property. The revenue coming in for several years seems to be a pittance. And at the same time that this development is being proposed, the Mayor has said that she needs higher property taxes levied on residents. If the proposed development were going to be such a wonderfully large source of City revenue, wouldn't property taxes be going down instead of up? I greatly value having diverse residents and diverse local businesses and fiscally sound use of public property. I don't think this development advances those goals whatsoever.</li> </ol> <p>Ward 2 residents have put forth various strong ideas for how to develop this property in ways that meets residents' needs and goals. Please consider these in terms of what will actually benefit Ward 2 members rather than the currently proposed project, which will clog quiet neighborhood streets, slow firefighters, harm the Co-Coop, and provide no fiscal benefit to Ward 2 residents. (I would love to see a public gathering area like an outdoor fountain similar to that in downtown Silver Spring, and a recreation/sports/exercise center there myself, because Down County is far underserved in terms of recreational facilities, and Ward 2 residents have to drive to almost all recreational facilities.)</p> <p>I ask you to fully represent my and other Ward 2 residents' interests, and to come out strongly opposed to the proposed development in a public forum.</p>

**PUBLIC COMMENT ON TAKOMA JUNCTION**

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6/11	Jessica Landman	1	<p>I am writing today to renew, more urgently, a request made to you during the public comment period at the City Council meeting on May 2nd. In May I noted that the proposed Takoma Junction development plan anticipates construction of a building that straddles two parcels of land. It would bind the city to a 99-year lease, even though the city does not own or control one parcel that is vital to accessing the entire structure. At the time I asked the City to investigate and inform the community whether this highly unusual arrangement poses a fiscal risk. As a lawyer and taxpayer, these questions concerned me greatly. So far, there has been no response. The City's silence left me wondering whether action was being taken or not. Before the City adopts a Resolution committing to this project, it is vital that you determine whether there is a significant legal obstacle that could cause the City to have legal problems or incur unforeseen costs that the community would have to shoulder. While I am not a real estate lawyer, I did undertake a preliminary review of the relevant rules in Montgomery County. From what I can discern, a building permit for a structure that straddles two parcels owned by two different parties will not be issued.</p> <p>I urge the City to have its lawyers follow up, to determine whether they agree with the following analysis:</p> <ol style="list-style-type: none"> <li>1. Under Montgomery County's building code, a building permit may only be issued for a building located on 'a lot or parcel shown on a plat recorded in the County Land Records or on a parcel exempt from recording requirements under Section 50-3.3'. [1]</li> <li>2. The County's subdivision rules define a 'lot' as a 'discrete area of land that is described by a plat recorded in the land records for which the Department of Permitting Services may issue a building permit.' [2] The County Zoning Code uses nearly identical language to define a lot: 'A lot is a contiguous area of land that is described by a plat recoded in the land records for which a building permit can be issued.' Obviously, the two adjacent parcels at the Junction, while contiguous, are not on one 'lot' that is recorded in the land records. (Nor are they on a parcel exempted under the specific terms of the code.)</li> <li>3. At the Junction site there are two lots, which will not even be owned by the same entity. As such, the site does not meet the definition of a lot for which a building permit can be issued. The County's rule is very clear; with the exception of a few exemptions irrelevant in this instance, 'Construction of a new principal building may only occur on a lot or parcel shown on a plat recorded in the County Land Records.'[3]</li> </ol> <p>My question for the City and the City's lawyers is: Have you investigated how these constraints affect the Junction project? If so, please share what you have learned. If not, please undertake the appropriate due diligence to find out whether the project as currently contemplated would be unable to obtain a building permit. Frankly, apart from the possibility that no permit would be issued for the proposed straddling two-lot project, the irregularity of the proposed arrangement strikes me, as a taxpayer, as risky. Could NDC – or a successor owner – who controls a portion of the parcel use that control to extract further, future fees or concessions from the City? What would happen in the event NDC defaults? Once can imagine many unhappy scenarios. Those may be the very reasons why the County rules forbid a construction permit for a structure that is not on a single 'lot'. And even if a construction permit can somehow be obtained, the irregularity also suggests that investors will find the project risky, either steering clear or charging higher lending rates, which would in turn trigger higher rents. Thank you for responding promptly to this letter; it is vital that you resolve these questions before you make a determination whether to approve the proposed project. It would be negligent for our City officials to fail to address these concerns.</p>
6/11	Susan Katz Miller	?	<p>We ask for your commitment that the Resolution on the Junction site plan will be crafted only after the following:</p> <ol style="list-style-type: none"> <li>1. The release of both Traffic Studies, the promised Council Work Session on Traffic Studies, and at least three weeks for everyone to review the studies, so that key design changes can be incorporated into the Resolution.</li> <li>2. The release of a new Racial Equity Impact Statement for this key City project, based on input from the community including all Junction businesses, and a Work Session on the economic and racial equity effects of the Junction project, so that key design changes, including the amount of public space, can be incorporated into the Resolution.</li> <li>3. The conclusion of mediation between NDC and the Co-op, so that negotiated design changes can be incorporated into the Resolution. Thank you for doing everything possible to make sure we get this tremendously important Junction development right.</li> </ol> <p>We look forward to your responses.  Nadine Bloch, Sarah Fitzpatrick, Dana Haden, Byrne H. Kelly, Bruce Kozarsky, Karen Lovejoy, Sue Miller, Susan Schreiber, Betsy Taylor</p>

