

# Regular Meeting

<b>Agenda Item #</b>	1
<b>Meeting Date</b>	February 23, 2014
<b>Prepared By</b>	
<b>Approved By</b>	Suzanne R. Ludlow Acting City Manager

<b>Discussion Item</b>	Resolution Commenting on the Draft Public Hearing Staff Report, R14-01: Proposed Changes to WMATA Facilities at Takoma Metro Station; June 18, 2014
<b>Background</b>	<p>WMATA Board Resolution 2014-11, adopted on March 27, 2014, approved an amended and restated Takoma joint development agreement with TM Associates, an affiliate of developer EYA, and directed that the WMATA general manager convene a public hearing on the proposed development. The hearing would be followed by the creation of a staff report with final staff recommendations, to be released for public comment and board approval.</p> <p>WMATA released the Draft Public Hearing Staff Report and invited submission of comments by 5 p.m. on Monday, March 2, 2015. The report and exhibits are posted at:</p> <p><a href="http://www.wmata.com/community_outreach/R14-01_landing/R14-01_landing.cfm">http://www.wmata.com/community_outreach/R14-01_landing/R14-01_landing.cfm</a>.</p> <p>Councilmember Seth Grimes, in consultation with active community members, has drafted a resolution that relays City comments.</p>
<b>Policy</b>	
<b>Fiscal Impact</b>	N/A
<b>Attachments</b>	<p>Draft resolution relaying City comments</p> <p>WMATA Board Resolution 2014-11 may be viewed at: <a href="http://www.wmata.com/community_outreach/R14-01_landing/Exhibit%20A.pdf">http://www.wmata.com/community_outreach/R14-01_landing/Exhibit%20A.pdf</a></p> <p>Takoma Park Resolution 2013-68</p>
<b>Recommendation</b>	
<b>Special Consideration</b>	



41 **WHEREAS,** developer EYA’s current building design far exceeds the forty (40) foot  
42 maximum building height allowed by the R-5-A zoning of the portion of  
43 the parcel fronting Eastern Avenue, NW and the fifty (50) foot maximum  
44 building height allowed by the C-2-A zoning of the portion of the parcel  
45 closer to the railroad right of way. While a Planned Unit Development  
46 process could allow deviation from current zoning, neighborhood  
47 compatibility suggests that the building height should comply with zoning  
48 limits, with the step-up to more than three stories of the building set back  
49 to the boundary of the C-2-A zone; and

50 **WHEREAS,** developer EYA’s current building design includes four levels of  
51 residential parking with an estimated 116 parking spaces for the estimated  
52 212 apartment units which, at a .55 parking ratio is too high for a transit-  
53 oriented development, creating neighborhood traffic impact and risking  
54 sacrifice of transit-use revenue to driving; and

55 **WHEREAS,** the design preserves only a partial, thirty-foot width of the wooded green  
56 space located to the immediate northwest of the building site, providing  
57 only a modest buffer between the station’s and residential building’s  
58 service lanes and the adjacent property;

59 **NOW, THEREFORE, BE IT RESOLVED THAT** the City asks WMATA and  
60 developer EYA to modify the design associated with the Takoma  
61 Amended Joint Development Agreement, to fully address concerns  
62 expressed here about neighborhood compatibility (massing on, and step-  
63 back from, Eastern Avenue NW; building height within current zoning  
64 limits; and adequate buffer from neighboring building); and traffic and  
65 transit-use impact (number of residential parking spaces), prior to the  
66 WMATA Board’s vote on Public Hearing Staff Report, R14-01.

67 **BE IT FURTHER RESOLVED THAT** the City of Takoma Park submits detailed  
68 comment on the draft Public Hearing Staff Report, R14-01, as attached.

69 **BE IT FURTHER RESOLVED THAT** the City shall inform the Maryland Secretary of  
70 Transportation, the Montgomery County Executive, and the Montgomery  
71 County Council of the City’s comment to WMATA concerning the draft  
72 Public Hearing Staff Report, R14-01.

