



10619 Connecticut Avenue, Conditional Use No. CU 19-03



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Staff Report Completed: 7-15-19

Description

Request for conditional use approval of a 126,955 square foot self-storage facility.

Location: 10619 Connecticut Avenue, southeast corner of the intersection of Connecticut Avenue and Plyers Mill Road.

Zone: CRT-2.5, C-2.0, R-2.0, H-75.

Master Plan: 2012 *Kensington Sector Plan*.

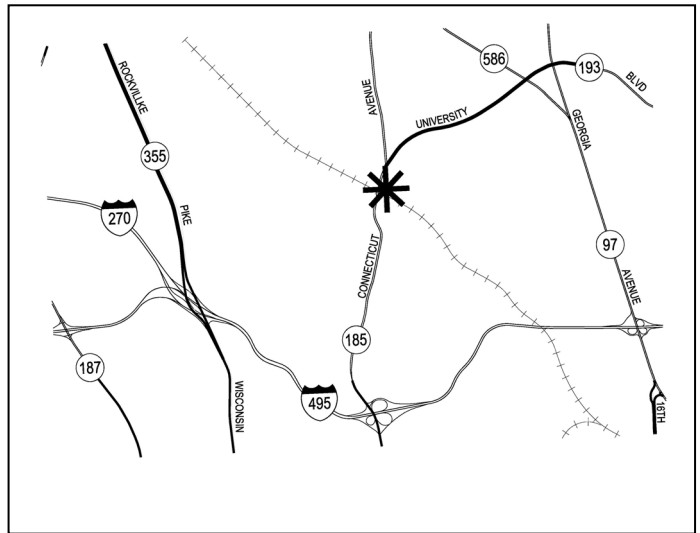
Property Size: 1.06 acres.

Application Accepted: September 20, 2018.

Applicant: 1784 Capital Holdings, LLC.

Review Basis: Chapter 59, Conditional Use.

Hearing Examiner Public Hearing: August 9, 2019.



Summary

- Staff recommends denial of the application because the proposed use is not consistent with the intent of the *Kensington Sector Plan*. The proposed self-storage facility is inconsistent with the Sector Plan's overall vision for a lively and active Kensington Town Center with streets that are welcoming and comfortable for residents, workers, and visitors. The inherently auto-centric nature of a self-storage facility creates an environment that will encourage the proliferation of the existing auto-centric development pattern that the Sector Plan seeks to change.
- A self-storage facility is a conditional use under Section 59-3.6.8.D.2.b and the element of the proposed development that the Planning Board must consider for recommendation to the Hearing Examiner.
- The proposed access points are problematic, particularly for trucks exiting the Property through the adjacent shopping center to make a left turn onto Metropolitan Avenue. Existing left turn movements from this driveway onto Metropolitan Avenue are challenging, and trucks attempting to make this movement would obstruct traffic.
- The Town of Kensington issued a resolution opposing the Application. Per the Annotated Code of Maryland Land Use Article, Section 24-201C, the Planning Board must have a 2/3 majority vote to take any action contrary to the Town's resolution.
- Staff has received correspondence in opposition to, and in support of, the Application.
- If the conditional use is approved, Sketch, Preliminary, and Site Plan approvals are required because the project would be optional method development in the CRT Zone.

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ATTACHMENTS

1. Conditional Use Plan
2. Authorization letter from adjacent property owner
3. Forest Conservation Exemption
4. Correspondence from the Town of Kensington
5. Correspondence from community members

SECTION 1: STAFF RECOMMENDATION

Staff recommends denial of the application. The proposed self-storage facility is inconsistent with the *Kensington Sector Plan's* ("Sector Plan" or "Plan") vision for a vibrant and pedestrian-friendly Town Center. A self-storage facility, which is inherently a low activity, car-centric use, would create the antithesis of the vibrant, walkable area envisioned by the Sector Plan. In addition, the proposed use will create a non-inherent adverse impact to the development potential of the abutting and confronting properties considering the overall vision of the Sector Plan.

SECTION 2: SITE AND NEIGHBORHOOD DESCRIPTION

Site Description

The subject site ("Subject Property" or "Property" – outlined in red in Figure 1 below) is located at the southeast corner of the intersection of Connecticut Avenue (MD 185) and Plyers Mill Road in Kensington. The Property is more formally identified as Part of Lot 2, Lauraner Knowles Estate, and currently improved with a vacant gas and service station and surface parking area.

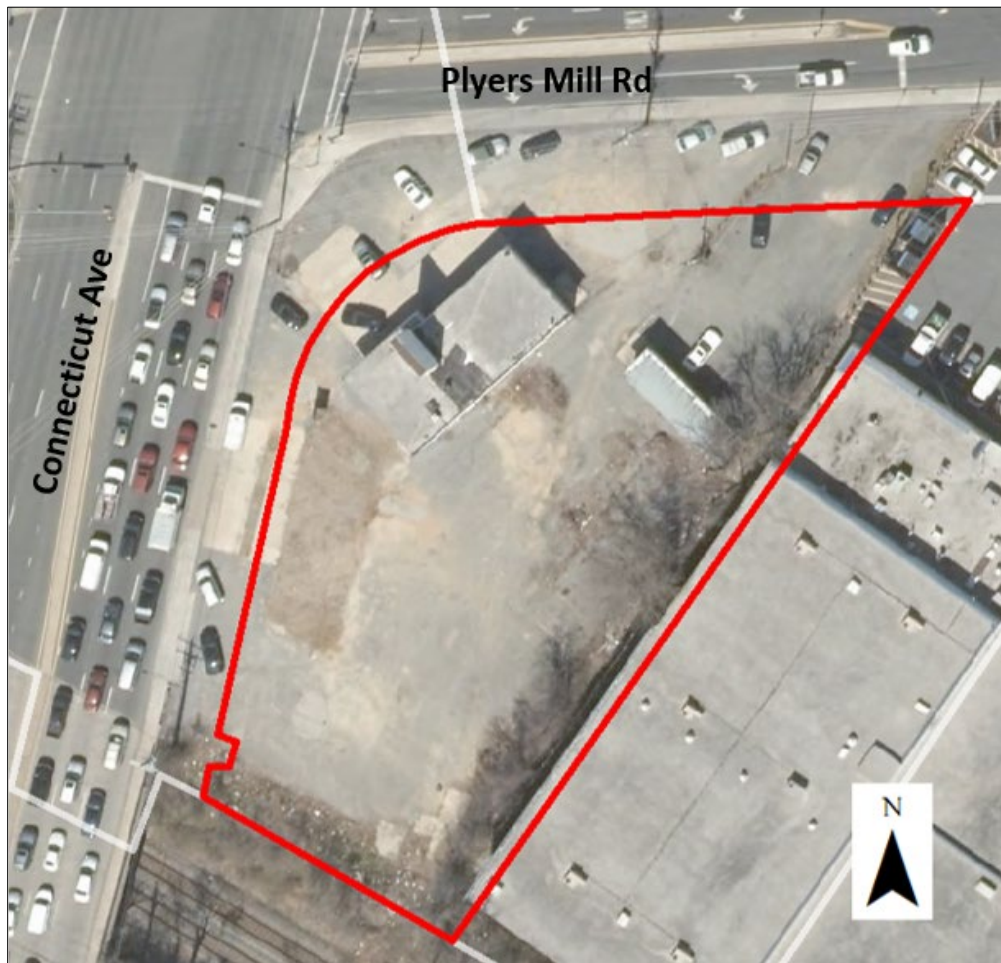


Figure 1: Aerial photo of the Property (outlined in red)



Figure 2: Existing building

Neighborhood Description

The Staff defined Neighborhood is generally delineated by Dupont Avenue to the north, St. Paul Street to the east, Knowles Avenue/CSX tracks to the south, and Summit Avenue to the west (Figure 3). The Neighborhood is primarily industrial/commercial in character, with two existing self-storage facilities in close proximity to the Property.

Immediately to the east of the Property is a strip commercial building containing a 7-11 convenience store and Baskin Robbins ice cream shop. To the south of the Property are the CSX rail tracks and, over the tracks, a Safeway grocery store and associated surface parking. To the west of the Property, across Connecticut Avenue, are the Kensington Gas Station and the Kensington Volunteer Fire Department. To the north of the Property, across Plyers Mill Road is a Mobil gas station.

Staff identified four approved conditional uses/special exceptions. Each existing conditional use/special exception is numbered in Figure 3 and described below:

- 1: CBA2827 approved in 1970 for a gas station
- 2: S657 approved in 1978 for a gas station
- 3: S553 approved in 1977 for a home occupation
- 4: CBA2871 approved in 1970 for an electric substation.



Figure 3: Staff defined Neighborhood (outlined in yellow)

SECTION 3: PROJECT DESCRIPTION

Project Description

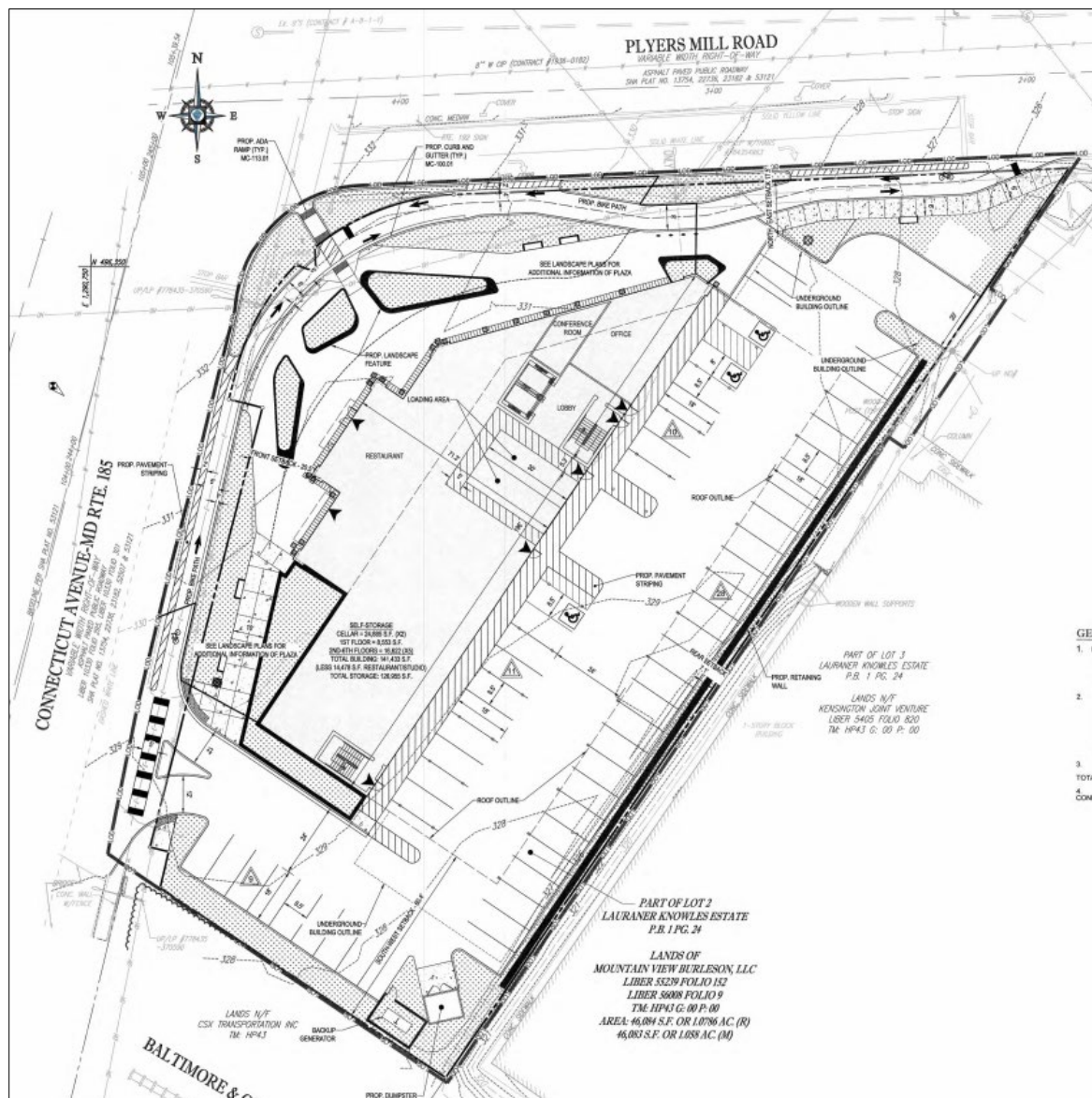
The Applicant intends to demolish the existing building on the Property and construct an approximately 141,433 square foot, 75-foot-tall building (Figure 4 and Attachment 1). The majority of the building, and the subject of this conditional use application, is a proposed self-storage facility that would occupy 126,955 square feet of the new building. The Applicant proposes a 6,337 square foot restaurant on the first floor of the building and 8,141 square feet of artisan manufacturing and production space on the second floor of the building.¹ The restaurant and artisan manufacturing uses are not the subject of this conditional use application.

The proposed building includes brick facade and metal wall panels. A second story terrace faces Connecticut Avenue, and the rear portion of the building cantilevers over the rear parking area. The Project includes approximately 4,977 square feet of public open space at the corner of Connecticut Avenue and Plyers Mill Road. The open space area will contain plantings, including a small grove of birch trees, movable seating, low seat walls, and pavers. Shrubs are proposed along the Property's south and east lot lines. A dumpster enclosure and backup generator are proposed at the southern corner of the Property.

The rental office at the proposed self-storage facility will likely be open from 8 a.m. to 6 p.m., 7 days a week. The facility will be closed on all Federal holidays. Self-storage customers will have access to their units between the hours of 6 am and 10 pm, with access being controlled through a secured keypad access system. Two employees will be on-site at a given time.

¹ Restaurants and artisan manufacturing and production are allowed as permitted uses in the CRT Zone.

A rendering (Figure 5) shows a “Kensington Self-Storage” sign on the side of the building, but the Applicant did not provide any further signage specifications. A photometric plan shows that lighting is proposed around all sides of the building.



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Figure 5: Perspective Building View (Facing South from Connecticut Avenue/Plyers Mill Road intersection)

SECTION 4: ANALYSIS AND FINDINGS

Master Plan

The Property is within the 2012 *Kensington Sector Plan* (“Sector Plan” or “Plan” area). The Sector Plan identifies the Property as “TC-5 Higgins property” within the Plan’s Town Center district (pg 21). The proposed self-storage facility at the prominent intersection of Connecticut Avenue and Plyers Mill Road is inconsistent with the Sector Plan’s overall vision:

To promote a mixed-use Town Center with pedestrian-friendly connections to the vibrant neighborhoods that define Kensington. Kensington’s Town Center will be a lively and active place with streets that are welcoming and comfortable for residents, workers, and visitors (pg 1).

