



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item #
6/10/10



MEMORANDUM

DATE: May 28, 2010

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RAK*
Catherine Conlon, Subdivision Supervisor *CAK*
Development Review Division
NB

FROM: Neil Braunstein, Planner Coordinator (301-495-4532)
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: One lot for 5,130 square feet of retail uses

PROJECT NAME: B. F. Gilberts Subdivision of Takoma Park

CASE #: 120090340

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: C-1 and Takoma Park East Silver Spring Commercial Revitalization
Overlay zones

LOCATION: Southwest quadrant of the intersection of Piney Branch Road (MD 320)
and Flower Avenue (MD 787)

MASTER PLAN: Takoma Park

APPLICANT: Gateway Properties LLC

ENGINEER: Raztec Associates

FILING DATE: July 2, 2009

HEARING DATE: June 10, 2010

RECOMMENDATION: Approval subject to the following conditions:

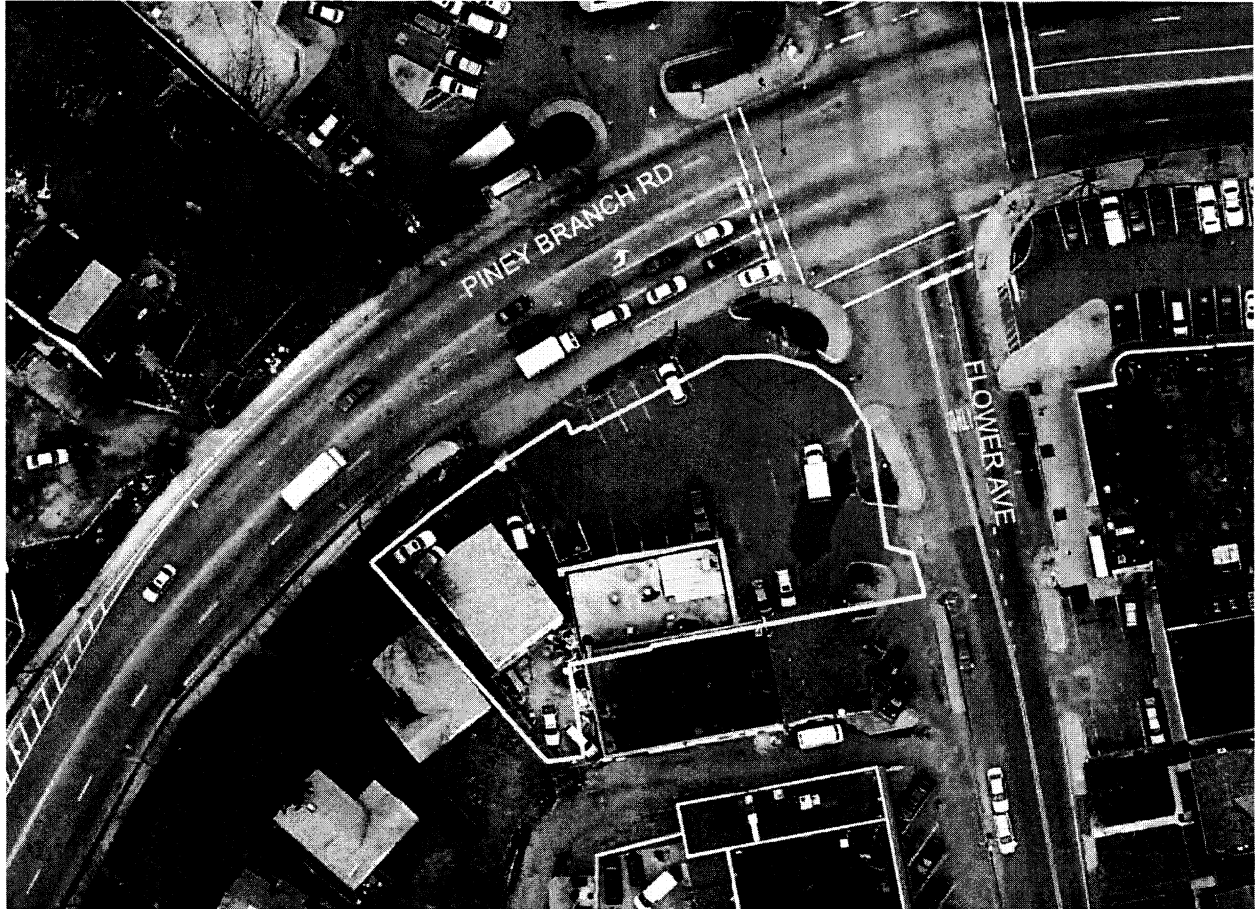
- 1) Approval under this preliminary plan is limited to one lot for 3,562 square feet of retail use and 1,568 square feet of restaurant use.
- 2) The applicant must satisfy Montgomery County Department of Permitting Services (MCDPS) requirements prior to recordation of the plat to ensure the construction of a five-foot-wide sidewalk along the property frontages on Pine Branch Road and Flower Avenue, unless construction is waived by MCDPS.
- 3) The applicant must comply with the conditions of the City of Takoma Park stormwater management approval dated June 17, 2009. These conditions may be amended by the City of Takoma Park, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 4) The applicant must comply with the conditions of the Montgomery County Department of Transportation (MCDOT) letter dated September 18, 2009. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 5) The applicant must comply with the conditions of the Maryland State Highway Administration (MDSHA) letter dated March 4, 2010. These conditions may be amended by MDSHA, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 6) The applicant must satisfy provisions for access and improvements as required by MDSHA prior to issuance of access permits.
- 7) The record plat must show necessary easements.
- 8) The certified preliminary plan must contain the following note: "Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the preliminary plan are illustrative. The final locations of buildings, structures and hardscape will be determined during the building permit process. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval."
- 9) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.

