MCPB Item No.: Date: 2/9/12

6450 New Hampshire Preliminary Plan 120090210

Neil Braunstein, AICP, Area One, neil.braunstein@mncppc-mc.org, (301) 495-4532	
Robert Kronenberg, Supervisor, Area One, robert.kronenberg@mncppc-mc.org	
Rose Krasnow, Chief, Area One, rose.krasnow@mncppc-mc.org	
	Staff Report Date: 1/27/12

Description

Location: Located on the west side of New Hampshire Avenue, 300 feet south of Sheridan

Street.

Zone: C-2 and Takoma Park/East Silver Spring

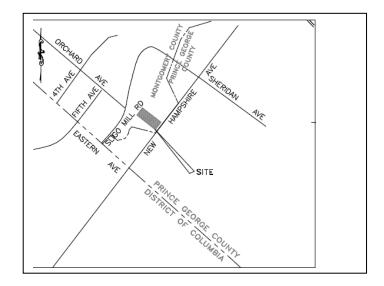
Commercial Revitalization zone Master Plan: Takoma Park Property Size: 0.28 acres

Preliminary Plan to subdivide subject property into one lot for a 2,011-square foot dry cleaning and

laundry use.

Applicant: 6450 New Hampshire Avenue, LLC

Filing Date: April 3, 2009



Summary

Staff Recommendation: Approval with conditions

Staff recommends approval of the preliminary plan to create one lot for a dry cleaning and laundry use. Because the property is located within the Takoma Park/East Silver Spring Commercial Revitalization zone, a site plan is required. Site layout issues will be addressed at the time of site plan review.

- 1) Approval under this preliminary plan is limited to one lot for a 2,011-square-foot laundry and dry cleaning use.
- 2) The applicant must dedicate and the record plat must show dedication of approximately 26 feet of right-of-way to provide a total of 75 feet of right-of-way, as measured from the centerline, along the property frontage for New Hampshire Avenue.
- 3) The Applicant must satisfy the Policy Area Mobility Review (PAMR) requirements of the Adequate Public Facilities (APF) test by mitigating one weekday peak-hour trip by paying \$11,300 to Montgomery County Department of Transportation (MCDOT) prior to the release of the building permit for the subject development.
- 4) Prior to certification of the preliminary plan, the plan drawing must show the ten-foot-wide public utilities easement on the subject property instead of within the right-of-way for New Hampshire Avenue.
- 5) 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 frontage on Sligo Mill Road, unless construction is waived by MCDPS.
- 6) The applicant must comply with the conditions of the City of Takoma Park stormwater management approval issued on November 9, 2010. 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.
- 7) The applicant must comply with the conditions of the MCDOT letter dated May 15, 2009. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 8) The applicant must comply with the conditions of the Maryland State Highway Administration (MDSHA) letter dated May 13, 2011. These conditions may be amended by MDSHA, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 9) The plat must contain a note indicating that vehicular access to the site is prohibited from Sligo Mill Road.
- 10) The applicant must satisfy provisions for access and improvements as required by MDSHA prior to issuance of access permits.
- 11) No clearing, grading or recording of plats prior to certified site plan approval.
- 12) Final approval of the number and location of buildings, on-site parking, site circulation, and sidewalks will be determined at site plan.
- 13) The record plat must show necessary easements.
- 14) 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 [at the time of issuance of building permit(s) (when no site plan required) -or- at the time of site plan review.] 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."

15) 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, is a 0.28-acre (12,092-square-foot) unplatted parcel. The property is zoned C-2 and is also located within the Takoma Park/East Silver Spring Commercial Revitalization zone. It is located on the west side of New Hampshire Avenue, 300 feet south of Sheridan Street. The property is located within the City of Takoma Park. The property has frontage on New Hampshire Avenue on the east and Sligo Mill Road on the west. The property is currently undeveloped. Surrounding properties are developed with low-intensity commercial uses in the C-2, O-M, and Takoma Park/East Silver Spring Commercial Revitalization zones. An undeveloped park property and one-family detached dwellings in the R-60 zone are located on the opposite side of Sligo Mill Road.

