

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 22-050

Site Plan No. 820220030

Crossroads of Kensington

Date of Hearing: May 19, 2022

MAY 31 2022

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on October 6, 2021, Mountain View Burleson, LLC ("Applicant") filed an application for approval of a standard method site plan for up to 11,400 sf of commercial uses, including a bank with a drive-thru lane on 1.06 acres of CRT-2.5, C-2.0, R-2.0, H-75 zoned-land, located at 10619 Connecticut Avenue, Kensington ("Subject Property"), in the Kensington Sector Plan ("Sector Plan") area; and

WHEREAS, the site plan application for the Subject Property was designated Site Plan No. 820220030, Crossroads of Kensington ("Site Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated May 9, 2022, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on May 19, 2022, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Cichy, seconded by Commissioner Rubin, with a vote of 5-0; Chair Anderson, Commissioners Cichy, Patterson, Rubin and Verma voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820220030 for up to 11,400 sf of commercial uses, including a bank with a drive-thru, on the Subject Property, subject to the following conditions:¹

Density & Height

1. Density

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

The Site Plan is limited to a maximum of 11,400 square feet of retail/service establishment and restaurant uses² and one drive-thru lane associated with a bank.

2. Height

The development is limited to a maximum building height of 26 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

Open Space, Facilities and Amenities

3. Public Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 6,218 square feet of public open space (15% of Site area) on-site.
- b) Prior to issuance of the final Use and Occupancy permit, the Applicant must construct the streetscape improvements along the Property's frontage on Connecticut Avenue and Plyers Mill Road, as shown on the Site Plan sheet C-4 and cross sections shown on sheet C-6.
- c) Before the issuance of the final Use and Occupancy permit, all public open space areas on the Subject Property must be completed.
- d) The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to landscaping and lighting.

Environment

4. Stormwater Management

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept letter dated May 4, 2022 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Stormwater Management easements and facilities.

Transportation & Circulation/ Adequate Public Facilities (APF)

5. Transportation

² The retail/service establishment and restaurant uses can be changed to other commercial uses if there is no adverse impact on the Site Plan and APF findings and it is approved by Staff.

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated October 14, 2021 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

6. Pedestrian & Bicycle Circulation

- a) The Applicant must provide one long-term and one short-term bicycle parking space.
- b) The long-term spaces must be in a secured, well-lit bicycle room, and the short-term spaces must be inverted-U racks (or approved equal) installed in a location convenient to the main entrance (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.
- c) Prior to the final Use and Occupancy Permit, the Applicant must provide the following master planned pedestrian and bicycle facilities, the exact location, design and construction of which must comply with requirements set forth by the State Highway Administration:
 - i. On Connecticut Avenue, a 17-foot sidewalk, 3-foot intermittent tree/pavement strip, 8-foot sidepath, and 6-foot street buffer with tree wells; and
 - ii. On Plyers Mill Road, a 6-foot street buffer with tree wells, 8-foot sidepath, and 11-foot sidewalk.

7. APF Validity

The Adequate Public Facilities Review (APF) will remain valid for five (5) years from the initiation date set forth in Section 50.4.3.J.5 of the County Code.

8. Fire and Rescue

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated January 11, 2022, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

Record Plat/Easements

9. Record Plat

- a) Prior to issuance of any Use and Occupancy Permit, a new record plat must be recorded for the Property.
- b) The Applicant must provide the following dedications and show them on the record plat and execute any required deeds of dedication, for the following existing roads:
 - i. Eight (8) feet along Connecticut Avenue; and
 - ii. Fifteen (15) feet along Plyers Mill Road.

10. Easement

Prior to issuance of any building permit, the Applicant must record an easement over the adjacent property (10592 Metropolitan Avenue) to allow ingress and egress from Metropolitan Avenue.

Site Plan

11. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheet A-301 of the submitted architectural drawings, as determined by M-NCPPC Staff.

12. Lighting

- a) Prior to certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on all fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by streetlights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

13. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, site furniture, trash enclosures, and retaining walls. The surety must be posted before issuance of any building permit for development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

14. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

15. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Include the stormwater management concept approval letter, development program, and Site Plan resolution (and other applicable resolutions) on the approval or cover sheet(s).
- b) Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- c) Modify data table to reflect development standards approved by the Planning Board.
- d) Ensure consistency of all details and layout between Site and Landscape plans.