SITE DESCRIPTION

The subject property, shown below and in attachment A, consists of two parts of lots comprising 15,647 square feet. The site is located in the southwest quadrant of the intersection of Piney Branch Road (MD 320) and Flower Avenue (MD 787), in the city of Takoma Park. The zoning on the property is C-1 and Takoma Park East Silver Spring Commercial Revitalization Overlay. The property is developed with two commercial buildings: a 2,562-square foot, two-story retail building adjacent to the western property boundary, and a 1,568-square-foot, one-story restaurant building adjacent to the southern property boundary. Surrounding properties to the north, south, and east contain commercial uses in the C-1 and

Commercial Revitalization zones. Surrounding properties to the west are developed with one-family detached dwellings in the R-60 zone.

The subject property is located within the Sligo Creek watershed. The site is entirely developed, and no significant environmental features exist on the site.



PROJECT DESCRIPTION

The applicant proposes to combine the two parts of lots into one new 15,647-square-foot lot. The existing buildings will remain, and a 1,000 square foot addition will be constructed for the 2,562-square-foot retail building. The existing parking lot will be retained, although with minor modifications to provide additional green area and to close the two existing driveways that are closest to the intersection of Piney Branch Road and Flower Avenue. Two existing driveways will remain in use; one from Piney Branch Road and one from Flower Avenue.

(Attachment B – proposed plan)

ANALYSIS AND FINDINGS

Conformance to the Master Plan

The Takoma Park Master Plan identifies this site as part of the Flower Village commercial center. The Master Plan recommends revitalizing the commercial centers in Takoma Park. It envisions Flower Village becoming "...a major neighborhood center and community focal point for both Takoma Park and East Silver Spring." In order to achieve this vision, the Master Plan recommends the C-1 base zone and the Takoma Park/East Silver Spring commercial revitalization overlay zone. The overlay zone encourages commercial development that is compatible with the existing scale of Flower Avenue. It also encourages pedestrian accessibility improvements. The proposed development will provide pedestrian improvements by closing the two driveway openings that are closest to the intersection of Piney Branch Road and Flower Avenue and replacing them with new sidewalks. These improvements are in substantial conformance with the Master Plan's recommendations. The preliminary plan is further in substantial conformance with the Master Plan in that it will contain additional and revitalized commercial space that is consistent with the scale of adjacent commercial properties in keeping with the Master Plan's vision and recommendations for the area. Although the Master Plan's vision for a community focal point may ultimately be better met by new buildings that create a more desirable public realm than the existing buildings located behind surface parking, reuse of the existing buildings is seen by staff as an important interim step. Because the preliminary plan does not propose construction of new buildings, and the project is being carried out by a small business owner, this incremental step is the most that can be expected at this time. Staff recommends that the Planning Board find that the preliminary plan is in substantial conformance with the Master Plan.

Public Facilities

Roads and Transportation Facilities

The site is currently served by two existing driveways from Piney Branch Road and two from Flower Avenue. One of the driveways from each of these streets – those that are closest to the intersection – will be closed. Access to the site will be provided by the two remaining driveways, one from each street. Pedestrian access will be provided by existing and proposed sidewalks along the Piney Branch Road and Flower Avenue frontages of the site.

Local Area Transportation Review

Based on trip generation rates included in the *Local Area Transportation Review (LATR)/Policy Area Mobility Review (PAMR) Guidelines*, the proposed addition of 1,000 square-foot of retail space on the subject property was estimated to generate 2 peak-hour trips during the weekday morning peak period and 7 peak-hour trips during weekday evening peak period. This is summarized in Table 1.

**TABLE 1
SUMMARY OF TRIP GENERATION
B. F. GILBERT'S SUBDIVISION OF TAKOMA PARK**

Trip Generation	Morning Peak-Hour			Evening Peak-Hour		
	In	Out	Total	In	Out	Total
Proposed 1,000 SF Retail Addition	1	1	2	4	3	7

A traffic study is not required for the subject application since the proposed additional development will not generate 30 or more peak-hour trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods. Therefore, the preliminary plan satisfies the LATR requirements of the adequate public facilities (APF) test.