The subject property is located within the Sligo Creek watershed. There are no streams, floodplains, forests, or other sensitive environmental features on the site.



PROJECT DESCRIPTION

The applicant proposes to subdivide the existing parcel into one lot measuring a little less than 0.25 acres (9,361 square feet). The lot is proposed to contain a two-story, 2,011-square-foot laundry and dry cleaning building. Vehicular access will be via a private driveway from New Hampshire Avenue. Although the property also has frontage on Sligo Mill Road, no vehicular access is proposed from that street, and such access is prohibited. Pedestrian access will be provided via an existing sidewalk on New Hampshire Avenue and a proposed sidewalk on Sligo Mill Road and proposed walkways on the subject property.

(Attachment B – proposed plan)

ANALYSIS AND FINDINGS

Conformance to the Master Plan

The Takoma Park Master Plan does not make any specific recommendation for the subject property. However, the preliminary plan advances the goals of the master plan by providing neighborhood-serving commercial uses in the New Hampshire Avenue corridor, as recommended by the Master Plan. Therefore, the application substantially conforms to the Master Plan.

Public Facilities

Roads and Transportation Facilities

Vehicular access to the proposed lot is via a driveway from New Hampshire Avenue. Pedestrian access is via an existing sidewalk on New Hampshire Avenue and a proposed sidewalk on Sligo Mill Road. Walkways will be built on the property to lead pedestrians to the proposed building. Proposed vehicle and pedestrian access for the subdivision will be safe and adequate.

The peak-hour trip generation estimate for the proposed development, based on trip generation rates included in the LATR/PAMR Guidelines, shows that the development would generate four peak-hour trips during the weekday morning peak period and 14 peak-hour trips during the weekday evening peak period. Since the proposed development will not generate 30 or more peak-hour trips during the weekday morning and evening peak periods, a traffic study is not required for the subject application, and the application satisfies the LATR requirements of the APF test. 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% of new peak-hour trips generated by the development. Based on the above, the application is required to mitigate 1 peak-hour trip and, thus, 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 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 property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as 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, telecommunications, and gas services are also available to serve the Property.

Environment

The subject property contains no streams, wetlands, floodplains, or other sensitive environmental features. There is no forest on the property, although there are several young trees on the site. The preliminary plan is exempt from forest conservation requirements under Section 22A-5 of Forest Conservation Law. Forest Conservation Exemption #42007163E was granted on February 16, 2007.

The City of Takoma Park Department of Public Works approved the stormwater management concept on November 9, 2010. The stormwater management concept consists of water quality control through perforated pipes and infiltration trenches.

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-2 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.

City of Takoma Park

The subject property is located within the City of Takoma Park. Consistent with Article 28 of the Maryland Code and Section 50-35 of the Subdivision Regulations, the City of Takoma Park has reviewed the preliminary plan and has transmitted a City Council Resolution containing its recommendations (Attachment C). The City recommends approval of the preliminary plan and recommends the inclusion of seven conditions of approval. Although the preliminary plan complies with several of the recommended conditions, other recommended conditions are not feasible and others are properly the subject of the future site plan application.

Following is a discussion of the conditions recommended by the City:

1. The public utility easement shall be located within the proposed public right-of-way dedication, not to exceed 75 feet from the centerline [of New Hampshire Avenue].

Because New Hampshire Avenue is a state highway, its right-of-way is controlled by the Maryland State Highway Administration (MDSHA). MDSHA requires as a matter of course that utility easements be placed outside of the right-of-way, on property being subdivided. It is not feasible for the preliminary plan to be in compliance with this city-recommended condition. Therefore, the staff recommendation includes a condition that requires a public utilities easement (PUE) to be placed outside of the right-of-way on the subject property.

2. Buildings on the lot shall be built to a line parallel to the edge of the New Hampshire Avenue public right-of-way, not to exceed 76 feet from the centerline.