73 Adopted this\_\_\_\_\_ day of February, 2015.

74 Attest: \_\_\_\_\_

75 Jessie Carpenter, CMC City Clerk

**PRESENTED AND ADOPTED: March 27, 2014**

**SUBJECT: APPROVAL OF AN AMENDED AND RESTATED SALES AGREEMENT FOR JOINT DEVELOPMENT AND APPROVAL TO HOLD A SECOND PUBLIC HEARING ON THE REPLACEMENT OF METRO FACILITIES AT THE TAKOMA METRORAIL STATION**

**2014-11**

**RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY**

WHEREAS, In July 1999, WMATA issued a Joint Development Solicitation requesting proposals to develop the Takoma Metrorail Station joint development site; and

WHEREAS, On April 20, 2000, the Board of Directors selected EYA Development, Inc., to develop the Takoma Metrorail Station site; and

WHEREAS, A Joint Development Sales Agreement between WMATA and Takoma Metro Associates Limited Partnership (an affiliate of EYA Development, Inc.) was executed on June 20, 2005; and

WHEREAS, In Resolution #2007-46, the Board of Directors approved a Final Public Hearing Staff Report for the replacement and reconfiguration of Metro facilities at the site; and

WHEREAS, Subsequent to the approval of the Final Public Hearing Staff Report, WMATA and EYA Development, Inc. have revised development plans for the site to take into account community input and development changes in the surrounding area; and

WHEREAS, The Amended and Restated Takoma Joint Development Sales Agreement will be with TM Associates LLC, as successor to Takoma Metro Associates Limited Partnership and which also is an affiliate of EYA Development, Inc.; and

WHEREAS, The Amended and Restated Takoma Joint Development Sales Agreement will contemplate the development of approximately 212 apartment units; and

WHEREAS, Residents of the proposed apartment development will increase ridership for the Metrorail system and support for local businesses; and

**Motioned by Mr. Downs, seconded by Mr. Acosta**

**Ayes: 8 – Mr. Downs, Mr. Downey, Mr. Nichols, Mrs. Hynes, Mr. Dyke, Ms. Bowser, Mr. Acosta and Mr. Goldman**

WHEREAS, The Amended and Restated Takoma Joint Development Sales Agreement will provide that WMATA dedicate one acre of land at the station for a permanent public park; and

WHEREAS, The Concept Plan that will be incorporated in the Amended and Restated Takoma Joint Development Sales Agreement substantially alters the placement of Metro facilities previously approved thus necessitating a second Metro Public Hearing; and

WHEREAS, Those facilities will include:

1. Relocated metered parking for Metro patrons on the ground floor of a garage that will be owned and operated by TM Associates LLC, or its successors, and will include approximately 95 metered spaces instead of the current 141 surface lot metered spaces; and
2. Reconfigured Kiss and Ride facilities adjacent to the Metro metered parking area in the garage and additional spaces for taxis and shuttles, all totaling approximately 20 spaces; and
3. A bus loop in the current location containing the existing nine bus bays plus one additional bus bay and one new dedicated layover bay; and
4. Improved pedestrian access to the station entrance from Eastern Avenue/Cedar Street through the open space area reserved for future transit; and
5. A public park of one acre owned by WMATA and maintained by TM Associates LLC, or its successors; now, therefore be it

*RESOLVED*, That the Board of Directors authorizes the General Manager and Chief Executive Officer, or his designee, to negotiate and execute the Amended and Restated Takoma Joint Development Sales Agreement; and be it further

*RESOLVED*, That neither this resolution nor the Amended and Restated Takoma Joint Development Agreement shall be construed as endorsing either the incorporated Concept Plan or any other proposal, design, or plan in regard to the height, setback, or distance from the adjoining property of the proposed residential building nor the number or location of residential parking spaces; and be it further

*RESOLVED*, That WMATA staff shall negotiate with TM Associates LLC, to minimize the number of the project's residential parking spaces in order to promote greater transit utilization by residents and reduce traffic impact; and be it further

*RESOLVED*, That the Board of Directors approves the holding of a second Public Hearing on the replacement of Metro facilities at the Takoma Metrorail Station; and be it further

*RESOLVED*, That the General Manager and Chief Executive Officer, in coordination with the Board of Directors, will establish the date, time and location of the second Public hearing; and be it further

*RESOLVED*, That WMATA will receive public comment on matters regarding residential building design elements during the second Public hearing. WMATA staff shall report such comments in the staff report on the Public hearing and forward those comments to the District of Columbia Zoning Commission; and be it further

*RESOLVED*, That the Board of Directors authorizes the General Manager and Chief Executive Officer to release the Public Hearing Staff Report for public comment, as soon as the Staff Report is available, subject to later submission of the Staff Report Supplement, with final staff recommendations to the Board for its approval. All Board members will receive the staff report concurrently with its release for public review; and be it finally

*RESOLVED*, That this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,



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Kathryn H.S. Pett  
General Counsel

WMATA File Structure Nos.:  
12.7.3 Station Area Plans  
18.8 Public Hearings/Meetings  
21.9.4 Joint Development Agreements