Policy Area Mobility Review

To satisfy the PAMR requirements of the APF test, a development located within the Silver Spring/Takoma Park Policy Area is required to mitigate 10 percent of new peak-hour trips generated by the development.

The site trip generation summary presented in Table 1 shows that the retail addition proposed on the site will generate two peak-hour trips during the weekday morning peak period and seven peak-hour trips during the weekday evening peak period. After discounting for pass-by trips generated by the site (at a rate of 40 percent for evening peak-hour only), the proposed retail addition is estimated to generate 4 new evening peak-hour trips. The 10% PAMR requirement thus results in a requirement to mitigate 0.4 or 0 (zero) peak-hour trips. Therefore, the preliminary plan has no PAMR mitigation requirement, and the subject application satisfies the PAMR requirements of the APF test.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The property will be served by public water and sewer systems. The application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as schools, police stations, firehouses and health services are operating according to the Growth Policy resolution currently in effect and will be adequate to serve the property. Electrical, gas, and telecommunications services are also available to serve the Property.

Environment

There are no streams, wetlands, floodplains, or other sensitive features on the site, and there are also no forests, significant trees, or specimen trees. The preliminary plan is exempt from forest conservation requirements.

The City of Takoma Park Department of Public Works approved the stormwater management concept on June 17, 2009. The stormwater management concept includes water quality control for the building addition via a Filterra structure.

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lot was reviewed for compliance with the dimensional requirements for the C-1 zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

Municipal Approval

Because the subject property is located within the City of Takoma Park, approval of the preliminary plan by the city is also required. The City Council approved a resolution approving the project on May 3, 2010. The resolution is attached as Attachment D.

Citizen Correspondence and Issues

The applicant conducted a pre-submission community meeting on February 18, 2009. At the meeting, no development-related concerns were raised. In addition, written notice of the plan submittal and the public hearing dates was given by the applicant and staff. As of the date of this report, one citizen letter has been received. The issues raised in the letter are mostly issues that will be addressed at the building permit stage, except that the driveways that are indicated as being too close to the street intersection are proposed to be closed, and the subdivision is providing the required amount of green space.

CONCLUSION

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conforms with the recommendations of the Takoma Park Master Plan. Access and public facilities will be adequate to serve the proposed lot, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

Attachments

Attachment A – Vicinity Development Map
Attachment B – Proposed Development Plan

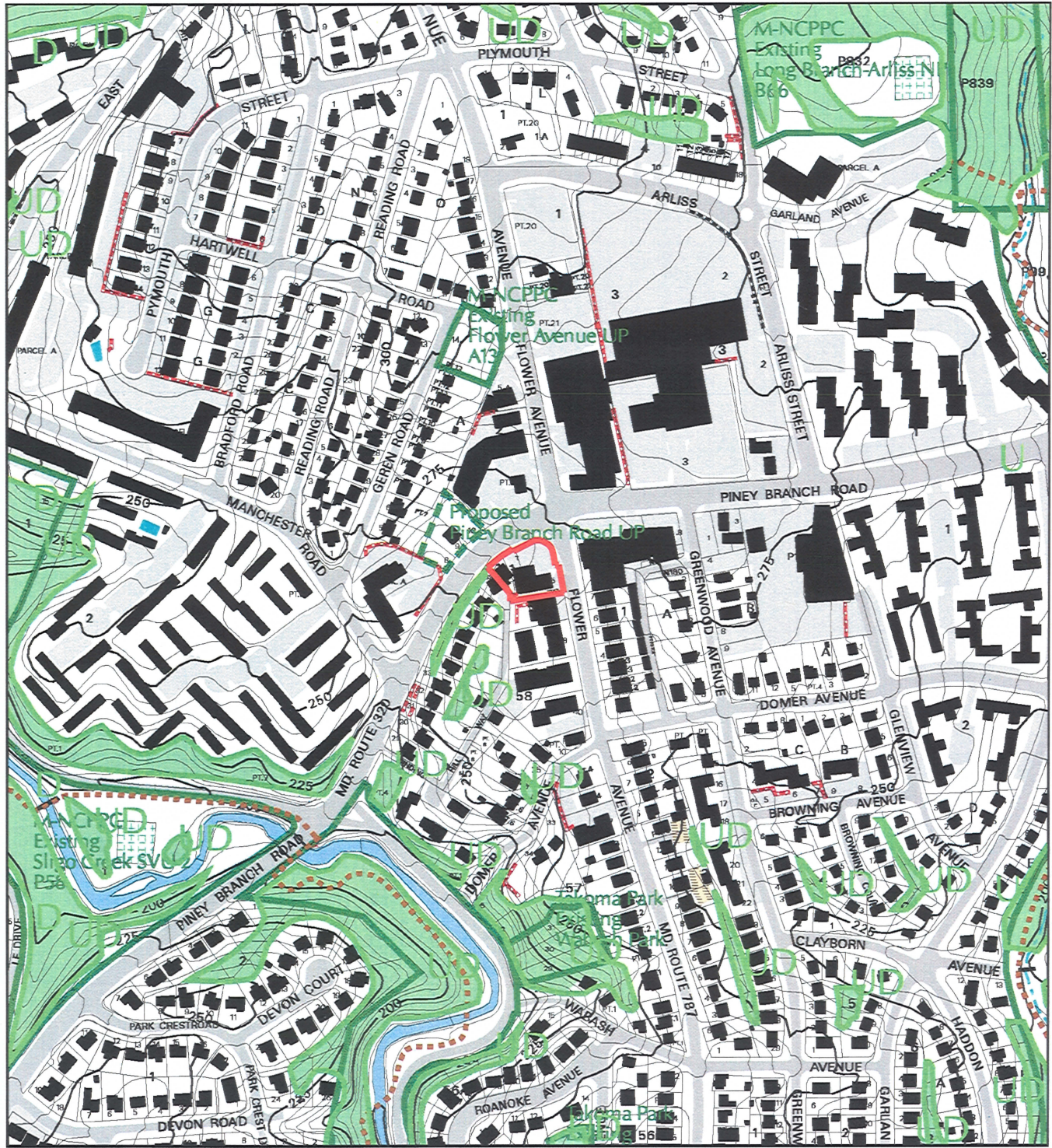
Attachment C – Agency Correspondence Referenced in Conditions
Attachment D – Approval Resolution from the City of Takoma Park
Attachment E – Citizen Correspondence