Although the specific placement of buildings is determined by the site plan rather than the preliminary plan, it is not premature to state that the preliminary plan cannot feasibly comply with this city-recommended condition. Because the first ten feet of depth into the proposed lot will be occupied by the required PUE, any building on the lot will have to be located at least ten feet from the right-of-way for New Hampshire Avenue.

3. No parking or drive aisles shall be located between the proposed building on the site and New Hampshire Avenue.

The preliminary plan complies with this city-recommended condition. However, the staff recommendation does not include this condition for the preliminary plan because the placement of parking, drive aisles, and buildings is an issue for the site plan rather than the preliminary plan.

4. A sidewalk of at least five feet in width shall directly connect New Hampshire Avenue to Sligo Mill Road.

The preliminary plan complies with this city-recommended condition. However, the staff recommendation does not include this condition for the preliminary plan because the placement of sidewalks is an issue for the site plan rather than the preliminary plan.

5. Along New Hampshire Avenue, the planting panel between the curb and the sidewalk shall be a minimum of 10 feet in width and the sidewalk shall be a minimum of eight feet in width and shall connect fully to the adjacent sidewalks.

The preliminary plan complies with this city-recommended condition. However, the staff recommendation does not include this condition for the preliminary plan because the placement of sidewalks is an issue for the site plan rather than the preliminary plan.

6. The five-foot wide sidewalk on Sligo Mill Road shall have clear ADA connections to existing and future sidewalks and a minimum five foot planting panel between the sidewalk and the curb.

The preliminary plan complies with this city-recommended condition. However, the staff recommendation does not include this condition for the preliminary plan because the placement of sidewalks and ADA compatibility will be addressed during the site plan review rather than the preliminary plan review.

7. There shall be no vehicular access from Sligo Mill Road.

The preliminary plan complies with this city-recommended condition. The staff recommendation includes a condition that the plat must contain a note indicating that access is prohibited from Sligo Mill Road.

Citizen Correspondence and Issues

The applicant conducted a pre-submission community meeting on April 19, 2008. At the meeting, no 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, no citizen correspondence has been received.

CONCLUSION

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conforms to 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 Preliminary Plan

Attachment C – City of Takoma Park Council Resolution

Attachment D – Agency Correspondence Referenced in Conditions

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: 6450 New Hampshire Avenue Plan Number: 120090210 Zoning: C-2 and Takoma Park East Silver Spring Commercial Revitalization zone # of Lots: 1 # of Outlots: N/a Dev. Type: Commercial **Zoning Ordinance PLAN DATA** Proposed for Verified Date Development Approval by the Standard **Preliminary Plan** 9,361 sq. ft. NB 1/27/12 Minimum Lot Area Not specified minimum Lot Width Not specified 62 ft. minimum NB 1/27/12 62 ft. minimum Lot Frontage Not Specified NB 1/27/12 Setbacks Front 10 ft. Min. Must meet minimum¹ NB 1/27/12 Side 0 ft. Must meet minimum¹ NΒ 1/27/12 May not exceed NB 1/27/12 Height 42 ft. Max. maximum¹ Max Comm'l s.f. per NB 1/27/12 18,138 sq. ft. 2,011 sq. ft. Zoning MPDUs N/a **TDRs** N/a Site Plan Reg'd? Yes **FINDINGS** SUBDIVISION Lot frontage on Public Street 1/27/12 Yes NΒ Road dedication and frontage improvements Yes Agency letter 5/15/09 **Environmental Guidelines** N/a Staff memo 1/18/12 **Forest Conservation** Exempt Staff memo 1/18/12 Master Plan Compliance Staff memo 1/18/12 Yes ADEQUATE PUBLIC FACILITIES Stormwater Management Yes Agency letter 11/9/10 Agency 5/11/09 Water and Sewer (WSSC) Yes comments Agency 5/11/09 10-yr Water and Sewer Plan Compliance Yes comments Well and Septic N/a 5/11/09 Agency letter Local Area Traffic Review 1/18/12 N/a Staff memo Policy Area Mobility Review Staff memo 1/18/12 Yes **Transportation Management Agreement** Staff memo No 1/18/12