As a passive use that generates very little foot traffic and vitality, the proposed self-storage facility does not fulfill the Plan’s overall vision for the Kensington Town Center. The proposed self-storage facility at this location will perpetuate the area’s existing industrial, car-centric character. The Sector Plan notes that the commercial center in Kensington is currently “in conflict with the more intimate character of the historic neighborhoods” (page 4) and the proposed use will perpetuate the existing pattern of industrial development. The proposed restaurant and artist studio spaces show an effort by the Applicant to provide activating uses along Connecticut Avenue and Plyers Mill Road, but those uses are not sufficient to overcome the deadening impact of 126,955 square feet of self-storage.

The Sector Plan’s broad goal is to reinvigorate the Town Center while preserving Kensington’s scale and historic character by:

- *Acknowledging the “commuter” status of Connecticut Avenue while creating new pathways for townspeople to move car free throughout the Town...*
- *Redefining public spaces for people and creating activity along sidewalks ...*

- *Defining new public spaces that will exemplify the unique scale and character of Kensington.*
 - *Promoting sustainable infill and reuse ...*
 - *Implementing effective environmental practices ...*
 - *Transforming Kensington's exclusively commercial business district into an active Town Center with new residential uses.*
 - *Promoting Kensington's heritage through its building, spaces, and people.*
- (pg 1)

Although the ancillary uses proposed in association with the self-storage facility support some of the Plan's goals, the nature of the self-storage use is inconsistent with the primary recommendations of the Sector Plan. The proposed use itself will not create a critical mass of activity along the sidewalks. In contrast, the self-storage facility will likely have a deadening effect on the streetscape because it generates a low amount of traffic that is rarely, if ever, pedestrian. As such, the proposed use will not contribute to an active Town Center. Without a critical mass of pedestrian traffic along the sidewalks, the proposed public open space at the corner of Connecticut Avenue and Plyers Mill Road is unlikely to be a successful gathering place for Kensington residents. In addition, the proposed use does not address the Plan's goal for introducing new residential uses into the Town Center, nor does it promote the historic character of Kensington.

The Sector Plan includes the following recommendation for the Subject Property:

The approximately one-acre Huggins property may also support mixed-use development. Any development should include street-level shops on Connecticut Avenue and Plyers Mill Road. Parking facilities for this property should be to the rear, with access from Plyers Mill Road. Joint development of this property and the adjoining properties to the east, for a single, mixed-use development, would be desirable (pg 27).

If developed with the proposed ancillary uses, the building would technically be mixed-use. However, the primary component of most mixed-use developments is either office or residential, both of which typically generate patronage and foot traffic that supports and enlivens ground floor retail/restaurant uses. In contrast, the proposed self-storage facility will generate a negligible amount (if any) potential customers to patronize the proposed retail/restaurant uses.

Town Center District and Property Recommendations

- *The Town Center is envisioned as walkable attractive place with local convenience retail, housing, dining, entertainment, offices and neighborhood services in a compact development pattern with a variety of buildings along Connecticut Avenue." (pg 21)*
- *Provide sidewalk improvements [along Connecticut Avenue] to separate pedestrian from automobile traffic with trees and other buffers along the curb." (pg 24)*
- *This designation [as a priority retail street] reflects the Plan's fundamental goal of enlivening the Town Center by creating a lively, pedestrian-centered atmosphere on Kensington's shopping streets. Retail and other commercial activities are ... especially desirable on the priority retail streets (pg 42).*
- *New and revitalization projects on priority retail streets must pay particular attention to the street-oriented development guidelines put forth in this Plan and the accompanying design guidelines. (pg 42).*

The Sector Plan designates both frontages of the Subject Property as “priority retail streets” (pg 43) that should enliven the Town Center. However, the predominant proposed use of the Property as a self-storage facility will not enliven the Town Center and it is inconsistent with the types of local, neighborhood-serving uses that would promote a walkable Town Center. As previously discussed, the proposed self-storage facility will perpetuate the existing auto-centric development pattern and will likely attract regional traffic rather than the local, pedestrian oriented uses envisioned by the Sector Plan.

Design

- *Streets should be safe, pedestrian oriented environments that create an animated community life along the sidewalks to encourage high levels of pedestrian activity.*
 - *Orient buildings to the sidewalk with display windows and entrances.*
 - *Encourage pedestrian-level ornamentation, signage, and architectural details.*
 - *Minimize curb cuts to reduce conflicts between pedestrians and vehicles.*
 - *Provide street trees and furniture to improve aesthetics and functionality for pedestrians.*
 - *Provide adequate parking for proposed land uses while using strategies to reduce demand, consolidate supply, and use space efficiently. Minimize the visual impact of parking facilities...*
- (pg. 10)

Some elements of the proposed self-storage facility are consistent with the Sector Plan’s specific design goals, including minimizing curb cuts, orienting the building to the sidewalk, and providing adequate parking. However, self-storage facility users typically arrive by car, and a facility of this size at this prominent location will create the antithesis of the animated sidewalk community life envisioned in the Plan. Further, the proposed self-storage facility will bring truck traffic to a heavily used intersection with irregular traffic control at the intersection of Metropolitan Avenue and Plyers Mill Road, potentially introducing additional conflicts with pedestrians in the vicinity.

For the reasons enumerated above, the proposed use is inconsistent with the overall vision and recommendations of the *Kensington Sector Plan*.

Environment

An exemption from Article II of the Montgomery County Code, Chapter 22A (Forest Conservation Law), Section 22A-5(s)(1) was approved for this Property on July 18, 2018, because the Property is less than 1.5 acres with no existing forest, or existing specimen or champion tree, and the afforestation requirement would not exceed 10,000 square feet (Attachment 3). The Property does not contain any significant environmental features.

Transportation

Vehicular Site Access

The Applicant proposes to locate its primary vehicle access on Connecticut Avenue (MD-185) to the south of the site via a right-in, right-out curb cut with two (2) twelve (12)-foot entry lanes and a triangular median. Additional vehicle access is proposed on the eastern side of the site via a new drive aisle leading from the adjacent parking lot.

While vehicle site access is significantly constrained at this location, if the conditional use is approved, the access proposal will require further evaluation during review of the Preliminary Plan. Section 59-6.1.3(A)2 requires developments to limit vehicle access across a primary pedestrian, bicycle, or transit route wherever feasible, and generally site access should be provided on the lowest volume street adjacent to the site. Locating access on Connecticut Avenue is not ideal as this introduces a conflict point for drivers, pedestrians and cyclists with a high-volume 35-mph state road. As discussed below, the County's *Bicycle Master Plan* calls for a bidirectional separated bikeway on Connecticut Avenue. Right-in, right-out entry is typically designed with a triangular "porkchop" median to visually deter left turns; however, this results in faster approach speeds for vehicles entering the site. Vehicles traverse both a bicycle facility and sidewalk, and to the extent possible, a sharper turn would slow approach speeds into the site. The angled exit introduces safety concerns because the field of vision for drivers leaving the site will be reduced as drivers will have to rotate to see northbound traffic.

Per Section 59-6.1.4. of the Zoning Ordinance, the maximum width allowed for two-way access is 32 feet. According to the Applicant's proposal, when including the width of the median and drive aisles, the proposed access on Connecticut Avenue exceeds what is allowed by the Zoning Ordinance for two-way access in the CR Zone by approximately three (3) feet. Since the proposed entry is too wide and increases the potential for future bicycle-vehicle and pedestrian-vehicle conflicts, the Applicant should evaluate the feasibility of alternate options, such as moving the proposed curb cut to Plyers Mill Road (MD-192) or examining separate points dedicated to ingress only or egress only. The Applicant could additionally explore serving the site via the proposed shared access only; however, the existing curb cut on Metropolitan Avenue is too close to the intersection of Metropolitan Avenue and Plyers Mill Road (MD-192). Existing left turns out of the site are challenging, and trucks attempting to make this movement would obstruct traffic. The proposed use is problematic from a traffic safety perspective.

On-Site Vehicle Circulation

As proposed, vehicles either enter via Connecticut Avenue (MD-185) or the shared access driveway via Metropolitan Road (MD 192). Parking is located to the south and rear of the property. The Applicant proposes a 20-foot wide drive aisle to allow for two-way circulation which widens to 24 feet south of the building. The width of the aisles is adequate for standard passenger vehicles.

As currently designed, vehicles can enter with front-in, front-out movements without multiple maneuvers in the parking lot. Because the Applicant has not yet provided truck turning diagrams, nor identified a design or control vehicle, staff is unable to assess whether the proposal provides adequate space for trucks to maneuver safely. This is particularly important given that the Applicant proposes a cantilever over the parking and loading areas, which will need to be supported by columns proximate to the loading area. Should the Hearing Examiner approve the conditional use, the Applicant should provide a truck circulation plan with the Preliminary Plan submission for Staff review. Any modifications to adjacent intersections should account for the needs of the design vehicle.

Pedestrian Facilities

The Applicant proposes to provide bicycle facilities fronting Connecticut Avenue (MD 185) and Plyers Mill Road (MD 192), which will push street pedestrian circulation within the bounds of the Applicant's property. No clear pedestrian path is defined fronting Connecticut Avenue within the Applicant's hardscaped plaza. Along Plyers Mill Road (MD 192), the Applicant proposes a 6-foot wide sidewalk extending from the Applicant's eastern property line into the hardscaped area fronting the site. As proposed, it is difficult to differentiate space intended for public mobility from private space. Additionally, pedestrian efficiency is lost as pedestrians are forced to move through the Applicant's

plaza rather than directly adjacent to the street. If the conditional use is approved, the Applicant should show clearly delineated pedestrian paths on its Preliminary Plan submission. These parallel the cartway to the extent possible and should include an adequate buffer separating pedestrians from traffic.

The Applicant proposes one curb ramp at the northwest corner of its property to facilitate pedestrian crossings over Plyers Mill Road (MD-192). As shown, the curb ramp orients pedestrians into the center of the intersection which is unsafe for individuals with visual impairments. In order to be acceptable, the Applicant should provide a curb ramp perpendicular to Plyers Mill Road (MD-192). If the conditional use is approved, the Applicant should coordinate with SHA to determine whether additional pedestrian crossing infrastructure is required across the southern leg of Connecticut Avenue or if any pedestrian upgrades at the intersection are required to promote safe access to the site. Staff notes that pedestrian access to the site would be improved by tightening the curb radius at the northeast corner of the intersection of Connecticut Avenue (MD-185) and Plyers Mill Road (MD-192). This would slow turns, reduce crossing distances, and allow space for the installation of separate curb ramps.

As shown on the plan, the Applicant's driveway crossing is not acceptable. If the conditional use is approved, the Applicant should eliminate the curb ramps, detectable warning strips, and high-visibility markings shown, and instead provide a flush concrete sidewalk across the site's driveway (maximum cross slope of 2 percent).

Internal pedestrian circulation is provided in the parking lot via a 7-foot wide striped corridor between the proposed surface parking spaces and building. The corridor is at the grade of the parking lot to facilitate the movement of items into and out of the storage facility. Because the corridor is adjacent to vehicle parking, if the conditional use is approved, the Applicant should provide wheel stops to protect pedestrians from cars backing into spaces.

Master-Planned Roadways and Bikeways

Per the 2010 *Kensington Sector Plan* and 2018 *Master Plan of Highways* Appendix D, Connecticut Avenue (MD 185) adjacent to the site is designated as a 120-foot wide major highway A-39 with six (6) divided lanes. The County's 2018 *Bicycle Master Plan* recommends separated bike lanes on Connecticut Avenue adjacent to the site, including a 6-foot wide tree panel, two (2) 5-foot wide bicycle travel lanes, and an adjacent 6-foot wide sidewalk. The same treatment is recommended for the south side of Plyers Mill Road (MD 192), which is designated as a 100-foot wide arterial M-19 with two (2) divided lanes.

The Applicant's conditional use plans do not show a proposed easement or dedication along the extent of the bicycle and sidewalk facilities, either of which would be required for maintenance and upkeep of the facilities. If the conditional use is approved, the Applicant will need to work with the State Highway Administration and County to determine the appropriate dedication to accommodate the planned bicycle facilities.

If the Applicant's conditional use is approved, the design of the proposed bicycle facilities will require further evaluation during Preliminary Plan review. While the bridge just south of the site presents constraints for a continuous bicycle facility along the east side of Connecticut Avenue, the proposed 5-foot wide bicycle lane on Connecticut should be widened to a minimum of 8 feet with a 6-foot wide buffer. On Plyers Mill Road (MD 192), the Applicant should increase the width of the buffer to the required 6 feet. Providing the appropriate buffer will eliminate the proposed curve around an existing utility pole, which is not ideal for efficient and safe bicycle circulation. Finally, the Applicant currently proposes that the bicycle path on Plyers Mill Road (MD 192) will transition cyclists into the roadway east

of the site; however, this condition is unsafe as the bicycle path terminates in the middle of the intersection of Plyers Mill Road and Metropolitan Avenue. The Applicant should revise its plans to transition the bicycle lanes on Plyers Mill into the existing sidewalk east of the site.

As detailed above in the “Vehicular Site Access” section, the intersection of Plyers Mill Road, Metropolitan Avenue, and Concord Street does not operate smoothly due to existing weave patterns and visibility. At Preliminary Plan, the Applicant may be required to provide an operational study of the intersection, to include potential improvements. Staff is interested in designs that can improve both pedestrian and vehicular circulation.

Local Area Transportation Review

The Applicant has provided a Traffic Statement, prepared by Lenhart Traffic Consulting, Inc., to quantify the proposed use’s impact on the local transportation network. Using the Institute of Transportation Engineers *Trip Generation* (10th edition) and Montgomery County’s Local Area Transportation Review Guidelines (LATR Guidelines), the Applicant projects that the proposed use will generate a total of 34 morning and 107 afternoon peak hour person trips. These numbers suggest that the Applicant would be required to provide a Local Area Transportation Review Study (LATR Study); however, the Applicant has not provided a LATR study at this time. Because there is an existing service station use on the site that was permitted more than 12 years prior to the subject conditional use application, the County’s LATR guidelines allow the Applicant to credit the existing site’s trips against the 50-person trip transportation study requirement threshold. The Applicant’s Traffic Statement assumes that *all* the former service station’s trips can be credited, but because the former use generates a significant amount of pass-by trips, only 15 percent may be credited. As such, the Traffic Statement will need to be revised at the time of the Preliminary Plan submission. If the Traffic Statement indicates that the LATR Study threshold is reached, the Applicant will need to submit a complete LATR study prior to the Preliminary Plan’s approval.