- e) Eliminate the retaining wall/curb near the intersection of Connecticut Avenue/Plyers Mill Road.
- f) Show a double row of *Cercis canadensis* along Connecticut Avenue.
- g) Minor updates based on the approved Stormwater Management Concept Plan.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Crossroads of Kensington Site Plan No. 820220030, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The development satisfies any previous approval that applies to the site.*

There are no previous approvals that apply to the site.

2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

3. *The development satisfies any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

This section is not applicable as the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

4. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

a. Use Standards

Retail/Service Establishments (up to 50,000 sf) and Restaurants are permitted uses in the CRT Zone. A drive-thru lane is classified as a limited use in the CRT Zone with the following use standards:

- (1) A Drive-Thru, including the queuing area, must be located a minimum of 100 feet from any property that is vacant or improved with a residential use in the Agricultural, Rural Residential, or Residential Detached zones.*

There are no residentially or agriculturally zoned properties within 100 feet of the Property.

- (2) For a Restaurant with a Drive-Thru, access to the site from a street with a residential classification is prohibited.*

Not applicable; as conditioned, the drive-thru is associated with a bank. However, if a restaurant with a drive thru is proposed in the future, a site plan amendment would be needed to comply with Section 59-7.3.4.E.3 of the Zoning Ordinance.

- (3) A drive-thru service window, drive aisle, or queuing area located between the street and the front main wall of the main building is prohibited.*

The drive-thru service window, drive aisle and queuing areas are located behind the buildings, internal to the site. There is no drive aisle or stacking area associated with the drive-thru located between the building and the street.

- (4) A drive-thru service window, drive aisle, or stacking area may be located between the street and the side wall of the main building on a corner lot if permanently screened from any street by a minimum 3 foot high wall or fence.*

Not applicable; the drive aisle will not be located between the buildings and the street.

- (5) Site plan approval is required under Section 7.3.4.*

The Planning Board is approving the drive-thru use associated with a bank as part of this Site Plan.

- (6) A conditional use application for a Drive-Thru may be filed with the Hearing Examiner if the limited use standards under Section 3.5.14.E.2.a.i through Section 3.5.14.E.2.a.iv cannot be met.*

Not applicable; the drive-thru satisfies the use standards for approval as a limited use.

b. Development Standards

The Subject Property includes approximately 0.94 acres zoned CRT-2.5, C-2.0, R-2.0, H-75. The Application satisfies the applicable development standards as shown in the following data table:

Data Table

Development Standard	Permitted/ Required	Approved
Tract Area	n/a	46,408 SF
Proposed Dedication	n/a	5,585 SF
Site Area	n/a	40,823 SF
Density		
Residential	81,646 SF/2.0 FAR	0
Commercial	81,646 SF/2.0 FAR	11,400 SF/0.25 FAR
Total	102,057 SF/2.5 FAR ¹	11,400 SF/0.25 FAR
Parking Setback	Behind front/side street building line	Behind front/side street building line
Building Height, max	75 FT	26 FT
Public Open Space, min	10% (4,082 SF)	15% (6,218 SF)
Building Setback, min		
Front (Connecticut Ave)	0 FT	11.69 FT
Side street (Plyers Mill Rd)	0 FT	5.66 FT
Side	0 FT	38.36 FT
Rear	0 FT	72.85 FT
Parking Setback, min		
Front	Behind front building line	Behind front building line
Side street	Behind side street building line	Behind side street building line
Side/ Rear	Must accommodate required landscaping	Landscaping accommodated
Build-to Area (BTA)		
Front setback, max	20 FT	< 20 FT
Building in front BTA, min	70%	100%
Side Street Setback, max	20 FT	< 20 FT
Building in side street BTA, min	35%	100%
Building Orientation		
Facing Street or Open Space	Required	Provided
Entrance spacing (max)	100 FT	37 FT
Building Transparency		
Front, min	40%	40%
Side, min	25%	40%
Blank wall, max	35 FT	28 FT

¹ The maximum standard method density is 1.0 FAR or 10,000 SF of gross floor area (whichever is greater).

c. General Requirements

i. *Site Access*

Pedestrian access to the Site is from the established sidewalk network along Connecticut Avenue (MD 185) and Plyers Mill Road (MD 192), which will each be enhanced by streetscape improvements along the Property frontages, consistent with recommended streetscape standards within the 2012 Kensington Sector Plan.

