

**7402 Garland Avenue
7402 Garland Avenue, Takoma Park, MD
Preliminary Plan No. 120210220
Statement of Justification and Narrative Description**

I. Introduction

Habitat for Humanity Metro Maryland (the "Applicant"), is submitting this application for Preliminary Plan approval (the "Application") for consideration by the Montgomery County Planning Board for the property located at 7402 Garland Avenue, Takoma Park, MD (the "Property"). The Applicant proposes to subdivide the existing Property to create two (2) record lots. Approval of the subject Preliminary Plan application and redevelopment contained within the existing structure will allow the Applicant to convert this single-family detached dwelling into a duplex to provide a much-needed opportunity for affordable homeownership in Takoma Park (the "Development").

As discussed in detail in this Statement, the Development responds to the need for diverse housing options and Missing Middle housing in Takoma Park and Montgomery County. The Development implements the goals and recommendations of the *2000 Approved and Adopted Takoma Park Master Plan* (the "Master Plan"), and Montgomery County's *2018 Missing Middle Housing Study* (the "Housing Study"). Additionally, the Development complies with the Montgomery County Subdivision Ordinance (the "Subdivision Ordinance").

II. Background

A. Habitat for Humanity

The Applicant is a nonprofit corporation that works to create decent and affordable homeownership opportunities in Montgomery and Prince George's Counties, Maryland. The Applicant's mission in the bi-county region is rooted in a desire to make homeownership a reality for a broad range of households and incomes. The subject Application advances the Applicant's mission by creating an opportunity for affordable homeownership in a community where decent affordable homeownership is becoming increasingly rare.

B. City of Takoma Park

The City of Takoma Park (the "City") is supportive of the Applicant's proposal for the Property. Both the Takoma Park City Council (the "City Council") and the City's Planning Department have supported the Applicant's mission to provide Missing Middle housing in the community. In September 2020, the City acquired the Property through the Tenant Opportunity to Purchase law.¹ Consistent with the Tenant Opportunity to Purchase law, the City was offered the

¹ See Chapter 6.32 of the Municipal Charter of the City of Takoma Park, "Tenant Opportunity to Purchase." The Tenant Opportunity to Purchase provides tenants with the right to purchase the rental facility where they live in the event that it is placed on the market for sale.

opportunity to purchase the home when the previous rental tenants declined the offer. The Property was then made available for purchase to the Applicant through the City’s relationship with the Applicant.

Additionally, the City Council passed City Ordinance No. 2020-26 to authorize the City Manager to enter into a contract with the Applicant and contribute \$200,000 of the City’s Housing Reserve to advance the Applicant’s proposal. The City Council’s contribution (\$100,000 per unit) will help ensure affordability for future homeowners and further advance the City Council’s goal to help provide Missing Middle homeownership opportunities and “improve the physical condition, safety, resiliency, and energy efficiency of existing housing.”

C. Community Outreach

The Applicant held the required pre-submission community meeting on January 28, 2021 virtually through GoTo Meeting, as permitted by the Planning Department’s COVID-19 procedures. Minutes of the meeting are submitted as part of this application.

III. Property Description

A. Property Location, Characteristics, and Existing Conditions

The Property is located along Garland Avenue, just south of its intersection with Carroll Avenue within the municipal boundaries of the City of Takoma Park, Maryland (the “City”) and is identified as Lot 26, Block B, Sligo Heights Subdivision. The Property is approximately 0.26 acres (\pm 11,412 square feet) and is bounded by Garland Avenue to the north and residential properties to the east, west, and south. The Property is currently improved with a single-family detached residential structure, single-car garage, wood frame shed, and a paved driveway. There are no wetlands, floodplains, special protection areas, primary management area, or existing forest on the Property. Additionally, there is no historic preservation associated with the Property.

The Property is currently vacant although it was most recently utilized for rental housing. The existing residential structure is divided into three (3) separate units and provided separate rental units on the ground floor and second floor as well as in the basement.