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: B. F. Gilberts Subdivision of Takoma Park				
Plan Number: 120090340				
Zoning: C-1 and Takoma Park East Silver Spring Commercial Revitalization Overlay				
# of Lots: 1				
# of Outlots: N/a				
Dev. Type: Commercial				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	Not Specified	15,647 sq. ft. minimum	NB	5/28/10
Lot Width	Not Specified	100 ft. minimum	NB	5/28/10
Lot Frontage	Not Specified	100 ft. minimum	NB	5/28/10
Setbacks				
Front	10 ft. Min.	Must meet minimum ¹	NB	5/28/10
Side	7 ft. Min.	Must meet minimum ¹	NB	5/28/10
Rear	0 ft. Min.	Must meet minimum ¹	NB	5/28/10
Height	30 ft. Max.	May not exceed maximum ¹	NB	5/28/10
Green Area	10% Min.	10% Min.	NB	5/28/10
Max Comm'l s.f. per Zoning	Not Specified	5,130	NB	5/28/10
MPDUs	N/a		NB	5/28/10
TDRs	N/a		NB	5/28/10
Site Plan Req'd?	No		NB	5/28/10
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street		Yes	NB	5/28/10
Road dedication and frontage improvements		Yes	Agency letter	3/4/10
Environmental Guidelines		N/a	Staff memo	10/6/09
Forest Conservation		Exempt	Staff memo	10/6/09
Master Plan Compliance		Yes	Staff memo	5/7/10
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management		Yes	Agency letter	6/17/09
Water and Sewer (WSSC)		Yes	Agency comments	8/24/09
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	8/24/09
Well and Septic		N/a	Agency letter	8/24/09
Local Area Traffic Review		N/a	Staff memo	5/14/10
Policy Area Mobility Review		N/a	Staff memo	5/14/10
Transportation Management Agreement		No	Staff memo	5/14/10
School Cluster in Moratorium?		No	NB	5/28/10
School Facilities Payment		No	NB	5/28/10
Fire and Rescue		Yes	Agency letter	5/20/10

¹ As determined by MCDPS at the time of building permit.

B.F. GILBERTS SUBDIVISION OF TAKOMA PARK (120090340)



Map compiled on July 30, 2009 at 10:09 AM | Site located on base sheet no - 21ONE01

NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

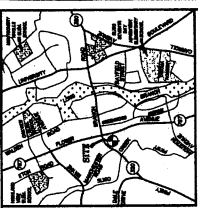
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Research & Technology Center

1 inch = 400 feet
1 : 4800



VICINITY MAP
 ADC MAP PAGE 37 GRID D-9
 SCALE: 1" = 200'

- NOTES:**
1. Address: 8435 Pine Branch Road, Takoma Park, MD.
 2. Zoning: C-1 (Community Office/Professional Office).
 3. Existing Use: Retail.
 4. Existing Site Area: 15,467 Square Feet.
 5. Proposed Site Area: 15,467 Square Feet.
 6. Total Area: 30,934 S.F. (14.88 A.C.).
 7. Water and Sewer Capacity: W-1 and S-1.
 8. Water and Sewer Capacity: W-1 and S-1.
 9. Water and Sewer Capacity: W-1 and S-1.
 10. Water and Sewer Capacity: W-1 and S-1.
 11. Parking Requirements: 15 Spaces.
 12. Water and sewer services to be provided by WSPCC.
 13. Electric service to be provided by PECO.

