



CITY OF TAKOMA PARK

City Manager Comments

City Manager's Takoma Junction Update
February 27, 2019

Development Plans

The Montgomery County Planning Department accepted the plans submitted by Neighborhood Development Company (NDC) for the Takoma Junction project on February 14, 2019. The accepted plans are for the "by-right" design, at approximately 40,750 square feet of first and second floor area space. This is the size of building that can be developed without additional floor area obtained through a transferable development rights (TDR) process. The plans that the City Council approved to move through the development review process were for a larger building of about 53,500 square feet. The City Council (and others) did not know at the time of their approval that TDRs would be required for a building of that size. Because the sources of any TDRs have not been identified by NDC, the Montgomery County Planning Department required that the primary plans to be reviewed by the County be the by-right plans.

The submission by NDC to the County is for both a [Preliminary Plan #120190150](#) and a [Site Plan #820190090](#). The plans are related and are moving through the Development Review process simultaneously. The Preliminary Plan is a subdivision plan that sets lot lines and establishes types and intensities of uses. The Site Plan is a detailed plan of the building and facilities and how they are located on the site.

Because of changing requests by the Montgomery County Planning Department of NDC before the plans were accepted for review, there is a lot of confusion over which drawings to look at. On the County's website there is information regarding both the by-right size building and the larger building. To see the plans for the by-right size buildings, go to the site plan project link and look at the plans labeled, "Submitted Drawings – Initial." Plans for the alternative larger building approved by the City Council are in the section labeled, "Submitted Support Drawings." There is also a category of information labeled "Submitted Supporting Documents" that applies to the general application.

The Notice of Application packets, mailed to adjacent property owners, neighborhood associations and parties of interest, include cover sheets for both the site plan and the preliminary plan for the by-right size building. The schematic drawings included with the cover sheets depict the "Ground Coverage" of the footprint of the project (including underground parking), which is not the same as the floor area of the first and second floors. The by-right design removes building area from the rear of the building on the first and second floors, but not as much from the garage. The Notice of Application packet includes the following note: "The Applicant is proposing to redevelop the Property according to these alternative plans if it purchases the additional density required." However the data in the packet is for the by-right project. If NDC does obtain TDRs, they would be required to send notices again.

Helpful plans to look at regarding the by-right plan are the layout of the [main floor plan](#) on the site and the plan showing the [rear and side elevations](#).

Please note that the City Council expected that there could be changes made to the plans and so put in place a process to review them. City Council Resolution #2018-41, lines 502-508, states:

BE IT FURTHER RESOLVED THAT, the Council will provide additional comment on any modifications made to the Site Plan during the Montgomery County development review process that noticeably change the building's or site's appearance, footprint or functionality to ensure that the modified plan continues to address its goals for the revitalization of Takoma Junction and will include those comments in a Resolution to the Montgomery County Planning Board for consideration.

Comparison of the Council-Approved and By-Right Plans

Plans approved by Takoma Park Council in July 2018

26,755 sq. ft. on ground floor

26,795 sq. ft. on second floor

Parking garage is about 32,092 sq. ft.

Plans Accepted by Montgomery Planning in February 2019

19,386 sq. ft. on ground floor

21,376 sq. ft. on second floor

Parking garage is about 30,280 sq. ft.

Unchanged Project Elements Between the Two Sets of Plans:

- Façade and set back on Carroll Avenue
- Lay-by for deliveries on Carroll Avenue
- Public space at front of building on Carroll Avenue
- Access to the underground parking
- Green area for storm water management
- Plans for the wooded area along Columbia Avenue

Traffic Study and Intersection Reconstruction

As part of their submission package, NCD submitted traffic studies of the intersection of Ethan Allen and Carroll Avenues conducted by The Traffic Group. The study notes that while several options were presented through the course of the development process, the option recommended by The Traffic Group is the realignment of Carroll Avenue to intersect Ethan Allen Avenue directly opposite of Sycamore Avenue. This would require modifications to BY Morrison Park, if permitted. This option was previously presented to Council in June 2018 by The Traffic Group. It is important to note that neither NDC nor the City of Takoma Park has jurisdiction over Ethan Allen Avenue or Carroll Avenue as they are State Highways and would therefore require SHA approval.