Public Transit Service

The site is adjacent to two (2) bus stops, which provide access to the Twinbrook and Silver Spring Metro Stations via the Ride On 5 line, the Wheaton Metro Station and Potomac Community Center via the limited service Ride On 37 line, and the Friendship Heights Metro Station and Grand Pre Road via the L8 WMATA bus line. If the conditional use is approved, the Applicant should coordinate with MCDOT to determine whether upgrades are required to make the existing stop locations ADA compliant. The Applicant will also need to address how these facilities will be integrated into the streetscape based on the required master-planned bicycle facilities.

Historic Preservation

Historic Preservation Staff has preliminarily reviewed this conditional use application for impacts to any historic properties. The Subject Property is the site of the vacant E-Z Sinclair Service Station. This Googie-styled gas station was constructed in 1961, and it is highlighted in the Inventory of Montgomery Modern buildings and Districts and noted in the book *Montgomery Modern*.

The Googie-style is an exuberant commercial style of architecture first popularized in Los Angeles in the late 1950s. The style is characterized by sweeping lines, cantilevered and steep sloping roof angles, exuberant use of color, glass and metal materials, and an automobile or service commercial orientation to the business. Commercial Googie-styled architecture is rare in Montgomery County; the few remaining examples of this style have been altered and many no longer retain high degrees of integrity.

This gas station is an excellent example of the Googie-style as applied to a gas station and appears to be the only such example remaining in the County. The County's Montgomery Modern Initiative is meant to highlight and bring awareness of the history and significance of midcentury modern architecture to the general public and property owners. The adaptive reuse potential for this building, with its corner location and high degree of architectural integrity, should be explored as part of any redevelopment proposal for this site. Retaining this building on the property, either in its current location, or relocated as part of the Property's redevelopment would enable its preservation, as well as lend the new construction a singular architectural focal point that could be to its, and the neighborhood's advantage. If the owner chose to pursue an historic designation for the property, then historic preservation tax credits could be utilized to offset a portion of the costs associated with preservation. Other preservation mechanisms could be explored as well during the development review process associated with this Property's redevelopment.

Community Correspondence

The Mayor and the Town Council of Kensington (Town) issued a resolution to oppose the conditional use application on June 19, 2019 (Attachment 4). Per the Annotated Code of Maryland Land Use Article, Section 24-201C, the Planning Board must have a 2/3 majority vote to take any action contrary to the Town of Kensington resolution. Mayor Furman sent a letter, dated July 10, 2019, explaining the Town's position (Attachment 4). The Town opposes the Application because it fails to meet a number of the conditional use findings, particularly the requirement for substantial conformance with the *Kensington Sector Plan*.

Staff received correspondence from community members in opposition to, and in support of, the Application (Attachment 5). The majority of the correspondence expresses opposition to the Application. Concerns include the following:

- The location of the proposed use at the "gateway" to the neighborhood sends the wrong message about Kensington's identity;
- The nearby self-storage facilities;
- Aesthetics; and
- Conformance with the Sector Plan.

Staff received a few emails expressing support for the proposed redevelopment of this Property, primarily due to the ancillary restaurant and artist studio space, and the Applicant's willingness to work with the community.

Conditions for Granting a Conditional Use

Section 59-7.3.1.E. Necessary Findings²

To approve a conditional use application, the Hearing Examiner must find that the proposed development:

Section 59-7.3.1.E.1.a: *satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended.*

² The findings in Section 59-7.3.1.E.4 thru Section 59-7.3.1.e.6 are not applicable to this application and not included in this report.

Staff identified two previously approved special exceptions on the Subject Property, one for an outdoor automobile sales lot (CBA1332) and one for rental of automobiles (S104). If approved, the proposed conditional use would supersede the prior approvals.

Section 59-7.3.1.E.1.b: *satisfies the requirements of the zone, use standards under Article 59-3, and to the extent the Hearing Examiner finds necessary to ensure compatibility, meets applicable general requirements under Article 59-6;*

A self-storage facility is allowed as a conditional use in the CRT Zone, but there are no specific use standards associated with it. If the Hearing Examiner approves the proposed conditional use and the Project moves forward, it will be an optional method development under Section 4.5.3.A.2 because the proposed density is greater than 1.0 FAR and 10,000 square feet.

Table 1: CRT Optional Method Development Standards		
Section 59-4.5.4.B		
	Required/Allowed	Proposed
Tract	n/a	46,893 sf
Prior dedication	n/a	810 sf
Site	n/a	46,083 sf
Open Space (min)	5% (2,304 SF)	22% (10,200 SF) ¹
Density (max)	2.5 FAR	Up to 2.0 FAR (93,786)*
Commercial	2.0 FAR	Up to 2.0 FAR (93,786)*
Residential	2.0 FAR	n/a
Height	75 ft	75 ft
Setbacks (min)		
Front	Established by site plan	21.3 ft
Rear	Established by site plan	7.1 ft
Side (southwest)	Established by site plan	60.4 ft
Side (northeast)	Established by site plan	17.5 ft
Form Standards	Established by site plan	

¹ The Conditional Use Plan does not clearly indicate if this entire area can be considered the “Public Open Space” required in the CRT zone as defined in Section 59-6.3.6.A.2.

* 49,770 sf of the proposed building is located in a cellar which does not count as gross floor area (GFA) per Section 59-1.4.2 (definition of “Gross Floor Area”).

The proposed building is a total of 141,433 square feet with:

- 126,955 sf of self-storage (including 49,770 sf of cellar space that does not count towards the maximum density)
- 8,141 sf of Artisan Manufacturing and Production
- 6,337 sf of Restaurant

Public Benefits

Under Section 59-4.5.4.A.2.a a property in the CRT zone with a tract size greater than 10,000 square feet, or a maximum FAR mapped above 1.5, must provide 50 public benefit points in three categories. The Applicant’s Statement of Justification explains that public benefit points will be requested for streetscape improvements along Connecticut Avenue and Plyers Mill Road, small business opportunities,

public open space and exceptional design. If the conditional use is approved, all public benefit categories must be approved by the Planning Board during the Sketch Plan.

Applicable General Development Standards under Division 59.6

Parking

As defined in Section 59-1.4.2, a Property in the CRT Zone is considered a Reduced Parking Area for the purposes of calculating required vehicle parking.

Table 2: Vehicle Parking Requirements			
	Required		Proposed
	Min	Max	
Vehicle Parking Requirement (Section 59-6.2.4.B)			
<ul style="list-style-type: none"> Self-storage (77,185 sf + 2 employees) @ 1(min)-3(max) spaces per 10,000 sf of GFA for storage units without driveway access + 1 space per employee 	10	26	
<ul style="list-style-type: none"> Artisan Manufacturing and Production (8,141 sf) @ 1(min)-3(max) per 1,000 sf 	9	25	
<ul style="list-style-type: none"> Restaurant (6,337 SF) @4 (min) – 12(max) spaces per 1,000 sf 	26	76	
Total	45	127	57

The Applicant proposes a cantilever over the surface parking requiring support columns. These are shown between the parking spaces to the rear of the property, which are dimensioned at the standard width of 8.5 feet. Staff is unable to assess whether the Applicant's parking proposal meets the zoning requirements of 59-6.2.4(E) because it is neither clear if the columns are scaled accurately on the plan nor clear if a vehicle's rear doors have adequate clearance to open. If the conditional use is approved, more detail is required to assess the proposal at the Preliminary Plan stage and the Applicant will need to provide wheel stops along the striped pedestrian corridor to protect pedestrians from vehicle movements.

Bicycle parking is not required for the Self-storage use, but if the Application moves forward, the Applicant will be required to locate the appropriate number of bicycle parking spaces on the Site Plan. The final number will be based on the Applicant's use mix, as specified in Section 59-6.2.4.

Loading

Section 59-6.2.8 requires two loading spaces for warehouse uses with 50,001-200,000 square feet of gross floor area (GFA). The proposed self-storage facility has 77,185 square feet of GFA, and the Applicant is proposing two loading spaces.

Parking Lot Landscaping

Since more than 10 parking spaces are required for the Self-Storage facility, the Application must satisfy the parking lot landscaping standards under Section 59-6.2.9. The Landscape Plan appears to satisfy the perimeter parking requirements, but the parking lot does not contain the required landscape areas, nor does it show that the minimum required tree canopy will be provided.

Open Space

This Project is required to provide 2,304 square feet (or 5% of the Property) as public open space. The proposed public open space exceeds the amount required and satisfies a majority of the requirements under Section 59-6.3.6. However, should this project move forward, an open space at this prominent corner should feature a signature artwork or a similar amenity that highlights Kensington's unique character.

Lighting

The Applicant provided a photometric plan, but it does not show that lighting will be reduced to 0.5 footcandles or less along the lot lines, as required under Section 59-6.4.4.D.

Screening

Division 59-6.5 does not apply to the Project because it is an optional method of development.

Signage

Any signage must satisfy Division 59-6.7, as determined by the Department of Permitting Services (DPS), or the Applicant must obtain a sign variance from the Sign Review Board.

Section 59-7.3.1.E.1.c *substantially conforms with the recommendations of the applicable master plan;*

As described in the Master Plan section of the report, the proposed self-storage facility is inconsistent with the Sector Plan's overall vision for a lively and active Kensington Town Center with streets that are welcoming and comfortable for residents, workers, and visitors. The inherently auto-centric nature of a self-storage facility creates an environment that will encourage the proliferation of the existing auto-centric development pattern that the Sector Plan seeks to change.

Section 59-7.3.1.E.1.d *is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan;*

As discussed in the Master Plan section of this report, the Sector Plan envisions an evolution of the Kensington Town Center from an auto-centric commercial-industrial area to a vibrant, mixed-use, pedestrian friendly environment. The proposed self-storage facility will perpetuate the status quo development pattern, which is inconsistent with the vision of the Sector Plan.

Section 59-7.3.1.E.1.e. *will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area; a conditional use application that substantially conforms with the recommendations of a master plan does not alter the nature of an area;*

The Property does not directly abut or confront residential development, but it is located within close proximity to a neighborhood in the R-60 Zone. Staff identified one approved special exception for a

home occupation within the residential neighborhood. As previously discussed in this report, the proposed self-storage facility does not conform to the recommendations of the *Kensington Sector Plan* and will adversely impact the development potential of the area.

Section 59-7.3.1.E.1.f. *will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the conditional use is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required and:*

- i. if a preliminary subdivision plan is not filed concurrently or required subsequently, the Hearing Examiner must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage, or*
- ii. if a preliminary subdivision plan is filed concurrently or required subsequently, the Planning Board must find that the proposed development will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage, and*

A preliminary plan will be required if the conditional use is approved and the Planning Board will determine if Adequate Public Facilities exist to support the proposed use of the Property as a self-storage facility.

Section 59-7.3.1.E.1.g. *will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:*

- i. the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;*
- ii. traffic, noise, odors, dust, illumination, or a lack of parking; or*
- iii. the health, safety, or welfare of neighboring residents, visitors, or employees.*

Inherent adverse effects are adverse effects created by physical or operational characteristics of a conditional use necessarily associated with a particular use, regardless of its physical size or scale of operations. The following inherent physical and operational characteristics are necessarily associated with a self-storage facility and will not cause undo harm to the neighborhood: (1) large buildings; (2) parking areas; (3) lighting for the building and parking areas; (4) vehicular trips to and from the site by employees, customers, and for trash pick-up; and (5) noise associated with the loading and unloading of materials, garbage pick-up, and equipment operations for the facility.

A non-inherent characteristic is unique to the physical location, operation, or size of a proposed use. The proposed self-storage facility will create non-inherent adverse impacts to the neighborhood as a result of its location and access points. The location of the proposed self-storage facility at the prominent intersection of Connecticut Avenue and Plyers Mill Road creates a non-inherent adverse impact to the development potential of the abutting and confronting properties considering the overall vision of the Sector Plan. The proposed self-storage facility will continue the existing pattern of car-centric uses, which is inconsistent with the pedestrian and street activating uses envisioned by the Sector Plan. Furthermore, the proposed use will potentially discourage neighboring property owners from redeveloping in a manner consistent with the activating uses envisioned by the Sector Plan. As described in the Transportation section of this report, the proposed access points have the potential to create

adverse impacts on traffic and safety in the neighborhood, particularly in conjunction with the trucks associated with the self-storage facility. The proposed access points are generally problematic, particularly for trucks exiting the Property through the adjacent shopping center to make a left turn onto Metropolitan Avenue. The existing curb cut on Metropolitan Avenue is too close to the intersection of Metropolitan Avenue and Plyers Mill Road (MD-192). Existing left turns out of the site are challenging, and trucks attempting to make this movement would obstruct traffic.

Section 59-7.3.1.E.2. *Any structure to be constructed, reconstructed, or altered under a conditional use in a Residential Detached zone must be compatible with the character of the residential neighborhood.*

Not applicable. The proposed conditional use is located in the CRT Zone, which is not a Residential Detached Zone.