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<b>2018 DATE</b>	<b>NAME</b>	<b>WARD*</b>	<b>COMMENT</b>
6/12	Elizabeth Keyes	3	I have already written in support of the Junction Project, but want to add a word to say that while it is generous of the City to pay for mediation with the Co-Op, I hope the mediation will not delay the vote. The issues that the Co-Op has concerning trash removal and deliveries seem to be ones that can quite easily be addressed during the next stages, and do not require delaying a vote. I appreciate the measured and positive tone that Council Members are taking, especially Mr. Seamens' recent blog post, at a time when this issue seems to be becoming flabbergastingly divisive. Thank you for your service to the City.
6/12	William Brown	?	A government entering into a sweetheart deal with a private business before opening the project up for bids? That wouldn't be financial creative, it would be government corruption. Are you aware of all the special protections the city has bent over backward to put into the contracts? There can be no co-op competitor in the development. This includes specialty food shops such as a butcher. The Co-op is not to have it's business inconvenienced at any point in the construction. The city helped set up mediation between the developer and the city, and allowed several delays hoping that NDC and the Co-op could work things out. They have stated and restated (as has NDC) that they want the Co-op to thrive, grow and be happy - and they'd really like it to be part of the development. Bill Brown
6/13	David Paris	?	Neighbors- Speaking of "sweetheart deals," the city decided to move forward with NDC, the developer who placed the lowest value on the property. This decision, supposedly, was because NDC promised, for a brief period, to provide community space and a loading dock for the Co-op. In 2016, after the loading dock was eliminated and the community space constrained, the city let everyone down by not requiring binding mediation between the Co-op and NDC, before moving forward. Instead, the council irresponsibly allowed the fatally flawed and divisive process to grind on, buoyed only by yet more promises, without any discernible path to resolution of the impasse. How is it a good deal for the city, over the first five years of the lease, to receive considerably less rent from NDC than the \$21,800 that the Co-op currently has been paying for use of only a small portion of the total undeveloped city lot for parking? Moreover, even after the first five years, the rent continues to be less than the market rate. In 2012, when first approaching the city about purchasing the lot for expansion, the Co-op provided a spreadsheet that budgeted 1 million dollars for initial discussion about the purchase. Therefore, it is really anomalous that the developer offering the lowest valuation was chosen, following a so-called bidding process designed to avoid "entering into a sweetheart deal with a private business." In 2014, in return for the city lot, the subsequent Co-op proposal offered to provide \$600,000 in ongoing community space, explaining: "we have calculated the value of the provided community space to be at least \$600,000 based on 3,000 square feet at a \$175/square foot unit cost, including a portion of the site development and renovation sections of the budgeted expenses. Each year, the cost to TPSS of providing this space to other uses rather than revenue generation would be \$75,000 based on a rental rate of \$25/square foot." The Co-op's \$600,000 offer has been misrepresented as an effort "to pay \$0 for the lot" in expectation of receiving the "lot as a gift." The \$600,000 offer was in line with the amounts relied upon by most of the other developers. However, NDC based its bid on only \$100,000, supposedly to provide amenities that were eliminated or curtailed. Finally, the right to run the only grocery in the Junction development is of little value, if there is inadequate access for food truck deliveries. A semi-landlocked business is hardly a "Council-sanctioned monopoly over groceries at the Junction in the future," resulting from the council "bending over backwards" to accommodate the Co-op. This is representative of the illusory "special protections" that the city has provided the Co-op. Thanks for your attention.
6/15	Kathie Hart	1	I remain unconvinced that the Takoma Junction as currently configured is a sensible plan. I am interested in your opinion and your vote. Thanks for taking my comments under advisement.
6/16	Ian MacNairn	2	Please vote now on Takoma Jct. The longer it is delayed, the more that will scare off potential future commercial development. Thanks

