

**FLATS AT KNOWLES STATION**  
**PRELIMINARY AMENDMENT PLAN NO. 12021003A**  
**SITE PLAN AMENDMENT NO. 82021003A**



**Description**

Request to increase the overall project density to a maximum of 106,102 square feet, comprised of up to 27,835 square feet of commercial uses (including up to 14,765 square feet for 16 hotel/ short term rental use) and up to 78,267 square feet of residential uses for up to 84 multifamily residential dwelling units, including a minimum of 25% MPDUs; In accordance with Zoning Ordinance Section.7.3.3.I, the Site Plan will amend the conditions and binding elements of Sketch Plan No. 320210020 to increase the project density from 102,205 square feet to 106,102 square feet.

No. 12021003A and 82021003A  
Completed: 4-17-2023

MCPB  
Item No. 9  
4-27-23

Montgomery County  
Planning Board  
2425 Reedie Drive, Floor 14  
Wheaton, MD 20902

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### LOCATION/ADDRESS

10509 Summit Avenue

### MASTER PLAN

2012 Kensington Sector Plan

### ZONE

CRT-1.5, C-1.0, R-0.5, H-60

### PROPERTY SIZE

0.84 acres

### APPLICANT

10509 Summit Venture, LLC c/o Woodside Ventures & Realty Svcs Tom Brault BRL Holdings, LLC

### ACCEPTANCE DATE

September 9, 2022

### REVIEW BASIS

Chapters 50, 59



### Summary:

- Staff recommends **approval with conditions** of the Preliminary Plan Amendment and Site Plan Amendment.
- MDOT SHA, MCDOT, DPS, and Planning agencies reviewed, and approved storm drain analysis and stormwater management for the Subject Amendments. MDOT SHA and DPS-ROW issued new approval letters, while other agencies determined the original approval letter was still valid.
- In accordance with 59.4.6.2, the Project includes a density transfer of 33,666 square feet from two sending sites and a 35% density bonus with 12 feet of additional height for providing 25% MPDUs.
- The Project includes an increase to 12,562 square feet of “cellar” area that is excluded from the definition of GFA under Section 59.1.4.2
- In accordance with Section 59.7.3.3.I., the Site Plan will amend the conditions and binding elements of Sketch Plan 320210020 to increase the project density from 102,205 square feet to 106,102 square feet.
- This combined Application has received approval from the Town of Kensington.
- Staff received two letters from the community, which are addressed in the Report.

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## SECTION 1: RECOMMENDATIONS AND CONDITIONS

### PRELIMINARY PLAN NO. 12021003A

Staff recommends approval with conditions of the Preliminary Plan Amendment for up to 106,102 square feet of development, comprised of up to 27,835 square feet of commercial uses (including up to 14,765 square feet for up to 16 hotel units) and up to 78,267 square feet of residential uses for up to 84 multifamily residential dwelling units, including a minimum of 25% MPDUs. All site development elements shown on the latest electronic version of the Preliminary Plan No. 12021003A as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions. Conditions 1, 5, and 7 below modify the previous conditions, all other conditions remain in full force and effect:

#### MODIFIED CONDITIONS

#### GENERAL APPROVAL

1. This Preliminary Plan is limited to one (1) lot for up to ~~102,205~~ 106,102 square feet of total development, comprised of up to ~~79,554~~ 78,267 square feet of residential uses for up to ~~75~~ 84 multifamily dwelling units and up to ~~25~~ live/work units, and up to ~~22,651~~ 27,835 square feet of commercial development, which includes 14,785 square feet of hotel/short term stay for a total of 16 rooms.

#### OUTSIDE AGENCIES

5. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration (“MDOT SHA”) in its letter dated ~~February 11, 2021~~ October 21, 2022 and incorporates them as conditions of the Preliminary Plan Amendment approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDOT SHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
7. 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 REVISED concept letter dated ~~January 28, 2021~~ November 18, 2022, and incorporates them as conditions of the Preliminary Plan Amendment approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

## SITE PLAN NO. 82021003A

Staff recommends approval of Site Plan Amendment No. 82021003A, for the construction of a mixed use building of up to 106,102 square feet, comprised of up to 27,835 square feet of commercial uses (including up to 14,765 square feet for up to 16 hotel units) and up to 78,267 square feet of residential uses for up to 84 multifamily residential dwelling units, including a minimum of 25% MPDUs. The development must comply with the conditions of approval for Sketch Plan 320210020 and Preliminary Plan No. 12021003A, as amended. All site development elements shown on the latest electronic version of the Site Plan, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.<sup>1</sup> The following Sketch Plan condition No.1 is modified per Section 59.7.3.3.I. The following Site Plan conditions 1, 3,10, and 11 are modified below, and condition 14i is in addition to all other conditions, which remain in full force and effect:

### Modified Conditions

Sketch Plan 320210020 Condition Modifications In accordance with Section 59.7.3.3.I., Site Plan 82021003A will amend the following conditions and binding elements of Sketch Plan 320210020:

#### 1. Density

The Sketch Plan is limited to a maximum of ~~102,205~~ 106,102 square feet of mixed-use development comprised of ~~79,554~~ 78,267 square feet of residential development (including bonus density for providing 25% Moderately Priced Dwelling Units (MPDUs) on site and density transferred from neighboring properties) and ~~22,651~~ 27,835 square feet of non-residential space on the Subject Property and will be developed in one phase. The final amount of non-residential floor area and quantity of market rate and MPDUs is determined through Site Plan No. 82021003A.

Site Plan No. 82021003A

#### 2. Density

The Site Plan is limited to a maximum of ~~102,205~~ 106,102 square feet of mixed-use development including up to ~~79,554~~ 78,267 square feet of residential development for up to ~~75~~ 84 multifamily dwelling units ~~and up to 25 live/work units~~ (including bonus density for providing 25% Moderately Priced Dwelling Units (MPDUs) on site and density transferred from neighboring properties) and up to ~~22,651~~ 27,835 square feet of commercial development, which includes 14,785 square feet of hotel/short term stay for a total of 16 rooms.

#### 3. Occupancy Provisions

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<sup>1</sup> For the purposes 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.

- a) The rooftop residential amenity must only be used by residents of the residential apartment units. The hotel and commercial visitors are not permitted to utilize the rooftop amenity space. The twenty-five units designated as live/work on the Certified Site Plan must each be restricted to commercial and residential uses.
- b) ~~The twenty-five live/work units cannot include any MPDUs that count toward the 25% MPDU requirement.~~
- c) ~~Commercial usage of the live/work units must be included in lease agreements.~~
- d) ~~Prior to Certified Site Plan:~~
  - i. ~~The Applicant must enter into a covenant with the Planning Board reflecting the commercial use restriction in a form approved by the M-NCPPC Office of General Counsel;~~
  - ii. ~~The covenant must be recorded in and among the Land Records of Montgomery County; and~~
  - iii. ~~The Book/Page reference must be included on the Certified Site Plan.~~

#### 10. Transportation

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Right of Way Plan Review Section in its letter dated ~~December 18, 2020~~ September 20, 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.

#### 11. Pedestrian & Bicycle Circulation

- a) The Applicant must provide ~~55~~ 70 long-term and 10 short-term bicycle parking spaces.
- b) The long-term spaces must be in a secured, well-lit bicycle room within the parking garage, and the short-term spaces must be inverted-U racks (or approved equal) installed in a location convenient to the building main entrances (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.

#### 14. 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:

- i) Provide at least two EV parking spaces with a minimum feet width per section 6.2.5.F.2

## SECTION 2: SITE DESCRIPTION

### VICINITY

The Property is located in the Town of Kensington, on the northeast corner of the intersection of Knowles Avenue and Summit Avenue. The Subject Property is located within the 2012 *Kensington Sector Plan* area and is approximately ½ mile west of the MARC-Brunswick line's Kensington Station.

There are small-scale commercial/industrial uses adjoining the Property to the north and east. Confronting the Property to the west, across Summit Avenue, is the Kaiser Permanente office building. Confronting the property to the south, across Knowles Avenue, are single-family residences. Other significant land uses in the area include the West Howard Antiques District (north), recently constructed 94-unit Knowles Manor senior living facility (Site Plan No. 820190080) (southeast), Safeway (east), Housing Opportunities Commission (HOC) of Montgomery County offices and Kensington Skate Park (south), and Kensington Park Library (west) (Figure 1).

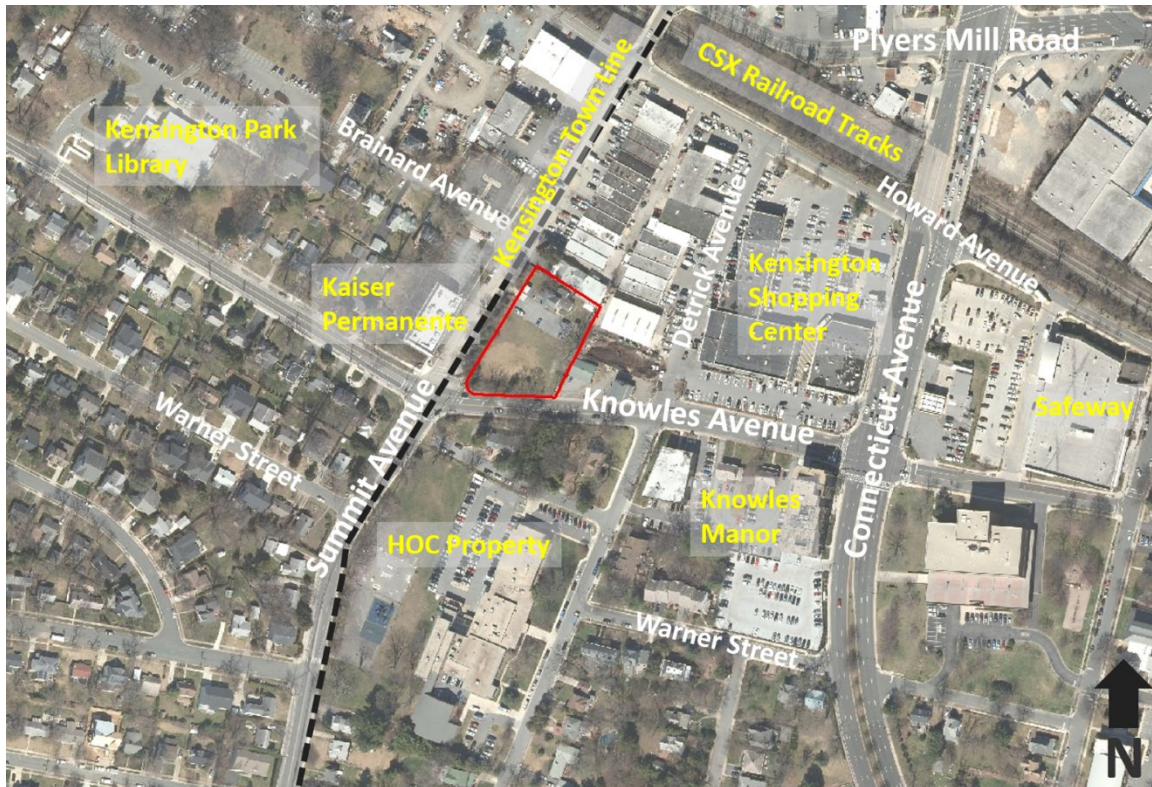


Figure 1 – Vicinity Map (Property outlined in red)

## PROPERTY DESCRIPTION

The Subject Property is comprised of Lots 15, 17, and 19 and Parts of Lots 21, 23, and 25 of the “Huck and Copp” Subdivision located at the intersection of Summit Avenue and Knowles Avenue within the Town of Kensington. The 36,409-square foot Property is zoned CRT-1.5, C-1.0, R-0.5, H-60. The Property is currently improved with a house used commercially and an adjoining surface parking lot, accessed from Summit Avenue and from Detrick Avenue through the existing Knowles Station commercial property. There is existing vehicular access to the Property via a curb cut on Summit Avenue, midblock between Knowles Avenue and Brainard Avenue, on the western frontage of the Site.