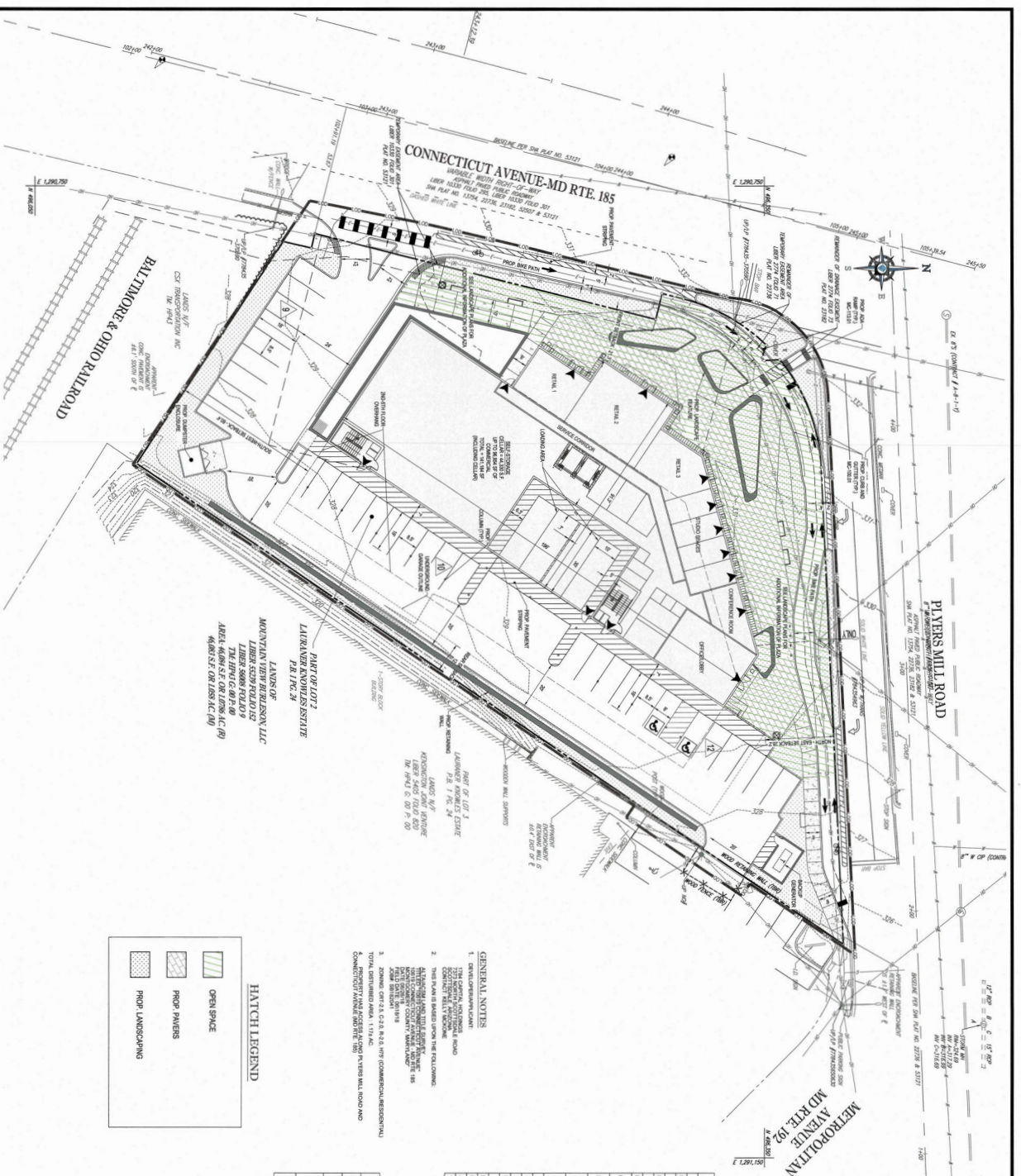
Section 59-7.3.1.E.3. *The fact that a proposed use satisfies all specific requirements to approve a conditional use does not create a presumption that the use is compatible with nearby properties and is not sufficient to require conditional use approval.*

Staff recommends denial of the Application for the reasons stated previously in this report.




SECTION 5: CONCLUSION

The proposed self-storage facility is inconsistent with the *Kensington Sector Plan* and will create a non-inherent adverse impact to the development potential of the abutting and confronting properties considering the overall vision of the Sector Plan. Staff recommends denial of the application.

ATTACHMENT 1



HATCH LEGEND

 OPEN SPACE
 PROP. PAVERS
 PROP. LANDSCAPING

HATCH LEGEND

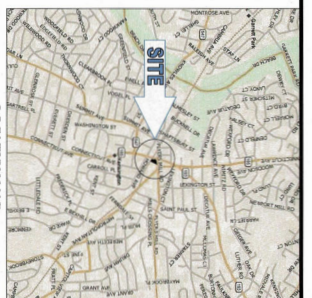
[illegible]

USE CATEGORY	DESIGN ORIGINATOR OR STRUCTURAL ENGINEER	PERMANENT STRUCTURES	PERMANENT PROPOSED
SEA STRUCTURE / NO USE	UNUSUAL	REINFORCE	SEA PROPOSED
STRUCTURE / 17.5 FT (5.34 M) OR DEEPER / NO USE	STRUCTURE / 17.5 FT (5.34 M) OR DEEPER	77 SPACES	79
			2

DEVELOPMENT STANDARD		RECOMMENDED		PROPOSED
OPTICAL METHOD OF DEVELOPMENT				
BUILDING HEIGHT		75'		75'
BUILDING SETBACK				
FRONT	0'		21.5'	
REAR	0'		12.5'	
SIDE (EAST/WEST)	0'		60'	
SIDE (NORTH/SOUTH)	0'		28.2'	
OPEN SPACE	55%		15,300 S.F. (221.7%)	
FLOOR AREA RATIO (FAR)	2.0		UP TO 3.2 (FAR 28,848 S.F.)	
MAXIMUM AREA			44,335 S.F.	
MAXIMUM HEIGHT			UP TO 25.65 S.F.	
TOTAL BUILDING AREA			54,174 S.F.	

DEVELOPMENT SEQUENCE:

DEVELOPMENT IS PLANNED TO TAKE PLACE IN ONE PHASE (DEMOLITION, BUILDING, AND SITE WORK).





BOHLERTM

ENGINEERING

SITE CIVIL AND CONSTRUCTION ENGINEERING
 PROGRAM MANAGEMENT
 PERMITTING SERVICES TRANSPORTATION SERVICES

★ UPLAND NEW YORK

★ NEW ENGLAND

★ BOSTON, MA

★ NEW YORK, NY

★ NEW YORK METRO

★ NORTHERN NEW JERSEY

★ SOUTHERN NEW JERSEY

★ PHILADELPHIA, PA

★ PITTSBURGH, PA

★ LEHIGH VALLEY, PA

★ SOUTH CAROLINA

★ REDBURN/BLAIRMONT, DE

★ BALTIMORE, MD

★ CHARLOTTE, NC

★ ATLANTA, GA

★ TAMPA, FL

★ CENTRAL VIRGINIA

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★ WASHINGTON, DC

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★ INDIANAPOLIS, IN

★ KANSAS CITY, MO

★ MIAMI, FL

★ SAN ANTONIO, TX

★ DALLAS, TX

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CHECKED BY: _____
SCALE: 1"=40'
CADD: _____
PROJECT: 10619
CONNECTICUT
AVENUE
1784
FLOOR:
LOCATION OF SITE:
10619 CONNECTICUT AVENUE
MD RTE. 186
13TH ELECTION DISTRICT
MONTGOMERY COUNTY, MD

B.I. FOX
 FLOOR COVERING CONTRACTORS, INC.
 16701 MELFORD BLVD., SUITE 310
 BOWIE, MARYLAND 20715
 Phone: (301) 868-6500
 Fax: (301) 868-6501
 MD@BohlerEng.com


BOHLER
 ENGINEERING

PROJECT TITLE: 
 9/14/18

SITE
PLAN
SHEET NUMBER
3

ATTACHMENT 2

May 30, 2019

Letter of Authorization

I, ALAN LEVIN, as an authorized agent of Kensington Joint Venture (the "Owner"), the owner of the property located at 10592 Metropolitan Avenue, Kensington, Maryland, more formally described in a deed dated September 28, 1979 recorded among the land record of Montgomery County Maryland at Liber 5405 Folio 820, (Tax Account No. 13-01024706) (the "Property"), hereby affirm that the Owner has agreed to provide 1784 Capital Holdings, LLC a vehicular access easement across the Property from 10619 Connecticut Avenue, Kensington, Maryland, more formally known as Part of Parcel 2 shown on Plat No. 24, (Tax Account No. 13-0102136), to the existing curb cut on Metropolitan Avenue, with the formal documentation of such easement to occur at the time of preliminary plan for that property.

Sincerely,

Kensington Joint Venture

By: 

ATTACHMENT 3



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

July 18, 2018

1784 Capital Holdings, LLC
8777 North Gainey Center Drive, Suite 191
Scottsdale, AZ. 85258

Re: Forest Conservation Exemption 42018257E; 10619 Connecticut Avenue; Lot P2

Dear Madam or Sir:

Based on the review by staff of the Montgomery County Planning Department, the Forest Conservation Exemption Request submitted on July 18, 2018 for 10619 Connecticut Avenue, is confirmed. The project site is exempt from Article II of the Montgomery County Code, Chapter 22A (Forest Conservation Law), Section 22A-5(s)(1) because this activity is being conducted on a tract less than 1.5 acres with no existing forest, or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet.

A pre-construction meeting is required after the limits of disturbance have been staked before any clearing or grading begins. The property owner should contact this inspector before construction to verify the limits of disturbance and to determine if any tree protections are required. The property owner, construction superintendent, this forest conservation inspector, and the Montgomery County Department of Permitting Services (DPS) sediment control inspector should attend this pre-construction meeting.

You may contact me at david.wigglesworth@montgomeryplanning.org or at (301) 495-4581.

Sincerely,

David Wigglesworth

Sr. Planner

Development Applications & Regulatory Coordination

CC:Bradford Fox (Bohler Eng)
42018257E

ATTACHMENT 4

Mayor Tracey Furman

Council Member Darin Bartram
Council Member Bridget Hill-Zayat



Council Member Conor Crimmins
Council Member Duane Rollins

July 10, 2019

Mr. Casey Anderson
Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Conditional Use Application CU 19-03
Capital Holdings, LLC
Application to construct Kensington Square Self-
Storage
10619 Connecticut Avenue

Dear Mr. Anderson:

This letter is sent on behalf of the Town of Kensington. The Mayor and Town Council voted on June 19, 2019 to oppose the above referenced Conditional Use Application. A copy of the Town's Resolution is attached. Our intent in this letter is to provide more context on the basis for the Town's decision.

The Town is careful to review all development project proposed within its boundaries. The Town was an integral part of the development and adoption of the Kensington Sector Plan, and seeks to ensure that its' vision is reflected in each such project. When doing so, the Town, through recommendations from the its' Development Review Board ("DRB") and eventually review by the Mayor and Town Council, works with developers to help shape a project that is responsive to the needs of the developer and to the Sector Plan vision and goals and specific recommendations for the parcels in the Sector Plan area.

Upon receipt of Application CU 19-03, the Town followed the same procedure. This application involves the construction of a self-storage building at the intersection of Connecticut Avenue and Plyers Mill Road ("Project"), which is in the Town Center area and referenced as Analysis Area TC-5, Huggins Property. The other businesses/entities located at this intersection are two gas stations and a fire station.

The overall vision for the Town Center is:

Kensington's Town Center will be a lively and active place with streets that are welcoming and comfortable for residents, workers, and visitors. It will be reachable by walking and bicycle from

Town of Kensington 3710 Mitchell Street Kensington, MD 20895

Phone 301.949.2424 Fax 301.949.4925

www.tok.md.gov

Kensington's neighborhoods, which can reduce vehicle miles travelled, conserve energy, and reduce carbon emissions. The Town Center will also broaden housing choices for an array of ages and incomes.

Further, in the districts and properties section of the Sector plan:

(T)the Town Center is envisioned as a walkable attractive place with local convenience retail, housing, dining and entertainment, offices, and neighborhood services in a compact development pattern with a variety of buildings along Connecticut Avenue. Properties with the potential to support mixed-use developments with parking structures could have five- to six-story buildings, while most other properties that do not mix uses would have street activating retail and services in one- or two-story buildings with surface parking. Buildings along Town Center streets should be set back 15 to 25 feet from the curb to provide adequate space for sidewalks separated from traffic by a green panel or trees. This Plan encourages the retention of existing businesses.

The goals and visions of the Kensington Sector plan are to be reached by adhering to the following:

Connectivity ■ Acknowledging the "commuter" status of Connecticut Avenue while creating new pathways for townspeople to move car free throughout the Town, enjoying a healthier, more sustainable community.

Design ■ Redefining public spaces for people and creating activity along sidewalks through smart design of buildings and the spaces around them. ■ Defining new public spaces that will exemplify the unique scale and character of Kensington.

Environment ■ Promoting sustainable infill and reuse, with a goal of creating a neighborhood with the lowest feasible carbon footprint. ■ Implementing effective environmental practices that will inspire current residents and future generations to become stewards of the environment.

Diversity ■ Transforming Kensington's exclusively commercial business district into an active Town Center with new residential uses. ■ Promoting the community's heritage through its buildings, spaces, and people.

With respect to the TC-5, the Huggins Property, the Sector Plan specifically states:

The approximately one-acre Huggins property, currently zoned C-2, may also support mixed-use development. Any development should include street-level shops on Connecticut Avenue and Plyers Mill Road. Parking facilities for this property should be to the rear, with access from Plyers Mill Road. Joint development of this property and the adjoining properties to the east, for a single, mixed-use development, would be desirable. p. 27, Sector Plan.

In addition, Connecticut Avenue and Plyers Mill Road, the intersecting streets around the Property, are priority retail streets under the Sector Plan. "This designation reflects the Plan's fundamental goal of enlivening the Town Center by creating a lively, pedestrian-centered atmosphere on Kensington's shopping streets", p. 42, Sector Plan. "Retail and other commercial activities are appropriate and strongly encouraged throughout the Town Center, but they are especially desirable on these priority retail streets", p. 42

Part of the intent of the Sector Plan for this intersection, and for this property, is to activate the area and streetscape. The Project is the first re-development at this intersection, and as such sets the tone with respect to whether the Sector Plan vision will be followed or not. This Project does not fulfill that vision.

The Project as originally proposed would be just more of the same. It would not generate foot traffic and would draw very few people to this area. Numerous public meetings were held between the Applicant, Capital Holdings, LLC, and the DRB, and also with the Mayor and Town Council. Town representatives were also present at the required Community Meeting organized by the Applicant for the public.

A number of recommendations were made to the developer by the DRB as compromise solutions. These included:

- Underground parking
- Entire first floor to be retail, a restaurant preferred
- Entire second floor to be artist studios
- Remaining floors for self-storage

Some of these recommendations were partially included in updated plans, but these plans still do not meet the vision of the Sector Plan for this property and do not meet the requirements for approving a conditional use.

In seeking a conditional use, among other requirements the applicant must show is that the Project:

Substantially conforms with the recommendations of the applicable master plan;
Is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan;
Will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:
The use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;
The health, safety, or welfare of neighboring residents, visitors, or employees.

The Project fails to meet a number of the foregoing conditional use requirements, and most particularly fails to be consistent with the Kensington Sector Plan.

Even as amended, the Project does not conform to the Sector Plan. The Applicant recognizes that the Project is not compliant with the recommendation for a location on a priority street, claiming that it is only “in substantial conformance” with this recommendation through the provision of approximately 6,337 square feet, out of a total of 8,553sf, of ground floor restaurant space, and 8,141 square feet out of 16,662sf of second floor artists' studio and gallery space, or just less than half of the second floor. The remainder of the space, 126,955 sf (77,185 sf above-ground and 49, 770 below ground) is for self-storage. These percentages do not present a building with a significant retail purpose.

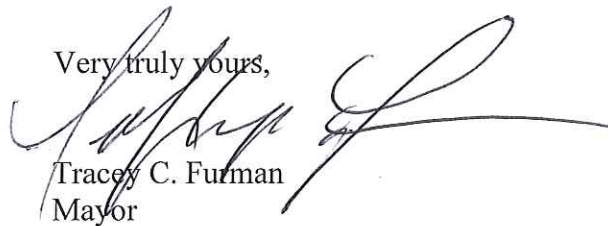
They also do not represent a building whose use activates the intersection. What is envisioned for the area is a mix of shops and restaurants that can cater to pedestrian traffic that is accessible to the surrounding neighborhoods by walking and bicycling. What this Project represents is a use that generally requires that a vehicle be used to access the

building parking lot to deliver and retrieve storage items. This overarching use does not support community connection or the development of a neighborhood focus.