B. Zoning and Permitted Uses

The Property is currently zoned R-40 (Residential-40). Pursuant to Section 3.1.6 of the Zoning Ordinance, duplexes are permitted within the R-40 Zone. Side duplexes in the R-40 Zone require a minimum lot area of 4,000 square feet, minimum frontage of forty (40) feet and a minimum side yard of 10 feet on each side of the structure.²

²See Sec.4.4.10(B)(1).

C. **Surrounding Zoning and Land Uses**

The Property is in close proximity to major regional employment centers, located approximately 1.2 miles outside of the District of Columbia and the Takoma Metro station and 1.75 miles from downtown Silver Spring. Langley Park Plaza and other retail offerings are located within 0.5 miles of the Property.

The majority of the surrounding community consists of low- to medium-density residential, with a significant number of single-family detached homes in the immediate vicinity. The neighborhood is primarily zoned R-40 and R-60 (Residential-60), permitting single-family detached among other low intensity residential uses.

IV. **Development Description**

A. **Overview**

The Applicant proposes to redevelop the existing single-family detached dwelling under the standard method of development for the R-40 Zone with a duplex. Specifically, the Project involves a conversion of the single-family residential structure into a duplex to create two separate dwelling units. Redevelopment on the site will be contained to the existing structure, with the exception of the addition of stairs at the front of the home and an additional doorway and stairs at the rear of the home to accommodate the duplex. be contained to the existing structure, as the dwelling will be retrofitted with a series of interior dividing walls and design interventions to replace the current rental units with two separate dwelling units for ownership. An attractive new front porch and stairs, as well as a new rear porch and stairs, will be added onto the existing structure to accommodate appropriate entrances and exits for both units of the duplex.

In addition to the conversion of the existing structure, a new driveway is proposed along the northwest side of the Property. This new driveway will extend from Garland Avenue towards the rear of the dwelling to create a new access point and the required two spaces of off-street parking for future residents.

In order to accommodate two record lots on the Property, the Applicant proposes to subdivide the existing lot into two (2) separate record lots. The proposed subdivision will create a new lot line that extends southwest from the Property's frontage on Garland Avenue and follows along the center line of the existing structure. The new lot line continues southwest through the existing structure for approximately thirty (30) feet and then angles northwest towards the rear property line.

V. **Conformance with Master Plan Recommendations**

The Property falls within the boundaries of the *2000 Approved and Adopted Takoma Park Master Plan*. The Master Plan is 20 years old. The Master Plan notes that master plans are intended to generally look ahead 20 years from the date of adoption, although they are intended to be updated every 10 years. The Master Plan specifically recognizes that "circumstances will change following adoption of a plan and that the specifics of a master plan may become less relevant over

time.” (See page v). Nonetheless, many of the overarching objectives of the Master Plan remain relevant today and the proposed Development substantially conforms to many of these objectives.

The Master Plan confirms the R-40 zoning for the Property. The Master Plan does not contain any site-specific recommendations. However, the Project conforms to the general recommendations contained in the Master Plan. The Development conforms with the following applicable Master Plan recommendations:

- *Retain the existing single-family detached character throughout most of Takoma Park, the existing distribution of apartment uses, and the rights to develop existing properties and replace existing residential structures.*
- *Encourage maintenance and preservation of housing through code enforcement, neighborhood improvement programs, and other appropriate techniques.*

The Development encourages the maintenance and preservation of housing through utilization of the City’s Housing Reserve while upholding the neighborhood’s existing single-family detached character. The subject Application will preserve and add housing in the community by retrofitting and updating existing housing that was largely falling into disrepair.

VI. Conformance with Housing Study Recommendations

The Montgomery County Planning Department commissioned the Housing Study in September 2018 to assess the viability of Missing Middle housing as a strategy to solve housing problems related to accessibility and affordability in Montgomery County. The Housing Study determined that Missing Middle housing can utilize existing infrastructure to support public transit, services, and amenities within walking distance. To this end, Missing Middle housing also utilizes existing infrastructure to provide new housing opportunities through a range of housing types that appeal to a broad range of households. Specifically, Missing Middle housing types benefit segments of the County’s housing market that are particularly affected by affordability and accessibility challenges – such as recent graduates, young families, and aging-in-community seniors.