**PUBLIC COMMENT ON TAKOMA JUNCTION**

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6/18	Evan Light	2	Please address the issues cited on this page before voting to let the NDC plan to proceed. Let the mediation between the Co-op and NDC conclude before voting. Yes, previous councils led to this situation. However, they did not agree to the plan NDC is moving forward on. NDC has changed the plan. This warrants seriously reevaluating their relationship with the city. <a href="https://cvtakomajunction.com/2018/06/16/unresolved-issues-at-takoma-junction/">https://cvtakomajunction.com/2018/06/16/unresolved-issues-at-takoma-junction/</a>
6/19	Richard Cowden	3	We have been following the progress of the NDC proposal to develop the city-owned lot next to the Co-op and we strongly support a Council vote on the project at the earlier possible opportunity. Prolonging this discussion further can only delay what should be a straightforward approval process. We urge the Council to bring the matter to a vote.
6/19	Eric Johnson	2	I support the Takoma Junction redevelopment plans. Thank you for your consideration.
6/19	Roland Weiss	3	In the traffic group report (p 9, Exhibit 9) Trip Generation for Junction development shows trip rates for Shopping Center and General Office building. The anchor tenant is a large sit down restaurant. For trip generation for Background Developments (p. 16 Exhibit 9) a different formula is used for a restaurant, which has significantly higher multipliers per ksf. Why is the development restaurant not treated the same way? Traffic for the restaurant would likely be higher in the PM, when, according to the the AMT report, the the MD 410 & 196 intersection is projected to operate at unacceptable levels.
6/20	David Paris	?	Neighbors -- It is in the interest of all city residents, including even those who only shop elsewhere, for the city's Takoma Junction lot to be sold or groundleased to the Co-op at a market rate price in order to avoid further undermining the cooperative's competitive position, shrinking the city's commercial tax base, and tying up funds that are needed for important civic purposes. The development should serve the interests of the Co-op and existing residents rather than those of an unreliable outside developer trying to get away with the same sort of bait and switch tactics practiced by developers and by the Washington Adventist Hospital (WAH). Amazingly, our Co-op has prospered despite the competitive advantages of nearby Shoppers Food Warehouse and Whole Foods locations, which both benefit from significantly larger stores coupled with seas of free parking spaces. Last year's announcement that Amazon would be purchasing Whole Foods, accelerating existing uncertainty regarding the future of the food industry, just adds to the long list of reasons why our city government should be working with our food coop rather than further undercutting its competitive position. NDC has exhibited short-sighted insensitivity to the core grocery services that have made Takoma Junction an important community destination. Supposedly, NDC was chosen, despite its low bid, because it promised to build a loading dock. Instead, NDC quickly abandoned the loading dock, substituting a large and unsightly driveway in front of the store, despite a series of safety concerns expressed by the Takoma Park Fire Department. Moreover, promised plans to maintain access for grocery consumers during construction have not materialized, and promised community space is to be shoehorned into the front loading area. The abandonment of the loading dock that the Co-op requires to survive, which was promised in all of its original plans, was rationalized in a 2016 NDC letter by a blithe reference to the existence of frontal loading at a single unidentified Trader Joe's store. This turned out to be Trader Joe's in Adams Morgan, which is located 6 miles from Takoma, located in a renovated building that, unlike the proposed new building, could not be retrofitted with a loading dock. All of the Co-op's nearby grocery competitors have substantial loading docks and parking lots, including Shoppers Food Warehouse (1 mile), Whole Foods (2 miles), and Safeway (2 miles). Moreover, all other Trader Joe's DC locations have loading docks, including the West End facility, which nonetheless appears to have some problems with trucks blocking the sidewalk. A liquor license application for the Capital Hill Trader Joe's includes a signed agreement with DC Advisory Neighborhood Commission 6B, promising to "receive deliveries at the loading dock provided by the landlord of the subject premises for use by retail tenants." It is a tribute to its economic strength that the Co-op has been prospering despite the burdensome redevelopment process imposed by the city government. In 2014, the current wasteful Takoma Junction development process was initiated by the city in response to the Co-op's forthright expression of interest in purchasing the city lot. In 2012, the Co-op's working budget called for paying as much as \$1 million dollars for the lot, which is ten times more than the value that NDC placed on