Yes

Agency letter

12/14/11

Fire and Rescue

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

6450 NEW HAMPSHIRE AVENUE (120090210)



Map compiled on September 13, 2010 at 2:47 PM | Site located on base sheet no - 208NE01

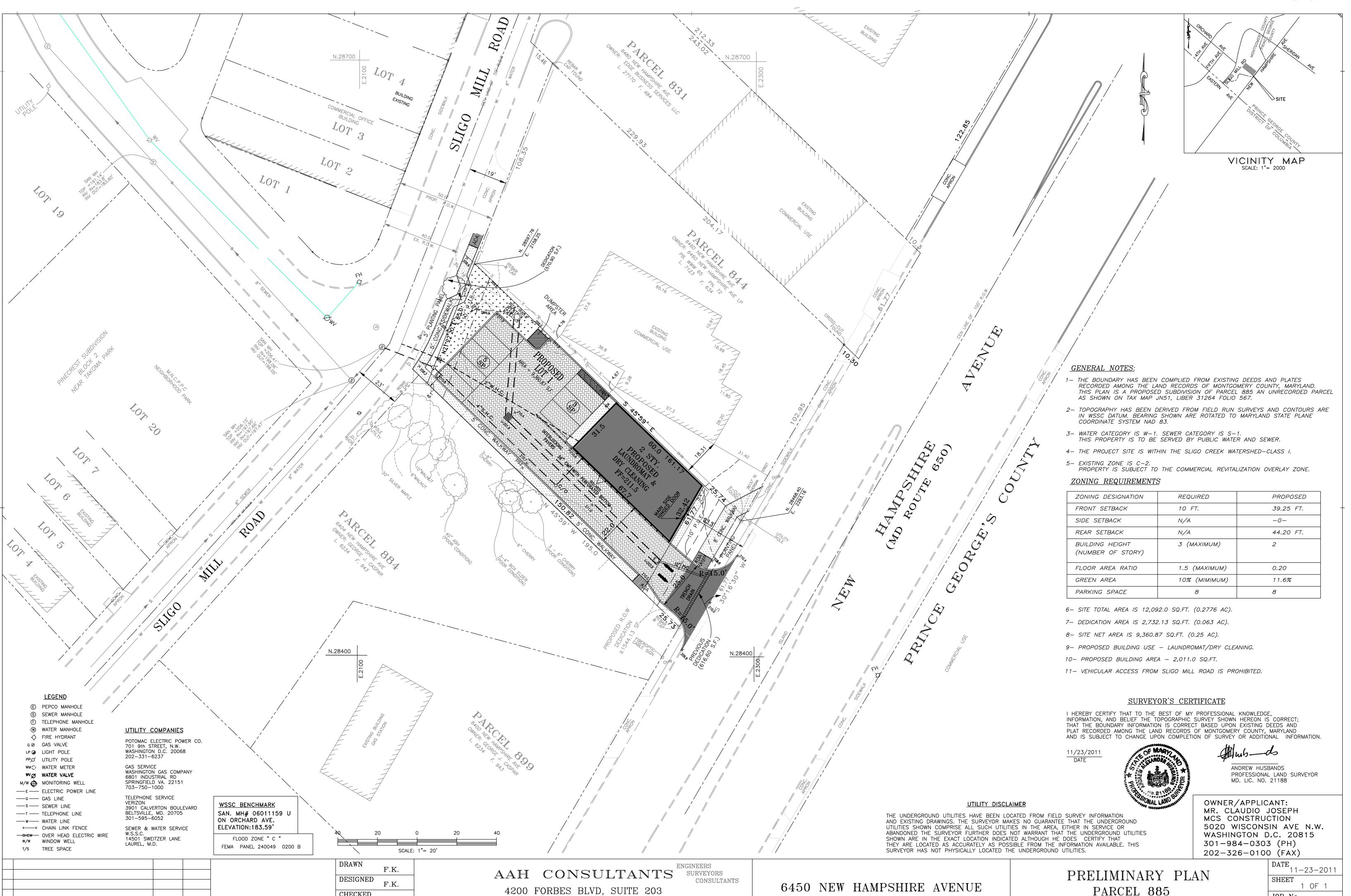
The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland -National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from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