Figure 2 – Subject Property (Property outlined in red)



## SECTION 3: PROJECT DESCRIPTION

### PREVIOUS APPROVALS

On March 18, 2021, the Planning Board approved Sketch Plan No. 320210020, Preliminary Plan No. 120210030, and Site Plan No. 820210030 with Resolution Nos. 21-024, 21-025, and 21-026 to construct a mixed-use building on 0.84 acres of land zoned CRT-1.5, C-1.0, R-0.5, H-60. The mixed-use building included the following elements:

- 7,900 square feet of commercial cellar space (not included in the FAR calculations per Section 59.1.4.2).
- 4,300 square feet of residential cellar space (not included in the FAR calculations per Section 59.1.4.2).
- 11,529 square feet of commercial space.
- 20,464 square feet made up of 9,342 square feet of residential FAR and 11,122 square feet of commercial FAR, for 25 live/work units.
- 70,212 square feet of residential FAR, accommodating 50 market rate residential units and 25 Moderately Priced Dwelling Units.

The total approved residential development, excluding cellar space, is 79,554 square feet (1.57 FAR); total approved commercial development, excluding cellar space, is 22,651 square feet (0.45 FAR); and total approved development, excluding cellar space, is 102,205 square feet (2.02 FAR).

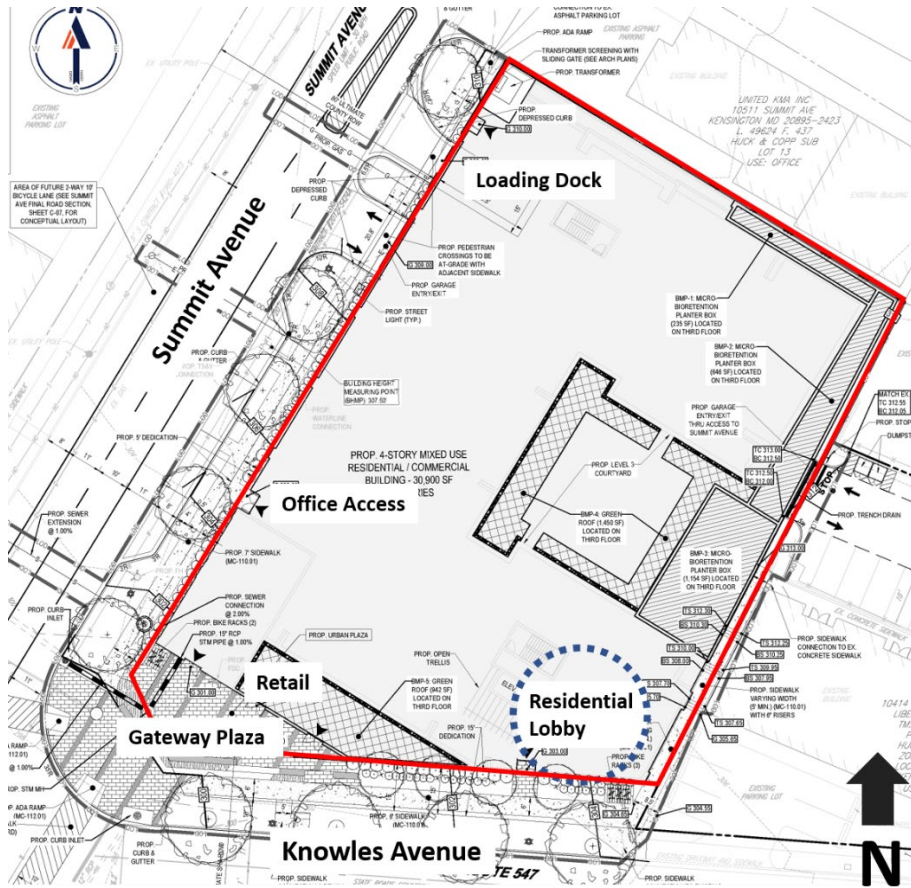


Figure 1: Proposed Development



Figure 2: Organization of Uses



*Figure 3: Knowles Avenue frontage*

## PROPOSAL

The Subject Applications continue to propose a mixed-use project under the optional method of development. The Amendments will increase the Project's density from 102,205 square feet to 106,102 square feet, which is due to the removal of the 25 live/work units and the provision of up to 16 Hotel/Short term stay units. The Project is also adding a 2,329-square foot rooftop amenity space that is counted toward the commercial FAR, as determined by the Department of Permitting Services. These changes result in an increase of commercial uses, from 22,651 square feet to 27,835 square feet, and a decrease in multifamily residential units, from 100 to 84 units. The Project will continue to provide 25% MPDUs.

The proposed density changes do not modify the previously approved building footprint, facades, or elevations, except for the addition of rooftop amenity space (see Figure 7). There are proposed modifications to the parking lot layout and cellar area, which will increase the parking capacity by 4 spaces (to 170 spaces) and increase the cellar space from 12,200 square feet to 12,562 square feet. The Project will also increase the quantity of bicycle parking spaces, from 65 to 80 total spaces.

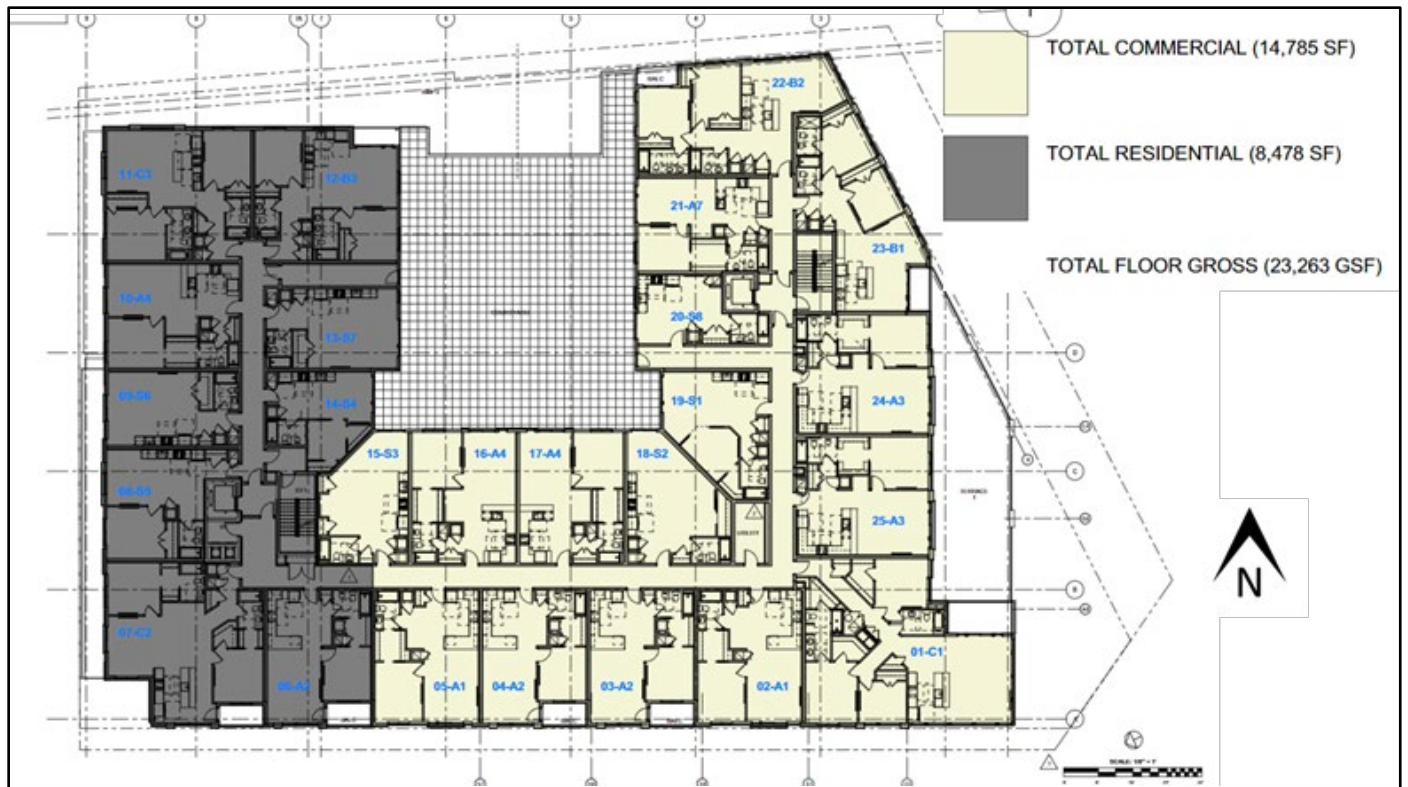


Figure 6: Revised Hotel and Residential floor plan



Figure 7: South Elevation with new rooftop amenity space (as viewed from Knowles Avenue)



Figure 8: Roof Plan

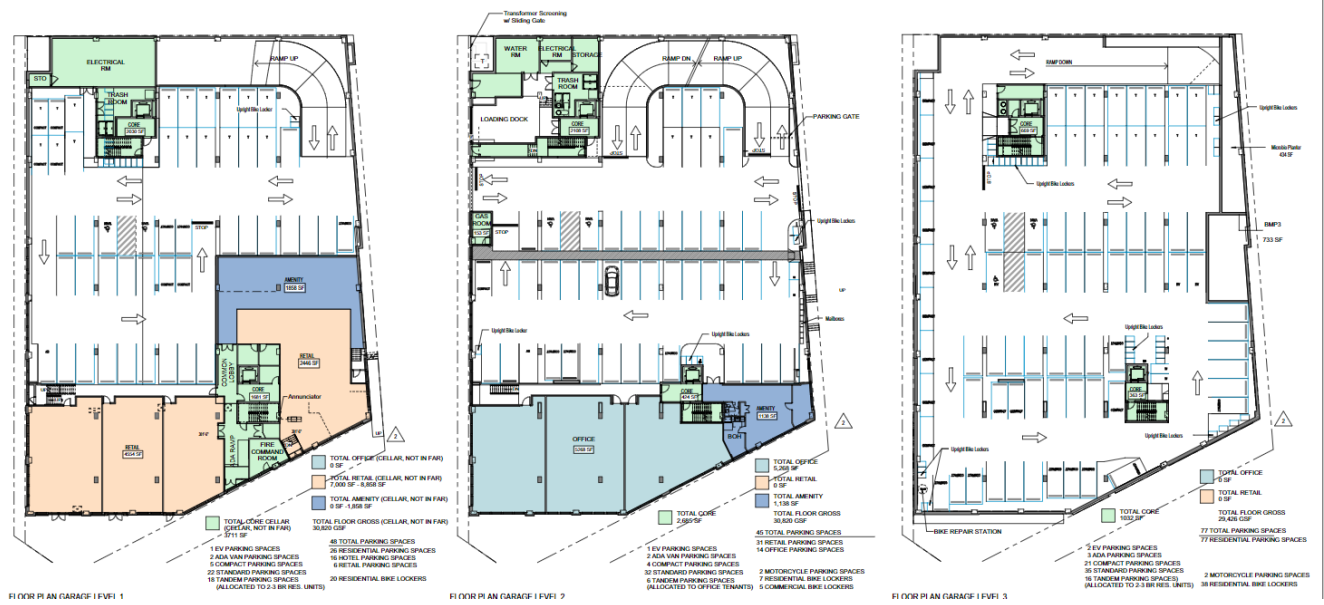


Figure 9: Parking Garage Floor Plans

### Density Transfer

Consistent with the prior approval, the Subject Amendments continue to utilize a residential density transfer of 33,666 square feet to the Subject Property, located at 10509 Summit Avenue (“Receiving Site”), from two sending properties (“Sending Sites”) located at 10414 Detrick Avenue and 3827-3833 Plyers Mill Road. Both sending sites are located within the Town of Kensington and within the quarter-mile distance of the Subject Property in accordance with Section 4.6.2 of Chapter 59 of the Zoning Code.