As noted, the Project does not fulfill the requirements for a conditional use. It is not compliant with the Sector Plan, which is the applicable master plan. Further, this is the first project to be built adjacent to this prominent intersection of priority retail streets that is woefully underdeveloped, on a property that is underutilized but prime for redevelopment. The opportunity exists for a Project that embodies the vision and goals of the Sector Plan and sets the standard for subsequent re-development. Instead, the Town is presented with a project that contains a minimal amount of retail space and a majority amount of storage space with a minimal number of employees. This will have an outsize impact on the remainder of the intersection, as it lowers the bar for future development at the other corners. It harkens back to the "old" Kensington, albeit with newer architecture, and not the new vision. This creates an inherent and non-inherent adverse effect. The business itself does not conform to the Sector Plan vision, and in addition makes it far less likely that other projects that do conform to the vision will redevelop at that intersection.

For these reasons, and others that we will discuss at the Planning Board Hearing, at which Town representatives intend to appear, the Town and its residents oppose the conditional use application filed for this property.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Tracey C. Furman', is written over the typed name and title.

Tracey C. Furman
Mayor

cc: Town of Kensington Council
Enc. Resolution

RESOLUTION NO. R-12-2019

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF KENSINGTON TO OPPOSE CONDITIONAL USE APPLICATION CU 19-03 BY CAPITAL HOLDINGS LLC TO CONSTRUCT A SELF-STORAGE FACILITY AT 10619 CONNECTICUT AVENUE, AND ANY RELATED ZONING AND LAND USE AUTHORIZATIONS, AND TO AUTHORIZE THE MAYOR AND TOWN MANAGER TO ISSUE A LETTER ON BEHALF OF THE TOWN TO THAT EFFECT, TO APPEAR AT ANY PLANNING BOARD AND/OR HEARING EXAMINER HEARING TO REPRESENT THE TOWN'S POSITION, AND TO TAKE THOSE OTHER ACTIONS NECESSARY TO FULLY REPRESENT THE TOWN'S POSITION.

Whereas, Capital Holdings, LLC ("Applicant"), as owner of 10619 Connecticut Avenue, Kensington, MD ("Property"), has applied for a conditional use ("CU 19-03") to allow the construction of a self-storage facility on the Property ("Project"); and

Whereas, the Development Review Board ("DRB") has reviewed the Project on three separate occasions and has made certain recommendations to the Applicant throughout the course of that review; and

Whereas, the DRB was unable to recommend approval of Application CU 19-03 to the Mayor and Council based on the plans that were submitted; and

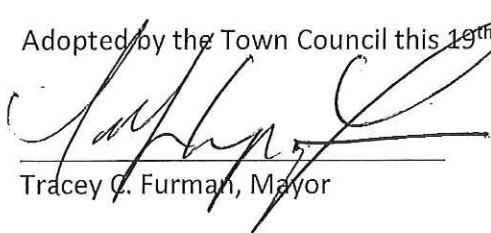
Whereas, based on the review of the DRB, the criteria for a conditional use to be granted, and the Kensington Sector Plan, the Mayor and Town Council have determined that they will oppose Application CU 19-03 and any related zoning and land use authorizations, and issue a letter to that effect to the appropriate authorities; and

Whereas, the Mayor and Council have also determined that the Mayor and Town Manager shall be authorized to appear at any Planning Board and/or Hearing Examiner hearing, or any related zoning and land use proceedings, to represent the Town's position and to take any other actions necessary to fully represent the Town's position.

Now Therefore Be It Resolved by the Mayor and Town Council of Kensington that Conditional Use Application CU-19-03 be and it is hereby opposed by the Town.

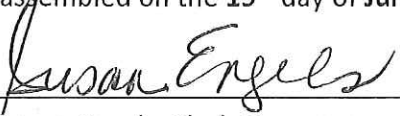
Be It Further Resolved, that the Mayor and Town Manager are hereby authorized to issue a letter; and to appear at any Planning Board and/or Hearing Examiner hearing or other zoning and land use proceedings, to represent the Town's position and to take any other actions necessary to fully represent the Town's position.

Adopted by the Town Council this 19th day of June 2019.



Tracey C. Furman, Mayor

THIS IS TO CERTIFY is to certify that the foregoing Resolution was adopted by the Town Council in public meeting assembled on the **19th** day of **June 2019**.


Susan Engels, Clerk-Treasurer

ATTACHMENT 5

Tettelbaum, Emily

From: Jay Shepherd <shepherdjay@gmail.com>
Sent: Wednesday, October 24, 2018 3:59 PM
To: Tettelbaum, Emily
Subject: Kensington - 10619 Connecticut Ave

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Emily,

I am a resident of Kensington (3809 Decatur Ave) and am writing regarding the proposed development by developer named 1784 Capital Holdings to build a self storage facility at 10619 Connecticut Avenue ("Huggins Property" or the gas station at the intersections of Connecticut and Plyers Mill that is currently being leased by Hawkins Market).

According to the application, the plan for the project is an 5-story building with about 93,786 square feet of self-storage and 3,607 square feet of ground floor retail.

Can you confirm the zoning: CRT 2.5: C 2.0, R 2.0, H 75?

Personally as a real estate development professional I would rather see a different use for the site rather than storage. Storage tends to be not desirable for pedestrian traffic, has limited curb appeal, and is frankly dysfunctional from a city center perspective. Plus there already is a storage facility at 3700 Plyers Mill serving the market.

I am therefore against the proposal by 1784 Capital Holdings for the Huggins Property as proposed, despite understanding the difficulty of other uses, like residential or office for that site. The road network and layout makes it a challenge to access and egress from the site, plus it sits adjacent to the railroad tracks which impacts use. I do not see how the proposal meets the objectives in the updated Kensington Sector Plan.

That said, we would favor storage at the Huggins site if the site at 3700 Plyers Mill were redeveloped for residential / mixed use site to be a catalyst for the Sector plan goals and serve a new City Center purpose.

Open to ideas Planning may have or any talks regarding the 3700 Plyers Mill site Planning has had as a way to serve and accomplish redevelopment of both parcels.

Please feel free to call if you would like to discuss.

Best regards,

Jay

202-330-7172

Tettelbaum, Emily

From: landis <landis.michael@gmail.com>
Sent: Thursday, October 25, 2018 8:06 AM
To: Tettelbaum, Emily
Subject: proposed self storage facility in the Town of Kensington

Hi -

I was dismayed to see this project already published on the Capital Holdings website:

<http://www.1784capitalholdings.com/kensington-self-storage.html?fbclid=IwAR18loXPT8s5czWd4FgJ103guEBepfE2dlIazpn9MdtTGzBysJaS9-lj0j0>

Myself and other residents of the Town of Kensington are deeply concerned about the proposed development of 10615-10619 Connecticut Avenue as a self storage facility. It is my understanding that this type of development falls outside the zoning delegation for the property. We need to re-invigorate the community with the right kind of projects and this would create a large dead zone in the middle of town. It feels incongruous with the sector plan in place that is designed to ease traffic in that section of Conn Ave and encourage commercial business development.

I recognize that this is private property and at the end of the day, dollars with ideas decide. However, we have zoning laws for a reason. I want to register my voice with others who oppose any kind of variance that would be required for the project to proceed. Assuming this is a simple zoning matter - please stand against any move to provide a variance for this development.

Best Regards,
Mike Landis
Farragut Ave, Kensington MD
706.566.8542

Tettelbaum, Emily

From: Dan Ring <dringdan@gmail.com>
Sent: Thursday, October 25, 2018 7:37 PM
To: Tettelbaum, Emily
Subject: Proposed self storage building

Hi Ms. Teitelbaum,

I hope all is well. I just wanted to voice my opinion as a county resident against the proposed self storage building at Plyers Mill and Connecticut. We have such a dire need for affordable housing in this area and to take such as easily mass transit accessible area as this and put a building for simply holding things seems a downright wasteful use of space. I would be much more amenable to more housing being put in there.

Thanks,
Dan Ring

Tettelbaum, Emily

From: Maria Marks <marks7mb@icloud.com>
Sent: Friday, October 26, 2018 8:18 AM
To: Tettelbaum, Emily
Subject: Re: Against the proposed storage facility in Kensington

Thank you. As you can tell I feel very strongly about this issue. I love the community that is Kensington and welcome development that will add to a sense of community. Storage facilities equal transition and industrial in my mind. Placing one at a key intersection sends the wrong message about Kensington's identity.

Sent from my iPad

> On Oct 26, 2018, at 8:15 AM, Tettelbaum, Emily <Emily.Tettelbaum@montgomeryplanning.org> wrote:

>

> Ms. Marks,

> Thank you for reaching out to me with your comments. The application under review is a conditional use and the Hearing Examiner makes the final decision to approve or deny the application. The Planning Board plays an advisory role to the Hearing Examiner. The Planning Board hearing is scheduled on December 20 and the Hearing Examiner hearing is scheduled for January 11. I will include your comments in the staff report for the Planning Board, which will also be transmitted to the Hearing Examiner. Planning Staff are not planning to support the application.

> Best Regards,

>

> Emily Tettelbaum

> Area 2 | Montgomery County Planning Department

> 8787 Georgia Ave | Silver Spring, MD 20910

> 301-495-4569 | emily.tettelbaum@montgomeryplanning.org

>

> -----Original Message-----

> From: Maria Marks <marks7mb@icloud.com>

> Sent: Wednesday, October 24, 2018 9:57 PM

> To: Tettelbaum, Emily <Emily.Tettelbaum@montgomeryplanning.org>

> Subject: Against the proposed storage facility in Kensington

>

> That is the last thing we need as a town. We already have storage facilities and they don't add to the sense of community. We need commercial that will bring in visitors like a cafe/ restaurant/ or other commercial opportunities.

> Please oppose this potential eyesore. All it will do is wall off and impact the sense of community. Who wants to live or work near a storage facility

>

> Sent from my iPad

Tettelbaum, Emily

From: Leslie <Lst942@aol.com>
Sent: Sunday, October 28, 2018 12:06 PM
To: Tettelbaum, Emily
Subject: Proposed storage facility in Kensington

Please be advised that our residents of Kensington do not want this facility to be built. T Thank you.
Leslie Witte

Sent from my iPad

Tettelbaum, Emily

From: Brian Frankel <brianfrankel@hotmail.com>
Sent: Monday, October 29, 2018 11:33 PM
To: Tettelbaum, Emily; MCP-Chair
Subject: Written Testimony in opposition to Self Storage facility on the corner of Plyers Mill and Conn. Ave, in Kensington.

Hello,

This is Written Testimony in opposition to Self Storage facility on the corner of Plyers Mill and Conn. Ave, in Kensington.

The idea of another storage unit in the area, especially at such a central location is disappointing. That intersection is already quite busy and the scene of near constant accidents. This is a huge safety concern.

Additionally, replacing the historic gas station with storage space is visually repulsive and harmful to the community look and feel of the area.

As a local home owner, I strongly suggest the space not be allowed to be re-developed into mini-storage. This marks the gateway to the neighborhood. Placing such a building there harms the community feel. In the long term, this building would represent a huge step backward.

Thanks and kind regards,


Brian Frankel






Home owner in Carrol Knolls neighborhood just off Plyers Mill Rd

Email

proposed 5-story self...

Email

From  sag52088@gmail.com

To  <MCP-Chair MCP-Chair>;  emily.tettelbaum@montgomerycountyplanning.org;  MCP-Chair #;  mcp-chair@mncppc-mc.org;  MCP-Chair@mncppc-mc.org

Cc

Subject proposed 5-story self storage building in Kensington

Date Sent

Date Received

10/31/2018 4:02 PM

Good Afternoon,

I have learned of the county's plans for a self-storage unit on the corner of Connecticut and Plyers Mill road and wanted to reach out to share my opposition to this proposal. I am a resident of the Randolph Hills neighborhood and spend a lot of time in this area of Kensington. Whether it's shopping at the Safeway, grabbing a coffee at Java Nation or picking up home supplies from Strosniders, I enjoy the look and feel of Kensington and what it's becoming. We're really excited to see the new space being built next to Strosniders and look forward to visiting the shops that ultimately end up there.

There is already self storage steps away from where the new proposed building is being slated for so I don't know why additional storage units are being considered. This is going to add an industrial feel to that section of Connecticut Ave. One of my biggest complaints about living in Randolph Hills is the industrial zoning you must drive through to get into the neighborhood went entering via Parklawn. It's nice to have a less industrial Kensington just up the street.

I understand that it's not a large space but surely there is something else that is better suited for the residents of the

community than an ugly and unnecessary additional storage facility.

**Thanks,
Sarah Griffin**

Tettelbaum, Emily

From: Amanda Summerlin <amanda.rose988@gmail.com>
Sent: Friday, November 9, 2018 10:08 AM
To: Tettelbaum, Emily
Subject: Opposed to Self-storage facility at Connecticut and Plyers Mill in Kensington

Dear Ms. Tettelbaum:

I am writing to express my disappointment regarding plans to build a five story self-storage facility at the corner of Plyers Mill and Connecticut. I grew up in Kensington and recently relocated to nearby Forest Glen after living in Washington, DC for several years. My parents live in Parkwood and my fiancé's family live on St. Paul street directly across from a beautiful park so I remain indebted to the area. While the town provided a humble, and pleasant backdrop for my adolescence, I always recognized the enormous potential to add more spaces for the community to come together. I never understood why Kensington needed so many gas stations and as a young person, wished there were more places to hang out. Now as an adult, I still see the same type of deficits for adults and young families. The plot of land at Plyers Mill and Connecticut is a prime spot for such a space to exist. I am 100% in favor for the smart development of this land, but a self-storage facility, even one that has some ground floor retail, would be an incredible missed opportunity for the Town of Kensington for the following reasons:

- There is already another self-storage facility approximately 500 feet away. Over the years I have observed how this storage facility creates a 1 mile long dead zone in the heart of what should be a living community triangle along Metropolitan Avenue. It feels boring (or creepy at night) to walk along this uninhabited stretch of land. In turn, the lack of foot traffic hurts the shops along Metropolitan Avenue.
- Allowing a self-storage facility to be constructed takes away an opportunity to add affordable, apartment-style housing in Kensington. Housing and property taxes in Kensington are astronomically high, which is why my partner opted to purchase a home in Forest Glen instead of the neighborhood where we grew up. Considering that the population is increasing, Kensington should develop in a way that supports this growth.
- A self-storage facility will be an eye-sore that does not fit with the Town's developing aesthetic. Large sums of taxpayer dollars have been invested in recent years to line Cedar Lane with trees and install mock-antique street signs. Building yet another self-storage facility seems counter-intuitive to the current trajectory of the town's brand.

