

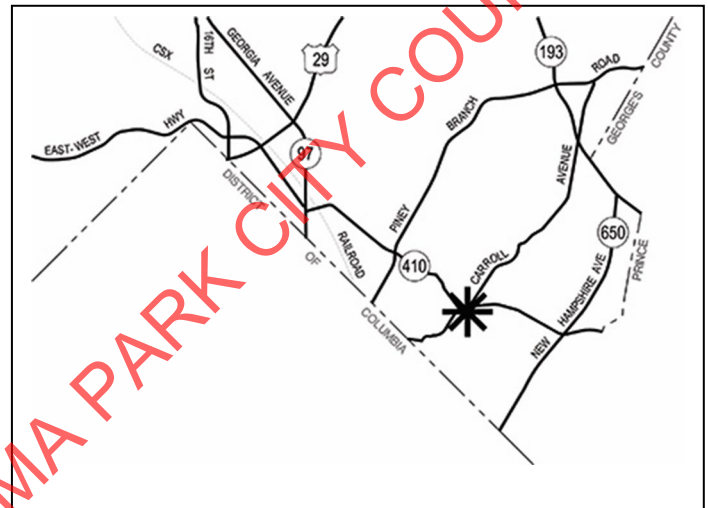
Takoma Junction, Mandatory Referral No. MRXXX, Preliminary Plan No. 120190150, Site Plan No. 820190090

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Description

- Request for one lot for up to 40,762 square feet of commercial uses.
- Located on the south side of Carroll Avenue at its intersection with Ethan Allen Avenue in the City of Takoma Park
- 1.25 acres
- NR-0.75 H-50 and Takoma Park/East Silver Spring Commercial Revitalization Overlay zones
- 2000 Takoma Park Master Plan
- Applications accepted on February 14, 2019
- Applicant: NDC Takoma Junction LLC
- Review Basis: Chapter 50, Chapter 59, Chapter 22A

Completed: XX.XX.XX



Summary

NOTE: THIS IS A PRELIMINARY INTERIM DRAFT STAFF REPORT INTENDED FOR USE BY THE TAKOMA PARK CITY COUNCIL AS AN AID IN THEIR DELIBERATIONS ON THESE APPLICATIONS. IT PRESENTS AN OVERVIEW OF THE STAFF ANALYSIS AND RECOMMENDATION BASED ON THE INFORMATION AVAILABLE AT THE TIME OF WRITING. IT IS NOT A COMPLETE DOCUMENT AND WILL BE MODIFIED AND COMPLETED AS NECESSARY BEFORE PRESENTATION TO AND DELIBERATION BY THE PLANNING BOARD. THE STAFF REPORT POSTED ON THE PLANNING BOARD WEBSITE FOR THE PLANNING BOARD HEARING WILL COMPLETELY SUPERSEDE THIS DOCUMENT.

- **Staff recommends approval of the Preliminary Plan and Site Plan with conditions to be provided in final report.**
- The Project is a public-private partnership between the City of Takoma Park and NDC for the redevelopment of a surface parking lot owned by the City with a two-story commercial building of up to 40,762 square feet.
- The Project is located within the Takoma Park Historic District and is subject to review and approval by the Historic Preservation Commission.
- The Applicant is requesting a parking waiver for 15 off-street parking spaces.
- The Applicant is requesting a waiver to allow a loading space within a layby along the site frontage on Carroll Avenue to provide loading for both the Project and the adjacent Takoma Park-Silver Spring Co-Op Market, which currently uses the City parking lot for loading.
- The NR Zone permits only the Standard Method of Development.
- Staff has received community comment regarding the applications. The general issues raised so far are listed at the end of the report. Planning Staff continues to welcome written comments on the proposed development. All comments received in advance of the posting date of the final Staff Report to the Planning Board will be addressed in and attached to that report.

SITE DESCRIPTION

Site Vicinity and Analysis

The subject site (Subject Property or Property) is located on the south side of Carroll Avenue at its intersection with Ethan Allen Avenue in the City of Takoma Park in the 2000 *Takoma Park Master Plan* area. The Property has frontage on both Carroll Avenue (MD Route 410) to the north and Columbia Avenue to the south. The Site is comprised of Lot 36, parts of Lots 32, 33, 34, 35 and 37 within the “B.F. Gilberts Addition to Takoma Park” Subdivision, as recorded in the Montgomery County Land Records in Plat Book A, Plat 2 (dated, 1885). The Site has a tract area of approximately 54,350 square feet (1.25 acres) and a site area of approximately 46,875 square feet (1.08 acres). The Property is zoned NR 0.75 H50 and is in the Takoma Park-East Silver Spring Commercial Revitalization Overlay Zone (TPSS).



Figure X – Site Vicinity Aerial View

Surrounding Uses

Surrounding the Property along MD 410 are low-density commercial uses, including Roland’s Barber Shop, Kinetic Artistry Dramatic Supply, the Takoma Park-Silver Spring Co-Op market (Co-Op), the Spring Mill Bread Company,

and restaurant Seoul Food DC, the Takoma Park Volunteer Fire Department, and three automotive-related uses including the Takoma Auto Clinic, the Healey Surgeons, and the County's only fully electric vehicle charging "gas" station, RS Automotive. The blocks surrounding these uses are primarily occupied by single-family residential uses, as well as a 3-story office condominium building and several garden-style apartment buildings. The Property is also located in the Takoma Park Historic District.

The Property is currently improved with a surface parking lot owned by the City and an auto mechanic shop, Takoma Auto Clinic. Vehicular access to the Property is currently provided through a curb cut on Carroll Avenue. The rear of the Site, behind the existing parking lot, slopes significantly down to Columbia Avenue. The City of Takoma Park also owns the residentially zoned lot that abuts the Subject Property in the rear. This rear portion of the site is forested and contains slopes that exceed 25%. The on-site forest is comprised of one forest stand of approximately 0.59-acres which is dominated by white oak, tulip poplar, and understory beech species. Much of the forest floor is covered by invasive species and miscellaneous debris. There are no known rare, threatened, or endangered species on site; there are no 100-year floodplains, stream buffers, or wetlands on site.



Figure X – Site Aerial View

PROJECT DESCRIPTION

Background

The City of Takoma Park has owned the surface parking lot portion of the Property since before the 2000 *Takoma Park Master Plan*. In its ongoing efforts to realize the commercial revitalization of the site recommended in that Plan, in January 2014, the City issued a Request for Proposals for a public-private partnership to redevelop the parking lot. In April 2015 the City selected the Applicant, NDC, as the developer and in July 2016 executed the Development Agreement. After a period of review and negotiations, in July 2018 the City Council authorized NDC to submit the subject applications to Montgomery Planning, which now include the adjacent Takoma Auto Clinic property.

Previous/Concurrent Reviews

In 2017, the Applicant submitted a Concept Plan application, designated 520180040. Planning and Reviewing Agency staff discussed the proposals with the Applicant at the September 19, 2017 Development Review Committee (DRC) meeting and provided them to the Applicant in a memorandum dated October 4, 2017.

The Applicant has participated in three Preliminary Consultations with the Historic Preservation Commission (HPC). At their October 23, 2019 meeting, the HPC determined they had given enough direction to the Applicant and had come to a consensus about the massing, height, and volume of the proposed building such that the Applicant should proceed with their other required reviews. Should the Planning Board recommend approval of the applications, the HPC will continue its review of the project, including architectural details of the building elevations, as well as the rear façade and other issues, prior to the issuance of a Historic Area Work Permit (HAWP).

Proposal

The Applicant proposes to create one lot for a two-story building with up to 40,762 square feet of commercial uses, including restaurant, retail, and office, and below-grade parking.