The subject Application advances the recommendations of the Housing Study by creating additional housing units within the scale of an existing single-family community. Moreover, the Development will provide new housing types that cater to broader segments of the housing market, while maintaining compatibility with the surrounding single-family neighborhood.

VII. Required Findings for Preliminary Plan Approval

The purpose of this portion of the Statement is to provide justification that the Preliminary Plan satisfies the applicable provisions of the Subdivision Regulations.

A. Subdivision Regulation Compliance

The Preliminary Plan indicates that that the size, width, shape, and orientation of the proposed lots will be appropriate for the location of the proposed subdivision and standards of the R-40 Zone.

B. Adequate Public Facilities

The public facilities are adequate to support and service the Development. The limited scope of the redevelopment, in combination with the transition from three (3) on-site rental units to two (2) units for ownership, will marginally increase the Property's traffic generation from 1 AM and 1 PM trip to 1 AM and 2 PM trips. Accordingly, a Traffic Study is not necessary for the subject Preliminary Plan.

The Development is assigned to Takoma Park Elementary School, Piney Branch Elementary School, Takoma Park Middle School, and Montgomery Blair High School. Similar to transportation, the Development will have a *de minimus* impact upon schools by virtue of the limited scale of redevelopment. Accordingly, there is adequate capacity at each of these schools to accommodate the Development.

The Property is already served by existing water and sewer and is located within water and sewer categories W-1 and S-1. Water and sewer needs are expected to be met by the Washington Suburban Sanitary Commission ("WSSC") through connections to the existing water and sewer lines. Electric, gas, and telecommunications services will also be available. Other public facilities and services – including police stations, firehouses, and healthcare facilities – are currently adequate to be sufficient following construction of the Development.

Therefore, the public facilities will be more than adequate to support and service the area of the proposed subdivision.

C. Master Plan Conformance

As discussed in detail in Section V above, the Development substantially conforms to the goals and recommendations of the Master Plan. As discussed herein, the Master Plan specifically recognizes the need to maintain and preserve housing within the City.

The Development advances both of the abovementioned Master Plan goals, while providing a unique opportunity for affordable homeownership in the City. Moreover, the Project conforms with these goals while maintaining the single-family residential character of the surrounding community.

D. Forest Conservation

The Property is exempt from the requirements of Chapter 22A of the Montgomery County Code (the "Forest Conservation Law").³ A simplified Natural Resources Inventory No. 42021138E

³ The Property lacks a tree canopy that meets the definition of a "Forest" under Chapter 22A of the Montgomery County Code. This Application is also exempt from the Forest Conservation Law under Sec. 22A-5(s)(2.), "Small

(“NRI”) was prepared for the Property and M-NCPPC approved a Forest Conservation Plan Exemption on March 25, 2021. There are two (2) specimen trees currently on the Property. The NRI shows that the Property contains no floodplain, protected soils, endangered species, or other natural features that would impact development. The Applicant is committed to providing up to three (3) street trees to mitigate the impact of Development on any existing trees on-site. These street trees will contribute to effective stormwater management on-site.

E. Stormwater Management

The Property is drained by Long Branch, a Use Class I Stream, and is located in the Sligo Creek Watershed, Right Fork. Both streams are located in the Anacostia Watershed. There is no stormwater management currently on-site.

VIII. Conclusion

As demonstrated by this Statement, the Development complies with all applicable requirements of the Subdivision Ordinance. The Applicant, the City, and the community have collaborated to ensure that the Development is compatible with the surrounding neighborhood and advances both the City and the County’s housing goals. Furthermore, the Development is in substantial conformance with the recommendations of the Master Plan, as discussed above. Importantly, the Development will provide a desirable and much needed opportunity for affordable homeownership within the City and the Downcounty Subregion. For all of the reasons discussed in this Statement, the Applicant respectfully requests the Planning Board’s approval of this Application.

Property Exemption,” as the proposed activity will: (1) occur on a tract less than one acre; (2) will not result in the clearing of (a) more than a total of 20,000 SF of existing forest or (b) any existing Specimen of Champion Tree; and (3) will not have reforestation requirements that exceed 10,000 SF.