STORMWATER MANAGEMENT NOTE:

A stormwater management concept has been submitted to the City of Takoma Park, DC, for review. The City Engineer will be required to issue a "Letter of Approval" for the proposed stormwater management plan. The City Engineer's review is not intended to constitute an endorsement of the plan or to constitute a warranty of any kind. The City Engineer's review is limited to the technical aspects of the plan and does not constitute an endorsement of the plan or to constitute a warranty of any kind.

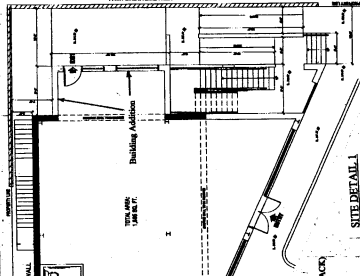
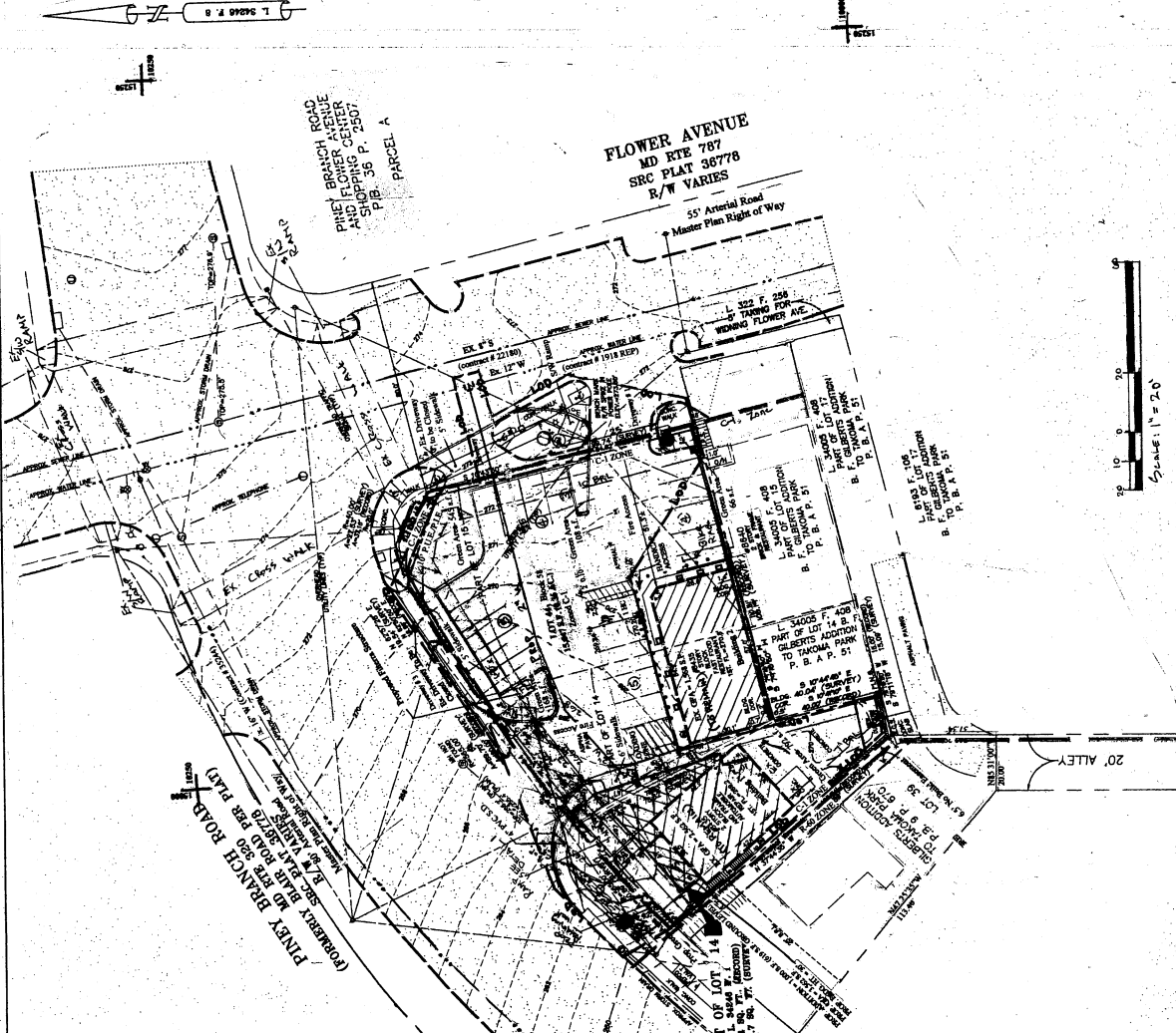
EROSION AND SEDIMENT CONTROL:

Erosion control measures will be provided as appropriate to the site conditions. The City Engineer will be required to issue a "Letter of Approval" for the proposed erosion and sediment control plan. The City Engineer's review is not intended to constitute an endorsement of the plan or to constitute a warranty of any kind.