### Cellar Density

The Amendments propose to increase the previously approved cellar density, from 12,200 square feet to 12,562 square feet. In accordance with Section 59.1.4.2. of the County Code, cellar space is excluded from the definition of Gross Floor Area (GFA). This space will be evaluated during building permit review by the Montgomery County Department of Permitting Services (MCDPS). The Applicant’s construction documents must ensure it is building only the GFA and cellar area that meets the Zoning Code definition up to the maximum approved by the Planning Board.

### Residential Bonus Density and Height

The Subject Amendments continue to provide a minimum of 25% MPDUs, which will result in 21 MPDU units. In accordance with Section 59.4.6.2.C of the Zoning Ordinance, these units result in a total of 35%, or 19,338 square feet of bonus density for the Project. The height of the building will continue to be limited to a maximum height of 72 feet, as previously approved.

### OPEN SPACE

The Subject Amendments continue to provide a combined 2,705 square feet (8.2%) for on-site and off-site open space areas. The on-site open space consists of 1,125 square feet (“gateway plaza”) which fronts the proposed building along Knowles and Summit Avenues; and the 1,580 square feet of off-site open space is located south of the Site at 4000 Knowles.

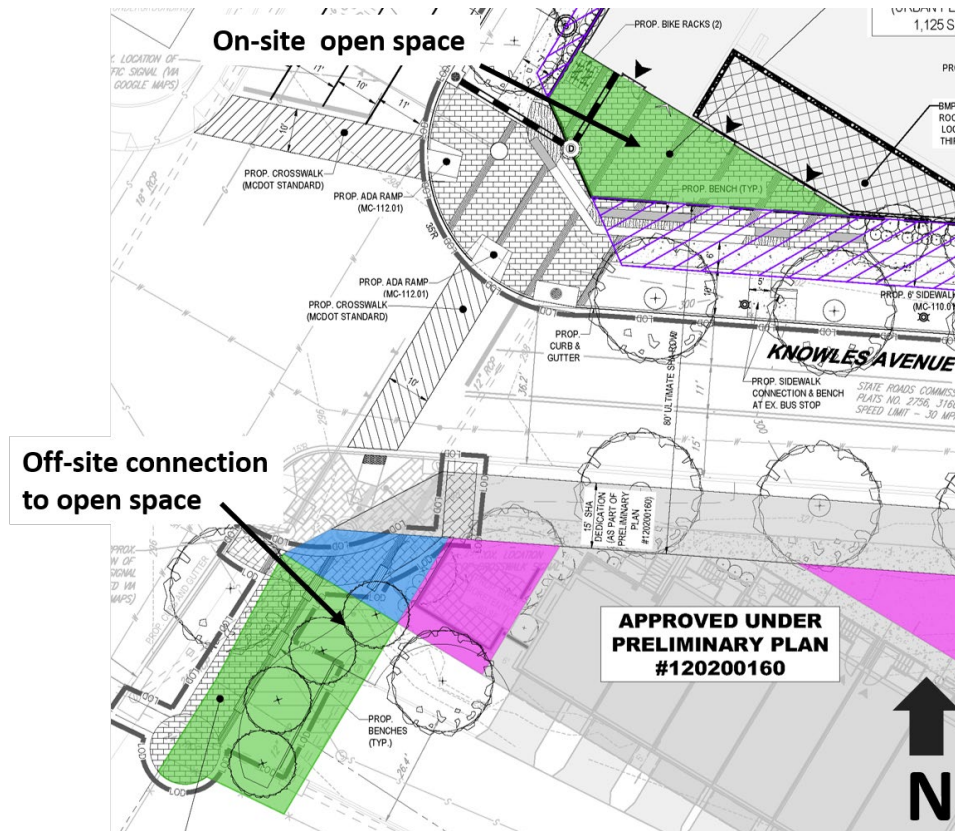


Figure 10: Public Open Space

## TRANSPORTATION

The Subject Amendments continue to provide previously approved transportation improvements that consist of the following:

- Pedestrian facilities along the Subject Property’s Knowles Avenue frontage, including the 6-foot wide sidewalk, which is set back a minimum of 8 feet from the building face, and a gateway plaza area.
- A pathway, which will be adequately lit, that is located in-between the Site and the adjacent 10414 Detrick Avenue property.
- Lead walks from the street parking on Summit Avenue to the sidewalks.

## ENVIRONMENT

The Subject Amendments continue to be exempt from Article II of the Forest Conservation Law under Section 22A-5(s)(2). As originally approved under Preliminary Plan No. 120210030, the Project received a Forest Conservation Plan Exemption confirmation on October 4, 2018 (No. 42019044E) and does not have a requirement for a Tree Save Plan or Forest Conservation Plan. The Application meets the criteria of the exemption because the proposed activity occurs on a tract of land less than 1 acre in

size that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and the reforestation requirements will not exceed 10,000 square feet.



## SECTION 4: PRELIMINARY PLAN AMENDMENT 12021003A FINDINGS AND ANALYSIS

The Planning Board approved Preliminary Plan No. 120210030, MCPB No. 21-025, to create one lot for 102,205 square feet mixed use development on the Subject Property with conditions.

Preliminary Plan Amendment 12021003A requests to increase the previously approved density to a maximum of 106,102 square feet, comprised of up to 27,835 square feet of commercial uses (including up to 14,765 square feet for 16 hotel/ short term rental units) and up to 78,267 square feet of residential uses for up to 84 multifamily residential dwelling units, including a minimum of 25% MPDUs; The proposed Preliminary Plan Amendment does not alter the intent of the previous findings, which remain applicable, except as modified below.

### **2. The Preliminary Plan substantially conforms to the Master Plan.**

The Preliminary Plan Amendment substantially conforms to the vision of the 2012 *Kensington Sector Plan* (“Sector Plan”) which is to “promote a mixed-use Town Center with pedestrian-friendly connections to the vibrant neighborhoods that define Kensington.” The Plan depicts the Town Center as “a lively and active place with streets that are welcoming and comfortable for residents, workers, and visitors.”

The Project satisfies the intent of the CRT zone as envisioned in the Sector Plan and helps to revitalize the Town Center by utilizing an opportunity for redevelopment, encouraging various housing types by changing the proposed live/work units to hotel/short term units and fostering a pedestrian scale development. The Project matches the vision with a two-story parking structure with ground floor commercial and office spaces, one level of majority hotel units and three floors of multifamily units above. The Project continues to propose higher density mixed-use within the Town Center district, which is a desirable use to further the Sector Plan’s goal for creating a mixed-use core for the Town of Kensington.

The housing goals of the 2012 *Kensington Sector Plan* notes that more housing is desirable in the Town Center as it “will mean livelier and more active streets that are attractive for residents, shoppers, and visitors” and “increase the diversity of housing choices”. The Project continues to respond to the Sector Plan’s call for more housing and more diverse housing types in the Town Center by proposing 84 high-density residential units, none of which are age restricted, thereby fulfilling a Sector Plan recommendation.

### **3. Public facilities will be adequate to support and service the area of the subdivision.**

#### Transportation Adequate Public Facilities (APF) Review

The original transportation impact study, which was completed in December 2020 and reviewed as part the previous sketch, preliminary, and site plan approval process is still valid. The previously

approved plans included 100 multifamily dwelling units, including 25 live/work units, 7,000 square feet of office space, and 6,000 square feet of retail space.

The proposed plans have removed the live/work units and converted them to 16 short-term extended stay hotel units and nine additional multifamily units, for a total of up to 84 multifamily units. For transportation review purposes, all units are assumed to be multi-family residential. One reason for this is that the 2022 LATR Guidelines require trip estimation rates based on the latest version of the Institute of Transportation Engineers (ITE) Trip Generation Manual. The ITE Trip Generation Manual does not distinguish between multi-family units and short-term residential units. Therefore, there is no change in trip generation between the approved 25 live/work units and the proposed 16 short term extended stay hotel units with nine multifamily units. Additionally, there is a proposed 2,329 square feet of Amenity Space on the roof which is specifically for use by the residents. This modification will not generate separate trips to this development.

*Table 1: Trip Generation Comparison*

Land Use	Quantity	AM Peak Hour Vehicle Trips <sup>1</sup>	PM Peak Hour Vehicle Trips <sup>1</sup>
<b>Previously APF Approval</b>			
Multifamily Units (ITE Land Use Code 221)	100 units	31	40
Office (ITE Land Use Code 710)	7,000 sqft.	7	7
Retail (ITE Land Use Code 820)	6,000 sqft.	6	23
Total Trips		44	70
<b>Amendment Land Use (12021003A)</b>			
Multifamily Units (ITE Land Use Code 221)	84 units + 16 short-term extended stay units	31	40
Office (ITE Land Use Code 710)	6,000 sqft.	6	6
Retail (ITE Land Use Code 820)	6,529 sqft. <sup>2</sup>	6	24
Amenity Space <sup>3</sup>	2,329 sqft.	0	0
Total Trips		43	70
Net Trip Difference		-1	0

<sup>1</sup> Vehicle trips reflect ITE 10<sup>th</sup> Generation rates with adjustments using LATR guidelines for the site policy area. ITE Trip Generation 10<sup>th</sup> Edition was utilized to be consistent with previous methodology used for APF finding.

<sup>2</sup> Reflects the 8,858 square feet identified on the plan but removes the 2,329 square foot rooftop amenity space that will not generate vehicle trips.

<sup>3</sup> Classified as commercial space, but this amenity space will not generate vehicle trips

Source: Applicant's LATR Review dated December 11, 2020, prepared by the Traffic Group; Revised by M-NCPPC Staff 3/28/2023.

Therefore, the findings of the previous Transportation Analysis and subsequent findings of Transportation APF are still valid. The intersection congestion standards for the policy area are a CLV

of 1600 and 80 seconds of delay per vehicle. As demonstrated in Table 1, each of the studied intersections fell below its relevant congestion standards.