I hope you will consider the points that I raise in this email when it comes time to approve this proposed development.

Sincerely,
Amanda Summerlin

November 16, 2018

TO: Emily Tettelbaum, Montgomery County Planning Board

**Testimony from Rock Creek Woods Residents in Opposition to
Application CU 19-03**

Proposed self-storage facility at the intersection of Connecticut Avenue & Plyers Mill Road, Kensington, Maryland

This testimony in opposition to the proposed self-storage facility at the intersection of Connecticut Avenue & Plyers Mill Road, is from residents of Rock Creek Woods (RCW), a community of 76 Charles Goodman-designed midcentury modern homes listed on the National Register of Historic Places, located just north of Kensington, Maryland

Our neighborhood residents are actively involved in volunteering for local charities; campaigning for political candidates; helping each other during weather emergencies; supporting older and incapacitated neighbors; resolving problems with postal delivery; promoting safety outside and inside our homes; protecting cherry trees lining our streets; cultivating a landscaped community memorial site; forming an environmental garden club; maintaining a book club, movie night, and lunch group; successfully advocating for National Register of Historic Places status; contributing more than \$4,000 in support of digitizing *The Rock Creek Woods Collection* of the Library of Congress Goodman Architectural Archive.

We treasure Kensington as our downtown.

The quotes that follow are from comments made via email to Rock Creek Woods Civic Association (RCWCA) officers from Rock Creek Woods residents. (See the attached names and addresses of RCW signers.)

PROJECT'S IDENTITY & CHARACTER INCOMPATIBLE WITH COMMUNITY & ROUTE

A conspicuous local intersection along a famous avenue is key for setting our town's identity. The location deserves a building type/use well-suited to pedestrians, vehicles, and as a community asset.

- "We should be bringing something special to the Connecticut Avenue corridor in Kensington other than seven gas stations and three storage facilities"
- "Connecticut Avenue leads to the White House."
- "It's a poor plan for a prominent location – an unfortunate landmark."
- "It won't excite visitors arriving at train station and seeking a charming village."

HISTORIC PRESERVATION NEED

Googie (GOO-gee), a futurist form of modern architecture, was influenced by car culture, jets, Space Age and Atomic Age of the mid-twentieth century. (See attached Googie Image References.)

- "The existing midcentury modern, former gas station is a classic and rare example of Googie architectural design in Montgomery County."
- "Current building is a great representation of that era that could be repurposed for adaptive reuse such as an entrance to a coffee shop and artisan studios."
- "A diner or casual restaurant, or another adaptive reuse or a mixed commercial and residential structure would preserve the historic character as a signature element."

ZONING AND BUILDING TYPE

- "We understand that the self-storage building type is a "by-right" use for the site. Self-storage is allowed in the CRT under "conditional" use, thus the Hearing Examiner process; however there are multiple self-storage facilities already in the general vicinity. This proposed development would concentrate 3 locations within Kensington." (See Current Self Storage Locations map.)
- "Note that an excerpt in MC Zoning 7.3 pages 7-13 and 7-14, outlines the evaluation criteria of the Hearing Examiner. We understand that 7.31.E.6 lists conditions where the Hearing Examiner could find this proposed use is not necessary because the need is already served. Though self-storage is not included in that particular list of uses, we respectfully request the Hearing Examiner take this under consideration." (See attached MC Zoning 7.3 Conditional Use.)

BUILDING FUNCTION & USE WITH ECONOMIC VALUE TO COMMUNITY

Options other than a multi-story storage facility would be more economically beneficial to both community and developer.

- "Building types for this site, other than a storage facility, would create more community jobs and be more of a draw for county residents and visitors."

- “Two other storage buildings already exist around corner. How profitable are they?”
- “Plan is lifeless with little economic or social benefit to area.”
- “An appropriate building use would bring more activity to Kensington such as a restaurant with parking, making an attractive place to stop, eat, and walk down Plyers Mill to Metropolitan Avenue businesses, Kensington’s 19th century train station, Howard Avenue with its well-known Antique Row.”
- “Because location is close to a train station, a railway-type dining car like the very popular Mickey’s Diner in St. Paul, MN, could be used.”
- “Other streets encourage walking, looking, shopping. This doesn’t do that.”

SCALE, SIZE, MASSING, AND ZONING CONSIDERATIONS

The building footprint size, bulk, and use are not welcoming and do not contribute to Kensington’s entrance.

- “Massing and height are not compatible with adjacent development.”
- “Proposed project is out of scale with historic town vibe of Howard Avenue and Antique Row, Victorian houses, and parks.”
- “Hawkins Produce currently on site offers an interesting, friendly, and colorful spot that is the right scale for the historic town.”
- “Kensington could become so much more with right architectural design plan and use of space in that location.”

SUMMARY

There is a high level of interest from Rock Creek Woods residents in supporting a vibrant, successful downtown district in Kensington. Silver Spring, Wheaton, and Bethesda have made great strides in revitalizing their centers through a smart growth approach to development. A self-storage facility in this location would be a detriment not an enhancement to an inviting, attractive, charming downtown Kensington.

CONTACT

For more information from the Rock Creek Woods Civic Association, contact Valerie Tate at 240-330-5515 or valerietate2001@yahoo.com

Respectfully Submitted,

Rock Creek Woods Civic Association
Co-Chairs – Julie Marcis and Valerie Tate
Secretary – Sarah Van Haastert
Treasurer – Boris Yanev

Rock Creek Woods Residents in Opposition to Application CU 19-3 (See the attached spreadsheet)

CC:

William Kirwan, AIA, LEED, AP, Chairman, Montgomery County Historic
Preservation Commission

Beth Cole, Administrator, PRC, Department of Planning, Maryland Historic Trust

Clare Lise Kelly, Author and Architectural Historian

Elizabeth Jo Lampl, Author and Architectural Historian

Tom Jester, President Docomomo DC

Ike Leggett, Montgomery County Executive

Jamie Raskin, U.S. House of Representatives

Jeff Waldstreicher, State Senate

Jared Solomon, State House of Delegates

Emily Shetty, State House of Delegates

Al Carr, State House of Delegates

Tracey Furman, Mayor of Kensington, MD

Darin Bartram, Council Member, Kensington, MD

Bridget Hill-Zayat, Council Member, Kensington, MD

Conor Crimmins, Council Member, Kensington, MD

Duane Rollins, Council Member, Kensington, MD

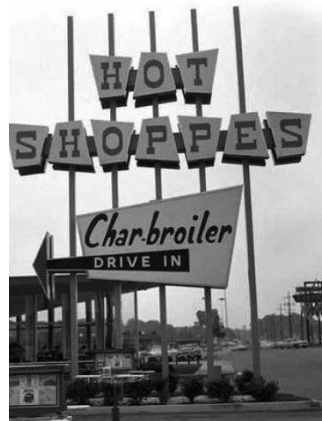
Residents of Rock Creek Woods

Rock Creek Woods Signers to Testimony in Opposition to Application CU 19-03

FIRST	LAST	House #	Street
Kathy	Ford	4004	Ingersol
Leslie	Eigner	4005	Ingersol
Gregory	Arms	4006	Ingersol
Valerie	Tate	4006	Ingersol
Jenny	Letizia	4007	Ingersol
Carrie	Chew	4009	Ingersol
Carol	Chew	4009	Ingersol
Dan	Chew	4009	Ingersol
May	Nakamura	4010	Ingersol
Sarah	Van Hasstert	4011	Ingersol
Sanne	Van Hasstert	4011	Ingersol
Kathy	Lednum	4012	Ingersol
Taylor	Lednum	4012	Ingersol
Annabel	Kaufman	4015	Ingersol
Stephen	Lorenz	4016	Ingersol
Myra	McGovern	4016	Ingersol
John	Beaudet	4018	Ingersol
Kathy	Waldmann	3910	Rickover
Tom	Waldmann	3910	Rickover
Bruce	Nichols	3912	Rickover
Audrey	Fincher	3915	Rickover
Dwight	Fincher	3915	Rickover
Ursula	Scott	3916	Rickover
Valerie	Campbell	3917	Rickover
Mariann	Seriff	3917	Rickover
Henri	Lezec	3918	Rickover
Motoko	Lezec	3918	Rickover
Rita	Rumbaugh	3919	Rickover
Pati	Young	3920	Rickover
Michelle	Thomas	3921	Rickover
Eli	Tomar	3921	Rickover
Jean	Hoyt	3922	Rickover
Heather	Cox	3924	Rickover
Neal	Cox	3924	Rickover
Rodger	Berner	3925	Rickover
Julie	Marcis	3926	Rickover
Jonathan	McIntyre	3930	Rickover
John	Freymann	3934	Rickover
Ann	Byrne	3936	Rickover
Don	Byrne	3936	Rickover
Jean	Hanson	3941	Rickover
Lester	LaForce	3941	Rickover
Barry	Harris	3942	Rickover
Melanie	Harris	3942	Rickover
John	Brodkin	3944	Rickover

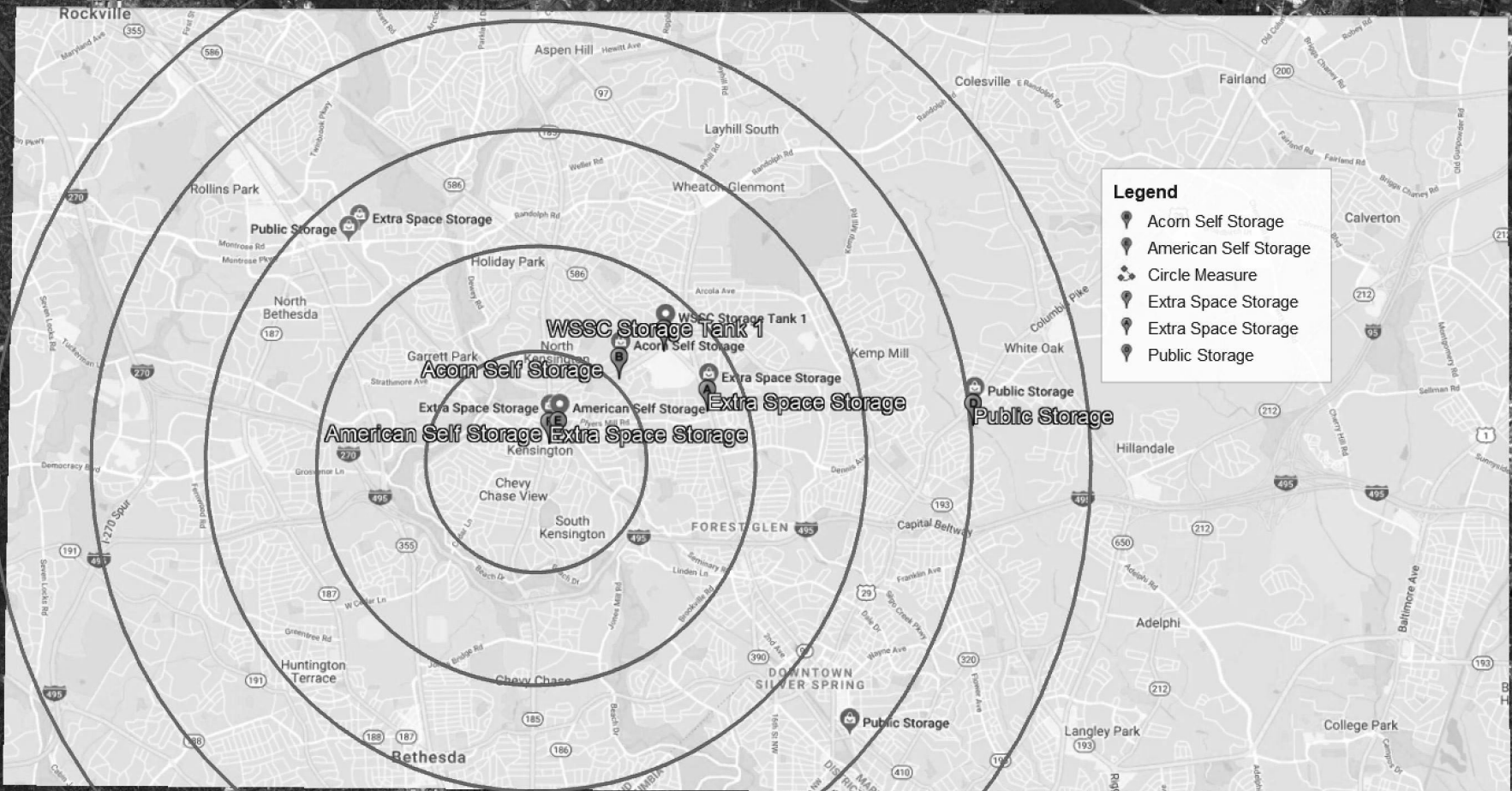
FIRST	LAST	House #	Street
Sophia	Spencer	3945	Rickover
Nick	Spencer	3945	Rickover
Luis	Franco	3946	Rickover
Neil	Klopfenstein	4005	Rickover
Susan	Finkelparl	4008	Rickover
Ted	Sobel	4008	Rickover
Carole	Ford	4009	Rickover
Charo	Quesada	4009	Rickover
Maggie	Toscano	4010	Rickover
Cathleen	Horan	4015	Rickover
Robert	Smith	4015	Rickover
Helen	Beachem	3600	Spruell
Cedric	Beachem	3600	Spruell
Milena	Stefanova	3610	Spruell
Boris	Yanev	3610	Spruell
Scott	Gillespie	3611	Spruell
Mary Ann	Wilmot	3611	Spruell
Betsy	Binckes	3614	Spruell
Jeffrey	Binckes	3614	Spruell

EXAMPLES OF “GOOGIE” ARCHITECTURE



Current Self Storage Locations

At 1, 2, 3, 4, & 5 mile radius locations from proposed project location.



Division 7.3. Regulatory Approvals

Section 7.3.1. Conditional Use

A. Applicability and Description

1. Use of any property for a conditional use under Article 59-3 requires approval of a conditional use application.
2. A conditional use application may include all or part of a property.
3. A conditional use application must satisfy the conditions and binding elements of, and be consistent with, any effective previous approvals on the subject property.
4. An area covered by a conditional use approval requires a site plan only if:
 - a. the area is included in a sketch plan; or
 - b. the use standards in Article 59-3 require it.