The Applicant will consolidate ingress and egress to the Site from four existing access points to one. Vehicular access to the Property will occur via an existing curb cut on Connecticut Avenue, at the southwest corner of the Site, just north of the existing above-grade railroad crossing. The Applicant proposes to locate its primary vehicle access via a right-in, right-out curb cut measuring 26-feet-wide. Additional vehicle access is provided on the eastern side of the site via a new drive aisle leading from the parking lot on the adjacent property to Metropolitan Avenue (MD 192) near the intersection with Plyers Mill Road (MD 192). The Planning Board will send a letter requesting that the State Highway Administration (SHA) evaluate the intersection of Metropolitan Avenue and Plyers Mill Road within the context of the forthcoming SHA right-of-way access permit associated with the Subject Property. Intersection improvements could facilitate movement of site generated traffic to southbound Connecticut Avenue. Potential intersection improvements discussed by the Planning Board include, but are not limited to:

- Operation of the Metropolitan Avenue and Plyers Mill Road traffic signal as a “full” (Red/ Yellow/ Green) signal;
- The addition of a “No Right-Turn on Red” restriction on eastbound Plyers Mill Road to southbound Metropolitan Avenue in association with the Signal upgrade identified above; and
- Modification of the existing access point on Metropolitan Avenue (10594 Metropolitan Ave) to improve intersection operations and site access.

ii. *Parking, Queuing, and Loading*

Standard/Metric	Permitted/ Required	Approved
Vehicle Parking Spaces Retail Sales and Service (3.5/1000 SF min, 6/1000 SF max)	40 min/65 max	40
Bicycle Parking Spaces Retail Sales and Service (1/10,000 SF of GFA, 15% long-term)	2 (1 long term)	2 (1 long term)
Drive-Thru Queuing Spaces	3 spaces (non-restaurant)	3 spaces

Standard/Metric	Permitted/ Required	Approved
Loading Spaces	0	0

iii. *Open Space*

The Project provides 15% of the Property as public open space, exceeding the Zoning Ordinance requirement. The public open space is primarily located along Connecticut Avenue and Plyers Mill Road and features attractive landscaping, various seating opportunities, and shade. The configuration of the open space will help activate the street and create a friendlier pedestrian environment.

iv. *General Landscaping and Outdoor Lighting*

Landscaping and lighting will enhance the streetscape along Connecticut Avenue and Plyers Mill Road. The facilities will be safe, adequate, and efficient for year-round use and enjoyment by patrons and passers-by. The on-site lighting will limit the necessary light levels to streets and sidewalks, providing safe lighting at a pedestrian scale.

5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*

a. Chapter 19, Erosion, Sediment Control, and Stormwater Management

A Combined Stormwater Management Concept/ Site Development Stormwater Management Plan was approved by the Montgomery County Department of Permitting Services on May 4, 2022. The plan will meet stormwater management requirements through the use of via microbioretention planter boxes and Stormfilter. DPS conditionally approved a partial stormwater management waiver due to site constraints.

b. Chapter 22A, Forest Conservation

The Board finds that as conditioned the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

The Site contains no streams or stream buffers, wetlands or wetland buffers, 100-year floodplains, hydraulically adjacent steep slopes, or known occurrences of Rare, Threatened and Endangered species. The Site drains to the Kensington Heights Branch of Lower Rock Creek watershed, a State Use Class I stream. The Site is not within a Special Protection Area.

There is no forest on the Property. An exemption from Article II of the Forest Conservation Law was confirmed for this Project on July 18, 2018 (No. 42018257E). The Project is exempt from Article II under 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.

6. *The development provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities.*

The Project is designed to promote efficiencies in internal vehicle circulation and to also provide for a safer and improved pedestrian environment externally – both through the consolidation of the vehicular curb cuts and the streetscape improvements along Connecticut Avenue and Plyers Mill Road. The surface parking lot is located behind the retail buildings. A 24-foot-wide drive aisle allows for two-way circulation, which is adequate for standard passenger vehicles. The Project will substantially improve pedestrian and vehicular circulation on the Property.