*Table 2: Existing and Future Traffic Impact*

Intersection	AM				PM			
	Existing CLV	Future CLV	Existing Delay	Future Delay	Existing CLV	Future CLV	Existing Delay	Future Delay
<b>Connecticut Avenue (MD 185) &amp; Knowles Avenue (MD 547)</b>	1,312	1,334	28.3	29.4	1,262	1,289	37.1	37.7
<b>Knowles Avenue (MD 547) &amp; Summit Avenue</b>	772	795	19.8	20.6	844	880	29.2	29.6
<b>Summit Avenue &amp; Plyers Mill Road</b>	303	314	8.4	8.4	487	491	9.3	9.3

*Source: Applicant’s LATR Review dated December 11, 2020, prepared by the Traffic Group*

a. Other Public Facilities and Services

The Project will continue to be adequately served by public facilities, including public water and sewer, gas, electricity, and telephone. Fire access for the Property has been deemed adequate according to a letter issued on February 1, 2021, by the Montgomery County Department of Fire and Rescue Service. Additionally, the Project will be serviced by adequate police, fire, and health services.

i. Schools Capacity

The Subject Amendments do not propose any more units (84 units proposed) than the prior original school test, which was assessed at 100 multifamily low-rise units. The original approval stated the following: *the transition clause of the 2020-2024 Growth and Infrastructure Policy allows applications accepted before January 1, 2021 to be tested for school adequacy under the rules of the 2016-2020 Subdivision Staging Policy. Therefore, the FY21 Annual School Test, approved by the Planning Board on June 25, 2020 and effective July 1, 2020 is applicable. The Proposal includes 100 multifamily low-rise (four stories or less) units.*

**6. All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.**

The Preliminary Plan Amendment meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a revised stormwater concept approval from MCDPS Water Resources Division on November 18, 2022. The Application will meet stormwater management goals through green roofs and Microbioretention facilities. Due to site constraints, a partial waiver of stormwater management requirements was requested and granted. It also states:

*“the current revision incorporates modifications to the stormwater management design to comply with the findings of a revised storm drain conveyance study, dated July 25, 2022. Based on the revised analysis, the developed 10-year storm runoff from the subject property must be reduced to no more than 0.96 cubic feet per second at the point where it enters the existing public storm drain system. The required flow attenuation will be accomplished within the proposed stormwater management structures that are required for this project”.*

### Storm Drain Analysis

Since the approval of the original Preliminary Plan on March 18, 2021, and the acceptance of this Amendment on September 9, 2022, Montgomery County has become aware of the inefficient storm drain located along Knowles Avenue and creating flooding problem for residents in Kensington. During the current review, the Project was reevaluated and approved by SHA with a letter dated October 21, 2022 (See Attachment B), which stated the “10-year flow rate to the MDOT SHA system at existing inlet EX-2 studied in the Storm Drain Analysis provided showed a reduction in flowrate from 2.93 cfs to 2.77 cfs”. The proposed conditions will need to maintain the reduction in flow to the existing storm drain system throughout the final stages of the plan”. It is important to note the issues regarding providing an adequate storm drain capacity in Kensington may have to be rectified with a larger CIP.

## SECTION 5: SITE PLAN AMENDMENT 82021003A FINDINGS AND ANALYSIS

Site Plan Amendment 82021003A requests to increase overall Project density from 102,205 square feet to 106,102 square feet; remove the 25 live/work units and replace with 16 Hotel/Short term stay units and 9 new multifamily residential units. The proposed Site Plan Amendment does not alter the intent of the previous findings, which remain applicable, except as modified below.

***d. satisfies applicable use standards, development standards, and general requirements under this Chapter;***

***i. Division 4.5.4 Zone***

Table 3: Flats at Knowles Station Site Plan Data Table for CRT Zone, Optional Method, Section 59.4.5.4

<b>Data Table: CRT-1.5, C-1.0, R-0.5, H-60 Zone</b>				
<b>Chapter 59</b>	<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Approved 820210030</b>	<b>Proposed 82021003A</b>
	Tract Area (sf)	n/a	36,507 SF	36,507 SF
	Previous Dedication	n/a	14,018 SF	14,018 SF
	Proposed Dedication	n/a	3,414 SF	3,414 SF
	Site Area	n/a	33,093 SF	33,093 SF
<b>4.5.4.B.2.b</b>	<b>Density</b>			
	Commercial	C-1.0 FAR (50,525 SF)	C-0.45 FAR (22,651 SF)	C-0.55 FAR (27,835 SF)
	Hotel/Short Term Stay			(14,765 SF) <sup>2</sup>
	Residential	R-0.5 FAR (25,263 SF)	R-1.57 FAR (79,554 SF) <sup>3</sup>	R-1.55 FAR (78,267 SF) <sup>4</sup>
	Total Density including transferred density and bonus density for 25% MPDUs	1.50 FAR (503,552 SF)	2.02 FAR (102,205 SF)	2.10 FAR (106,102 SF)
<b>4.5.4.B.2.b</b>	<b>Building Height (feet)</b>	60	72	72 <sup>5</sup>
<b>4.5.4.B.3</b>	<b>Minimum Setback (feet)</b>	TBD at Site Plan	0	0
<b>4.5.4.B.1</b>	<b>Minimum Public Open Use Space (%)</b>	0%	8.2% (2,705 SF)	8.2% (2,705 SF) <sup>6</sup>
<b>6.2.4.</b>	<b>Total Vehicle Parking Spaces (min/max)</b>	123/208	166	170
	<b>Bicycle Parking Spaces (min)</b>	54	65	80

<sup>2</sup> Hotel/Short Term Stay square footage is included in the total calculation shown as commercial density

<sup>3</sup> 25,263 SF residential base density + 33,666 SF residential transferred density + 20,625 SF 35% MPDU bonus residential density = 79,554 SF

<sup>4</sup> 25,263 SF residential base density + 33,666 SF residential transferred density + 19,338 SF 35% MPDU bonus residential density = 78,267 SF

<sup>5</sup> Additional 12 feet of height for providing 25% MPDUs

<sup>6</sup> 1,125 SF on-site + 1,580 SF off-site

Table 4: Cellar Area

<b>Cellar Area Section 59.1.4.2 (non-FAR)</b>		
<b>Density</b>	<b>Approved 820210030</b>	<b>Proposed 82021003A</b>
Office (sq. ft.)		-
Retail (sq. ft.)		7,000
Amenity (sq. ft.)		1,858
Core (sq. ft.)		3,704
Residential (sq. ft.)	4,300	
Commercial (sq. ft.)	7,900	
<b>Total (sq. ft.)</b>	<b>12,200</b>	<b>12,562</b>

***f. Provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;***

As conditioned, the Site Plan Amendment will provide adequate, safe, and efficient parking and circulation patterns. The Project provides well-integrated structured parking with multiple access points, including the proposed ingress and egress access easement on the adjacent property (10414 Detrick Avenue). The Site Plan provides adequate open space and site amenities, circulation patterns, streetscape improvements, safe pedestrian environments, and building massing consistent with the zone.

***g. Substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;***

As discussed in Preliminary Plan finding 2.a., above, the Site Plan substantially conforms with the recommendations of the 2012 *Kensington Sector Plan*.

***h. 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 development 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 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;***

As discussed in the Preliminary Plan findings, the Property will continue to be served by adequate public facilities, including police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

***j. on a property in all other zones, is compatible with existing, approved or pending adjacent development.***

The Amendment continues to be compatible with existing and approved or pending adjacent development through architectural elements and streetscape connections. The Property confronts a townhouse project located south of the Subject Property on the Knowles Avenue known as Residences at Knowles Station (Preliminary Plan No. 120200160), which was approved by the Planning Board on July 2, 2020 and includes architecture and open space complementary to the proposed development by using similar elements on both sides of Knowles Avenue. The change for live work units to hotel units meets the requirements of Chapter 59 and adds to the mix of uses already allocated in the building. The main building massing is unchanged from the originally approved, except for the rooftop amenity space.



## SECTION 6: COMMUNITY OUTREACH

The Applicant was not required to hold a pre-submittal public meeting. The project met the noticing requirements per Section 7.5.1. Staff received two letters of correspondence throughout the review of the Project, one in opposition and the other is in support (see Attachment D).

The Kensington Estates Civic Association issued a letter to Planning Staff on March 17, 2023. Staff summarizes or quotes (*see italic below*) the concerns and provides a response. Please see Attachment D for the full correspondence from The Kensington Estates Civic Association.

- **Resident Inquiry - Parking**

Will the Project provide adequate spaces based on the number of different uses allocated within this project to adjacent properties. There is currently an overflow of parking occurring in [neighboring communities from] the proposed development area.

Staff Response:

The Project meets the parking requirement set forth in the Zoning Ordinance by providing 170 vehicle spaces (see Data Table 3. Additionally, the Project is providing frontage improvements to provide safer pedestrian connections and the Project will install 80 bicycle total parking spaces.

- **Resident Inquiry – Traffic volume**

There are regular backups through the Knowles-Summit intersection extending along Knowles from Connecticut Avenue to Beach Drive, and south along Summit Avenue to Prospect and north over the train bridge onto Plyers Mill Road. Gridlock in this area shows that the roads cannot handle the current volume, much less with 100 more households at that corner.

Staff Response:

Traffic analysis was completed as part of the original development application associated with Preliminary Plan No. 120210030. At that time, the Project was determined to generate more than 50 net new weekday peak-hour person trips and was therefore subject to a Transportation Impact Study. That study was reviewed and approved by M-NCPPC, MCDOT, and MDOT SHA per the Local Area Transportation Review (LATR) Guidelines. That study included an analysis of vehicular delay using the Highway Capacity Manual (HCM) methodology. Three intersections were analyzed in the Transportation Impact Study including MD 185 (Connecticut Avenue) & MD 547 (Knowles Avenue), MD 547 (Knowles Avenue) & Summit Avenue, and Summit Avenue & Plyers Mill Road. The results of this analysis found that the intersections would operate within the congestion standards established for the Kensington Policy Area of 80 seconds of delay per vehicle. As a result, the Planning Board found that adequate transportation capacity exists to serve the proposed development.

The proposed amendments to the preliminary plan and site plan make small modifications to the previously approved Project. These modifications include converting 25 live/work units to 16 short-term

extended stay hotel units and increasing the number of multifamily units by 9 dwelling units, for a total of up to 84 multifamily units.

Additionally, there is a proposed 2,329 square feet of Amenity Space on the roof. This space will be exclusively for use by residents of the development and will not generate additional trips. In total, the Project will not produce additional trips beyond the previously approved Preliminary Plan and Site Plan.

- **Resident Inquiry – Traffic passage to Detrick Avenue**

Plans to allow flow between Summit and Detrick via passage through the parking garage are of concern. Accidents and backups are the predictable result. Our requests for details of the garage plan have not been answered, so we assume that some of the parking spaces on that level are accessed from the passage lanes. Such a design should be avoided, at a minimum. Under current conditions, without another street connection, access to Detrick locations north of Knowles is by circling the block from Summit to Howard to Detrick. Illegal left-hand turns from Knowles to Detrick are common and access to Strosniders Hardware and other businesses is safer from Detrick than from the parking lot entrance near Connecticut Avenue. Traffic studies and a comprehensive plan are called for in this commercial area.

Staff Response:

The Detrick Avenue connection was reviewed and approved with the original application and there are no changes to Project as a result of the Subject Amendments. Also, providing two egress and ingress into site is important so all of the traffic is not flowing onto Summit Avenue from the Site. Furthermore, this condition currently exists with surface parking lot on the Site and this project is essentially incorporating the traffic flow and parking into their parking garage.

- **Resident Inquiry – Stormwater Management and Storm Drain Capacity**

Stormwater infrastructure in the Kensington Estates area is inadequate. The 70-year-old system was laid out without driveways, garages and houses that filled the lots. Rainfall events are less frequent, but larger rainfalls are occurring in the last two decades. An error in the GIS system of pipes has been noted, but the flaw in the design remains at the juncture of pipes between Knowles and Warner. Now that every pipe will receive flow from the Flats. If the projected retention of rainfall pans out, flow from the developed area will be reduced for up to a 100-year event. The builder must deliver on his commitment as provided in the proposed design. Residents call for evidence that stormwater control will be adequate. Additional development cannot proceed until the flooding problems in our neighborhood have been addressed.

Staff Response:

Stormwater management is approved by the Montgomery County Department of Permitting Services (MCDPS) and storm drain analysis is approved by both the Montgomery County Department of Transportation (MCDOT) and the Maryland State Highway Administration (MDOT SHA). On Knowles Avenue, a state road, the MDOT SHA is responsible for determining storm drain capacity. As stated in the

Staff Report, MCDPS reevaluated the stormwater management concept plan and approved a revised SWM concept for the Subject Amendments. Additionally, MDOT SHA issued an approval letter in October 2022 due to the “*analysis providing a reduction in flowrate*”. As a result of the review based on field verification of the pipe size and a revised engineering analysis, Staff at DPS and MDOT SHA have concluded that adequate storm drain capacity exists to serve the proposed development.