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	David Paris (cont'd)		<p>the lot during the selection process. The land was purchased by the city in 1995 for \$500,000 and appraised for \$1.475 million, several years ago. In 2014, the Co-op planned for modest/buffered development, a wider choice of moderately priced merchandise, indoor/outdoor public facilities, and, of course, a loading dock. The Co-op's \$600,000 offer has been misrepresented dishonestly as an effort "to pay \$0 for the lot" in expectation of receiving the "lot as a gift." The \$600,000 offer was in line with the amounts relied upon by most of the other developers. In 2014, in return for the city lot, the subsequent Coop proposal offered to provide \$600,000 in ongoing community space, explaining: "we have calculated the value of the provided community space to be at least \$600,000 based on 3,000 square feet at a \$175/square foot unit cost, including a portion of the site development and renovation sections of the budgeted expenses. Each year, the cost to TPSS of providing this space to other uses rather than revenue generation would be \$75,000 based on a rental rate of \$25/square foot." If the lot had been sold or groundleased to the Co-op during 2014, the community already would be enjoying the benefits of an expanded facility. Instead of engaging the Co-op, the city instituted a seemingly rigged Request for Development (RFD) bidding process that irresponsibly ended up selecting NDC, which valued the property at \$100,000, one tenth of the amount introduced by the Co-op and considerably less than the \$500-600,000 valuations used by the other developers. Over its first five years, the NDC lease calls for the city to receive far less rent from NDC than the Co-op has been paying to park cars on a small portion of the city lot. Further, the rent breaks continue throughout the 99-year life of the lease. The short-sighted willingness of NDC to abandon the critical loading dock, which is tantamount to killing the goose that laid the golden egg, is reminiscent of the eagerness of WMATA and EYA to compromise future Takoma Station bus spaces and to consume parkland to accommodate townhouses with two-car garages under the guise of transit oriented development. In contrast, the community proposed a small apartment building on the station parking lot. In 2008, lenders would have been interested in financing the apartment, in light of rental unit demand resulting from a the freeze on residential construction. In 2010, NDC partnered to develop a DC school site with EYA, which has maintained a stranglehold over Takoma Station development for well over a decade. Misleading and irresponsible comments about the Co-op from Takoma Park officials and the prejudicial planning process seem to have been calculated to rationalize shackling the Co-op with a developer, subverting local control of the grocery's expansion. For example, during the October 6, 2014, council work session, City Manager Brian Kenner and a council member irresponsibly speculated that the Co-op might not remain at Takoma Junction and that it might fail within two years of expansion, due to the uncertainties facing groceries. The discriminatory RFP process downgraded the Co-op submission because it lacked development experience and outright failed to credit the Co-op for the expertise of its advisors, including Edward S. West, a successful real estate attorney, who has negotiated leases involving a long list of businesses including, McDonalds, Food Lion, Giant Food of PA, J. Crew, Ann Taylor, Patagonia, Thrift Drug, Au Bon Pain, Safeway, and Pepco. Other Co-op advisors included an architect and a nationally recognized development team that has been associated with 200 successful food coop expansions, according to Co-op testimony.</p>