The one-story buildings will be pulled up to the street to help activate the pedestrian realm and define the prominent intersection. The parking lot will be located behind the buildings and screened from view of the street. The Project provides a prominent public open space and streetscape improvements in front of the buildings, with opportunities for outdoor seating and landscaping. The covered plaza connecting the buildings provides a multi-season outdoor gathering and dining space.

7. *The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

The Project substantially conforms with the recommendations of the 2012 *Kensington Sector Plan* (“Sector Plan” or “Plan”). The Project helps advance 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).

The Project substantially improves the pedestrian environment at this prominent intersection through significant streetscape improvements and more controlled vehicular access (through the closure of three of the four existing, wide curb cuts). The buildings are pulled up to the street, providing an active retail center that will help enliven and activate the pedestrian realm.

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)*

The Project is an infill development that will replace a former gas station with neighborhood serving commercial uses and public spaces that can be used for gathering and outdoor dining. The Project will help enliven the streetscape along the Property frontage and serve as a first step in promoting walkability in this part of Kensington. The Project will also advance the Sector Plan’s environmental goals by reducing impervious area on the Property and by providing stormwater management where none currently exists.

Town Center District and Property Recommendations

The Property is located within the Town Center district of the Sector Plan. 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.” (pg 18) The Sector Plan identifies the Property as “TC-5 Huggins” within the Plan’s Town Center district and includes the following property specific recommendation:

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).

The Project provides street level commercial uses along both Property frontages and provides parking to the rear of the buildings. Despite the Sector Plan’s recommendation, access from Plyers Mill Road was deemed problematic, and the Project instead will have access from Connecticut Avenue and from Metropolitan Avenue through an easement with the adjacent Property. The modest scale of the development will not preclude a mixed-use development on this Property in the future. The Project is consistent with the Sector Plan’s designation of both Property frontages as “priority retail streets” that should enliven the Town Center (pg 43).

Finally, the Project advances the design goals enumerated in the Sector Plan in the following ways:

- Orienting the buildings towards the sidewalk with windows and entrances;
- Reducing curb cuts from four to one;
- Providing street trees along both frontages to improve aesthetics and functionality for pedestrians; and
- Minimizing visual impacts of parking by locating it behind the buildings and screened from view.

Master-Planned Roadways and Bikeways

The segment of Connecticut Avenue along the Property frontage is classified as M-7, a major highway, within the *Master Plan of Highways and Transitways*. While the segment currently meets the minimum planned 120-foot-wide requirement, with six (6) divided travel lanes, a public right-of-way dedication to accommodate planned separated bicycle lanes is necessary. The Connecticut Avenue property frontage will be enhanced with a 17-foot sidewalk, 8-foot sidepath, and 6-foot street buffer with tree wells, in accordance with the Town Center Boulevard streetscape requirements in the *Complete Streets Design Guide*.

Although bidirectional separated bicycle lanes are recommended along both sides of Connecticut Avenue pursuant to the *Bicycle Master Plan*, the Applicant will construct a sidepath as an interim bicycle facility prior to the future installation of bidirectional separated bicycle lanes as part of the eventual reconstruction of the Connecticut Avenue bridge over the CSX rail immediately to the south. At this time, it is undetermined when a new grade-separated crossing or parallel bikeway facility will be built. Without reconstruction of the existing Connecticut Avenue bridge (or a separate bicycle bridge over the CSX rail), it is not possible to continue new separated bike lanes south of the Site. The interim sidepath along the Subject Property frontage is the result of close coordination with Planning Staff and will serve the public as both a bicycle facility and generous streetscape.

Plyers Mill Road is designated as a minor arterial, MA-31, with a recommended 100-foot right-of-way, and recommended separated two-way bicycle lanes along the south side of the roadway. Similar to the improvements along Connecticut Avenue, the Applicant proposes to construct an eight-foot sidepath along the property frontage as an interim design solution, prior to the construction of the bikeway along adjacent properties to the east, along Plyers Mill Road. As indicated in Figure 8, the Applicant proposes to reconstruct the streetscape to accommodate a six-foot street buffer with tree wells, the eight-foot sidepath, and 11-foot sidewalk that meets the intent of the Kensington Sector Plan Design Guidelines and the Town Center Street requirements of the *Complete Streets Design Guide*. Due to constraints and orientation of the buildings and parking areas, a buffer between the sidepath and sidewalk was not feasible. Nevertheless, each facility will feature differentiated paver and design treatments to provide visual

distinction in the interim, prior to implementation of signage and marking when the full separated bikeway is built along the corridor.