- **Resident Inquiry – School impact**

The formulas for calculating school impact underestimates the numbers of children entering area schools.

Staff Response:

The Subject Amendments generates fewer students than the original approval by providing 84 multifamily units versus 100 multifamily units. The hotel/short term stay units are not factored into the calculations of school impacts because this use does not generate trips.

- **Resident Inquiry - Loss of open space**

Plans for a small green area on the southeast corner across from the Flats do not compensate for a permanent loss of open space.

Staff Response:

Public open space is not required on the Subject Property because the Site has two frontages on public right-of-way and the entire Site is under one acre in size. The applicant is electing to implement the onsite and offsite open space areas as a part of the Project. Open Space provided as part of the Project includes a combined 2,705 square feet (8.2%) for on-site and off-site open space areas. The on-site open space consists of 1,125 square feet (“gateway plaza”) which fronts the proposed building along Knowles and Summit Avenues; and the 1,580 square feet of off-site open space is located south of the Site at 4000 Knowles.

**Support letter stated the following:**

- *As a Kensington resident and business owner, I have witnessed the redevelopment of the area, and believe it will be a great addition to our community.*

*We have also reviewed the proposed architecture, the amenities and garage, and consider it as a beautiful, and spectacular improvement from what currently exists.*

## SECTION 7: CONCLUSION

As conditioned, the Sketch Plan, Preliminary Plan, and Site Plan applications, as amended, each satisfy the findings under Sections 50.4.2.D and Sections 59.7.3.4 of the applicable standards of the Zoning Ordinance, substantially conform to the recommendations of the 2012 *Kensington Sector Plan* and satisfy the findings of the Subdivision Regulations. Therefore, Staff recommends approval of Preliminary Plan Amendment No. 12021003A and Site Plan No. 82021003A, including amendments to conditions and binding elements of Sketch Plan 320210020 in accordance with Zoning Ordinance Section 59.7.3.3.I, with the conditions included at the beginning of this report.

---

### ATTACHMENTS

*Attachment A: Preliminary/Site Plan*

*Attachment B: Agency Letters*

*Attachment C: Prior Approvals*

*Attachment D: Community Correspondence*

www.cpj.com - Silver Spring, MD - Calhounville, MD - Annapolis, MD - Greenbelt, MD - Frederick, MD - Fairfax, VA

7515 Elton Rd., Ste. 300 Silver Spring, MD 20903
Charles P. Johnson & Associates, Inc.
Planners - Landscapes/Architects - Surveyors

REVISIONS
REV. DATE COMMENT
1. 10/21/2020 SUBMITTAL

NOT APPROVED FOR CONSTRUCTION
FOR INFORMATION ONLY
PROJECT NO.: 2020-1037
CHECKED BY: J.P.
DATE: 10/21/2020

THE FLATS AT
KNOWLES STATION
FOR
10509 SUMMIT
VENTURE, LLC C/O
WOODSIDE VENTURES
& REALTY SERVICES
SITE PLAN AMENDMENT
10509 SUMMIT AVENUE
88810200A
MONTGOMERY COUNTY
LOCAL ORDINANCE
KEY: 15.17.19 & PART OF 21.23

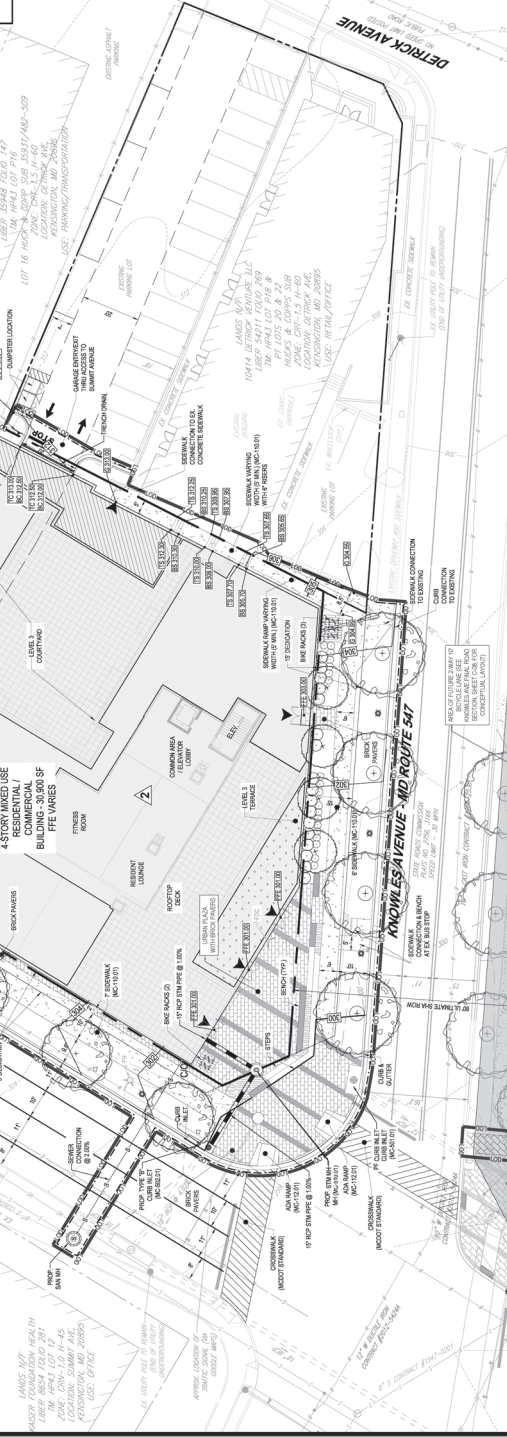
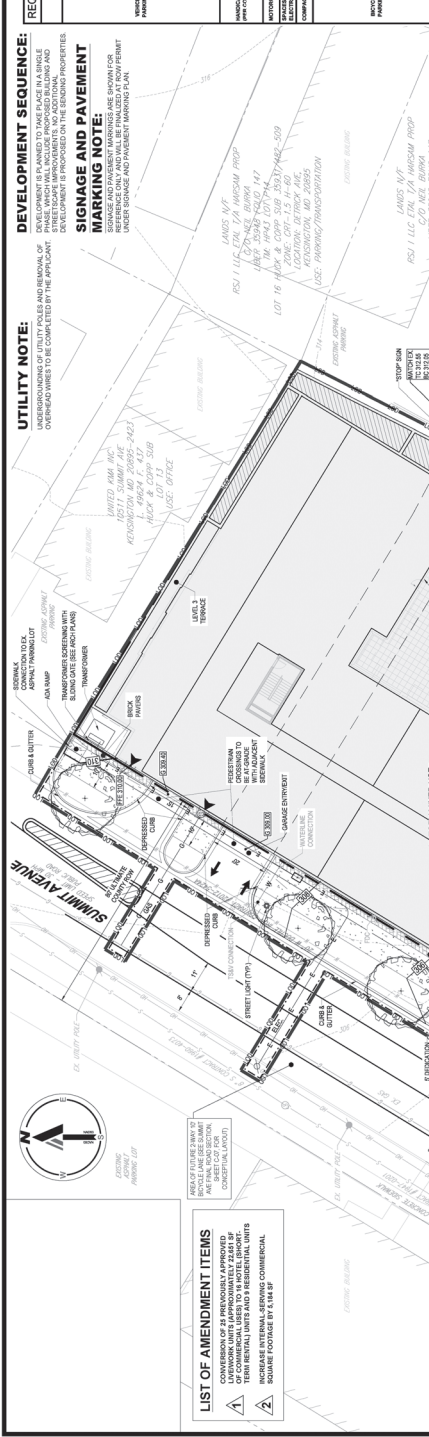
PROFESSIONAL CERTIFICATION
I, the undersigned, being a duly licensed Professional Engineer in the State of Maryland, hereby certify that I am the author of the design and content of this drawing and that I am a duly licensed Professional Engineer in the State of Maryland.

Table with 4 columns: REV. DATE COMMENT, and a list of revisions.

Table with 2 columns: ITEM, and a list of items related to construction and site plan.

Table with 4 columns: SITE, LOCATION/PLAT, ZONE, and various area and volume metrics.

Table with 4 columns: SITE, LOCATION/PLAT, ZONE, and various area and volume metrics.



UTILITY NOTE:
UNDERSTANDING OF UTILITY POLES AND REMOVAL OF
EXISTING UTILITIES IS THE RESPONSIBILITY OF THE APPLICANT.

DEVELOPMENT SEQUENCE:
DEVELOPMENT IS ANTICIPATED TO TAKE PLACE IN SEVERAL
STAGES AS DESCRIBED IN THE SITE PLAN AND REPORTS.

SIGNAGE AND PAVEMENT
MARKING NOTE:
SIGNAGE AND PAVEMENT MARKINGS ARE SHOWN FOR
INFORMATION ONLY. THE APPLICANT IS RESPONSIBLE FOR
INSTALLING SIGNAGE AND PAVEMENT MARKINGS IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.

LIST OF AMENDMENT ITEMS
CONVERSION OF 25 PREVIOUSLY APPROVED
CONCRETE DRIVEWAYS TO ASPHALT DRIVEWAYS
AND 25 PREVIOUSLY APPROVED
CONCRETE DRIVEWAYS TO ASPHALT DRIVEWAYS
AND 25 PREVIOUSLY APPROVED
CONCRETE DRIVEWAYS TO ASPHALT DRIVEWAYS

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# Attachment B



## DEPARTMENT OF TRANSPORTATION

Marc Elrich  
*County Executive*

Christopher R. Conklin  
*Director*

February 2, 2021

Ms. Tamika Graham, Senior Planner  
Midcounty Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
2425 Reedie Drive, 13th floor,  
Wheaton, MD 20902

RE: Preliminary Plan & Design Exception Letter  
Preliminary Plan No. 120190080  
Sketch Plan No. 320210020  
The Flats at Knowles Station

Dear Ms. Graham:

We have completed our review of the revised preliminary plan dated January 12, 2021. A previous plan was reviewed by the Development Review Committee at its October 27, 2020 meeting. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Montgomery County Department of Permitting Services (MCDPS) in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

The public street fronting the subject property is maintained by Maryland State Highway Administration (MDSHA). Therefore, MCDOT does not have any jurisdiction other than the maintenance and operation of the traffic signal on Knowles Avenue (MD-547) and the maintenance of the shared use path. Per Montgomery County Code Chapter 50 Section 4.2, MCDOT shall provide recommendation related to Knowles Avenue (MD-547) for the attention of the concerned agency.