Figure X – Perspective View of Carroll Avenue Façade

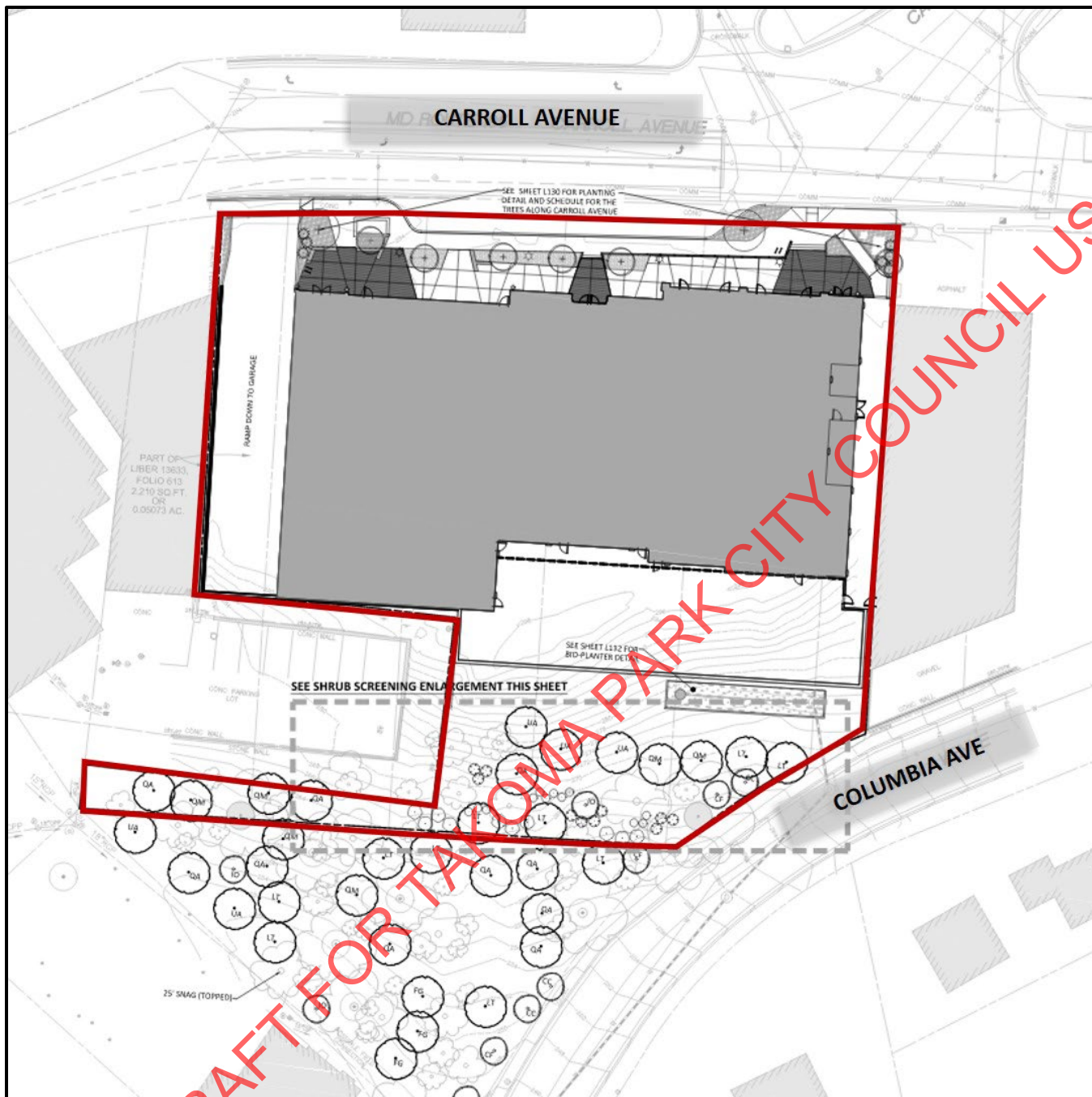


Figure X—Site Plan

Building & Site Design

The two-story building will front onto Carroll Avenue with a driveway to the below-grade parking garage at the western property line. The ground floor of the building features several retail and restaurant storefront bays. The second floor is designed to accommodate a single office tenant. The below-grade parking level, which is exposed at the rear opposite Columbia Avenue, includes parking spaces for 78 cars. The building façade steps back along Carroll Avenue to accommodate the open space and streetscape improvements discussed below. The building also sets back 10 feet along the shared property line with the Co-Op to allow pedestrian access to the garage and sidewalk as well as Co-Op access for loading and trash to the proposed layby on Carroll Avenue, also discussed in greater detail below.