As aforementioned, the Applicant proposes to dedicate right-of-way along both property frontages to incorporate the bikeway facilities and portions of the sidewalk within the public right-of-way. The development will provide a right-of-way dedication of eight-feet along Connecticut Avenue and 15-feet along Plyers Mill Road. At each end of the property, both termini of the sidewalks and sidepaths will transition to tie directly with off-site frontage conditions. Future improvements to meet the requirements outlined in the Complete Streets Design Guide and the Bicycle Master Plan will be completed, pursuant to future off-site capital projects and redevelopment. Finally, for the sake of preserving clear paths of travel, existing utility poles will be maintained in the buffer between the sidepath and sidewalk along Connecticut Avenue, and within the street buffer along Plyers Mill Road.

While the provision of a drive-through lane runs contrary to the goals of reducing auto-centric uses within the Sector Plan, the Planning Board is in agreement with the Town of Kensington of permitting its use in order to ensure the viability of relocating an anchor financial tenant to the site in-turn, activating streetscapes along both Property frontages.

Design Guidelines

The Project is in substantial conformance with the objectives of the 2013 Kensington Sector Plan Design Guidelines (the “Design Guidelines”) as described below.

- Objective: Highlight Kensington

The Design Guidelines recommend managing and protecting elements that are important to Kensington’s identity. The Project promotes this objective by incorporating traditional façade elements such as traditional brick detailing, soldier course, punched masonry openings, and traditional materials of brick and CMUs. The modern aspects of the design, including a varied roofline, curved walls, and floor-to-ceiling windows, will complement, but not compete with the historic structures within the Town.

- Objective: Create a high-quality pedestrian network.

The Project significantly improves the pedestrian environment and its safety. The Project consolidates three of the four existing access points (which are largely uncontrolled), into a single narrower curb cut along Connecticut Avenue. This will reduce the potential for pedestrian and vehicular conflicts. The project also incorporates streetscape improvements with additional landscaping and seating, and street-activating retail uses.

- Objective: Create a variety of public open spaces.

The Project will provide public open space, focused along Connecticut Avenue and Plyers Mill Road and will include specialty pavers, landscaping, shade, and various seating opportunities, to provide opportunities for social interactions.

- Objective: Enhance the pedestrian experience through careful orientation.

The buildings are oriented to the street, with several direct access points, and ample articulation and transparency on all four façades. As such, the buildings' orientation and design will activate and enhance the pedestrian environment.

- Objective: New development should respect the character of existing residential neighborhoods.

The traditional building elements of the Project, such as the brick façade and large multi-pane windows, complement the design of nearby residential neighborhoods. Importantly, the Project's neighborhood serving commercial uses will support the residents of Kensington.

8. *The development 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.*

Transportation

Existing Transit Service

The Subject Site is serviced by Ride On and WMATA, with existing bus stops located along the Property's frontages with Connecticut Avenue and Plyers Mill Road. The Property is also within a ¼ mile of the MARC-Brunswick line's Kensington Station, providing weekday commuter rail service to Silver Spring, Rockville, Gaithersburg, and Union Station in Washington, DC. The nearest public transit routes are as follows:

- Ride On route 5 operates along Connecticut Avenue and Plyers Mill Road, providing service between the Silver Spring CBD, Rockville, the Pike District, Wheaton, Potomac, and the Twinbrook, White Flint, Grosvenor-Strathmore, and Silver Spring Metrorail stations.
- Ride On route 33 operates along Connecticut Avenue, providing service to the NIH, Veirs Mill Road, and the Medical Center and Glenmont Metrorail stations.
- Ride On route 34 operates along Connecticut Avenue, providing service to Aspen Hill, the NIH, the Bethesda CBD, Friendship Heights, and the Wheaton, Medical Center, Bethesda, and Friendship Heights Metrorail stations.
- Ride On route 37 operates along Connecticut Avenue and Plyers Mill Road, providing service to the Silver Spring CBD, Rockville, the Pike District, Wheaton, Potomac, and the Grosvenor-Strathmore and Wheaton Metrorail stations.
- Metrobus route L8 operates along Connecticut Avenue, providing service to Aspen Hill, Veirs Mill Road, Chevy Chase, Friendship Heights, and the Friendship Heights Metrorail station.