ZONE	REQUIRED/ALLOWED	PROPOSED
UTILIZATION	10'	10'
OVERLAY	10'	10'
Setback	10'	10'
Height	35'	35'
Maximum Area	15 Acres maximum	15 Acres
Minimum Area	15 Acres minimum	15 Acres

PROFESSIONAL CERTIFICATION:

I, the undersigned, being a duly licensed Professional Engineer in the State of Maryland, hereby certify that I am a duly licensed Professional Engineer in the State of Maryland, License No. 27742.



- LEGEND**
- LIMITS OF DISTURBANCE (L.O.D.)
 - PROPOSED PROPERTY LINE
 - EXISTING SEWER
 - EXISTING WATER
 - PROPOSED WATER
 - PROPOSED BUILDING
 - EXISTING BUILDING
 - BUILDING RESTRICTION LINE (RETRACT)
 - EXISTING CONTOUR
 - PROPOSED CONTOUR
 - CATCH BASIN (INLET)
 - EXISTING CURB
 - PROPOSED CURB
 - EXISTING STRUCTURE
 - PROPOSED STRUCTURE
 - STORM DRAIN
 - ZONING BOUNDARY

SURVEYOR'S CERTIFICATE:

I, the undersigned, being a duly licensed Professional Surveyor in the State of Maryland, hereby certify that the information shown hereon has been obtained from a true and correct survey of the land and that the same is in accordance with the laws of the State of Maryland. I am a duly licensed Professional Surveyor in the State of Maryland, License No. 27742.



TOPOGRAPHIC INFORMATION NOTES:

ALL ELEVATIONS SHOWN HEREON HAVE BEEN ESTABLISHED BY MEASUREMENT FROM THE M.D.C. DATUM. THE VERTICAL DATUM OBTAINED FROM THE M.D.C. DATUM IS THE MEAN SEA LEVEL DATUM. THE HORIZONTAL DATUM IS THE NAD 83 DATUM. THE BRUSH MARK SHOWN FOR THIS DATUM HAS BEEN ASSIGNED THE FOLLOWING ELEVATION: 2148.0'.
 R/R SHOWN IN POWER POLE OR ALL UTILITIES SHOWN HEREON HAS BEEN LOCATED BY MEASUREMENT AND FIELD LOCATION. ANY UTILITIES SHOWN SHOULD BE CONSIDERED AS APPROXIMATE LOCATIONS. ALL UTILITIES SHOWN SHOULD BE VERIFIED WITH ANY UTILITY COMPANY AS-BUILT PLANS OR RECORDS.
 3.1' TOPOGRAPHY BY SNIDER & ASSOCIATES

<p>PRELIMINARY PLAN FOR B.F. GILBERTS SUBDIVISION PART LOT 14 AND PART LOT 15, BLOCK 58 WILMINGTON (L.P.) DISTRICT</p>		<p>RAZTEC ASSOCIATES, INC. 1801 Berry Place Hagerstown, Maryland 21740 Tel: (800) 831-8415 Fax: (800) 831-8411</p>	
<p>DATE: MARCH 2009</p>	<p>SCALE: 1" = 20'</p>	<p>CHECKED BY: [Signature]</p>	<p>DESIGNED BY: [Signature]</p>
<p>REV</p>	<p>DATE</p>	<p>SHEET 1 OF 1</p>	<p>DWG.</p>



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

September 18, 2009

Arthur Holmes, Jr.
Director

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-20090340
B.F. Gilberts Subdivision of Takoma Park

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated March 2009. This plan was reviewed by the Development Review Committee at its meeting on August 24, 2009. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Necessary dedication for Piney Branch Road (MD 320) and Flower Avenue (MD 787) in accordance with the Master Plan.
2. Access and improvements along Piney Branch Road (MD 320) and Flower Avenue (MD 787) as required by the Maryland State Highway Administration.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Ms. Dewa Salihi at (240) 777-2173.