Figure X – Schematic Ground Floor Plan

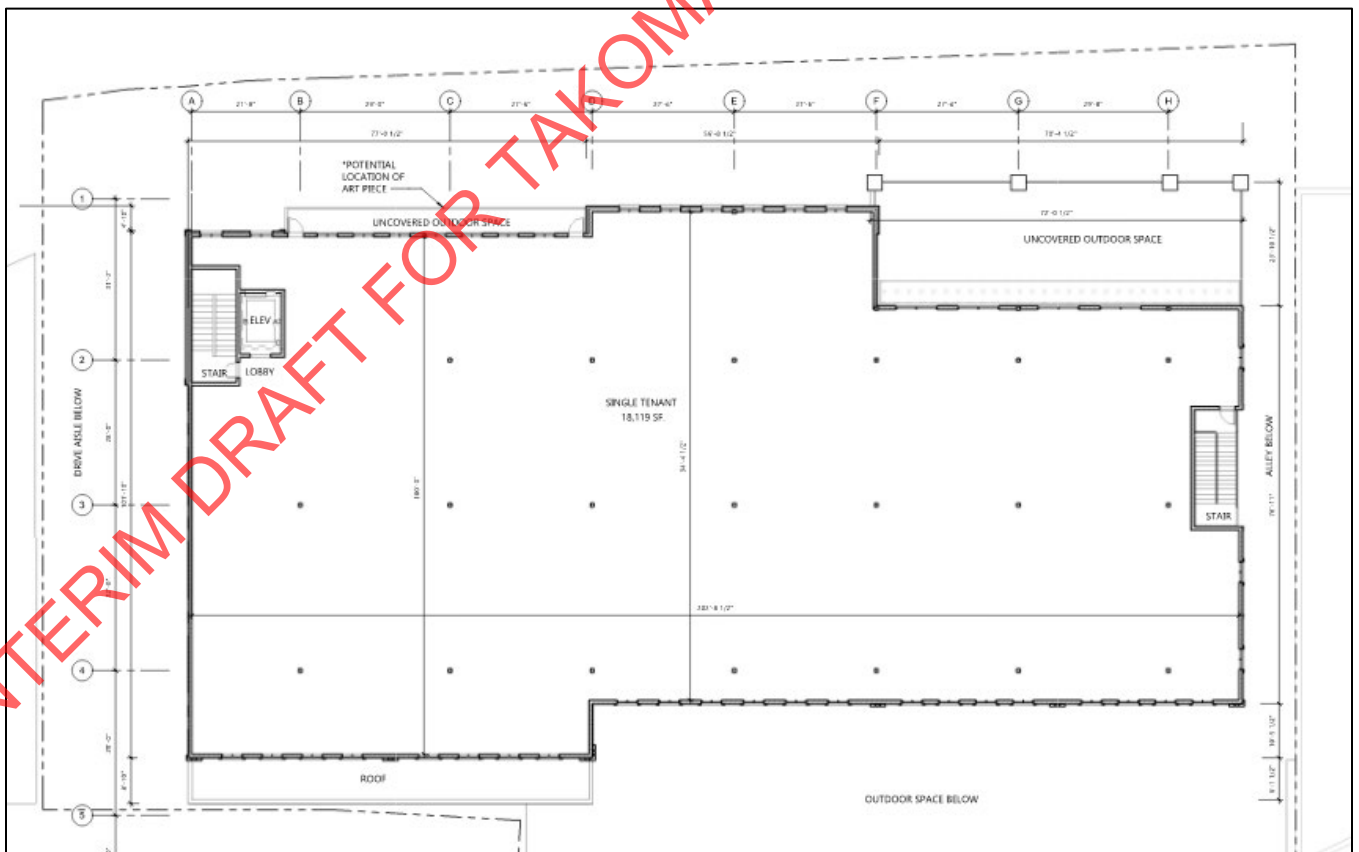


Figure X – Schematic Second Floor Plan

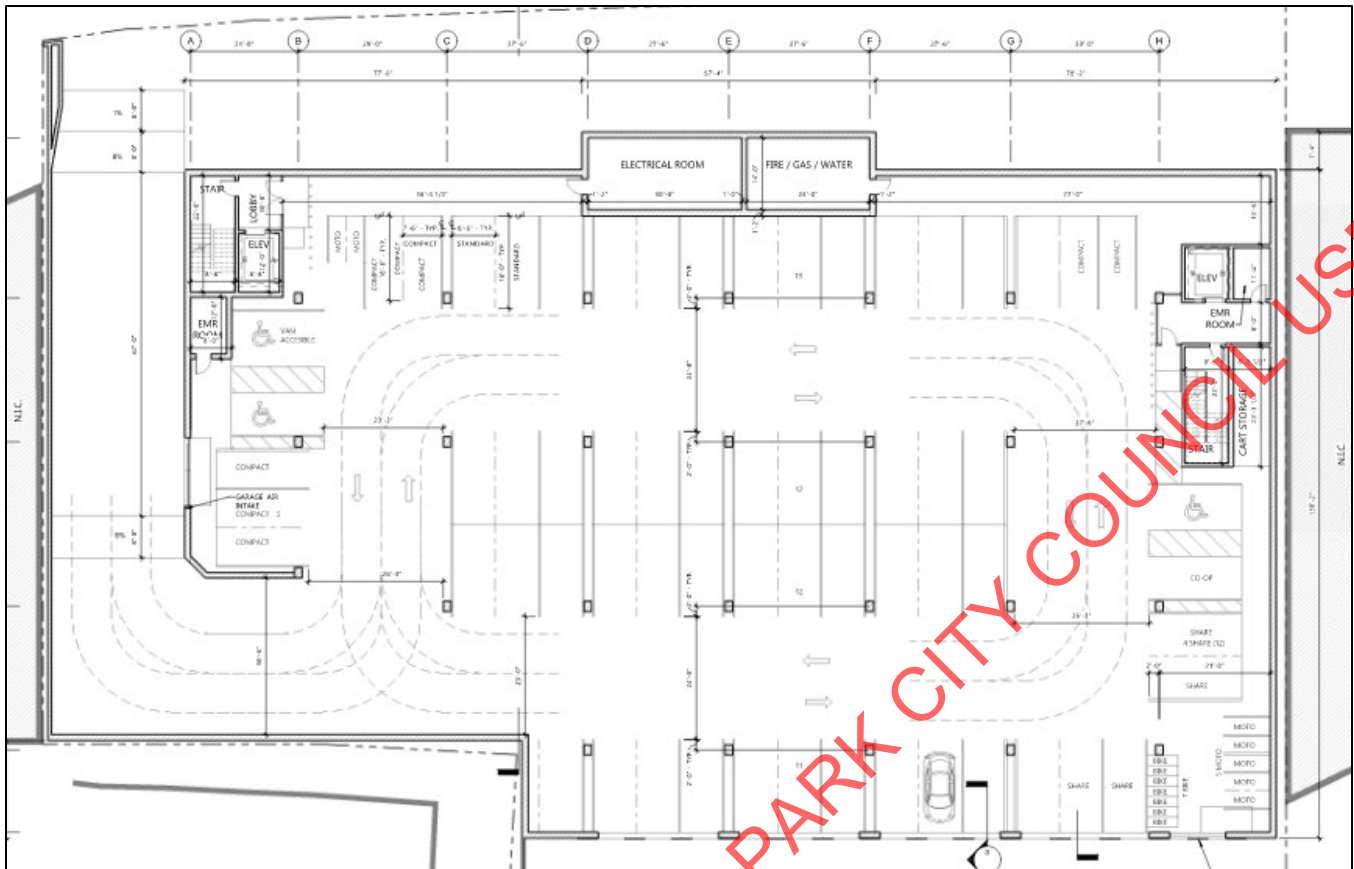


Figure X – Schematic Garage Level Plant

Building elevations

This design has been shaped for humanistic scale to blend into the existing context and incorporates comments provided during the HPC Preliminary Consultations. The one large building has been broken down through massing, material changes, and articulation of storefronts, to feel like multiple buildings adjacent to each other, similar to the existing rhythm of Carroll Avenue's established main street.



Figure X – Carroll Avenue Façade looking west



Figure X – Carroll Avenue Façade looking east

The Applicant proposes to provide an art exhibit area, which is intended to be a living façade that may change as time goes by. The original location for this exhibit is on the western portion of the building near the lobby, above two storefronts. An alternative location has also been proposed on the side of the building facing west.



Figure X – Rear of building from Columbia Avenue (trees not shown for clarity)

The rear of the building, which will also be the roof of the parking garage below, will allow for private outdoor areas for the retail tenants and green roof. The second story roof will also be utilized for green roof, totaling approximately 9,655 square feet. The garage level will include screening to minimize the impact of headlights on the homes across Columbia Avenue. The Applicant proposes to avoid blank walls on the eastern, western, and rear facades through masonry detailing and varying colors.

As discussed above, façade design and details will be further addressed by the HPC during the HAWP process.

Open Space

The Project is required to provide 10% of the Site Area as amenity open space, which totals approximately 4,688 square feet. Amenity open space must include 10% permeable area as well as 10% tree canopy coverage, among other criteria listed in Section 59.6.3.7 of the Zoning Ordinance. The Applicant proposes to achieve this entirely within the Site frontage between the building façade and Carroll Avenue roadway, through significant pedestrian improvements with new seating and planting areas adjacent to the Carroll Avenue sidewalk. As a purely commercial development, the Project is not required to provide recreation facilities.



Figure 6 – Aerial Perspective of Amenity Space at Carroll Avenue frontage

Requested waivers

Parking Waiver

The Applicant proposes 78 off-street parking spaces in the underground parking garage, which is fewer than the minimum required by Section 59.6.2.4 of the County's Zoning Ordinance (101 spaces). The Project proposes more than one use on the Site and is therefore eligible to submit a shared-parking analysis applying the approved methodology in Section 59-6.2.3 of the Zoning Ordinance¹. The Applicant submitted a Shared Parking Study based on this model, included as Attachment X, which concluded the Project would have a maximum demand of 93 spaces. As permitted under the TPSS overlay zone implemented by the 2000 *Takoma Park Master Plan*, the Applicant has requested under Section 59.4.9.16.D.2.a. that the Planning Board waive the remaining balance of 15 parking spaces.

Loading Waiver

The Applicant is also requesting under Section 59.6.2.10 a waiver of the off-street loading space required for all projects generating at least 15,000 square feet of retail use. The Applicant instead proposes a layby on the Carroll Avenue Site frontage to provide a designated area for short-term loading activities completely outside the adjacent travel lanes, to be used by both the tenants of the Site and the TPSS Co-Op.

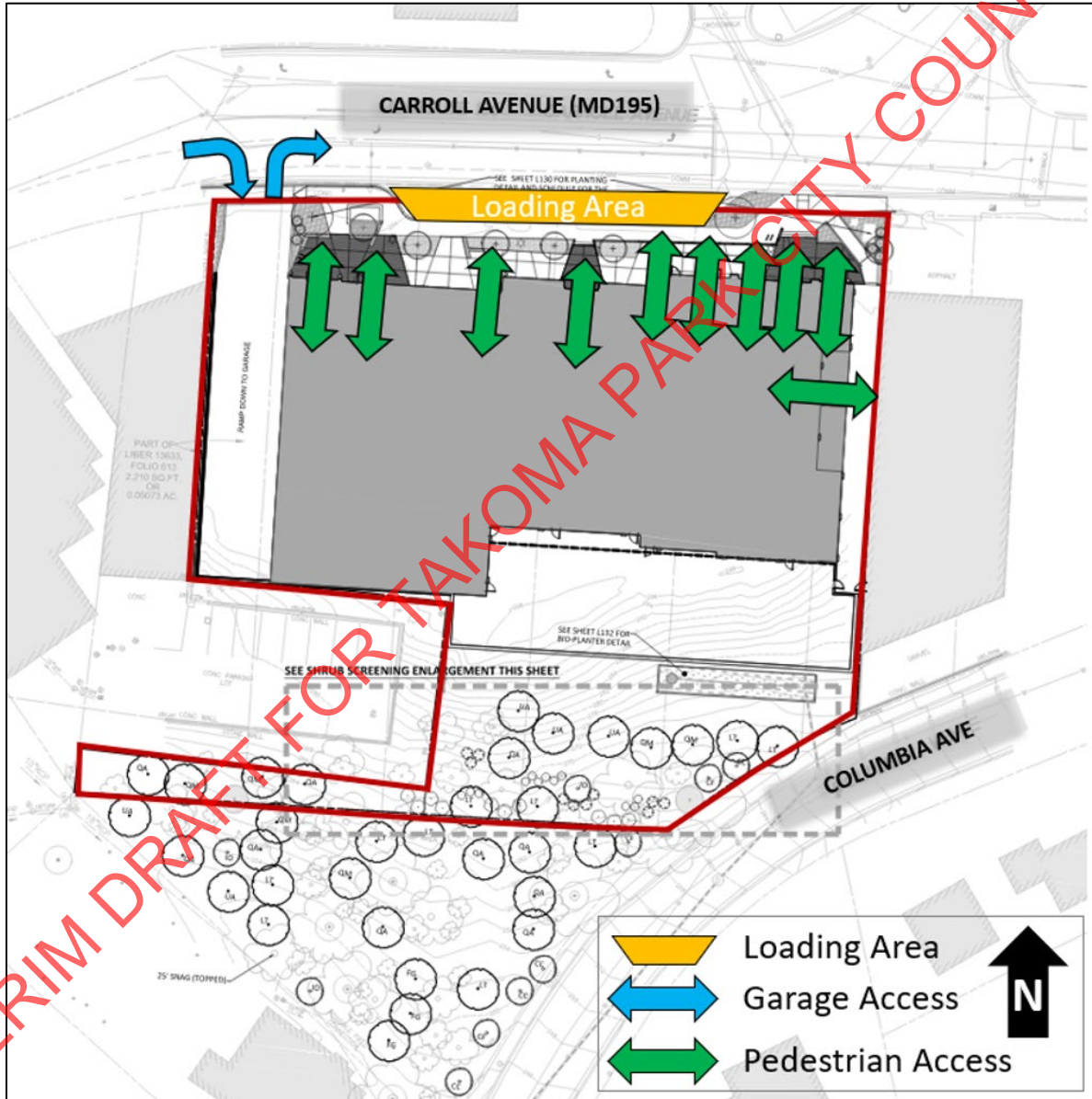
¹ Urban Land Institute Shared Parking Model 2nd Edition.