Pedestrian and Bicycle Facilities

To address needed upgrades in the sidewalk network envisioned in the Sector Plan, Staff, the Applicant, and the Town of Kensington have coordinated to enhance sidewalk

infrastructure along each respective street frontage, with added care given to the Connecticut Avenue frontage. Along the Connecticut Avenue Property frontage, the Applicant proposes to construct a wider sidewalk and a separate sidepath, both with shaded buffering from the street, consistent with guidance within the *Kensington Sector Plan Design Guidelines* and the *Complete Streets Design Guide*.

With the intent of attracting future restaurant and retail tenants, the Applicant proposes to utilize portions of the frontage zone along the streetscape for café seating. Additional street trees will be placed to the rear of the sidepath to provide visual distinction between walking and bicycling travel, and in order to provide shade and comfort from vehicles traveling along the major highway. The provision of additional seating accessible to the public realm and use of plants and trees to soften the urban setting meet the vision of the Sector Plan Design Guidelines. By implementing the envisioned redevelopment of Connecticut Avenue into an urban boulevard, the improvement will help foster a more comfortable space for people walking and bicycling parallel to the high-volume state road.

Likewise, the Applicant is committed to upgrading the Property's frontage along Plyers Mill Road, proposing to construct wider sidewalks, with a street buffer accommodating tree wells, and a separate sidepath to support east-to-west connectivity across the Town. Additional café seating is provided within the frontage zone, adjacent to the building. Furthermore, the Applicant proposes to construct a new ADA-compliant curb ramp that would tie directly with the aforementioned sidewalk enhancements to the crosswalk across Plyers Mill Road. The single driveway access along Connecticut Avenue will be raised to sidewalk-level to foster safe travel for people walking and bicycling north-to-south. Finally, an existing 12-inch retaining wall at the southeast corner of the Connecticut Avenue-Plyers Mill Road intersection will be regraded to eliminate the tripping hazard, further facilitating safe and comfortable travel and access at this critical site within the town center.

Transportation Adequate Public Facilities (APF) Review

The Applicant filed a transportation statement, which included up to 11,700 square feet of retail space for the shopping center and drive-in bank. A 2,044-square foot filling station use previously occupied the Site. The transportation statement submitted with the Application stated that the Project would generate a loss of 212 morning and 221 evening net person trips and a loss of 148 morning and 154 evening net peak hour vehicle trips. The Trip Generation Table shows the projected new vehicle trips generated by the Site Plan.

Vehicular Trip Generation

Vehicle Trip Generation	AM	PM	
Existing Site Generated Vehicle Trips (Driver) (ITE 10 th Edition – 2,044 SF Gasoline/Service Station)	166	214	
Site Generated Vehicle Trips (Driver) (ITE 10 th Edition – 9,165 SF Shopping Center)	9	34	
LATR Policy Area Adjustment (Retail)	69.8% of ITE Rate		
Site Generated Vehicle Trips (Driver) (ITE 10 th Edition – 1 drive through lane Bank)	9	26	
LATR Policy Area Adjustment (Retail)	69.8% of ITE Rate		
Net New Vehicle Trips (Driver)	-148	-154	
Net New Person Trips (Converted using total vehicle driver mode share)	-212	-221	
Local Area Transportation Review Required? (Are AM or PM person trips \geq 50?)	No	No	

(Source: ITE, 10th Edition, from Applicant's LATR Review)

As such, under the 2020-2024 Growth and Infrastructure Policy, a traffic study is not required to satisfy the LATR test, because the number of morning and evening person trips is fewer than the standard of 50 or more trips within the weekday peak hours.

Other Public Facilities

School facilities will not be impacted by the Project because it does not include residential development. Furthermore, the Project will be served by public water and sewer systems. Electric, gas, and telecommunication services will also be available. Other public facilities and services – including police stations, firehouses, and health care facilities – are currently operating in accordance with the 2020-2024 Growth and Infrastructure Policy and will continue to be sufficient following construction of the Project.