### **Significant Preliminary Pan Comments:**

1. As per the discussions with Planning staff, we agree with eliminating the on-street parking on Summit Avenue to incorporate a 10-ft wide sidewalk for better pedestrian experience and for

---

#### **Office of the Director**

101 Monroe Street 10<sup>th</sup> Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

*Located one block west of the Rockville Metro Station*

# Attachment B

Ms. Tamika Graham  
Preliminary Plan No. 120190080  
Sketch Plan No. 320210020  
February 2, 2021  
Page 2

planting major species trees. The Summit Avenue (80-ft right-of-way) roadway cross section shall be the following and must be reflected on the certified preliminary plan:

- Existing Five-foot Sidewalk
  - Existing Twelve-foot & Six inches (12 ft- 6 in) Lawn Panel
  - Existing six (6)-inch Curb & Gutter.
  - Existing Eight-foot (8-ft) Parking
  - Restripe Eleven-foot (11-ft) Travel Lane
  - Restripe Ten-foot (10-ft) Left Turn lane
  - Restripe Eleven-foot (11-ft) Travel Lane
  - Proposed six (6)-inch Curb and Gutter
  - Proposed Nine-feet-Six-inches (9-ft-6-in) Lawn Panel with Major Species Trees
  - Proposed Ten-foot (10-ft) Sidewalk
  - Proposed Two-foot (2-ft) Maintenance Buffer between sidewalk and property line.
2. Signing and marking as shown on the preliminary plan for the lane transition on Summit Avenue at the proposed driveway entrance is conceptually accepted by MCDOT. The applicant will need to submit a signing and marking plan at the permit stage and receive final approval from MCDOT.
  3. No permanent structures, including but not limited to steps, stoops, retaining walls or private stormwater management facilities are allowed in the County right-of-way.
  4. Per the plan, the applicant is providing an American with Disabilities Act (ADA) compliant, 5-ft X 8-ft concrete pad at the bus stop located on Knowles Avenue (MD-547) and a lead walk connection to the proposed sidewalk. At or before the permit stage, please contact Mr. Wayne Miller of our Division of Transit Services to coordinate the above-mentioned improvements to the RideOn bus stop located on Knowles Avenue (MD-547). Mr. Miller may be contacted at 240-777-5836 or at [Wayne.Miller2@montgomerycountymd.gov](mailto:Wayne.Miller2@montgomerycountymd.gov).
  5. **Traffic Impact Study (TIS):** The TIS is still under review and not approved by MCDOT. Based on the review of the report December 11, 2020 and the Response Memorandum sent via email dated January 28, 2021, we have the following comments, and the applicant should address these prior to the certified preliminary plan:
    - a) The traffic counts were based on the Maryland-National Capital Park and Planning Commission (M-NCPPC)-Memorandum dated May 7, 2020- "*Briefing on Temporary Policy for Traffic Counts Collection and Transportation Impact Study Submission During COVID-19 Pandemic*" as it is lower than the available historical data. As an example, when comparing a 2014 turn movement count at the intersection of Plyers Mill Road and Summit Avenue, the WB approach AM volumes were 34% higher in 2014 compared to the 2020

# Attachment B

Ms. Tamika Graham  
Preliminary Plan No. 120190080  
Sketch Plan No. 320210020  
February 2, 2021  
Page 3

data with the adjustment factor applied. In the NB approach, AM volumes were 28% higher in 2014 than in 2020. We recommend that the higher of the traffic counts- traffic counts taken during the pandemic per the memorandum or available historic counts be used. If the historical traffic counts have not been completed in three years, then we recommend that an adjustment factor be added to the counts done during the pandemic. We believe that traffic will return to pre-pandemic levels.

- b) The scoping form included in the report includes an additional entrance at Detrick Avenue to be studied. The TIS report did not consider the proposed driveway onto the adjacent property on the east side, that ultimately accesses the Detrick Avenue and the impacts to the studied intersections as well as Detrick and Knowles Avenue (MD-547) and Detrick Avenue and Howard Avenue. The consultant's response submitted via email on January 28, 2021 states that there would be minimal impact to the studied intersections considering 20% of vehicle trips generated by the site. That may be true, but the consultant should have included those trips as per the scoping form as well as the impacts to the intersections Detrick and Knowles Avenue (MD-547) and Detrick Avenue and Howard Avenue in the report to justify their study.
- c) The report did not include the Pedestrian and Bicycle Impact Statement per the Section III(C)(2) of the Local Area Transportation Review (LATR) Guidelines and should be addressed prior to the certified preliminary plan.
- d) Additional road improvements may be required as a result of a review of a traffic study if such study is required by the Planning Board staff.

## **Standard Plan Review Comments**

- 6. **Storm Drain Analysis:** The site drains to the storm drain system along Knowles Avenue (MD-547); therefore, shall be approved by MDSHA.
- 7. **Sight Distance:** The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form (Attachment # 1) is enclosed for your information and reference.
- 8. Access and improvements along and Knowles Avenue (MD-547) as required by the MDSHA.
- 9. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with MCDPS Right-of-Way Plan Review Section.



## Attachment B

Ms. Tamika Graham  
Preliminary Plan No. 120190080  
Sketch Plan No. 320210020  
February 2, 2021  
Page 4

10. Permit and bond will be required as a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
- a. Handicap ramps, curb & gutter, pavement restriping, sidewalk, lawn panel, storm drainage and appurtenances and street trees along Summit Avenue. The Summit Avenue roadway section shall be per Comment # 1 of the Significant Preliminary Plan Comments.
  - b. Any improvements required per Comment# 5 (TIS Comments) above.
  - c. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements.
  - d. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
  - e. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by MCDPS and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by MCDPS.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. Deepak Somarajan, our Development Review Engineer for this project at [deepak.somarajan@montgomerycountymd.gov](mailto:deepak.somarajan@montgomerycountymd.gov) or at (240) 777-2194.

Sincerely,

*Deepak Somarajan*

Deepak Somarajan, Engineer III  
Development Review Team  
Office to Transportation Policy

# Attachment B

Ms. Tamika Graham  
Preliminary Plan No. 120190080  
Sketch Plan No. 320210020  
February 2, 2021  
Page 5

Enclosures: Attachment # 1: Sight Distance

cc: SharePoint Correspondence FY 21

cc-e: Tom Brault	Owner
Scott Wallace	Miles & Stockbridge
Bradford Fox	Bohler Engineering
Wes Guckert	The Traffic Group
Kwesi Woodroffe	MDSHA District 3
Elwyn Gonzalez	MNCPPC
Amy Lindsey	MNCPPC
Atiq Panjshiri	MCDPS RWPR
Sam Farhadi	MCDPS RWPR
Mark Terry	MCDOT DTEO
Vincent Ho	MCDOT DTEO
Kamal Hamud	MCDOT DTEO
Wayne Miller	MCDOT DTS
Rebecca Torma	MCDOT OTP

# Attachment B



## MONTGOMERY COUNTY, MARYLAND DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION DEPARTMENT OF PERMITTING SERVICES

### SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: The Flats at Knowles Station Preliminary Plan Number: 1-20210030

Street Name: Summit Avenue - Garage Entrance/Exit Master Plan Road Classification: Business

Posted Speed Limit: 30 mph

Street/Driveway #1 ( Summit Avenue ) Street/Driveway #2 ( \_\_\_\_\_ )

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right <u>397'</u>	<u>YES</u>	Right _____	_____
Left <u>307'</u>	<u>YES</u>	Left _____	_____

Comments: Clear views of the extents of Summit Avenue.

Comments: \_\_\_\_\_

### GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
<b>Business - 30</b>	<b>200'</b>
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

\*Source: AASHTO

### ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
PLS/P.E. MD Reg. No.

#### Montgomery County Review:

Approved

Disapproved:

By: Deepak Somarajan

Date: 1/28/2021

# Attachment B



## MONTGOMERY COUNTY, MARYLAND DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION DEPARTMENT OF PERMITTING SERVICES

### SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: The Flats at Knowles Station Preliminary Plan Number: 1-20210030

Street Name: Summit Avenue - Loading Dock

Master Plan Road Classification: Business

Posted Speed Limit: 30 mph

Street/Driveway #1 (Summit Avenue)

Street/Driveway #2 ( \_\_\_\_\_ )

Sight Distance (feet) OK?  
Right 368' YES  
Left 337' YES

Sight Distance (feet) OK?  
Right \_\_\_\_\_  
Left \_\_\_\_\_

Comments: Clear views of the extents of Summit Avenue.

Comments: \_\_\_\_\_

### GUIDELINES

Classification or Posted Speed  
(use higher value)

Required  
Sight Distance  
in Each Direction\*

Tertiary - 25 mph  
Secondary - 30  
**Business - 30**  
Primary - 35  
Arterial - 40  
(45)  
Major - 50  
(55)

150'  
200'  
**200'**  
250'  
325'  
400'  
475'  
550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

\*Source: AASHTO

### ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Signature

Date

PLS/P.E. MD Reg. No.

#### Montgomery County Review:

Approved

Disapproved:

By: Deepak Somarajan

Date: 1/28/2021

# **Attachment B**

## **DPS-ROW CONDITIONS OF APPROVAL**

**September 20, 2022**

### **82021003A The Flats at Knowles Station**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

**“07-BSITE-82021003A-009.pdf”** uploaded on/ dated **“3/31/2022”** and

the following needs to be a condition of the certified site plan:

1. Ensure positive drainage toward Summit Ave pavement.

October 21, 2022

Mr. Tom Brault  
10509 Summit Venture, LLC  
10414 Detrick Avenue, Suite 400  
Kensington, Maryland 20895

Dear Mr. Brault,

Thank you for the opportunity to review the **Storm Drain Analysis submittal** for **The Flats at Knowles Station Project (MDOT SHA tracking No. 20APMO029XX)** on **MD 547** (Mile Point: 1.64) in Montgomery County, Maryland.

The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the plans and we are pleased to respond.

Based on the review by MDOT SHA, the Storm Drain Analysis for the above-mentioned site is **acceptable**.

The 10-year flow rate to the MDOT SHA system at existing inlet EX-2 studied in the Storm Drain Analysis provided showed a reduction in flowrate from 2.93 cfs to 2.77 cfs. We agree with the analysis and computations. The proposed conditions will need to maintain the reduction in flow to the existing storm drain system throughout the final stages of the plan. No further storm drain analysis is required.

If you have any questions or require additional information, please contact Mr. Kwesi Woodroffe at 301-513-7347, by using our toll free number (in Maryland only) at 1-800-749-0737 (x7347), or via email at [kwoodroffe@mdot.maryland.gov](mailto:kwoodroffe@mdot.maryland.gov) or [shaamdpermits@mdot.maryland.gov](mailto:shaamdpermits@mdot.maryland.gov).

Sincerely,



for Derek Gunn, P.E.  
Acting District Engineer, District 3, MDOT SHA

DG/kw

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Mr. Tom Brault

SHA Tracking No.: 20APMO029XX

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October 21, 2022

cc: Mr. Nimish Desai, MDOT SHA – District 3 Drainage & SWM  
Mr. Joe Caloggero, The Traffic Group  
Mr. Jason Dunlap, Charles P. Johnson & Associates, Inc.  
Mr. Matthew Folden, Montgomery County Planning  
Mr. Wes Guckert, The Traffic Group  
Mr. Brian D. Hargis, Charles P. Johnson & Associates, Inc.  
Ms. Kelly McCormick, Charles P. Johnson & Associates, Inc.  
Mr. Troy Leftwich, Montgomery County Planning  
Ms. Carrie Sanders, Montgomery County Planning  
Mr. Kwesi Woodroffe, MDOT SHA – District 3 Regional Engineer

# Attachment B

Mayor Tracey Furman

Council Member Darin Bartram  
Council Member Nate Engle



Council Member Conor Crimmins  
Council Member Ann Lichter

March 24, 2023

Mr. Troy Leftwich  
Montgomery County Planning Department  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: Flats at Knowles Station  
(Preliminary Plan No. 12021003A, Site Plan No. 82021003A)

Dear Mr. Leftwich:

Please accept this letter in support of the Applicant's Statement of Justification for the Amendment of the aforementioned Plans, filed by the Applicant 10509 Summit Venture, LLC, regarding development of the property at 10509 Summit Ave., Kensington, MD 20895.

Conversion of 25 live-work units. The Applicant proposes to convert the first-floor, 25 live-work units to 15-25 short-term extended-stay hotel units with the balance consisting of conventional multi-family housing. The primary interest of the Town of Kensington is to ensure an activated, vibrant ground-floor utilization of the building. We have previously consulted with Planning staff to try to ensure that the live-work units were legitimate and would support the mixed-use format of the building.

We believe that the conversion to short-term extended-stay hotel units can be a successful activation of the ground floor, provided the Applicant utilizes robust and professional property management that addresses operational concerns, including the efficient management of bookings, check-ins, traffic, and maintenance of the units. These same concerns existed with respect to the successful deployment of live-work units, and we do not view these concerns as meaningfully different with respect to the use as short-term extended-stay hotel units. We welcome input from Planning staff on whether and how they can help us manage these concerns, but otherwise we fully support the proposed conversion.