Transportation

Access & Circulation

Pedestrian access to the Site will be from the established sidewalk network along Carroll Avenue which includes a “Barnes Dance” shared walk signal at the intersection of Carroll Avenue and Ethan Allen Avenue. The Applicant will improve the pedestrian pathway to provide a minimum of 6-foot sidewalk along the entire street frontage on Carroll Avenue. In conformance with the 2018 *Bicycle Master Plan* the Applicant will construct the master-planned 6-foot bike lanes on the south side of Carroll Avenue along the Site’s frontage.

Vehicular access to the Site will be from Carroll Avenue. Off-street parking will be located in a below-grade on-level structure accessed by the Site driveway, located on it’s northwestern corner.



The Project is providing more than the minimum required bicycle parking spaces with 8 short-term bicycle spaces (inverted U-racks) on the Site’s Carroll Avenue frontage, and 7 long-term within the below-grade on-site parking structure in accordance with the County Bicycle Parking Design Guidelines.

Transit Connectivity

Regional and local Transit is conveniently accessible from the existing bus stop along the Site's Carroll Avenue frontage, to be improved on by the Project. It is served by WMATA's F4 line (providing service between New Carrollton to the Silver Spring Transit Center) and RideOn Routes, 12, 13, and 18 (providing service between Silver Spring, Langley, and Takoma Park). The bus stop will be improved with a new shelter, bench, and trash receptacle. The Site is also located within .75 miles of the Takoma Metro Station, served by the WMATA Red line. A Capital Bikeshare station is present on the Site and will be relocated near the Site in coordination with the City of Takoma Park.

SHA's Visioning Study

In the fall of 2018, SHA initiated a study to develop and document a range of potential future transportation improvements to address pedestrian, bicycle, and vehicular mobility within the vicinity of the intersections of Carroll Avenue (MD 195) and Ethan Allen Avenue/Philadelphia Avenue (MD 410). After two years of public engagement and technical analysis, SHA released the final document in December of 2020. The *Takoma Junction Vision Study* acknowledges challenges specific to the planning area including comparatively high traffic volumes for all travel modes, significant vehicle travel delays (particularly during peak periods), and sidewalks of varying quality and comfort adjacent to two Arterials.

Environment

Staff approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) for the Subject Property on August 20, 2018. The approved NRI/FSD shows that there is existing forest, containing mature trees, and steep slopes, of 25% or greater, on-site. Other than these features, there are no further environmentally sensitive features such as rare, threatened, or endangered species, flood plains, or streams/buffers. The Subject Application falls within a historic district; as such, an additional survey of trees 1" or greater has been included with this Application for assessment related to Forest Conservation requirements. The soils within the site are classified as Chillum Silt Loam, which are generally associated with moderate slopes and are not inherently environmentally sensitive. The Subject Property is located within the Sligo Creek Watershed, a Use I¹ watershed which drains into the Potomac River.

As the Property is located within the City of Takoma Park, the Applicant must comply with the City's Tree Ordinance in addition to Chapter 22A Forest Conservation.

Forest Conservation

This Application is subject to Chapter 22A Forest Conservation Law and has submitted a Forest Conservation Plan along with the Preliminary and Site Plan. The Forest Conservation Plan shows that within the 1.17-acre site area, including offsite LOD, there is 0.32 acres of existing forest, and 0.2 acres of forest proposed to be cleared. The Forest Conservation Worksheet included in the Plan shows a calculated Reforestation Requirement of 0.14-acres, which the Applicant proposes to meet through off-site Category 1 Forest Conservation Easement provided at a 2x ratio (for a total of 0.28-acres) on the adjacent Lot 39 property.

¹Use I: WATER CONTACT RECREATION & PROTECTION OF AQUATIC LIFE

Waters that are suitable for: water contact sports: play and leisure time activities where the human body may come in direct contact with the surface water; fishing; the growth and propagation of fish (other than trout); other aquatic life, and wildlife; agricultural water supply and industrial water supply.

Forest Conservation Variance

Section 22A-12(b)(3) of the Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone (CRZ), requires a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. The Law requires no impact to trees that measure 30 inches DBH or greater; are part of a historic site or designated with a historic structure; are designated as national, state, or county champion trees; are at least 75% of the diameter of the current State champion tree of that species; or to trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species.

The subject Application includes disturbance/removal of trees that are associated with a historic property, as mentioned above, therefore a variance is required. The Applicant submitted a variance request on November 6, 2020 (Attachment X) for the proposed removal 69 subject trees and impact to 5 subject trees that are considered high-priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. In the table below, the impacts to 33 of the 69 affected trees, those sized 6" or greater, are detailed. Within the attached variance request, the same detail is provided for the remaining trees sized 1" or greater.

Table X: Subject Trees to be Impacted (6" or greater DBH)

TREE #	TYPE	DBH	Percent of CRZ Impacted by LOD	CONDITION	PROPOSED STATUS
1	American Elm	7"	100%	Good	REMOVE
2	American Elm	9"	100%	Good	REMOVE
3	Mulberry	19"	100%	Good	REMOVE
4	Black Locust	16"	100%	Fair	REMOVE
5	Black Locust	13"	100%	Good	REMOVE
6	Box Elder	9"/7"	100%	Good	REMOVE
7	Box Elder	11"/12"	100%	Fair	REMOVE
8	Mulberry	9"/7"/11"/9"	100%	Fair	REMOVE
9	American Elm	7"	100%	Good	REMOVE
10	Red Oak	12"	100%	Good	REMOVE
11	Catalpa	7"	100%	Poor	REMOVE
12	White Ash	10"	100%	Fair	REMOVE
13	Black Cherry	12"	100%	Good	REMOVE
14	White Oak	36.5"	27%	Good	RETAIN
15	White Oak	29.5"	9%	Fair	RETAIN
16	Box Elder	7"	100%	Poor	REMOVE

17	Black Locust	11"	100%	Poor	REMOVE
19	Box Elder	8"	100%	Fair	REMOVE
20	Cherry	11"	100%	Poor (Deceased)	REMOVE
22	American Elm	6"	100%	Poor	REMOVE
24	Linden	6"	100%	Good	REMOVE
26	American Elm	24"	19%	Good	RETAIN
29	Black Locust	12"	100%	Poor	REMOVE
30	American Elm	14"	100%	Good	REMOVE
31	Black Locust	14"	100%	Fair	REMOVE
32	Mulberry	15"	100%	Good	REMOVE
33	American Elm	11"	100%	Good	REMOVE
34	Black Cherry	14"	100%	Fair	REMOVE
35	Catalpa	4"/10"	100%	Fair	REMOVE
36	American Elm	3"/14"	100%	Good	REMOVE
37	Catalpa	13"	100%	Poor	REMOVE
38	Black Locust	4"/8"	100%	Good	REMOVE
40	Ash	14"	17%	Poor	RETAIN
42	American Elm	8"	100%	Poor	REMOVE
45	Beech	22"	9%	Good	RETAIN

Stormwater Management (SWM)

The Project must comply with the stormwater requirements of the City of Takoma Park. There are no known stormwater management facilities located on the Property. As conditioned, the Applicant will utilize Environmental Site Design (ESD) to the Maximum Extent Practicable to significantly improve the onsite treatment of stormwater runoff. Stormwater management treatment for quality will be provided onsite through groundwater recharge volume storage, green roof, and bioretention. The City of Takoma Park has further directed the Applicant to meet storage requirements under the 2009 regulations by maximizing storage in the bioretention facility and using vegetated areas around the site for ESD or exploring the use of permeable pavers in the pedestrian walkway area along the site frontage.

PRELIMINARY PLAN 120190150

ANALYSIS AND FINDINGS

The Preliminary Plan will create one lot, measuring approximately 46,875 square feet or 1.08 acres of Site area, for a maximum density of up to 40,762 square feet of commercial uses. This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The Application meets all applicable sections. The size, width, shape, and orientation of the proposed lot is appropriate for the location of the subdivision taking into account the recommendations included in the applicable Master Plan, and for the type of development or use contemplated. The Application has been reviewed by other applicable State and County agencies, all of whom have recommended approval of the Preliminary Plan.