B. Application Requirements

1. Ownership:
 - a. An applicant must own the subject property or be authorized by the owner to file the application.
 - b. If any land or right-of-way is owned or controlled by the State, County, or any other entity or agency, written authorization from that entity or agency must be submitted with the application.
2. The applicant must submit the following for review:
 - a. application form and fees as approved by the District Council;
 - b. proof of ownership or authorization;
 - c. statement of how the proposed development satisfies the criteria to grant the application;
 - d. certified copy of official zoning vicinity map showing the area within at least 1,000 feet surrounding the subject property;
 - e. list of abutting and confronting property owners in the County tax records;
 - f. list of any civic and homeowners associations within 1/2 mile;

- g. Traffic Statement or Study, accepted for review by the Planning Director;
- h. map showing existing buildings, structures, circulation routes, significant natural features, historic resources, zoning, and legal descriptions on the proposed development site and within 500 feet of the perimeter boundary;
- i. existing and proposed dry and wet utility plan if changes to these facilities are proposed;
- j. written description of operational features of the proposed use;
- k. if exterior changes are proposed, plans of the proposed development showing:
 - i. footprints, ground-floor layout, and heights of all buildings and structures;
 - ii. required open spaces and recreational amenities;
 - iii. layout of all sidewalks, trails, paths, roadways, parking, loading, and bicycle storage areas;
 - iv. rough grading;
 - v. landscaping and lighting;
 - vi. approved Natural Resources Inventory/Forest Stand Delineation, if required under Chapter 22A;
 - vii. Forest Conservation Plan application, if required under Chapter 22A, or an approved preliminary forest conservation plan; telecommunication tower applications must include an approved Forest Conservation Plan or a letter from the Planning Department confirming that a Forest Conservation Plan is not required under Chapter 22A;
 - viii. Stormwater Management Concept or Water Quality Plan application, if required under Chapter 19 ; and
 - ix. supplementary documentation showing or describing how the application satisfies previous approvals and applicable requirements.

- l. development program and inspection schedule detailing any construction phasing for the project; and
 - m. for a telecommunication tower application, photographic simulations of the tower and site seen from areas with a direct view of the tower, including a minimum of at least 3 directions.
3. The applicant must submit an initial application to the Planning Director for approval of completeness. The Planning Director must review the application for completeness within 10 days after receipt. An application is incomplete if any required element is missing or is facially defective, e.g., a drawing that is not to scale or lacks proper signatures. The assessment of completeness must not address the merits of the application.
 4. The applicant must submit any required revisions to the Planning Director. The Planning Director must review the revised application for completeness within 10 days after receipt.
 5. After the Planning Director verifies that the application is complete, the applicant must file the final application with the Hearing Examiner, who will accept the application and establish a hearing date under Section 7.3.1.C.
 6. Public notice is required under Division 7.5.

C. Hearing Date

1. The Hearing Examiner must schedule a public hearing to begin within 120 days after the date an application was accepted.
2. The Hearing Examiner may postpone the public hearing and must send notice to all parties of record of the new hearing date.
3. The Hearing Examiner may issue a subpoena to compel the attendance of witnesses at a public hearing and production of documents and administer an oath to any witness.

D. Review and Recommendation

1. Planning Director Review

- a. The Planning Director may provide a report and recommendation for review by the Planning Board at a public meeting or issue a report and recommendation directly to the Hearing Examiner. The Planning Direc-

- tor must provide a report and recommendation on a telecommunication tower application directly to the Hearing Examiner.
- b. If the Planning Director provides a report and recommendation to the Planning Board, the Planning Director must publish the report and recommendation a minimum of 10 days before the Planning Board public meeting.
- c. If the Planning Director provides a report and recommendation to the Hearing Examiner, the Planning Director must publish the report and recommendation a minimum of 10 days before the Hearing Examiner's public hearing.

2. Planning Board Review

- a. The Planning Board may consider the Planning Director's report and recommendation as a consent item on its agenda or hold a public meeting to consider the recommendation.
- b. The Planning Board must provide a recommendation on the application to the Hearing Examiner a minimum of 7 days before the Hearing Examiner's public hearing.

3. Amendment of an Application

- a. An applicant may amend the application before the hearing if the Hearing Examiner approves a motion to amend after giving 10 days' notice to all parties entitled to original notice of filing. If an amendment would materially alter an applicant's proposal or evidence, the Hearing Examiner may postpone the hearing to a date that permits all interested parties adequate time to review the amendment.
- b. The applicant must forward a copy of any proposed amendment to the Planning Board. The Hearing Examiner must keep the record open for no more than 30 days to provide an opportunity for the Planning Board or its staff to comment. Within that time, the Planning Board or its staff must comment on the amendment or state that no additional review and comment are necessary.

4. Withdrawal of an Application

The Hearing Examiner or the Hearing Examiner's designee must send a notice to all parties entitled to notice of the hearing when an applicant withdraws an application for a conditional use.

E. Necessary Findings

1. To approve a conditional use application, the Hearing Examiner must find that the proposed development:
 - a. satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended;
 - b. satisfies the requirements of the zone, use standards under Article 59-3, and applicable general requirements under Article 59-6;
 - c. substantially conforms with the recommendations of the applicable master plan;
 - d. is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan;
 - e. will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity, or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area; a conditional use application that substantially conforms with the recommendations of a master plan does not alter the nature of an area;
 - f. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the conditional use is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required and:
 - i. if a preliminary subdivision plan is not filed concurrently or required subsequently, the Hearing Examiner must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage; or

- ii. if a preliminary subdivision plan is filed concurrently or required subsequently, the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage; and
- g. will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:
 - i. the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;
 - ii. traffic, noise, odors, dust, illumination, or a lack of parking, or
 - iii. the health, safety, or welfare of neighboring residents, visitors, or employees.
2. Any structure to be constructed, reconstructed, or altered under a conditional use in a Residential Detached zone must be compatible with the character of the residential neighborhood.
3. The fact that a proposed use satisfies all specific requirements to approve a conditional use does not create a presumption that the use is compatible with nearby properties and, in itself, is not sufficient to require conditional use approval.
4. In evaluating the compatibility of an agricultural conditional use with surrounding Agricultural or Rural Residential zoned land, the Hearing Examiner must consider that the impact does not necessarily need to be controlled as stringently as if it were abutting a Residential zone.
5. The following conditional uses may only be approved when the Hearing Examiner finds from a preponderance of the evidence of record that a need exists for the proposed use to serve the population in the general neighborhood, considering the present availability of identical or similar uses to that neighborhood:
 - a. Filling Station;
 - b. Light Vehicle Sales and Rental (Outdoor);

- c. Swimming Pool (Community); and
 - d. the following Recreation and Entertainment Facility use: swimming pool, commercial.
6. The following conditional uses may only be approved when the Hearing Examiner finds from a preponderance of the evidence of record that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood:
 - a. Funeral Home; Undertaker;
 - b. Hotel, Motel;
 - c. Shooting Range (Outdoor);
 - d. Drive-Thru
 - e. Landfill, Incinerator, or Transfer Station; and
 - f. a Public Use Helipad, Heliport or a Public Use Helistop.

F. Decision

1. Hearing Examiner

- a. The Hearing Examiner must issue a report and decision no later than 30 days after the close of the record of the public hearing. The decision may recommend that the application be approved, approved with conditions, or denied. The Hearing Examiner may supplement the specific requirements of this Chapter with any other requirements necessary to protect nearby properties and the general neighborhood. The Hearing Examiner may by order extend the time to issue the report and decision.
- b. The Hearing Examiner must notify the Board of Appeals, the applicant, and all parties who participated in the hearing that the report and decision are complete and available for review. If a timely request for oral argument is not received under Section 7.3.1.F.1.c, the Hearing Examiner's report and decision becomes the final decision.
- c. Any party of record or aggrieved party may, no later than 10 days after the transmittal of notification that the Hearing Examiner's report and

decision are available for review, file a written request to present oral argument before the Board of Appeals. The filing of such a request transfers jurisdiction over the matter from the Hearing Examiner to the Board of Appeals.

- i. A written request for oral argument must be filed with the Board of Appeals and the Hearing Examiner, and must concisely identify the matters to be presented at the oral argument.
- ii. Any party of record or aggrieved party may, no later than 5 days after a request for oral argument is filed, file a written opposition or request to participate in oral argument. An opposition to a request for oral argument must be sent to the Board of Appeals and all parties as listed by the Hearing Examiner, and must be concise and limited to matters raised by the party who requested oral argument.
- iii. The Board of Appeals may, in its discretion, grant or deny an oral argument request. If the Board of Appeals grants a request for oral argument, the argument must be limited to matters contained in the record compiled by the Hearing Examiner.
- iv. Regardless of whether the Board of Appeals has elected to hear oral argument, the Board of Appeals must, under Section 7.3.1.F.2, approve or deny the conditional use application or remand it to the Hearing Examiner for clarification or the taking of additional evidence, if appropriate.

2. Board of Appeals

- a. If the Board of Appeals is deciding the application, it must make the necessary findings under Section 7.3.1.E and must:
 - i. vote in public session to approve, approve with conditions, or deny the application, or to remand the application to the Hearing Examiner for additional evidence or clarification. An affirmative vote of 4 members of the Board of Appeals is required to approve a conditional use when 5 members are present, otherwise an affirmative vote of 3 members is required. Any Board of Appeals member who votes on a conditional use and was not present for any portion of the hearing

- must read and sign the transcript of that portion of the testimony and must review all exhibits introduced at the hearing; and
- ii. issue a resolution reflecting the Board of Appeals' decision no later than 30 days after voting on the matter, unless such time is extended by the Board of Appeals.
- b. All matters decided under Section 7.3.1.F.2 must be decided on the basis of the evidence or record, but the Board of Appeals may decide any matter heard by the Hearing Examiner and presented to the Board of Appeals for decision solely on the basis of the Hearing Examiner's report and decision.
- c. The Board of Appeals may supplement the specific requirements of this Chapter with any other requirements necessary to protect nearby properties and the general neighborhood.

G. Appeal

Any party aggrieved by a decision of the Board of Appeals may, within 30 days after the Board of Appeals' action, file a petition for judicial review of the decision under the Land Use Article (Section 22-403).

H. Subsequent Actions

1. If the conditional use application is denied, a new application proposing substantially the same development for the same property may not be filed within 18 months after a final decision, unless the Hearing Examiner finds that the applicant provides material new facts that warrant reapplication.

2. Conforming Permits

DPS must not issue a sediment control permit, building permit, or use-and-occupancy permit for any building, structure, or improvement associated with a conditional use

- a. until the Hearing Examiner or Board of Appeals approves a conditional use; and
- b. unless any building, structure, or improvement satisfies the approved conditional use.

3. Permits Exempt from Conformance to Approved Conditional Uses

- a. On any property with an approved conditional use, DPS may, without a finding of conformance to the approved conditional use, issue a sediment control permit or building permit to:
 - i. construct an accessibility improvement;
 - ii. repair an existing structure without changing its height or footprint; or
 - iii. replace an existing structure to no more than the same footprint and height approved.
- b. DPS must submit a copy of any permit issued under Section 7.3.1.H.3 to the Hearing Examiner and the Board of Appeals for inclusion in the record of the conditional use.
- c. Any modification or improvement allowed under Section 7.3.1.H.3 does not require an amendment to the conditional use application.

I. Duration of Approval

1. A conditional use that is not established or has not obtained a building permit within 24 months from the date of the issuance of the decision or resolution expires, unless a longer period is established by the decision or resolution.
2. The Board of Appeals or the Hearing Examiner may extend the time limit for a conditional use to be established or obtain a building permit if the evidence of record establishes that drawing of architectural plans, preparation of the land, or other factors involved in the particular use will delay the start of construction or the establishment of the use beyond the period of validity. An individual extension must not exceed 12 months. If the Board of Appeals or the Hearing Examiner grants an extension, it must set a date by which the erection or alteration of the building must begin or the use must be established.
3. Development activities under Section 7.3.1 must satisfy the approved conditional use and any conditions, including operational restrictions.
4. The conditional use holder must notify the Board of Appeals or the Hearing

Tettelbaum, Emily

From: lolson2999@aol.com
Sent: Sunday, November 18, 2018 5:36 PM
To: Tettelbaum, Emily
Subject: storage facility - Ct and Plyers Mill - Town of Kensington

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning.

I'll start by saying that I oppose the proposal for a storage facility at 10619 Connecticut Avenue. As a resident of the town since 1989, I value the interactive nature of this community. The sector plan process was extremely difficult for so many because of the recognition that there would be changes, and a lot of time, thought, debate and discussion took place over the several years prior to its finalization. The town's goal was to see growth that would perpetuate the interactive nature of the community. Presently the town has several acres devoted to storage opportunities thru American Storage and Extra Space Storage. To enable the plot at Ct Ave and Plyers Mill to be developed for another storage facility, there would need to be a variance to the zoning that was established in the recent sector plan. The town's Development Review Board reviewed the proposal twice and recommended to the council that it not be approved. The town council voted 4-0 against its approval. And the residents commented negatively at 1784 Capital Holdings' most recent presentation at a town meeting. The concept represents dead space in a key location and is contrary to all prior and present discussion on use of that space. I urge you to reject the proposal for a storage facility at the above location.

I would like to suggest new visions however. I envision this area as one with a focus toward a forward thinking facility, something to generate energy, definitely not a storage facility. The developer's use of birch tree clusters was attractive, the outdoor seating concept attractive, and a dedicated bike path attractive. Thinking outside the box however would entice others to build creatively, and would foster the unique nature that we currently have.

Build an old style brick warehouse building - character and lots of windows - and offer a boutique hotel with a restaurant, create a computer lab gathering place, offering classes, in a coffee shop environment. The town will soon have two senior housing developments and everyone wants a walkable, age in place environment. Use the building for studio space and mix it with small loft style residential units that would fill a couple of floors. Have a setting where customers can visit the artists as they work. (think Topedo Factory in the old days). Allow some storage on the lower floors below ground for a steady income. Commit to retail, a bread bakery (there isn't one anywhere in the area) or a place for one to sell its goods made elsewhere. Offer a call ahead pick-up facility to minimize the parking needs. Have a floor dedicated to veteran housing, small units conveniently located to public transportation, and convenience shopping. The Town of Kensington is a unique oasis and I don't want to see that compromised. The building could be this, offering function and vibrancy. It could be something really positive. Another storage facility isn't either.

Thank you for your time.

Sincerely,

Leslie Olson
10537 Wheatley Street



Rock Creek Palisades Citizens Association

Representing 1,700 households in North Kensington and Wheaton

November 20, 2018

Ms. Emily Tettelbaum, Senior Planner
Area 2
Montgomery County Planning Department
8787 Georgia Avenue
Silver Spring, MD 20910
Via Email: emily.tettelbaum@montgomeryplanning.org

Dear Ms. Tettelbaum:

On behalf of the Board of Directors of the Rock Creek Palisades Citizens Association (RCPCA), thank you for the opportunity to comment on conditional use application CU 19-03 (Kensington Storage Project) prior to your publication of a staff report for the Montgomery County Planning Board.