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same are allotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes, is not recommended. - Copyright 1998







TAKOMA PARK

LANHAM, MARYLAND 20706

(301) 429-1750 429-1757 (FAX)

CHECKED

1"= 20'

SCALE

NAME DATE

DESCRIPTION

REVISIONS

1 OF 1 PARCEL 885 JOB No. 09 - 133MONTGOMERY COUNTY, MARYLAND

CITY OF TAKOMA PARK, MARYLAND

Resolution No. 2011-14

Resolution Recommending the Approval with Conditions of the Preliminary Plan for 6450 New Hampshire Avenue Parcel 885 Montgomery County, MD

- WHEREAS, Mr. Claudio Joseph (the Applicant) has submitted a Preliminary Plan (File 120090210) for review by the Maryland-National Park and Planning Commission to facilitate the development of a laundromat; and
- WHEREAS, the Takoma Park Master Plan 2000 recommends the revitalization of the Maryland Gateway, the establishment of a boulevard streetscape on New Hampshire Avenue, pedestrian friendly development, circulation and access for vehicles and pedestrians including attractive connections linking to the surrounding neighborhoods; and
- WHEREAS, the Council and community have expressed a strong interest in the revitalization and redevelopment of New Hampshire Avenue with the adoption of the New Hampshire Avenue Concept Plan which recommends the transformation of New Hampshire Avenue into a pedestrian friendly, multi-way boulevard with mixed-use retail, office, and residential; and
- WHEREAS, public utility easements have been co-located in the public right-of-way/public use easement in recent preliminary and site plans in Takoma Park commercial districts in order that new buildings front on public sidewalks and define streets.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Takoma Park recommends approval of the proposed Preliminary Plan (File 120090210) Parcel 885 Montgomery County to allow the parcel to be converted into a lot with the following conditions:

- 1. The public utility easement shall be located within the proposed public right-of-way dedication, not to exceed 75 feet from the centerline.
- 2. Buildings on the lot shall be built to a line parallel to the edge of the New Hampshire Avenue public right-of-way, not to exceed 76 feet from the centerline.
- 3. No parking or drive aisles shall be located between the proposed building on the site and New Hampshire Avenue.
- 4. A sidewalk of at least five feet in width shall directly connect New Hampshire Avenue to Sligo Mill Road.

- 5. Along New Hampshire Avenue, the planting panel between the curb and the sidewalk shall be a minimum of 10 feet in width and the sidewalk shall be a minimum of eight feet in width and shall connect fully to the adjacent sidewalks.
- 6. The five-foot wide sidewalk on Sligo Mill Road shall have clear ADA connections to existing and future sidewalks and a minimum five foot planting panel between the sidewalk and the curb.
- 7. There shall be no vehicular access from Sligo Mill Road.

Adopted this 28th day of March, 2011.

Attest:

Jessie Carpenter, CMC

City Clerk

City of Takoma Park, Maryland

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

5020 Wisconsin Avenue, NW Washington, DC 20815 Attention: Mr. Claudio Joseph



31 OSWEGO AVENUE SILVER SPRING, MD 20910

Reference: Application for Stormwater Management Concept

6450 New Hampshire Avenue SWC-10-06

Dear Mr. Joseph and Mr. Husband:

The revised Stormwater Concept plan Application dated 10-14-2010 is deemed acceptable. All technical details and specifications related to the concept shall be provided for review during site development phase of the project. Upon approval of the Site Development/technical review phase a final plan shall be prepared and submitted to obtain a Stormwater Management Permit, in accordance with Takoma Park Code 16.04.140 B.