1. *The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.*

The proposed lot size, width, shape, orientation, and density are appropriate for the location of the subdivision considering the recommendations in the 2000 *Takoma Park Master Plan* and the type of development and use contemplated. The lots were reviewed and found to be in compliance with the dimensional requirements for the NR zone and the Takoma Park – East Silver Spring Commercial Revitalization Overlay Zone (TPESS), as specified in the Zoning Ordinance.

2. *The Preliminary Plan substantially conforms to the Master Plan.*

The 2000 *Takoma Park Master Plan* makes recommendations for the Takoma Junction district specifically (p. 39-45) and for the Plan Area overall (as noted below).

Takoma Junction

The Master Plan identifies the Takoma Junction district as a commercial center and an extension of Old Town Takoma Park and recommends the district and the Property – the only undeveloped site in the Junction – for commercial revitalization. The Master Plan vision for Takoma Junction recommends maintaining the “low scale, small town, historic character of the area.” The purpose of the public-private partnership between the City of Takoma Park and the Applicant is precisely this commercial revitalization. The development consists of a single, low-scale, two-story commercial building. The Applicant has worked extensively with the County’s Historic Preservation Commission to ensure that the scale, massing, and articulation of the building are consistent with the historic character of the area, and will continue to do so in greater detail during the Historic Area Work Permit process.

Parking

The Master Plan recognized that “Since most parcels are small and parking is limited, there is the potential for customers to park on nearby neighborhood streets.” The Master Plan encouraged flexibility concerning the waiver of parking standards in commercial areas: “This Plan supports reductions in parking if the applicant demonstrates that less parking is needed, that overflow parking will not be a problem in nearby residential or commercial areas, and that high levels of pedestrian or transit access are expected.” The Applicant is requesting such a reduction in parking, for 78 spaces: 15 spaces from the required 93 spaces. Discussed below in reverse order, the development substantially conforms to this Master Plan recommendation for the parking waiver.

The development will have ready pedestrian, bicycle, and transit access. The pedestrian network in and around the Takoma Junction is extensive and includes at the prominent Carroll Avenue/Ethan Allen

Avenue intersection a simultaneous “Barnes Dance” pedestrian crossing. The Project will further enhance this network by providing attractive streetscape with landscaping, 6-foot sidewalks, and public gathering and resting space, all next to areas designed for potential outdoor restaurant seating. The Applicant will be enhancing Bicycle access to the site beyond the existing bike-share station to include both on-site long- and short-term bicycle parking on-site and construction of the master-planned 6-foot bike lanes on the south side of Carrol Avenue along the Site’s frontage. The Applicant will also be improving the existing bus stop along the Property’s frontage with a new shelter. The many residents who live in the blocks surrounding the Junction, within bikeable distances and near transit routes will enjoy enhanced access to the district and the Site. This also reinforces another Master Plan recommendation to:

Encourage the use of alternatives to automobile transportation to reduce air pollution. The recommendations in this plan to enhance pedestrian access, bikeways, and connections to transit stops support transportation and design goals that encourage non-auto trips, which will contribute to improved air quality in the region. (p. 76)

A limited amount of on-street public parking is available in the Takoma Junction district, on Carroll Avenue and on portions of Grant Avenue and Lee Avenue, and the Co-Op has its own off-street parking lot. The office and restaurant/retail uses will attract parking demand at different times, reducing overall parking demand throughout the day and evening. Should the commercially desirable situation of all on-site parking being taken, this commercial district parking will provide a more convenient and desirable alternative to parking in the neighborhood streets.

Finally, it must be acknowledged that viable commercial redevelopment of a Property of this size at this intensity will yield a limited number of parking spaces. The low-scale, small-town commercial development envisioned by the 2000 Master Plan cannot support extensive structured parking. The Applicant has endeavored to accommodate as many cars on-site as possible, 78 out of the required 93. The request for a waiver of 15 of the required parking spaces substantially conforms to the recommendation of the Master Plan.

Commercial Centers

Looking at the Commercial Centers more broadly, the Master Plan makes recommendations to sustain, revitalize, and improve viable commercial centers to better serve the needs of local and area residents and people passing through the area without negatively impacting the surrounding neighborhoods. (p. 3,7) This Project will create a low-scale, small-town development that will revitalize a priority development site in this commercial center and further expand the restaurant and retail opportunities available to resident and visitors, as well as create places where local small businesses can find storefront opportunities right-sized for them. The additional traffic generated by the development will be mitigated by strategies to improve traffic flow through the district and parking impacts will be mitigated through improvements to pedestrian, bicycle, and transit access.

The Plan illustrates (p. 38) that to achieve the vision of the Plan each commercial center should be:

- Safe: designed for visibility, good lighting, and a general feeling of security.
- Successful: economically viable, clear market orientation and good land use mix.
- Community-Serving: meets retail and service needs of area residents; often provides an outdoor space for public use and gatherings.
- Attractive: well-maintained, nice-looking buildings and facades, nice landscaping, and undergrounding of utilities.
- Convenient: good pedestrian, transit, and auto access; adequate parking.

This development will contribute to the Takoma Junction meeting each of these criteria. It will install new streetlights along the Carroll Avenue frontage and provide “eyes on the street” year-round with restaurant and shop fronts to extend street life at night along the Avenue where it now stops at the Co-Op. The Applicant has developed the project to be economically viable, with a good land use mix for the Junction district. As described above, the development will provide new opportunities both for local retail and restaurant businesses and consumers and will provide space on this small site for public use. The streetscape improvements along the Carroll Avenue frontage will include nice landscaping and hardscape elements to complement the new buildings designed to fit into the historic character of the district, with direction and approval from the HPC. (Unfortunately, the scale of development in this commercial center does not provide for the undergrounding of utilities.) Finally, as discussed above, the development will enhance pedestrian, bicycle, and transit access, will adjust signal timing to improve vehicular traffic through the district, and will provide adequate parking for the new businesses.

Circulation

The Master Plan supports accommodation of local and regional traffic, while enhancing pedestrian and bicycle access to shops, transit, schools, and other community facilities by improving pedestrian safety and providing wide, tree-lined sidewalks throughout the area. (p. 9) The Master Plan recommends improving Carroll Avenue from Takoma Junction to Takoma Old Town to extend the existing character of Old Town by adding trees and improving the sidewalk on the south side along with other streetscape enhancements, as well as an 8-foot “shared-use path.” (p. 95) The development enhances pedestrian, bicycle, and transit access by improving the streetscape along the Site frontage with trees, landscape, and hardscape, constructing a new bicycle facility, and providing a new shelter for the existing bus stop at the Site.

The Master Plan acknowledges that traffic congestion is the result of development and economic growth throughout the region and supports alternatives to auto travel such as an improved pedestrian environment, completion of bicycle routes, and expansion of transit services. Anticipated traffic growth will result in some congested intersections within Takoma Park during peak periods of travel. Widening of roads in this area is not recommended due to the impact on neighborhoods along the roadways, but minor improvements to serve existing intersections are supported. (p. 82) To address congestion at intersections near the Site, the Applicant has worked with SHA to adjust traffic signal timing to improve traffic flow through the district.

The Project will realize a 20-year goal of the *Takoma Park Master Plan* and the Preliminary Plan substantially conforms to its vision, goals, and recommendation.

3. *Public facilities will be adequate to support and service the area of the subdivision.*

Vehicular access to the Property and on-site parking is proposed directly from Carroll Avenue, along the Site’s northern frontage. Loading access is provided via a layby located along the Carroll Avenue frontage, to be shared with the adjacent Co-Op. Pedestrian and bicycle access to the Property will be provided along Carroll Avenue. The existing sidewalk will be improved by widening it to 6-feet and providing a buffer from eastbound vehicular traffic on Carroll Avenue. The Applicant will install the 6-foot master-planned bike lane along its Carroll Avenue frontage (south side of the street).

The Project proposes a below-grade, one-level, off-street parking facility, accessed by a new driveway on Carroll Avenue. Inbound and outbound access for the garage will be restricted to right-in, right-out, to minimize conflicts with motorists on Carroll Avenue to prevent queuing on westbound Carroll Avenue. The parking facility will provide 78 total parking spaces to be shared by the Site tenants, which is 15 fewer than the required minimum after applying the Zoning Code’s approved shared parking analysis methodology. The TPESS overlay zone Section 59.4.9.16.D.2.a. allows the Planning Board to waive these

15 spaces if it finds that doing so meets the goals of the Master Plan, revitalization, enhancing the pedestrian environment, and encouraging the use of transit. As discussed in Finding 2 above, the waiver is in conformance with the Master Plan recommendations for the commercial revitalization of the Property and that, as conditioned, the Project will contribute to revitalization of the Takoma Junction area, enhance the pedestrian environment and encourage use of local and regional transit. The Project's provided parking, in concert with these enhancements, are adequate to serve the development.