Sincerely,

Gregory M. Leck, P.E., Manager
Development Review Team

N:\subdivision\SAL\HDD01\Preliminary Plans\1-20090340 BF Gilberts Subdiv of Takoma Park\1-20090340 BF Gilberts Takoma Park.doc

cc: Siu Wong, Gateway Properties LLC
Mike Razavi, Raztec Assoc. Inc.
Shahriar Etemadi; M-NCPPC TP
Corren Giles, MSHA EAPD
Ali Khalilian; City of Takoma Park
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Henry Emery; DPS RWPPR
Dewa Salihi, DOT TEO
Preliminary Plan Folder
Preliminary Plans Note Book

Division of Traffic Engineering and Operations

City of Takoma Park, Maryland

DEPARTMENT OF PUBLIC WORKS
TELEPHONE: 301-891-7633
FAX: 301-585-2405



31 OSWEGO AVENUE
TAKOMA PARK, MD 20912

June 17, 2009

Mr. Mike Razavi, P.E.
Raztec Associates, Inc.
3451 Emys Place
Monrovia, Maryland 21770

Re: SW 09-01, Application for Stormwater Management Concept Approval
8435 Piney Branch Road, Takoma Park, Maryland

Dear Mr. Razavi:

Your application for stormwater management concept approval has been reviewed and found to be generally acceptable.

Concept presented shall be the basis of your detail stormwater management plan. A permit application shall be filed with the City upon development of storm water management detail plans. The attached application contains the general requirements of the permit. These include:

- o letter of intent to comply with City Code Title 16
- o letter of agreement by the owner for facility maintenance
- o performance bond equal to the estimated cost of stormwater management facilities
- o permit fee in accordance with City code Title 16.04
- o letter of agreement to schedule staged inspections of the stormwater facilities by the City during and upon completion of construction
- o three copies of final plan for permit approval stamp.

If you have any questions, please contact me at 301-891-7620.

Sincerely,

Ali Khalilian, P.E.
City Engineer
Takoma Park Public Works

cc: File

Braunstein, Neil

From: Corren Giles [CGiles@sha.state.md.us]
Sent: Thursday, March 04, 2010 3:59 PM
To: Braunstein, Neil
Cc: Raztec Associates, Inc.
Subject: 120090340 B.F. Gilberts Subdivision of Takoma Park

Hello Neil,

Mike Razavi has sent me further documentation for 120090340 B.F. Gilberts Subdivision of Takoma Park and I have the following to offer:

- The existing access openings along MD 320 (eastern access) and MD 787 (northern access) must be closed due to their close proximity to the intersection.
- The existing access along MD 320 and MD 787 that will remain must be revised to have 30' radii.
- The area just west of the MD 320 access must be regraded, have trees and brush removed, and have a new retaining wall constructed so that this area is clear and sight distance can be improved.
- Other right of way improvements as required by SHA must be made and all improvements must be permitted by the Engineering Access Permits Division. An access permit must be obtained prior to issuing any building permits.
- Based on the above comments and conditions, this project has preliminary plan approval and can move forward in the planning process.

Please let me know if you need additional information.

Corren V. Giles

Montgomery County Area Engineer
Engineering Access Permits Division
State Highway Administration
707 N. Calvert Street C-302
Baltimore, MD 21202
(410) 545-5595 phone (410) 209-5026 fax

"To worry is to add another hazard."
Amelia Earhart



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City of Takoma Park

**Housing & Community
Development**

Telephone: (301) 891-7119
Fax: (301) 270-4568



7500 Maple Avenue
Takoma Park, MD 20912

May 11, 2010

Royce Hanson, Chair
Planning Board
M-NCPPC
8787 Georgia Ave.
Silver Spring, MD 20910

Re: Resolution 2010-21 recommending approval of Preliminary Plan for B.F. Gilbert Subdivision of Takoma Park Part Lot 14 and Part Lot 15 Block 58 (File 120090340)

Dear Planning Board Chairman Hanson:

The City of Takoma Park strongly supports the approval of the Preliminary Plan for 8435 Piney Branch Road, submitted by Ms. Siu Wong (File 120090340). Attached please find Resolution 2010-21 of the Mayor and Council of the City of Takoma Park recommending approval of the Preliminary Plan for B.F. B.F. Gilbert Subdivision of Takoma Park Part Lot 14 and Part Lot 15 Block 58.

Per Article 28 § 8-112.2, a two-thirds majority vote of the Planning Board of Montgomery County is required to take any action relating to land use planning within the City of Takoma Park that is contrary to a resolution of the Mayor and City Council of Takoma Park.

The City is pleased to see the Preliminary Plan progressing. The City and the County have been working to revitalize this parcel since the Master Plan was adopted in December 2000. Recently the City secured a \$100,000, time-sensitive grant from the State of Maryland to offset 8435 Piney Branch Road's rehabilitation costs related to pedestrian safety and green building.

The City of Takoma Park recognizes the benefits of small and minority business owners and supports their continued ability to own, maintain, and develop commercial properties within our community.