Roof-top amenity space. The Applicant seeks a revision regarding the enclosed roof-top amenity space. We believe that greater open, roof-top space would enhance the experience for tenants of the building, and we support this revision. We express no opinion on the impact of this space on the building height or density, leaving those issues to the review by Planning staff.

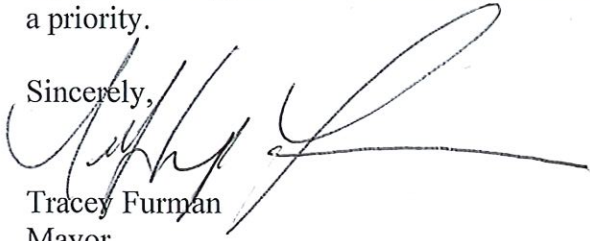
We believe the Flats project will be a positive addition to the Town of Kensington. At the same time, I would like to take this chance to once again state our unwavering support (and critical need) for the Summit Avenue Extension. This is a long-planned and overdue infrastructure and economic development project that is vital to supporting the additional development, both within Kensington and in the surrounding areas. It has



## Attachment B

enjoyed the support of the Planning Board and County Council, and we look forward to its implementation as a priority.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tracey Furman', written over a horizontal line.

Tracey Furman  
Mayor

cc: Kensington Town Council  
10509 Summit Venture, LLC

# Attachment B



## DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Mitra Pedoeem  
Director

November 18, 2022

Mr. Philip Hughes, P.E.  
Charles P. Johnson & Associates, Inc.  
1751 Elton Road Suite 300  
Silver Spring, Maryland

Re: **REVISED COMBINED STORMWATER  
MANAGEMENT CONCEPT/SITE  
DEVELOPMENT STORMWATER  
MANAGEMENT PLAN** for  
The Flats at Knowles Station  
Preliminary Plan #: 120210030 Revision 1  
SM File #: 286227  
Tract Size/Zone: 0.84 Acres / CRT 1.5 C 1.0...  
Total Concept Area: 0.33 Acres  
Lots/Block: 15, 17, 19 & P/O 21, 23 & 25  
Parcel(s): TBD  
Watershed: Rock Creek

Dear Mr. Hijazi:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept **Revision** for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via Green Roof and Microbioretention. Due to site constraints a partial waiver of stormwater management requirements was requested and is hereby granted.

The current revision incorporates modifications to the stormwater management design to comply with the findings of a revised storm drain conveyance study, dated July 25, 2022. Based on the revised analysis, the developed 10-year storm runoff from the subject property must be reduced to no more than 0.96 cubic feet per second at the point where it enters the existing public storm drain system. The required flow attenuation will be accomplished within the proposed stormwater management structures that are required for this project.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. An engineered sediment control plan must be submitted for this development.
2. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
3. This approval supersedes the previous approval letter dated January 29, 2021.

This list may not be all-inclusive and may change based on available information at the time.



255 Rockville Pike, 2<sup>nd</sup> Floor, Rockville, Maryland 20850 | 240-777-0311  
[www.montgomerycountymd.gov/permittingservices](http://www.montgomerycountymd.gov/permittingservices)

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*Mr. Philip Hughes*  
*November 18, 2022*  
*Page 2 of 2*

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is required**.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Andrew Kohler at 240-777-6275.

Sincerely,



Mark C. Etheridge, Manager  
Water Resources Section  
Division of Land Development Services

MCE: CN286227

cc: N. Braunstein  
A. Panjshiri  
SM File # 286227

ESD: Required/Provided 6953 cf / 6159 cf  
PE: Target/Achieved: 2.4"/2.13"  
STRUCTURAL: N/A cf  
WAIVED: 794 CF QN Waiver



# Attachment C

## MONTGOMERY COUNTY PLANNING BOARD THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 21-024  
Sketch Plan No. 320210020  
Flats at Knowles Station  
Date of Hearing: March 18, 2021

'APR 13 2021

### RESOLUTION

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

WHEREAS, on October 7, 2020, 10509 Summit Venture, LLC c/o Woodside (“Applicant”) filed an application for approval of a sketch plan for construction of a mixed-use development with up to 102,205 square feet of total development, with up to 79,554 square feet of residential development and up to 22,651 square feet of commercial development. The Application includes a transfer of 33,666 square feet of residential density and 25% Moderately Priced Dwelling Units (MPDUs), on 0.84 acres of CRT-1.5, C-1.0, R-0.5, H-60 zoned-land, located at 10509 Summit Avenue (“Subject Property”) in the 2012 Kensington Sector Plan (“Sector Plan”) area; and

WHEREAS, Applicant’s sketch plan application was designated Sketch Plan No. 320210020, Flats at Knowles Station (“Sketch 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 March 8, 2021, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions (“Staff Report”); and

WHEREAS, on March 18, 2021, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on March 18, 2021, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Verma, seconded by Commissioner Fani-Gonzalez, with a vote of 5-0; Commissioners Anderson, Cichy, Fani-Gonzalez, Patterson, and Verma voting in favor.

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MCPB No. 21-024  
Sketch Plan No. 320210020  
Flats at Knowles Station  
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NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320210020, Flats at Knowles Station, for construction of up to 102,205 square feet of total development, with up to 79,554 square feet of residential development and up to 22,651 square feet of commercial development, including a transfer of 33,666 square feet of residential density and 25% MPDUs on the Subject Property, subject to the following binding elements and conditions:<sup>1</sup>

A. Binding Elements. The following site development elements are binding under Section 59.7.3.3.F of the Montgomery County Zoning Ordinance:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public open space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements are illustrative.

B. Conditions. This approval is subject to the following conditions:

1. Density

The Sketch Plan is limited to a maximum of 102,205 square feet of mixed-use development comprised of 79,554 square feet of residential development (including bonus density for providing 25% Moderately Priced Dwelling Units (MPDUs) on site and density transferred from neighboring properties) and 22,651 square feet of non-residential space on the Subject Property and will be developed in one phase. The maximum number and distribution of residential dwelling units will be determined at Preliminary and Site Plan.

2. Density Transfer

Prior to record plat approval, the Applicant must state the gross square footage taken from any lot with reduced density in an instrument approved by the M-NCPPC Office of the General Counsel and must record the instrument in the Montgomery County Land Records. The residential density to be transferred under this Sketch Plan is measured in gross square feet and will total approximately 33,666 square feet. Final allocation of density will be approved with Site Plan No. 820210030. The Sending Properties will transfer the following square feet of development potential based on the existing zoning:

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

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- a. 10414 Detrick Avenue will be transferring 12,431 square feet of residential density.
- b. 3827 Plyers Mill Road will be transferring 21,235 square feet of residential density.

### 3. Height

The development is limited to a maximum height of 72 feet (including up to 12 feet of additional height for providing 25% MPDUs on site), as measured from the building height measuring point(s) illustrated on the Certified Site Plan.

### 4. Incentive Density

The development must be constructed with the public benefit categories listed below, unless modifications are made under Section 59.7.3.I. Total points must equal at least 75 and be chosen from at least three categories as required by Section 59.4.5.5.A.2. The requirements of Division 59.4.7.1 and the CR Zone Incentive Density Implementation Guidelines must be fulfilled for each public benefit. Final points and phasing are established at Site Plan approval.

- a. Connectivity and Mobility achieved by providing 1,580 square feet of off-site public open space improvements.
- b. Diversity of Uses and Activities, achieved by providing a minimum of 25% of the residential units as MPDUs.
- c. Quality of Building and Site Design, achieved by providing architectural elevations with the Site Plan, showing transparency on the first floor, minimal spacing between operable doors, and the implementation of the design guidelines of the Sector Plan, and providing structural parking.

### 5. Public Spaces

The Applicant must provide the open space as conceptually shown on the Sketch Plan that will be privately owned and maintained. While this space must be in the approximate location and size, as shown on the Sketch Plan, the exact size, location and design will be determined at the time of Site Plan(s).

BE IT FURTHER RESOLVED that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Planning Board FINDS that as conditioned the necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan and that:

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1. *The Sketch Plan meets the objectives, general requirements, and standards of the Zoning Ordinance.*

The CRT Zone permits a mix of residential and nonresidential uses at varying densities and heights. Section 5.4.5.4 of the Zoning Ordinance sets forth the development standards for the Optional Method of Development within the CRT Zone. The development will satisfy the applicable development standards for the Optional Method of Development in the CRT Zone, with the exact figures to be determined at the time of Site Plan.

a. Development Standards

The Subject Property includes a tract area of approximately 0.84 acres, zoned CRT-1.5, C-1.0, R-0.5, H-60. The Sketch Plan meets the development standards of Section 59-4.5.4, as shown in Table 1 below. The Application will provide the minimum required number of bicycle parking spaces for residents and visitors, which will be determined at the time of Site Plan(s). The number of vehicular parking spaces will be determined at Site Plan(s) based on the square footage of non-residential uses, and number and type of residential dwelling units.

**Table 1- Development Standards and Parking Requirements**

Data Table: CRT-1.5, C-1.0, R-0.5, H-60 Zone			
Chapter 59	Development Standard	Permitted/ Required	Approved
<b>4.5.4.B.2.b</b>	Tract Area (sf)	n/a	36,507 sq. ft.
	Previous Dedication	n/a	14,018 sq. ft.
	Proposed Dedication	n/a	3,414 sq. ft.
	Site Area	n/a	33,093 sq. ft.
	<b>Density</b>		
	Commercial	C-1.0 FAR (50,525 sq. ft.)	C-0.45 FAR (22,651 sq. ft.)
	Residential	R-0.5 FAR (25,263 sq. ft.)	R-1.57 FAR (79,554 sq. ft.) <sup>2</sup>
	Density Transfer 10414 Detrick Avenue (CRT-1.5, C-1.0, R-0.5, H-60)	Available for Transfer 10414 Detrick Avenue	R-0.5 FAR

<sup>2</sup> 25,263 sq. ft. residential base density + 33,666 sq. ft. residential transferred density + 20,625 sq. ft. 35% MPDU bonus residential density = 79,554 SF

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	3827-3833 Plyers Mill Road (CRT-1.5, C-1.0, R-0.5, H-60)	Residential R-0.5 FAR (12,431 sq ft)	(12,431 sq ft)
		3827-3833 Plyers Mill Road Residential R-0.5 FAR (21,235 sq ft)	R-0.5 FAR (21,235 sq ft)  33,666 sq ft
	Total Density including transferred density and bonus density for 25% MPDUs	Total Density Transfer Available  1.50 FAR (503,552 sq. ft.)	2.02 FAR (102,205 sq. ft.)
<b>4.5.4.B.2.b</b>	<b>Building Height (feet)</b>	60	72 <sup>3</sup>
<b>4.5.4.B.3</b>	<b>Minimum Setback (feet)</b>	TBD at Site Plan	0
<b>4.5.4.B.1</b>	<b>Minimum Public Open Use Space (%)</b>	0%	8.2% (2,705 sq. ft.) <sup>4</sup>
<b>6.2.4.</b>	<b>Total Vehicle Parking Spaces (min/max)</b>	123/208	166
	<b>Bicycle Parking Spaces (min)</b>	54	65

*b. Intent of the Zone*

*The Sketch Plan conforms to the intent of the CRT Zone as described below.*

*i. Implement the recommendations of applicable master plans.*

The Property is located at the corner of Knowles Avenue and Summit Avenue, within the Town Center District, as delineated on page 20 of the 2012 Kensington Sector Plan. According to page 21 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 Avenue.”