Short-term bicycle parking, to be used by the general public and patrons of the proposed retail and restaurant uses, will be located on-site, on the Carroll Avenue frontage in a location that is clearly visible but not obstructive to pedestrian travel. The short-term bicycle parking consists of 4 inverted-U racks, providing parking capacity for 8 bikes. Long-term bicycle parking for the proposed office use will be located within the below-grade parking facility and will be accessed by the eastern lobby elevator bay. The bicycle parking area within the garage will provide secure, private parking for 7 bikes and the proposed layout meets the design and capacity standards set by the Zoning Ordinance.

Transit Connectivity

The immediate area is well served by transit. The Site will continue to provide a designated bus stop for WMATA and RideOn bus routes in the eastbound direction, connecting Takoma Park to destinations within Downtown Silver Spring and Langley. Furthermore, the Red Line Takoma Metrorail Station is located less than .75 miles to the southwest of the Site.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 2018 *Master Plan of Highways and Transitways* and the 2018 *Bicycle Master Plan* recommends the following Sector Plan facilities along the Property frontage:

1. Carroll Avenue MD 195, along the northern site frontage, as an Arterial with a minimum right-of-way width of 50 feet. Conventional on-street bicycle lanes are recommended on either side of the roadway and the Applicant will construct a 6-foot striped bikeway along the Site frontage. The Applicant has demonstrated that no additional right-of-way is needed to achieve the master-planned width.
2. Columbia Avenue is considered a Secondary Residential street with a minimum right-of-way of 40 feet. The street is located within the City of Takoma Park, which has determined that no additional right-of-way must be dedicated as part of approval of the Project.

Sector-Planned Transportation Demand Management

The 2016-2020 *Subdivision Staging Policy*¹ encourages a Non-Auto Driver Mode Share (NADMS) of 48 percent, averaged between employees and residents of the Silver Spring/Takoma Park Transportation Policy Area. As a development with more than 40,000 square feet of proposed density, the Project is required to coordinate with and gain approval from MCDOT on a Level 1 Basic Transportation Demand Management (TDM) Plan to help achieve this goal.

Adequate Public Facilities

The Project is estimated to generate 79 net new morning peak-hour person trips (49 vehicle trips) and 238 net new evening peak-hour person trips (143 vehicle trips). As the estimated number of peak hour trips for the Project was greater than 50, the Applicant submitted a transportation impact study in compliance with the 2016 *Subdivision Staging Policy* and the 2017 *Local Area Transportation Review Guidelines* (LATR), for review. The Site is not estimated to generate more than 50 peak hour pedestrian, bicycle, or transit trips, and is therefore exempt from adequacy tests associated with those modes of

¹ At the time the Application was filed, the 2016-2020 *Subdivision Staging policy* was in effect. The 2021-2024 *Growth and Infrastructure Policy* does not apply to projects filed before January 1, 2021.

transportation. The estimated peak-hour trip generation for the Site as proposed is summarized in the tables below.

Table X: Project Peak-Hour Trip Generation						
	Vehicle Rates		Adjusted Vehicle Rates		Person Trips	
Land Use	AM	PM	AM	PM	AM	PM
Proposed						
Restaurant 6,555 SF ¹	5	51	4	42	7	71
Office, 18,772 SF	44	23	37	19	59	30
Retail, 10,182 SF	10	100	8	82	13	138
	Total				79	238

Source: The Traffic Group Transportation Impact Study, December 17, 2018, revised January 14, 2021

Table X: Peak Hour Trip Generation By Mode					
	Auto-driver	Transit	Pedestrian*	Bicycle	Person Trips
AM	49	10	20	10	79
PM	143	49	57	38	238

Source: The Traffic Group Transportation Impact Study, December 17, 2018, revised January 14, 2021

*Pedestrian trips are the sum of all pedestrian trips and bicycle trips generated by the project.

Vehicle Adequacy

The number of vehicle trips estimated to be generated by the project in the peak hour is fewer than 250 and therefore the Applicant was required to study only a single tier of significant intersections within the vicinity of the Site. In coordination with MCDOT, SHA and planning staff, the Applicant evaluated a total of 3 intersections², including the proposed site driveway. A map of the intersections studied are shown in Figure X.



Figure X: Map of Study Intersections

¹ Per the ITE Trip Generation Manual 10th Edition, the 6,555 SF of restaurant does not include the 2,810 SF of commercial kitchen on the Site.

² Given the proximity of the intersections of Sycamore Avenue & Ethan Allen Avenue and Ethan Allen Avenue & Carol Avenue/Grant Avenue, these intersections were studied as one, functional intersection.

The Site is in the Silver Spring/Takoma Park Policy Area, which is designated as an Orange Policy Area by the 2016-2020 *Subdivision Staging Policy*. Traffic congestion in Orange Policy Areas is measured using Highway Capacity Manual (HCM) delay-based level of service standards, which applies to all signalized study intersections. The HCM average vehicle delay standard for the Silver Spring/Takoma Park Policy Area is 80 seconds. The HCM vehicle delay standard is currently exceeded at the intersections of Ethan Allen Avenue & Carroll Avenue/Sycamore Avenue during the morning peak hour and at Carroll Avenue & Philadelphia Avenue in the evening peak hour.

For the morning peak period at the intersection of Ethan Allen Avenue and Carroll Avenue/Sycamore Avenue, the delay for existing conditions is 116.6 seconds/vehicle, 128.9 seconds/vehicle when accounting for background conditions, and 131.7 seconds/vehicle for the total future conditions, including the Project (Table X). Trips generated by the Project are estimated to contribute an additional 2.8 seconds of delay per vehicle at this intersection during the morning peak hour.

During the evening peak period at the intersection of Carroll Avenue and Philadelphia Avenue the delay for existing conditions is 99.9 seconds/vehicle, 111.7 seconds/vehicle when accounting for background conditions, and 128.5 seconds/vehicle for the total future conditions, including the Project. Trips generated by the Project results in 16.8 seconds of delay during the evening peak hour at this intersection.

Table X: Intersection Level of Service

Intersection	Standard	Existing		Background		Total Future		Mitigation	
		AM	PM	AM	PM	AM	PM	AM	PM
1. Ethan Allen Avenue & Carroll Avenue/Sycamore Avenue	80 sec.	116.6	62.8	128.9	76.6	131.7	87.8	121.7	77.7
2. Carroll Avenue & Philadelphia Avenue	80 sec.	16.3	99.9	18.0	111.7	25.6	128.5	25.1	88.6
3. Carroll Avenue & Site Access	80 sec.	N/A	N/A	N/A	N/A	3.4	17.1	3.5	18.0

Source: The Traffic Group Transportation Impact Study, December 17, 2018, revised January 14, 2021

The Applicant worked closely with SHA and MCDOT to determine the Site's traffic impact to the intersections of Ethan Allen Avenue and Carroll Avenue/Sycamore Avenue and to Carroll Avenue and Philadelphia Avenue and ultimately came to consensus on an acceptable mitigation strategy after reviewing multiple alternatives. The selected mitigation strategy for both intersections significantly decreases average vehicle delay at the intersections but does not undermine with Countywide transportation safety initiatives such as Vision Zero and the SHA Visioning Study for the Takoma Junction Area. The County's Vision Zero Policy and MDOT SHA's Visioning Study prioritize pedestrian safety and mobility, and therefore major changes to the pedestrian protected phases of the signal at Ethan Allen Avenue and Carrol Avenue/Sycamore or geometric changes to the intersection that would increase pedestrian exposure to conflicts were not approved by the reviewing agencies.

To balance the pedestrian safety priorities with estimated future traffic flow the Applicant submitted a Design Request for traffic signal modifications to SHA at the intersections of Ethan Allen Avenue and Carroll Avenue/Sycamore Avenue and Carroll Avenue and Philadelphia Avenue. That Design Request sought to reallocate the available green time to different approaches and movements and adjust the offset time between the two coordinated signals. As proposed, the signal modifications would significantly reduce congestion at Ethan Allen Avenue and Carroll Avenue/Sycamore Avenue during the morning peak hour bringing the estimated average vehicle delay from 131.7 seconds down to 121.7 seconds (Table X),

(a total of 10 seconds/vehicle). While the resulting mitigation estimates an average vehicle delay that exceeds the standard, it reduces the delay beyond what is estimated to be generated by the Project alone (2.8 seconds/vehicle). For the intersection of Carroll Avenue and Philadelphia Avenue, the signal modification reduces the delay by 39.9 seconds, bringing the average vehicle delay at the intersection tot 88.6 seconds, which is lower than the existing condition at this intersection during the evening period hour. As in the case at Ethan Allen and Carroll Avenue/Sycamore Avenue in the morning peak hour, it does mitigate the delay within the standard, but it more than compensates for the additional 16.8 seconds of delay estimated to be incurred by Site-generated trips. Recognizing that both intersections exceed the delay in the existing condition and that the proposed mitigation reduces the delay by more than what is estimated to be generated by the Project, this strategy was accepted by SHA, MCDOT, and Planning staff.