RCPCA represents 1,700 homeowners in North Kensington on both the east and west sides of Connecticut Avenue (see encl. 1). Many of our residents, including me, pass the location of the proposed development every day, and we are painfully aware of the under-utilization of the property.

We are writing because we are concerned that the proposed plan for the self-storage facility is significantly out of line with the criteria specified for the development of this property as articulated in the Kensington Sector Plan. The Town of Kensington already recognized many of the problems with the proposal by voting, on October 8, 2018, to reject the plans after the developer did not appear to take seriously the Town's concerns. Please see enclosure 2 for a more detailed analysis, prepared by Patricia Price, RCPCA Secretary, of how she believes the proposal fails to meet these and other criteria specified in the Kensington Sector Plan and Design Guidelines.

It is our understanding from Erin Girard, attorney at Linowes and Blocher, LLP, that the developer intends to significantly revise the plan to include more retail space and more parking. We hope this is true, and that the revised plan strikes a better balance between the interests of the community and the interests of out-of-state investors. We are further concerned about the impact additional traffic entering and exiting this development will have on an already-congested stretch of road, and we hope that a traffic study or other analysis will consider whether some

mitigation measures can be incorporated as part of a conditional use, such as the addition of a right-turn lane onto Plyer's Mill Road from Connecticut Avenue northbound.

Although we would be satisfied to see the County deny the developer a conditional use permit for this project outright, if the application still has enough merit to recommend approval, we urge that the County focus strongly on the retail aspect of the mixed-use concept as part of the conditional use, with the developer required to ensure the facility has significant retail space, adequate parking, and a neutral affect on traffic congestion to provide assurance that businesses at this critical intersection will not be set up to fail.

We greatly appreciate the expertise and experience you bring to your evaluation of this project, and we are looking forward to reading your report, which we believe will be thorough and informative. If you have any questions, please feel free to email the RCPCA Board of Directors at rockcpca@gmail.com.

Sincerely,

Andrew McIntosh, President
Rock Creek Palisades Citizens Association

Enclosures - 2

cc: Erin Girard, Attorney, Linowes and Blocher, LLP

Enclosure 1 - RCPCA Boundary Map



BOUNDARIES OF ROCK CREEK PALISADES CITIZENS ASSOCIATION

REPRESENTING THE COMMUNITIES

Connecticut Gardens
Hammond Woods
Kensington Knolls
Newport Hills
North Kensington
Rock Creek Palisades

Enclosure 2 - Analysis of Proposed Kensington Storage Project by Patricia Price, RCPCA Secretary

According to the Montgomery County zoning ordinance, the hearing officer cannot approve a conditional use application unless the hearing officer finds that it: “c. substantially conforms with the recommendations of the applicable master plan...[and] d. is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan” (Montgomery County Zoning Ordinance, chapter 59-7, page 310.)

1. The Kensington Sector plan, pages 42 and 43 (map), indicates that this project is located on that portion of Connecticut Ave. and Plyers Mill road that is designated for “priority retail” development. The Plan states:

Priority Retail Streets

Map 10 shows desired retail streets proposed in this Plan. This designation reflects the Plan’s fundamental goal of enlivening the Town Center by creating a lively, pedestrian-centered atmosphere on Kensington’s shopping streets. Retail and other commercial activities are appropriate and strongly encouraged throughout the Town Center, but they are especially desirable on these priority retail streets...

The project is not consistent with the Sector Plan. The plan presented at the October meeting included only 4 percent retail space. Thus, the building is overwhelmingly commercial, not retail. It does not create a “lively pedestrian-centered atmosphere,” which is the goal of the Sector Plan for this area of Kensington. The storage facility also duplicates two nearby storage facilities. This parcel is one of the few undeveloped parcels in Kensington. Using it to duplicate a commercial use that has already been met does not conform to the Sector Plan, which designates this area for “priority retail” development.

2. The Kensington Sector Plan Design Guideline, page 17: “Incorporate amenities and visual interest for pedestrians. Locate street activity uses along principal streets, including retail shops, eating establishments, residential lobbies and public and institutional uses.” The project does not meet this guideline. Although the drawings presented at the Oct. 22 community meeting included a few tables, this single amenity would not likely attract pedestrians.


3. The Kensington Sector Plan Design Guideline, page 27, provides that:





Guideline: For large development, vary building massing along sidewalk for visual interest.

- For scale and visual interest, break down building mass into a hierarchy of volumes. *Avoid creating large, monolithic structures without a transition between ground floor and upper stories.* [Emphasis supplied]

The proposed Kensington Storage facility does not meet this guideline. Although it includes a transition between the ground and the first floor, the remainder of the upper three floors are architecturally monolithic. The overwhelming character of the building is that of a “large, monolithic” structure.

Email**Kensington storage p...****Email**

From  hfabiano43@gmail.com

To  [<MCP-Chair MCP-Chair>;](mailto:<MCP-Chair MCP-Chair>)  [MCP-Chair #;](#)  mcp-chair@mncppc-mc.org;
 MCP-Chair@mncppc-mc.org

Cc

Subject Kensington storage project

Date Sent	Date Received	11/25/2018 9:40 AM
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Dear MCP Chair

I take this opportunity to respectfully submit my strongest opposition to the construction of a storage facility at Connecticut and University Blvd. It would permanently deface downtown Kensington and eliminate any esthetic opportunities so needed to improve the cityscape.

Thank you for your consideration.

Sincerely,

Heide Fabiano

Adam Fagin and Anne Clinton
3416 Highview Court
Silver Spring, MD 20902

Via electronic mail

March 26, 2019

Mayor Furman and Councilmembers
Town of Kensington
3710 Mitchell Street
Kensington, MD 20895

Emily Tettelbaum
Area 2 Planning Coordinator
Montgomery County Planning Dept.
M-NCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Letter of Support for Mixed Use/ Self-Storage Redevelopment of 10619 Connecticut Avenue (Conditional Use CU-19-03)

Dear Mayor Furman, Councilmembers, and Ms. Tettelbaum:

Please allow this letter to serve as evidence of our support for the proposed mixed-use project at 10619 Connecticut Avenue in Kensington. We live in Hammond Wood, approximately 1.5 miles away from the proposed project, and we are excited for the possibility of a ground floor restaurant and second floor artists' studio/gallery space. We understand that the project involves four levels of discreet self-storage units.

We believe this project presents a significant opportunity for the revitalization of this prominent corner. This site has sat empty for far too long, and now has become an eyesore with mulch piles and firewood. We think the proposed ground floor restaurant space and new plaza with outdoor seating will enliven this important corner. While we don't live in Kensington, we come to Kensington daily for amenities and services. We regularly dine in Kensington's restaurants like Frankly Pizza and Dish and Dram. We are thrilled at the possibility of other family-friendly, modern dining options in Kensington as we often resort to going to Silver Spring, Takoma or Rockville based on the limited Kensington options. Additionally, we are supporters of the arts and believe that the artist studio and gallery space, which will be run by a well-known, well-respected arts organization, will contribute to Montgomery County's art community, and will complement the existing art-district feel of the Town of Kensington.

We have heard that some community members oppose the project because of the self-storage element. We think this concern is unfounded. This project has been carefully designed so as not to resemble a typical self-storage structure. Instead, we think this is an attractive, mixed-use project that happens to contain self-storage on the upper floors. We are hard pressed to imagine a better

Mayor Furman and Councilmembers
Ms. Emily Tettelbaum
March 26, 2019
Page 2

use for the very busy intersection of Connecticut Avenue and Plyers Mill Road, as this location could not sustain the traffic impact that would result from other potential uses. We are also glad that this project does not include a residential use, since our local schools are already at capacity.

Please call us at 301-946-0857 or email us at adamfagin@yahoo.com or aclinton2201@sbcglobal.net if you desire further information.

Sincerely,

A handwritten signature in black ink. It consists of a stylized cursive signature for 'Anne Clinton' followed by a plus sign and another stylized cursive signature for 'Adam Fagin'. The initials 'ae' are written at the bottom right of the 'Adam Fagin' signature.

Adam Fagin and Anne Clinton

From: [Mary Means](#)
To: [Tettelbaum, Emily](#)
Cc: [Wright, Gwen](#); patriciaprice@juno.com
Subject: FW: YES to Proposed development at Conn Ave and Plyer's Mill Rd
Date: Wednesday, April 3, 2019 6:42:06 PM

Hi Emily,

It's been suggested that some of us copy you on our input on the mixed use project proposed for Kensington. I'm heading off now to a 'listening session' hosted by the Mayor and Council, at which only town residents are said to be welcome to speak.

Will keep you posted. Oh, and here's how my day started this morning:

<https://planning.org/awards/2019/means/>

Cordially,
Mary

Mary Means
703 582 9165

From: Mary Means [mailto:mmeans@marymeans.com]
Sent: Wednesday, April 3, 2019 9:09 AM
To: 'Mayor.Council@tok.md.gov' <Mayor.Council@tok.md.gov>
Cc: 'hammondwood' <HammondWood@yahoogroups.com>; 'Molly Hauck' <mollyphauck@gmail.com>; 'Christiane Graham' <chraham73@verizon.net>; 'Richmadaleno@gmail.com' <Richmadaleno@gmail.com>; 'Jim Anderson' <jima5150@gmail.com>; Sandy Dawsey <dawseys@mail.nih.gov>; Angela Wall <everwall@gmail.com>
Subject: YES to Proposed development at Conn Ave and Plyer's Mill Rd

Dear Mayor and Council,

You and your predecessors have protected the Town of Kensington from some very bad development over the years. Perhaps it's time to say yes to a very good project. The proposed mixed use project for the site at Connecticut Ave and Plyers Mill Rd is better than very good. It will bring great benefit to the Town of Kensington, and greater Kensington, too. The developer has demonstrated his willingness to listen to the community. The community wanted quality restaurants at ground level, artist studios, and better landscaping. The concept shown March 28 more than answers those prayers.

Despite this praiseworthy effort on the developer's part, some residents are dead set against anything that includes self-storage units. Yet, without the nearly invisible storage units, the desired uses make no financial sense.

It is said that you listen most intently to the voices of those who are residents of the Town. Yet, the small businesses in the Town depend on a market that is much larger than the Town. The hardware store, coffee shops, pharmacies, dry cleaners, bike shop, hair salons and more need the patronage

of those of us who live nearby and are in the Town daily. Please listen to our voices, too.

If this project does not get built, the site is highly likely to sit vacant for years.

As a professional planner with extensive knowledge of small town downtowns, this is a once-in-a-lifetime opportunity for the Town of Kensington. Please say yes to it.

Sincerely,

A handwritten signature in blue ink that reads "Mary Means". The signature is fluid and cursive, with the first name "Mary" and last name "Means" clearly distinguishable.

Mary Means
3419 Pendleton Dr
Silver Spring MD 20902

Hi there,

I understand that there will be a public hearing on July 25 on a proposal to build a self-storage facility on the property located on the southeast corner of Connecticut Ave. and Plyers Mill Rd. Unfortunately, I will not be able to attend the hearing, but I thought I'd write a brief email to express my views on the matter. For the record, my wife and I have lived in the Capitol View Park neighborhood of Silver Spring for over 30 years, literally 20 yards from the border of Kensington. So, in many ways, we feel more part of the Kensington community than that of Silver Spring.

Unlike many of my neighbors, I am not automatically opposed to the proposal...even though there are already multiple self-storage facilities located along the very same block of Plyers Mill/Metropolitan Ave. But what I feel VERY STRONGLY about is that the County should impose some requirements on the developer to make this a mixed-use facility. That is, the ground-floor portion of whatever is built there should include space for both food/beverage/restaurant/bar businesses, as well as retail/boutique space. I would point to the new Knowles Station development on Knowles Ave., next door to Strosniders, as a good example of what I'm talking about.

In my opinion, future Kensington development needs to include nice places for community members to gather and interact. Having additional eating establishments to join the likes of Frankly Pizza, K-Town Bistro, Wine & Company, and Dish & Dram (to name a few), would be wonderful. In contrast, simply building another "warehouse" for storage would just add another unattractive, industrial element to the neighborhood which would do nothing for it.

One other item I'd ask you to consider carefully is how the addition, whatever it is and over the long term, would affect traffic and parking.

Thanks for considering my opinion on this matter. Good luck with the hearing!

Best regards,

Ian Hill
10003 Pratt Place
Silver Spring, MD 20910
301/221-1777

Ian Hill
Senior Fellow
202/261-5374

U R B A N I N S T I T U T E
Health Policy Center
www.urban.org

Dear Mr. Anderson-

As a Montgomery County resident artist I am writing in support of the Artists and MakersStudio (AMS) project for Kensington, MD. As a museum professional and artist I know that creative spaces such as Artist and Makers Studios are essential drivers for economic growth and livable communities. Artists and Makers Studios provides much needed workspace for creatives in Montgomery County where there is a lack light industrial space where artists often make their living. Please support Artist and Makers Studios in Kensington where Mrs. Heartsong and AMS have proven there is a demonstrable need.

Best regards,

Best regards,
Stephen Estrada

Stephen Estrada

se@stephenestradaart.com

[https://nam03.safelinks.protection.outlook.com/?](https://nam03.safelinks.protection.outlook.com/?url=www.stephenestradaart.com&data=02%7C01%7Cmcp-chair%40mncppc-mc.org%7Cf40f0243e59e4067962708d6ffdee875%7Ca9061e0c24ca4c1cbeff039bb8c05816%7C0%7C0%7C636977730188090791&sdata=OraW%2BePE1%2FMBbeTUMkW21qZ%2FZpjHBJMLUQYHYNjA%2FNM%3D&reserved=0)

[url=www.stephenestradaart.com&data=02%7C01%7Cmcp-chair%40mncppc-mc.org%7Cf40f0243e59e4067962708d6ffdee875%7Ca9061e0c24ca4c1cbeff039bb8c05816%7C0%7C0%7C636977730188090791&sdata=OraW%2BePE1%2FMBbeTUMkW21qZ%2FZpjHBJMLUQYHYNjA%2FNM%3D&reserved=0](https://nam03.safelinks.protection.outlook.com/?url=www.stephenestradaart.com&data=02%7C01%7Cmcp-chair%40mncppc-mc.org%7Cf40f0243e59e4067962708d6ffdee875%7Ca9061e0c24ca4c1cbeff039bb8c05816%7C0%7C0%7C636977730188090791&sdata=OraW%2BePE1%2FMBbeTUMkW21qZ%2FZpjHBJMLUQYHYNjA%2FNM%3D&reserved=0)

301-503-0036