9. *The development is compatible with existing and approved or pending adjacent development.*

The Project will be compatible with the surrounding commercial uses and will provide additional neighborhood-serving uses to support the existing and future residents of Kensington. The Project represents an important first step in transforming the

automobile-oriented development that proliferates this area of Kensington into a more active, pedestrian friendly environment. Additionally, the Project's architecture has been specifically designed to complement the character of Kensington's Town Center.

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided in Montgomery County Code § 59-7.3.4.H; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAY 31 2022 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Rubin, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Verma, and Commissioners Cichy, Patterson, and Rubin voting in favor at its regular meeting held on Thursday, May 26, 2022, in Wheaton, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

MR. RICHARD BRUSH, MANAGER
MCDPS-WATER RES. PLAN REVIEW
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850
By email rick.brush@montgomerycountymd.gov

MS. SOMER CORSS
DHCA
100 MARYLAND AENUE
4TH FLOOR
ROCKVILLE, MD 20850
By email somer.cross@montgomerycountymd.gov

MS. PATRICIA WOLFORD
MCDPS-ZONING
255 ROCKVILLE PIKE, 2ND FLOOR
ROCKVILLE, MD 20850
By email patricia.wolford@montgomerycountymd.gov

MR. CHRISTOPHER ANDERSON
MPDU MANAGER, DHCA
100 MARYLAND AVENUE, 4TH FLOOR
ROCKVILLE, MD 20850
By email Christopher.anderson@montgomerycountymd.gov

Michael Sanders
1825 Eye ST NW
Washington, DC 200006

Alan Levin
1825 EYE ST NW
WASHINGTON DC 20006

Andy Smith
11400 Commerce Park Drive, Ste 400
Reston, VA 20191

Claudia Wolff
3410 Oberon Street
Kensington, MD 20895

Jean Kapusnick
2425 Reedie Drive, 7th floor
Wheaton, MD 20902

MR. GREG LECK
MCDOT
101 MONROE ST
10th FLOOR
ROCKVILLE, MD 20850
By email greg.leck@montgomerycountymd.oov

MR. ATIQ PANJSHIRI
MCDPS-RIGHT-OF-WAY
PERMITTING
255 ROCKVILLE PIKE, 2ND FLOOR
ROCKVILLE, MD 20850
By email atiq.panjshiri@montgomerycountymd.gov

MS. CHRISTINA CONTRERAS
MCDPS-LAND DEVELOPMENT
255 ROCKVILLE PIKE, 2ND FLOOR
ROCKVILLE, MD 20850
By email christina.contreras@montgomerycountymd.gov

MR. ALAN SOUKUP
MCDDEP-WATER & WASTEWATER POLICY
255 ROCKVILLE PIKE, SUITE 120
ROCKVILLE, MD 20850
By email alan.soukup@montgomerycountymd.gov

William Kominers
7600 Wisconsin Avenue
Suite 700
Bethesda, MD 20814

Scott Wolford
22375 Broderick Drive Suite 110
Sterling, VA 20166

Elizabeth Rogers
7600 Wisconsin Avenue, STE 700
Bethesda, MD 20814

Deborah Chalfie
P.O. Box 42722
Washington, DC 20015

MR. MARK ETHERIDGE, MANAGER
MCDPS-SEDIMENT/STORMWATER
INSPECTION & ENFORCEMENT
255 ROCKVILLE PIKE, 2ND FLOOR
ROCKVILLE, MD 20850
By email mark.etheridge@montgomerycountymd.gov

MR. EHSAN MOTAZEDI
MCDPS-SITE PLAN ENFORCEMENT
255 ROCKVILLE PIKE, 2ND FLOOR
ROCKVILLE, MD 20850
By email ehsan.motazedi@montgomerycountymd.gov

MR. GENE VON GUNTEN
MCDPS-WELL & SEPTIC
255 ROCKVILLE PIKE, 2ND FLOOR
ROCKVILLE, MD 20850
By email gene.vongunten@montgomerycountymd.gov

Liane Simpson
22375 Broderick DR
Suite 110
Sterling, VA 20166

Robert Pease
22375 Broderick DR
Ste 100
Sterling, VA 20166

Emily Lally
21 Byte Court, Suite I
Frederick, MD 21702

Brett Schneider
11242 Grandview Avenue
Wheaton, MD 20902

Mark Etheridge
2425 Reedie Drive, 7th floor
Wheaton, MD 20902