Yours sincerely,

Ilona Blanchard
Community Development Coordinator

Cc: Bruce Williams, Mayor
Barbara Matthews, City Manager
Sara Daines, Director of Housing and Community Development

Introduced by: Councilmember Snipper

CITY OF TAKOMA PARK, MARYLAND

Resolution 2010-21


**Resolution Recommending Approval of the
Preliminary Plan for B.F. Gilberts Subdivision of Takoma Park
Part Lot 14 and Part Lot 15 Block 58**

- WHEREAS, Ms. Sui Wong of Gateway Properties LLC of Takoma Park, MD (the Applicant) has submitted a Preliminary Plan (File 120090340) for review by the Maryland-National Park and Planning Commission to facilitate the proposed renovation of 8435 Piney Branch for retail/office use; and
- WHEREAS, the Council and Community, in the course of a meeting and conversations have expressed their strong interest in the rehabilitation of the building into the proposed new commercial space; and
- WHEREAS, the Takoma Park Master Plan 2000 recommends revitalization of the City's commercial centers including Long Branch/Flower Village; and
- WHEREAS, the proposed retail/office space will foster economic vitality and attractive community character; and
- WHEREAS, the Takoma Park Master Plan 2000 recommends that streets be pedestrian friendly, providing circulation and access for vehicles and pedestrians, including attractive connections to link to the surrounding neighborhoods; and
- WHEREAS, the preliminary plan, which includes the consolidation of two part lots, proposes a buffered sidewalk connection along Piney Branch Road, the retrofit of ADA ramps, improvements to vehicular safety and the addition of bicycle parking; and
- WHEREAS, the City of Takoma Park has received a time-sensitive Community Legacy revitalization grant from the State of Maryland for the purposes of offsetting the costs related to green building and pedestrian oriented features of this proposed building and site rehabilitation.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Takoma Park supports the proposed improvements and uses proposed in the Preliminary Plan and recommends the approval of the Preliminary Plan (File 120090340) for B.F. Gilberts Subdivision of Takoma Park Part Lot 14 and Part Lot 15 Block 58.

Adopted this 3rd day of May, 2010.

Attest:



Jessie Carpenter, CMC
City Clerk

Sligo-Branview Community Association

Rose Crenca, President
9101 Flower Avenue
Silver Spring MD 20901
301-588-6819

December 3, 2009

Neil Braunstein, Planner
Montgomery County Park and Planning
8787 Georgia Avenue
Silver Spring MD 20901

Dear Mr. Braunstein:

The Sligo-Branview Community Association's Land Use and Zoning Committee has reviewed Preliminary Plan Application No. 120090340. We have the following comments.

In addition, we oppose any Parking Waiver for this property. This property is at a very congested intersection with no on-street parking and where other adjacent areas do not have adequate parking. There is no additional parking available in the vicinity. A parking waiver would be totally unjustified and would exacerbate an already difficult public safety situation.

1. The building entrance does not appear to be accessible, as required by the Americans with Disabilities Act.
2. The sidewalk system is incomplete.
3. It does not appear that the property meets the current requirements for eight percent green space.
4. The relocation of the dumpster from the rear to the front of the property puts the dumpster next to the accessible walkway and entrance. This is very poor design with potentially bad effects. No enclosure design for this dumpster is shown. The required enclosure appears to interfere with the accessible walkway and entrance.
5. Dumpster pickup can only be accessed by a truck backing across two lanes of traffic on Piney Branch Road into a driveway. This is a very dangerous situation given the amount of traffic on Piney Branch and the fact that this property is located around a curve that obstructs visibility for drivers heading east.
6. Driveway 2 is located 35 feet from the intersection and 20 feet from the crosswalk. This is too close to the intersection and compromises pedestrian and traffic safety.

This intersection experiences very heavy rush hour volumes and this driveway will impact intersection movements adversely.

7. Parking is proposed right up to the new sidewalk on Piney Branch. There needs to be a five-foot buffer between the sidewalk and the designated parking area.
8. Driveway 4 is 26 feet wide. This is too wide and impacts pedestrian safety.
9. Driveway 4 has a 15-foot radius. This is much too wide for a driveway and compromises the accessible curb ramp that must be installed there.
10. One *van-accessible* parking space is required to meet ADA and 59-E-2.23 of Montgomery County Zoning Code and the Accessible Parking Spaces requirements of the State of Maryland. There is no van-accessible space shown on the plan. The only handicapped space shown is not van accessible and appears to be only 16 ft. long instead of 18 ft.

The other four parking spaces adjacent to the “handicap” space shown also appear to be only 16 feet long instead of the 8.5 ft by 18 ft. as required by 59-E-2.22.

11. Pedestrian activated buttons employed as required at the intersection are inaccessible and ADA non-compliant.

If you have any questions about our comments or would like to discuss our issues with this plan, please feel free to call me. We would appreciate your keeping us apprised of any developments with this plan application.

Very truly yours,

Marilyn Piety, Chair
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