**PUBLIC COMMENT ON TAKOMA JUNCTION**

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	David Paris (cont'd)		<p>There is nothing sacrosanct about RFDs, as exemplified by the misrepresentations, deflated expectations, and scandal surrounding the RFD process for the White Oak LifeSci megadevelopment. In fact, the project was renamed "Viva" after few initial bio-enterprises, other than WAH, were attracted. In 2016, the county dropped longstanding plans to participate in hundreds of millions of dollars in anticipated profits as a partner in the mega development because county employees somehow failed to identify restrictive covenants. The public documents should have been turned up by even the most perfunctory of title searches, let alone a protracted RFP process. In 2017, County officials appropriately chose Valentines Day to approve the sweetheart sale of the \$42 million property to the developer for ostensibly \$10 million. Our city government further revealed its true colors when it appropriated \$80,000 to pay the prodeveloper law firm of Bregman, Berbert, Schwartz &amp; Gilday (BBS&amp;G) to negotiate the groundlease, which is overly generous to NDC by providing ongoing rental breaks. Similarly, in 2016, Montgomery County hired BBS&amp;G to provide legal advice regarding the White Oak development debacle. The retention of the firm was controversial. Critics argued convincingly that retaining the BBS&amp;G was tantamount to hiring the fox to guard the hen house, since White Oak Master Plan was the "signature project" of Francoise Carrier, one of its attorneys, during her term as chair of the Montgomery Planning Board (MPB). In 2013, BBS&amp;G authored a highly controversial report, supposedly exonerating the MPB from charges of racism regarding the closure of the only roadway providing access to the historic Sandy Spring, Maryland residential community. Both the county and city legal teams include Carrier, who turned heads when she quickly joined BBS&amp;G after presiding over adoption of the problematic White Oak master plan, in July 2014. The previous December, Carrier issued a press release proclaiming that the \$120,000 Bregman report was "through and conclusive." One month later, she announced that she would not be seeking a second term as planning board chair. The BBS&amp;G report "fails to address," allegations by the county inspector general that state Attorney General Douglas F. Gansler "quashed an investigation of the Farm Road matter," after receiving campaign contributions from members of the Bregman firm. "The community got exactly what it predicted from Mr. Bregman - half truths and distortions," complained Judy Penny, a relative of an elderly resident. The landlocking of the Farm Road community, established by African Americans following the Civil War, was the subject of a Maryland Black Legislative Caucus Hearing and a series of WUSA exposes. The access road is just as critical to the beleaguered Farm Road residents as the Co-op loading dock is to the success of the grocery store. The outcome of the current Takoma Junction process will establish the basis for future community and developer expectations regarding a flood of upcoming development projects involving New Hampshire Avenue, the Takoma Station, the soon-to-be-vacated hospital campus, and the sites of two former schools. The linkage between Junction development and other projects, which has been recognized by city staff and officials, is exactly why the city needs to get Junction development right. The failure of the city government to defend actively the threat to local emergency services created by the county's recruitment of WAH to anchor the White Oak Science Park has already established Takoma Park as a soft target. It is obvious that Takoma Junction development process has diverted city resources from more important matters, including keeping emergency services local and securing a sustainable WAH medical campus. With the hospital move a year away, next year's county budget contains no funds for additional ambulances, and no study has been commissioned of the impact of moving the WAH ER. Moreover, amazingly there has been no effort to regulate hospital-run urgent care centers, like the facility WAH plans to leave behind, although such regulation is being pursued in many other states. Meanwhile, our officials are touting the addition of a Takoma paramedic, which was extremely low-hanging fruit, since our station is the last unit in the county to be assigned a paramedic.</p>

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	David Paris (cont'd)		<p>Our Co-op has been a reliable member of our community since 1995, when it renovated and moved into the vacant Turner Building, creating a thriving ongoing community enterprise that is now threatened by governmental intermeddling and developer misrepresentations. The Co-op steadfastly went ahead with the move, despite the failure of the Maryland Assembly to appropriate \$1 million in economic development funds for the Junction. The funds were to have been available "if the city could demonstrate there also was significant new private money ready to be invested" in addition to the city's planned expenditure of "\$515,000 next month to acquire a vacant 1.4-acre lot in Takoma Junction." Over the years, the Co-op has paid its own way. It may even have been overcharged by the city for use of the city lot for parking, judging from the reduced rental rate that the city is considering charging NDC. A recent state capital improvements grant, which must be matched, is the first occasion of the Co-op receiving or requesting substantial government economic assistance. Over recent years, the Co-op has been forced to spend hundreds of thousands for legal and architectural fees participating in the wasteful and unproductive process imposed by the city. Instead, the funds could have been applied to paying a fair price for the city lot, allowing the city to focus on more important matters. Our food Co-op deserves the freedom to develop its own property independently, with the city government's cooperation and supervision, rather than its domination. The city should sell the Takoma Junction lot to the Co-op for a significant portion of its appraised value. Although history has shown that the Co-op, unlike WAH, keeps its word, it is reasonable to expect the Co-op to sign an undertaking detailing how it will carry out its longstanding promises regarding density, community facilities, and a broader selection of products selling at lower prices.</p> <p>Thank you for your attention.</p>
6/20	Roger Schlegel	3	<p>Thank you for all of the work you've been doing to review the NDC site plan and related information. I've been reading through the two traffic studies (A. Morton Thomas and The Traffic Group) as carefully as I can, although I have to admit that I've skipped the many data tables in the appendices! For tonight's meeting, I would like to suggest some key questions that would be worth posing to the consultants if they are available to answer. These questions are contained in the attached Google Doc, but I am also copying them below into the email for your convenience.</p> <p>Thank you for your consideration.</p>

