

1 Introduced by: Councilmember Kovar

2
3 **CITY OF TAKOMA PARK, MARYLAND**

4
5 **RESOLUTION 2021-19**

6
7 **RECOMMENDING DISAPPROVAL**
8 **OF TAKOMA JUNCTION DEVELOPMENT SITE PLAN**
9 **BY THE MONTGOMERY COUNTY PLANNING BOARD**

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

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
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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:
18

- 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. The plan does not demonstrate adequate public parking for area businesses as stated in
30 Resolution 2018-41.
31
- 32 5. Stormwater treatment does not significantly exceed the 50% requirement specified in
33 Resolution 2018-41.
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35 Resolution 2021-19 was adopted by the Council of the City of Takoma Park, Maryland on this
36 23rd day of June, 2021.
37

38 Attest:

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42 Jessie Carpenter, CMC
43 City Clerk
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