Impacts on Trees on the Wooded Lot

There has been no change in the expectation of trees that may need to be removed as part of the project. Details regarding the trees are in the December 10, 2018 [Variance Request](#) submitted to the County.

Actual impact on individual trees depends on what comes out of the County's and City's reviews of the site plan. In particular, the impact will depend on the specific part of the wooded lot that will be impacted by the rear building line and the stormwater facilities. In addition, much of the site is fill and the fill that is found needs to be removed during construction. Once construction is completed, in addition to the trees that are retained on site, there will be new trees planted. The site itself will have better soil and will not have the uncontrolled stormwater situation from the parking lot that currently exists. The improved, healthier wooded area will then be placed under a permanent Forest Conservation Easement.

City Council Resolution 2018-41 also addresses trees in lines 487-490. It states that the City will develop a process in which the Tree Commission will provide insight and recommendations for the project as part of the development review process. I have a recommendation for that process (see below), and that recommendation will be discussed with the Tree Commission at its March meeting.

Next Steps

Tentative Schedule

March 19 – DRC meeting

March 20 – NDC presentation to City Council

April – Possible City Council review of DRC written report

April 9 – NDC discussion of tree plans with Tree Commission (proposed)

May 1 – City Council work session regarding project and recommendation to Planning Board

May 10 – Council consideration of resolution regarding project and recommendation to Planning Board

June – Planning Board hearing

March 19 Development Review Committee Meeting

At this time, the plans are being reviewed by County and other agency and utility staff that participate in the County's Development Review Committee (DRC). City of Takoma Park staff are also reviewing the plans, both as part of their role in the DRC and for the separate City's review process.

The DRC will discuss the plans as part of its meeting on March 19. DRC meetings generally begin at 9:30 am in the MNCPPC offices at 8787 Georgia Avenue in Silver Spring. It is not yet known when the item will be heard. The meetings are open to the public, but there is no opportunity for public comment.

During the meeting, there may be comments made that changes to the plans are needed or that additional information is required before staff can make a determination. If it appears that the project does not require a great deal of additional work, a date for a Planning Board hearing may be set.

After the meeting, the DRC will compile its findings and recommendations into a written report to the Planning Board. The DRC may recommend approval, approval with conditions, or disapproval. It is possible that the DRC will recommend disapproval solely because there is no funded plan to alter the Takoma Junction intersection so that it meets County traffic standards.

Once the report is finalized by the DRC, it will be shared with the City Council which could decide to discuss the findings in advance of Council's scheduled May meetings.

March 20 Presentation to City Council

NDC will present the by-right plans that were considered by the DRC and they and City staff will share any notable comments made at the DRC meeting.

April 9 Tree Commission

It is proposed that a representative from NDC go through the information they have gathered about the trees on the property and the processes and procedures regarding tree removal, protection and planting at the April meeting of the Tree Commission. The Tree Commission can then prepare a document identifying their thoughts, concerns and recommendations related to the trees. This information will go to the City Manager (who is responsible for determining how to handle trees on City property) and to the City Council. This information may be referenced as the Council considers a resolution regarding the revised plans for the project.

May 1 and May 15 Consideration by the City Council

In May, the City Council should consider a resolution regarding the Takoma Junction project. There may be a work session discussion on May 1 and consideration of a resolution on May 15. Other discussions may be scheduled. The outcome would be a resolution to the Planning Board expressing support or support with conditions of the project or a resolution ending the project. A City Council resolution to the Planning Board on a development project has great weight. If the Planning Board would wish to act against the position of the City Council, it would require a supermajority vote (at least four of the five members).

Planning Board Hearing and Action

Presuming that the City Council continues to support the project, the Planning Board will consider the application after it receives the report from the DRC. The Planning Board's process includes a public hearing. Under the development review time guidelines, the Planning Board hearing should take place by mid-June. However, the Takoma Park City Council will want to submit a resolution to the Planning Board regarding the project and so the Council and Planning Board will work cooperatively on scheduling the hearing.

Other Actions

In addition to the development review process described above, there will be discussions related to addressing consolidation of the multiple lots involved, as well as construction staging, parking and other impacts on businesses and the neighborhoods in the Takoma Junction area. Most of the conversations regarding construction impacts will take place after the May discussions by Council.