The Applicant was directed by SHA to study the potential impacts of the requested signal modification on queuing lengths at the intersections immediately upstream and downstream of the modified signals at the intersections of Ethan Allen Avenue and Carroll Avenue/Sycamore Avenue and at Carroll Avenue and Philadelphia Avenue. The results indicate that queuing will still exist for various movements, while in most cases, the queuing lengths will overall be decreased and is reflected in the delay results. For these reasons, the studied mitigation strategy was approved by SHA and MCDOT, and the Planning Department and MCDOT require the Applicant to participate in the signal redesign. The payment will be determined by and paid to MCDOT prior to issuance of the SHA right-of-way permit.

Other Public Facilities

Public facilities and services are available and will be adequate to serve the proposed development. The Subject Property is proposed to be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the Subject Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as electrical, telecommunications, gas, police stations, firehouses, and health services are operating according to the *Subdivision Staging Policy* resolution currently in effect and will be adequate to serve the Property.

4. All Forest Conservation Law, Chapter 22A requirements are satisfied.

As conditioned, all Forest Conservation requirements will be met. This Application is subject to Chapter 22A Forest Conservation Law and has submitted a Forest Conservation Plan along with the Preliminary and Site Plans. The Forest Conservation Plan shows that within the 1.17-acre site area, including offsite LOD, there is 0.32-acres of existing forest, and 0.20-acres of forest proposed to be cleared. The Forest Conservation Worksheet included in the Plan shows a calculated Reforestation Requirement of 0.14-acres, which the Applicant proposes to meet through off-site Category 1 Forest Conservation Easement provided at a 2x ratio (for a total of 0.28-acres) on the adjacent Lot 39 property.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, in order for a variance to be granted. In addition to the required findings outlined numerically below, the Applicant has demonstrated that enforcement of the variance provision would result in an unwarranted hardship because given the locations of the impacted trees on and adjacent to the Property, any redevelopment of the Property to improve it would necessitate the same or similar tree impacts as those proposed. The proposed redevelopment of the Property is consistent with the Takoma Park Master Plan, which calls for an alternative use of the Property, and is the result of years of study by the City and close collaboration between the City and NDC to bring to fruition. The Project's limits of disturbance (LOD) were designed to avoid or minimize impacts to trees as much as possible, while still providing sufficient access for construction of the Project, whose massing and density are in accordance with the Property's zoning. Further, the trees to be removed are of lower

quality, including many invasive species or trees in poor condition. Trees that are of better condition and quality will be retained as part of a forest conservation easement.

The existing conditions, the location of the impacted trees on and adjacent to the Property, the Master Plan's specific recommendations for the Property, and the involvement of the City in directing the proposed redevelopment all represent conditions particular to the Property. With these factors in mind, Staff has reviewed this Application and agrees that denial of the requested variance would restrict the Applicant's ability to implement the Project, causing unwarranted hardship.

Variance Findings

Staff has made the following determination based on the required findings for granting of the requested variance:

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

The requested variance is based on development plans that are consistent with the zoning approved through the County planning process and developed through extensive collaboration with the City of Takoma Park. Strict protection of all trees 1" and larger on site would prevent any significant changes from being allowed to be made to the site, in conflict with the Master Plan's vision. Denial of the variance would therefore deprive NDC of the redevelopment and improvement opportunities enjoyed by neighboring and similar properties that do not have protected trees located in areas slated for improvement. Additionally, the proposed conservation easement and mitigation plantings will provide significant environmental benefit. Given these factors, Staff agrees that the variance request would be granted to any applicant in a similar situation and does not represent a special privilege granted to this Applicant.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

As stated above, the requested variance and associated tree impacts are due to the concerns related to the site area in pursuit of a Master Plan recommended reuse of the project site. The variance request submitted by the Applicant reflects efforts to minimize the impacts to healthy trees while providing environmental benefits. The proposal also includes site improvements associated with stormwater management requirements, fire and rescue access, and other elements required for new developments by the zoning code. Therefore, this variance request is not based on circumstances which are the result of actions by the Applicant but rather the need to provide adequate facilities for this site to function as envisioned.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is a result of the proposed site design and layout on the Subject Property and not as a result of land or building use on a neighboring property.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

The site is located in an urban area that was developed before modern stormwater management regulations were enacted and no stormwater management is currently provided on the site. Given the current lack of stormwater infrastructure, there is not expected to be degradation in water quality as this site will improve water quality through the implementation of several best management practices designed using ESD criteria per the Maryland Stormwater Design Manual and the

Montgomery County Stormwater Regulations. The proposed tree plantings will help maximize the permeability of the soil, serving to further reduce runoff. Further, the sizable forest conservation easement will also help water quality goals by providing shading and water retention and uptake.

Additionally, the stormwater management plan for this Application incorporates environmental site design (ESD) to the maximum extent practicable (MEP) according to the latest revision to Chapter 5 of the MDE Stormwater Management Design Manual. The plan provides stormwater treatment to the maximum extent practicable through the use of micro bioretention facilities and green roof. These facilities will provide treatment for stormwater management runoff. The proposed project will also have an approved sediment and erosion control plan. Stormwater management facilities will be provided in accordance with County and City of Takoma Park regulations to meet stormwater quality goals as noted above. Therefore, the Application will ultimately result in an improvement of water quality, rather than cause measurable degradation in water quality or violate State water quality standards

Mitigation for Trees Subject to the Variance Provisions

In total, there are 64 subject trees proposed for removal in association with this Application. Planting mitigation for the removal should be at a rate that approximates the form and function of the trees removed, at a ratio of approximately 1" DBH for every 4" DBH removed, using trees that are a minimum of 3" caliper. As a result of the proposed removal of 64 subject trees, for a total of 486.5" DBH removed, which results in a mitigation requirement of at least 121.6 caliper inches of native canopy trees sized at least 3 caliper inches each. In the included Variance Request, the Applicant has proposed 47 new trees to be planted in mitigation for these removals. As conditioned by this Staff Report, these mitigation plantings must meet the standards of Montgomery County Forest Conservation Law as well as the standards of the City of Takoma Park and consist of native canopy trees sized at least 3" or greater in caliper. Thus, the proposed 47 mitigation plantings will provide 141 caliper inches. This greatly exceeds the minimum requirement of 121.6 caliper inches. Staff supports this approach which, in combination with the proposed conservation easement, will greatly enhance the natural features onsite and aid in reducing stormwater impacts.

County Arborist's Recommendations

In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The Applicant's request was forwarded to the County Arborist on November 9, 2020. Any response received will be presented at the time of Planning Board Hearing.

Recommendation on the Variance

As a result of the above findings, Staff recommends approval of the Applicant's request for a variance from the Forest Conservation Law to remove 69 subject trees and impact to 5 subject trees associated with the application.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.*

On June 26, 2018, the City of Takoma Park, Department of Public Works conditionally approved a Storm Water Management concept that features green roof and bio-retention facilities. In the letter the City requested additional groundwater recharge volume on-site. The Applicant will continue to work with the City during building permit review to finalize the approval.

6. *Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.*

No other provisions apply to the Subdivision.

SITE PLAN 820190090

FINDINGS

1. *When reviewing an application, the approval findings apply only to the site covered by the application.*
2. *To approve a Site Plan, the Planning Board must find that the proposed development:*

- a. *satisfies any previous approval that applies to the site;*

The Site Plan conforms to all conditions of Preliminary Plan No. 120190150.

- b. *satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;*

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

- c. *satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;*

This section is not applicable as the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

- d. *satisfies applicable use standards, development standards, and general requirements under this Chapter;*

- i. *Division 4.6. Employment Zones*

Development Standards

The Tract is approximately 1.25 acres or 54,350 gross square feet, zoned NR 0.75 H 50 and within the Takoma Park/East Silver Spring Commercial Revitalization Overlay Zone (TPESS). The following Data Table shows the Application's conformance to the development standards of the zone.

