

Fact Sheet: NDC Parking Lot Termination Info

We have received requests for summary information about the Neighborhood Development Company (NDC) notification regarding [termination of the Co-op Sublease](#) on the City-owned parking lot for ease of understanding. And as a membership organization, we have a fiduciary duty to keep membership up to date on actions that materially and adversely affect the day-to-day operations of the store. This Fact Sheet provides relevant information.

- NDC has extended its deadline to cease use of the lot for deliveries from “immediately” to Monday, April 26. The 30-day notice to terminate the Co-op sublease of the City lot remains in effect (May 15 termination date).
- To date, TPSS Co-op has not received substantiated safety concerns from the MD State Highway Administration (SHA), Montgomery County Department of Transportation (MCDOT), the City of Takoma Park or NDC. We have proactively asked all three government organizations and NDC for verifiable allegations of unsafe or illegal delivery practices and not one has been provided.
- Allegations that it is illegal to turn left in or out of the City-owned parking lot are untrue. These movements are legal under Maryland state law. Claims that it is illegal to cross the double yellow line on a state highway are also untrue.
- Alleged safety concerns about Co-op deliveries raised by the City in a Fact Sheet that was posted to the City website on March 10 have not been substantiated, despite repeated requests from the Co-op. Nor were the concerns communicated to the Co-op directly. Only on March 10, when the City Manager raised them in her public weekly briefing to City Council, did the Co-op learn of the City Manager’s concerns. We reasonably have an expectation that this concern would have been first raised directly and immediately with the Co-op.
- The Co-op has operated in the City-owned lot since 1998 with an unbroken record of safe delivery practices. Our lease with the City was renewed in 2010, 2012 and 2015 with no requests for additional clauses related to safety ever having been raised.
- Before signing our 2018 sublease with NDC, we provided extensive delivery survey data per the terms of our Cooperation Agreement to NDC, and posted that same information on the Co-op’s website. This data, showing the specific daily delivery load, vehicle type, length of delivery and other information, are available [here](#).

-Per the terms of our sublease with NDC, TPSS Co-op holds a significant insurance policy covering commercial general liability, automobile liability and umbrella liability for its use of the lot. Both the City of Takoma Park and NDC are insured under this policy.