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	Roger Schlegel (cont'd)		<p>Traffic Studies - Questions to Ask Consultants June 20, 2018 (submitted by Roger Schlegel)</p> <ol style="list-style-type: none"> <li>1. What are the differences between the two studies' recommended intersection reconfigurations? Key differences seem to include the directional flow of Co-op parking lot traffic and the inclusion of a slip lane for westbound Carroll Avenue traffic.</li> <li>2. In simple lay terms, how would these recommended reconfigurations reduce delays for cars in the Junction? Are any reductions associated with longer crossing times or distances for pedestrians?</li> <li>3. The NDC (The Traffic Group) study ignores the existing Carroll Avenue crosswalk at Grant Avenue. For a pedestrian wanting to cross from Grant to the proposed development, how would the pedestrian crossing time for this existing crosswalk compare with the pedestrian crossing time plus additional walking time required for pedestrians to use an "Option 2b" crossing route?</li> <li>4. Why is a "yield condition" for eastbound Ethan Allen traffic (in front of the Co-op parking lot) required? Is this to protect pedestrians who would be crossing an unsignalized travel lane? Is it to allow cars to exit the Co-op parking lot?</li> <li>5. The NDC (The Traffic Group) study assumes standard shopping center usage on the first floor, without a restaurant. The models suggest that a restaurant would generate far more vehicle trips, especially during the evening peak hours. On what basis does the study assume there would not be a restaurant on the site, even though the NDC presentation suggested the site could include a whitetablecloth restaurant and a cafe? How does the estimate of newly generated peak hour trips change if the assumption of site use is changed to include a restaurant and a cafe?</li> <li>6. Neither study appears to evaluate the complexities involved with left turns in and out of the new parking garage, especially during evening peak hours -- although the studies provide numbers indicating that queues at intersections in either direction will back up across the driveway entrance at peak times. How is this left-turn blockage factored into the calculations of delay times for cars entering or exiting the "site access"?</li> <li>7. Neither study takes into account the phenomenon of "induced demand" that would likely occur after any intersection alterations are made, i.e. because of apps such as Wayz, drivers who currently use other routes during peak hours would adjust to take advantage of lower volumes at the Junction until conditions return to a similar level of service as that which predated the intersection changes. What do you know about "induced demand," and how might it impact ongoing levels of service at the Junction intersections in the weeks, months, or years after any intersection reconfiguration is made?</li> <li>8. What is your position regarding the acceptability of the proposed truck lay-by if the intersection is not reconfigured? In other words, is a reconfiguration of the intersection necessary in order to accommodate the lay-by?</li> <li>9. Would the proposed relocation of the bus stop on the south side of Carroll Avenue (in front of the Coop_ require a bus bay in front of the Co-op?</li> <li>10. The NDC (TTG) study recommends reversing the flow of the Sycamore Avenue lot (p. 201), with the exit located right before the stop line for the reconfigured intersection. How would this exit, just before the new stop line, affect the intersection's functionality? How would Co-op shoppers using the Sycamore-side lot access westbound Carroll Avenue, eastbound Carroll Avenue, or neighborhoods to the north? Is there an expectation that they would be able to turn left or right out of the parking lot? If allowed to turn right only, is there an expectation that they would be able to turn into the farther (leftturn) lane?</li> </ol>