Table X: Project Data Table (Section 59.4)		
Development Standard	Permitted/ Required	Proposed
Tract Area (Square Feet/ Acres) NR 0.75 H 50 and TPESS Total Tract Area	n/a	54,350 sf (1.25)
Site Area (Square Feet/ Acres) Prior Dedication Proposed Dedication Site Area (Tract Area – Dedications)	n/a	7,475 sf (0.17) 0 sf (0) 46,875 (1.08)
Commercial Density (GFA/ FAR)	40,762 sf (0.75)	40,762 sf (0.75)
Building Height	42 feet ¹	33 feet
Public Open Space (min)	10% (4,688 sf)	10% (4,688 sf)
Minimum Setbacks (feet) Front, Carroll Avenue Side, eastern Side, western Rear, NR zone Rear, R60 zone ²	0 0 0 0 30	22 10 28 0 60
Parking, Vehicle (min/max)³ Office, 18,772 sf of Gross Leasable Area Restaurant, 6,555.5 sf of Patron Use Retail, 12,625 sf of Gross Leasable Area Total per Section 59.6 Total per Parking Study⁴	2/4 per 1,000 GLA 3.5/6 per 1,000 GLA 4/12 per 1,000 101 93	 78 78⁵
Parking Bicycle (short term / long term) Office Restaurant/Retail Total	1/5,000 of GFA 1/10,000 of GFA 7 / 5	 8 / 7
Loading Office: 25,001 – 250,000 sf of GFA	1 space	0 ⁶

¹ Per Section 59.4.9.16.C, TPESS Overlay Zone restricts height to 30 feet, however the Planning Board may allow up to 42 feet for commercial development.

² Per Section 59.4.1.8.A.2, Residential Compatibility standards apply to the rear lot line adjacent to the vacant lot zoned R-60, therefore a 30-foot rear setback is required.

³ The Property is considered a Reduced Parking Area as it is zoned NR and within 1 mile of a transit station.

⁴ The Applicant provided a Shared Parking Study by the Traffic Group dated 7/16/2020 (Attachment X), this study was based on the ULI Shared Parking Mode and concluded that the Site would require a minimum of 93 spaces to meet the projected demand.

⁵ Per Section 59.4.9.16.D.2, the Applicant is seeking a Parking Waiver from the Planning Board for 15 vehicle spaces, see below for analysis.

⁶ Per Section 59.6.2.10, the Applicant requests a waiver to allow loading space to be adjacent to the street within the public right-of-way, see below for analysis.

Parking Waiver

The Project provides 78 off-street parking spaces in the underground parking garage, which is fewer than the minimum required by Section 59.6.2.4 of the County's Zoning Ordinance (101 spaces). The Project proposes more than one use on the Site and is therefore eligible to submit a shared parking analysis

applying the approved methodology in Section 59-6.2.3 of the Zoning Ordinance¹. The Applicant submitted a Shared Parking Study based on this model which concluded the Project would have a maximum demand of 93 spaces, resulting in the parking waiver request for the remaining 15 spaces.

The TPESS overlay zone Section 59.4.9.16.D.2.a. allows the Planning Board to waive these 15 spaces if it finds that doing so meets the goals of the master plan, revitalization, enhancing the pedestrian environment, and encouraging the use of transit. As discussed in Finding “g” below, the waiver is in conformance with the Master Plan recommendations for the commercial revitalization of the Property and that, as conditioned, the Project will contribute to revitalization of the Takoma Junction area, enhance the pedestrian environment and encourage use of local and regional transit. The Project’s provided parking, in concert with these enhancements, are adequate to serve the development.

Waiver for Loading within the Public Right-of-Way

To be included in final Staff Report to the Planning Board.

ii. *Division 6.1. Site Access*

Pedestrian access to the Site will be from the established sidewalk network along Carroll Avenue. Bicyclists will access the Site from the master-planned on-street bike lanes on Carroll Avenue. As conditioned, the Applicant will participate in the bike lanes on the south side of Carroll Avenue along the Site frontage. A total of 8 short-term bicycle parking will be publicly accessible on Carroll Avenue. The 7 long-term bicycle parking for the office use will be provided in the below-grade parking facility, accessible from the east side elevator bays. Vehicular access will occur from Carroll Avenue. The off-street below-grade parking facility will operate right-in, right-out only to address traffic safety and flow on Carroll Avenue.

iii. *Division 6.2. Parking, Queuing, and Loading*

To be included in the forthcoming Report to the Planning Board.

iv. *Division 6.3. Open Space and Recreation*

The Project is required to provide 10% of the Site Area as amenity open space, which totals approximately 4,688 square feet. Amenity open space must include 10% permeable area as well as 10% tree canopy coverage, among other criteria listed in Section 59.6.3.7. The Applicant proposes to achieve this predominantly within the Site frontage between the building façade and Carroll Avenue roadway, through significant pedestrian improvements with new seating and planting areas adjacent to the Carroll Avenue sidewalk. As a purely commercial development, the Project is not required to provide recreation facilities.

v. *Division 6.4. General Landscaping and Outdoor Lighting*

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for year-round use and enjoyment by tenants and visitors. The Project will transform existing streetscape along Carroll Avenue with new street trees, improved, wider sidewalks, street lighting, and street furniture. The on-site lighting will limit the necessary light levels to streets and sidewalks and residential neighborhoods adjacent to the rear of the Property.

¹ Urban Land Institute Shared Parking Model 2nd Edition.

As shown in the Development Standards table, the Site Plan meets all general requirements and development standards of Section 4.6 and Section 4.9 of the Zoning Ordinance and the general development requirements of Article 59-6 of the Zoning Ordinance.

e. satisfies the applicable requirements of:

i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and

On June 26, 2018, the City of Takoma Park, Department of Public Works conditionally approved a Storm Water Management concept that features green roof and bio-retention facilities. In the letter the City requested additional groundwater recharge volume on-site. The Applicant will continue to work with the City during building permit review to finalize the approval.

ii. Chapter 22A, Forest Conservation.

This Application is subject to Chapter 22A Forest Conservation Law and has submitted a Forest Conservation Plan along with the Preliminary and Site Plan. The Forest Conservation Plan shows that within the 1.17-acre site area, including offsite LOD, there is 0.32-acres of existing forest, and 0.20-acres of forest proposed to be cleared. The Forest Conservation Worksheet included in the Plan shows a calculated Reforestation Requirement of 0.14-acres, which the Applicant proposes to meet through off-site Category 1 Forest Conservation Easement provided at a 2x ratio (for a total of 0.28-acres) on the adjacent Lot 39 property.

This Application must also comply with the variance provisions of Chapter 22A Forest Conservation Law. As previously described in this report, Staff recommends approval of the variance request with conditions.

f. provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;

The Project provides adequate, safe, and efficient parking and circulation patterns. The Project provides one driveway to the underground parking garage and several pedestrian access points to the building. Additionally, the Project improves public streetscape along the Carroll Avenue frontage which will include new planting and landscaping as well as outdoor seating and short term bicycle parking. The Project provides a safe and well-integrated building and site amenities. The Project architectural massing presents as a low-rise two story structure with several façade changes to break down the massing and blend with Carroll Avenue's established main street.

g. substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;

Please see the Master Plan discussion in the Preliminary Plan No 120190150 findings above.

The Project will realize a 20-year goal of the *Takoma Park Master Plan* and the Site Plan substantially conforms to its vision, goals, and recommendation.

h. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public

services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;

As discussed in the Preliminary Plan No. 120190150 findings, the development will be served by adequate public facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

- i. on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and*

The Subject Property is not located in a Rural Residential or Residential zone.

- j. on a property in all other zones, is compatible with existing, approved or pending adjacent development.*

The project is compatible with existing adjacent development.

- 3. To approve a Site Plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.*

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

- 4. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.*

Not applicable, the Subject Property is not zoned C-1 or C-2.

Community Outreach

The Applicant has met all signage, noticing, and submission meeting requirements. The Applicant held a pre-submittal public meeting. Staff has received correspondence on the Application, copies of which are included in Attachment X. The following is a preliminary generalized list of issues raised in the correspondence received:

- Environmental
 - Impact of proposed development on trees
 - Stormwater management
 - Noise and air pollution from traffic associated with the development.
- Traffic
 - Increased congestion
 - Garage access and pedestrian safety
 - Layby design and operation
- Economic impacts
 - Increased rent
 - Impact on Co-Op

- Design
 - Scale of proposed development
 - Compatibility with/Impact on
 - Commercial development
 - Residences on Columbia Avenue

Planning Staff continues to welcome written comments on the proposed development. All comments received in advance of the posting date of the final Staff Report to the Planning Board will be addressed in and attached to that report.

CONCLUSION

The Project complies with the general requirements and development standards of Section 4.6 and 4.9 and the general development requirements of Article 59-6 of the Zoning Ordinance. The Project satisfies the findings of the Subdivision Regulations and the Zoning Code and is consistent with the goals and recommendations of the 2000 *Takoma Park Master Plan*. Therefore, Staff recommends approval of Preliminary Plan No. 120190150 and Site Plan No. 820190090 with the conditions specified at the beginning of this report.