"Following concept plan approval by the City, the owner/developer shall submit a site development plan that reflects comments received during the previous review phase. Plans submitted for site development approval shall be of sufficient detail to allow site development to be reviewed and include but not be limited to:

- 1. All information provided during the concept plan review phase;
- 2. Final site layout, exact impervious area locations and acreages, proposed topography, delineated drainage areas at all points of discharge from the site, and stormwater volume computations for ESD practices and quantity control structures;
- 3. A proposed erosion and sediment control plan that contains the construction sequence, any phasing necessary to limit earth disturbances and impacts to natural resources and an overlay plan showing the types and locations of ESD and erosion and sediment control practices to be used;
- 4. A narrative that supports the site development design, describes how ESD will be used to meet the minimum control requirements, and justifies any proposed structural stormwater management measure; and
- 5. Any other information required by the City or other approving agency.

allun

For additional information regarding the SWM review and permitting phases please refer to City of Takoma Code title 16.04. Thank you for the opportunity to be of service. Should you have any questions please call 301-891-7620:

Sincerely,

City of Takoma Park

Department of Public Works

City Engineer



Isiah Leggett

County Executive

Arthur Holmes, Jr.

Director

May 15, 2009

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 #1-20090210

6450 New Hampshire Avenue

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated December 15, 2008. This plan was reviewed by the Development Review Committee at its meeting on May 11, 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.

- Necessary dedication for New Hampshire Avenue (MD 650) in accordance with the Master Plan. Necessary dedication for Sligo Mill Road as necessary.
- 2. Access and improvements along Sligo Mill Road as required by the City of Takoma Park.
- 3. Access and improvements along New Hampshire Avenue (MD 650) as required by the Maryland State Highway Administration.
- 4. The owner will be required to submit a recorded covenant for the operation and maintenance of private, streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Sam Farhadi or Dewa Salihi at (240) 777-2197.

Sincerely,

Gregory M. Leck, P.E., Manager Development Review Team Ms. Catherine Conlon Preliminary Plan No. 1-20090210 May 15, 2009 Page 2

cc: Claudio Joseph
Andrew Husbands, WCG LLC
Shahriar Etemadi; M-NCPPC TP
Corren Giles, MSHA
Ali Khalilian; City of Takoma Park
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Henry Emery; DPS RWPPR
Sam Farhadi, DOT TEO
Dewa Salihi, DOT TEO

Preliminary Plan Folder Preliminary Plans Note Book



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor Beverley K. Swaim-Staley, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

May 13, 2011

Mr. Andrew A. Husbands, PLS AAH Consultants, LLC 4200 Forbes Boulevard Suite 203 Lanham, Maryland 20706 Re: City of Takoma Park

6450 New Hampshire Avenue

MD Route 650 Mile Post: 0.10

SHA Tracking #11-AP-MO-018

Dear Mr. Husbands:

The State Highway Administration received the preliminary plan for the subject commercial site. A 1,842.75 square foot Laundromat/Dry Cleaning building is proposed on a 0.2776 acre site. SHA offers the following comments:

- Proposed vehicular access is from a proposed 22' wide entrance with a 5' inbound radius and a 15' outbound radius. This proposed entrance must be shifted slightly to the south and increased to a 25' width with 15' radii. Although we recognize that the standard 30' radii are infeasible for this site's limited frontage with MD 650, the proposed 5' radius would result in some inbound vehicles coming to a stop before completing their turns. This is a safety concern on this high volume arterial roadway with a 35 mph speed limit.
- SHA standard MD 655.12 sidewalk ramps must be depicted and labeled on this plan.
- The proposed MD 650 access is subject to the terms and conditions of an access permit which must be issued by SHA's Access Management Division (AMD).
- Please submit four (4) sets of revised plans that address all the above comments must be submitted to SHA's AMD for distribution to the relevant SHA review offices. Further comment is withheld until these revised plans are submitted to SHA's AMD.

If you have any questions, please contact Raymond Burns at 410-545-5592 or our toll free number at 800-876-4742.

Steven D. Foster, Chief

Access Management Division

cc: Mr. Neil Braunstein, AICP, MNCPPC, Area #1

Mr. Victor Grafton sent via e-mail
Ms. Kate Mazzara sent via e-mail