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	Roger Schlegel (cont'd)		<p>11. Neither study considers whether the realignment of Carroll Avenue with Sycamore Avenue would increase the number of cut-through trips in neighborhoods to the south. Based on your professional experience, is there a possibility that the realigned intersection would generate more through trips through the south-side neighborhoods (towards New Hampshire Avenue via Poplar, towards Centro Nia or Eastern Avenue via Elm, towards Old Town via Columbia)?</p> <p>12. The City (A. Morton Thomas) study concludes that the only way to improve traffic flows in the area would be to make major intersection “improvements” that eliminate the “all-red” pedestrian crossing phase and thus allow more time in the cycle for cars to move. Is this study definitely coming out in favor of such changes? If so, would these changes be considered “improvements” for vehicles, for pedestrians, or for both?</p> <p>13. What is the estimated construction cost for recommended intersection reconfigurations?</p> <p>14. How would the residential property behind B.Y. Morrisson Park be impacted by a realignment of the intersection?</p> <p>15. In a realigned configuration of the intersection (e.g. “Option 2b”), would the relocated public space be flat or sloping? Would the further setback of Carroll Avenue businesses from the roadway be projected to impact their visibility, foot traffic, or sales?</p> <p>16. The NDC (TTG) study uses a detailed methodology to project the number of trips generated by the new development. In combination with data on existing use of the parking lot, could this methodology be used to determine the optimal garage capacity needed in a new development? This question is important because much of the development’s cost is associated with the size of the underground parking area.</p>

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	Roger Schlegel (cont'd)		<p>Other information and observations that arose during the session:</p> <ul style="list-style-type: none"> <li>- TTG acknowledged that improvements at the Junction area could possibly move traffic congestion farther “upstream” or downstream (e.g. onto Philadelphia Avenue), but they did not make any predictions and emphasized that signal-tweaking by the County can be undertaken at any time it is deemed necessary.</li> <li>- Councilmembers raised questions about amount of cut-through traffic on Jackson-Boyd-Lincoln, Woodland-Beech-Elm, Lee-Grant-Maple, Sycamore-Elm ... Ms. Ludlow acknowledged that these might also be good issues to study. These streets were not included in AMT’s scope of work for cut-through traffic.</li> <li>- AMT acknowledged that much of the traffic on Columbia appears to involved Takoma Park residents from neighborhoods to the south who are avoiding 410/195 when traveling to and from the Old Town area and points west/south. Ms. Ludlow stated that “cut-through traffic” isn’t generally said to include Takoma Park residents who are using particular side streets to make their way through town.</li> <li>- TTG didn’t include updated estimates of Centro Nia-generated traffic in their study but did some calculations before the presentation. Estimating that 11% of the day-care traffic would use Sycamore at Ethan Allen to access and exit the neighborhood, they said that this would amount to approximately 15 more cars per hour northbound and 15 more cars per hour southbound, with an increased delay of 3 seconds (if the intersection is reconfigured).</li> <li>- Consultants were asked whether their studies had legitimacy based on single-day counts; they emphasized that this is standard industry practice, that they had compared results that each team had obtained on separate days, that they had also compared results with past counts made, and that they had a high degree of confidence in their counts based on the limited variation in the counts obtained.</li> <li>- In response to questions about the relocation of bike racks and the bikeshare station, consultants stated that the proximity to three bus stops on the north side would make the proposed peninsula or triangle/island a more convenient place for a bikeshare station. TTG stated that there would be many possible places to relocate bike racks and that Park and Planning would force them to deal with bike rack locations.</li> <li>- AMT acknowledged that the “Critical Lane Volume” (CLV) methodology that they used, as typical for SHA studies, is a “crude” tool that doesn’t take into account signalization. TTG stated that because of the proximity of the intersections, one intersection’s queue begins to affect another’s during periods of congestion; therefore they used a model and ran simulations to achieve their estimated delay times.</li> <li>- Peak am hour is defined as 7:30 to 8:30 am; peak pm hour is defined as 5:15 to 6:15 pm.</li> <li>- A delay at any one intersection of less than 80 seconds is considered acceptable (passing). According to the consultants, an intersection can be considered passing even if it has delays greater than 80 seconds for vehicles coming from some directions at some times (the intersection is considered holistically).</li> </ul>

\*Ward is included if it was provided or can be looked up by address. NR denotes non-Takoma Park resident commenter. Question mark ? denotes not enough information provided. NA denotes that ward is not applicable