The Property is a part of analysis area TC-19, as outlined on page 22 of the Sector Plan. The Sector Plan recognized the small scaled parcels within this analysis area and expected proposals to be filed under the

<sup>3</sup> Additional 12 feet of height for providing 25% MPDUs

<sup>4</sup> 1,125 sq. ft. on-site + 1,580 sq. ft. off-site



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Standard Method. The Sector Plan did state that should significant land assembly occur, optional method, mixed-use development would be desirable. While the Sketch Plan does not propose assembly, it does include the transfer of density, as allowed under Section 59.4.5.2.B, and the Sketch Plan is for mixed-use development using the optional method of development.

The Sector Plan's goal is to create a mixed-use core for the Town of Kensington. The mix of unit types and office and retail space will provide new residential and commercial options in Kensington.

Both the Sector Plan and associated Urban Design Guidelines emphasize that development within the Town of Kensington should be compatible with the Town's character. While the Property is not within a historic district, the Sector Plan and Urban Design Guidelines still recommend that compatibility be a key factor in building design. The development incorporates the following elements as described in the Sector Plan and Urban Design Guidelines:

- o Strong delineation of a base – middle – top.
- o Strong horizontal expression along the top datum line where a traditional cornice would occur.
- o A balanced façade composition with repeating bays and standard doors and windows.
- o Human-scaled design features and details, especially along the base.
- o Detailing in the portion of the façade along Knowles Avenue and Summit Avenue, especially at the ground floor level.

Additionally, both the Sector Plan and Urban Design Guidelines emphasize the need for street-oriented development that creates an animated community life along the sidewalks to encourage high levels of pedestrian comfort and activity. The project increases the street-level activity by having retail uses opening onto public open space at the corner of Summit Avenue and Knowles Avenue. The open space at the corner of the Property is similar in design and materials to the open space on the southeast corner of Summit Avenue and Knowles Avenue (approved with Preliminary Plan No. 120200160), creating a unified streetscape and a pedestrian-scale entrance into Kensington.

- ii. *Encourage development that integrates target opportunities for redevelopment of single-use commercial areas and surface parking lots with mix of uses.*

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The Property and surrounding development are currently single-use commercial with surface parking. The Application redevelops the Site into a pedestrian-friendly project that will incorporate ground-floor uses that will activate the open space.

- iii. *Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The development includes market-rate, MPDU, and live/work units in a variety of unit types (studios, one-bedrooms, and two-bedrooms). As a result, the development provides different housing opportunities for a range of demographics and incomes. The Application also allows for important streetscape improvements that enhance pedestrian connectivity in and around the Property. No parking is located between the building and street frontages.

- iv. *Allows a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.*

The mix of commercial and residential uses is compatible with the adjoining properties and is scaled appropriately to fit with current and future land use in the neighborhood.

- v. *Integrate an appropriate balance of employment and housing opportunities.*

The development of multi-family residential uses on the Property creates a more balanced mix of uses in the Kensington Town Center District. There are a number of commercial office and industrial uses in the vicinity of the Property which generate employment opportunities. Given the proximity of well-established employment uses near the Property, the additional housing provided by the Project creates an opportunity for individuals to live, work, and play in the Kensington area. Also, the development offers new opportunities with the live/work units. This is not a unit type currently found in the area and is an innovative way to balance and combine employment and housing.

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- vi. *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

The development provides public benefits that support the increased density by providing MPDUs, structured parking, an enhanced streetscape with underground utilities, and binding architectural elevations.

2. *The Sketch Plan substantially conforms to the recommendations of the applicable master plan.*

### Land Use

The Sketch Plan substantially conforms to the vision of the 2012 *Kensington Sector Plan* ("Sector Plan") which is to "promote a mixed-use Town Center with pedestrian-friendly connections to the vibrant neighborhoods that define Kensington." The Plan depicts the Town Center as "a lively and active place with streets that are welcoming and comfortable for residents, workers, and visitors."

The Sector Plan provides both general and site-specific guidance for the Subject Property, which is located within the Sector Plan's Town Center District Area TC-19, and identified as the Detrick and Summit block consisting of roughly 30 relatively small properties that total about four (4) acres. While the Plan's analysis suggests that due to the ownership and lot size pattern in the TC-19 area, revitalization is likely to use the standard method of development that would reduce intensity of development. However, the Plan further cites the optional method of development for more intense mixed-use as desirable. The Sector Plan recommended the CRT 1.5 C 1.0, R 0.5, H 60 for the Subject Property, which reflects the existing zoning.

The Project is seeking approval via the optional method of development in order to intensify development density at this location as permissible by the Sector Plan and the zoning, where properties in this District Area with the potential to support mixed-use developments with parking structures could have five- to six-story buildings. The Project matches this vision with a two-story parking structure with 4 floors of live/work and multifamily units above. Facilitated by the density transfer of residential FAR, the Project provides higher density mixed-use within the Town Center district, which is a desirable use to further the Sector Plan's goal for creating a mixed-use core for the Town of Kensington. Further, both the Sector Plan and Urban Design Guidelines

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emphasize the need for street-oriented development that creates an animated community life along the sidewalks to encourage high levels of pedestrian comfort and activity. The lot is oriented to allow sidewalk improvements to separate pedestrians from vehicular traffic with trees along the curb.

The Project satisfies the intent of the CRT zone as envisioned in the Sector Plan and helps to revitalize the Town Center by utilizing an opportunity for redevelopment, encouraging various housing types such as the live/work units and fostering a pedestrian scale development. The housing goals of the 2012 *Kensington Sector Plan* note that more housing is desirable in the Town Center as it “will mean livelier and more active streets that are attractive for residents, shoppers, and visitors” and “increase the diversity of housing choices.” The Project responds to the Sector Plan’s call for more housing and more diverse housing types in the Town Center by proposing 100 high-density residential units, none of which are age-restricted. The live/work units are a “missing middle” housing type and not currently common in the Town Center and their introduction into this Project is supported by the Town of Kensington. The mixed-use building with 25 live/work units and 75 multi-family units will replace the existing small home on the Subject Property, providing greater activation along Knowles and Summit Avenues and new housing opportunities within the Town, thereby fulfilling a Sector Plan recommendation.

### Transportation

The Application addresses master planned roadways as recommended in the 2012 Kensington Sector Plan and 2018 Bicycle Master Plan. The segment of Knowles Avenue (MD 547), between Summit Avenue and Connecticut Avenue, is classified as an arterial (A-66). This segment is currently 65 feet wide and planned to be 80 feet wide with two travel lanes. Additionally, Summit Avenue, between Knowles Avenue (MD 547) and Plyers Mill Road, is classified as a business district street (B-2). The segment is currently 75 feet wide and planned to be 80 feet wide with two travel lanes. The 2012 Kensington Sector Plan identifies an extension of Summit Avenue from Plyers Mill Road to Farragut Avenue (and Connecticut Avenue) as part of a future Capital Improvements Project, currently being studied by MCDOT. Per the Master Plan recommendation, the Applicant is proposing public right-of-way dedications along each respective roadway frontage (15’ dedication on Knowles Avenue and 5’ dedication on Summit Avenue) to meet these requirements.

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- 3. The Sketch Plan satisfies, under Section 7.7.1.B.5 of the Zoning Ordinance, the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

The Sketch Plan is not subject to a development plan or schematic development plan.

- 4. Under Section 7.7.1.B.5, for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment, satisfy any green area requirement in effect on October 29, 2014; any green area under this provision includes and is not in addition to any open space requirement of the property's zoning on October 30, 2014.*

The Property's zoning classification on October 29, 2014 was not a result of a Local Map Amendment.

- 5. The Sketch Plan achieves compatible internal and external relationships between existing and pending nearby development.*

The Sketch Plan successfully achieves compatibility with the surrounding development through architectural elements and streetscape connections. The Sketch Plan confronts a townhouse project located south of the Subject Property on Knowles Avenue known as Residences at Knowles Station (Preliminary Plan No. 120200160) which was approved by the Planning Board on July 2, 2020 and includes architecture and open space complementary to the development. By using similar elements on both sides of Knowles Avenue, the development creates a unified, visual entrance to the Town of Kensington. The architecture of the development also complements the existing adjacent commercial development to the east. The pedestrian and vehicular connections from Summit Avenue to Detrick Avenue through the parking garage also create an important connection that helps tie the development to the surrounding area.

- 6. The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.*

The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. Primary vehicular access is from Summit Avenue, with secondary access through the adjoining commercial development from Detrick Avenue. The structured parking is incorporated into the development and includes long term bicycle parking. A separate loading dock is accessed from Summit Avenue and provides for trash service, as well as commercial deliveries.

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7. *The Sketch Plan proposes an outline of public benefits that supports the requested incentive density and is appropriate for the specific community.*

Taking into account the considerations in Section 59.4.7.1.B, including the recommendations and objectives of the Master Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the Planning Board finds that the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the Site, as described below.

For developments of this size in the CRT zone, the Zoning Ordinance requires 50 points in a minimum of three categories. However, per Section 59.4.5.2.B.3.c, when density is averaged across two or more non-contiguous properties in the CR or CRT zones, the minimum public benefit points must be exceeded by at least 50%. Therefore, this development requires a minimum of 75 public benefit points. Although at the time of Sketch Plan review, only the categories need to be approved, the following table shows both the categories and points for public benefits requested at Sketch Plan to demonstrate the project's ability to meet the requirement to provide sufficient public benefit points. Table 2 shows the Applicant's public benefits in the following categories: Connectivity and Mobility, Diversity of Uses and Activities, and Quality of Building and Site Design. The Planning Board supports the public benefits at this time, with a more detailed review and the final number of points to be determined at Site Plan.

**Table 2- Public Benefits**

Public Benefits		
Public Benefit	Incentive Density Points	
	Max Allowed	Total Requested
<b>59.4.7.3.C: Connectivity and Mobility</b>		
Streetscape Improvements	20	3
<b>59.4.7.3.D: Diversity of Uses and Activities</b>		
Affordable housing-25% MPDUs	n/a	150
<b>59.4.7.3.E: Quality of Building and Site Design</b>		

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<b>Architectural Elevations</b>	20	10
<b>Structured Parking</b>	20	10
<b>Total</b>	-	<b>173</b>

### Connectivity and Mobility

*Streetscape improvements:* The Applicant seeks to gain approval for 3 points for providing approximately 1,114 SF of paver installation and the addition of four public benches to upgrade the off-site public open space on the southeast corner of Knowles Avenue and Summit Avenue. The Planning Board supports the Applicant's request based on the following calculation:

$$[1,114/33,093] * 100 = 3 \text{ points}$$

### Diversity of Uses and Activities

*Affordable housing-25% MPDUs:* The Applicant seeks to gain approval for 150 points for providing 25% MPDUs. The project will provide 25% MPDUs, 12.5% above the minimum required. Twelve (12) points are allowed for every percentage point over the required 12.5% MPDUs as demonstrated in the calculation below. The Planning Board supports the Applicant's request based on the following calculation:

$$[25\% \text{ (percentage MPDUs provided)} - 12.5\% \text{ (percentage MPDUs required)}] * 12 = 150 \text{ points}$$

### Quality of Building and Site Design

*Architectural Elevations:* The Applicant seeks to gain approval for 10 points for providing architectural elevations with the Site Plan. The elevations show elements including transparency on the first floor, minimal spacing between operable doors, and the implementation of the design guidelines of the Sector Plan.

*Structured parking:* The Applicant seeks to gain approval for 10 points for providing structured parking. All of the 166 parking spaces will be provided in a structured parking garage.

8. *The Sketch Plan establishes a feasible and appropriate phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

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The Applicant intends to develop the structures, landscaping and streetscaping for the Project simultaneously in a single phase.

BE IT FURTHER RESOLVED that the Planning Board’s approval of a sketch plan is in concept only and subject to further review at site plan, when based on detailed review the Planning Board may modify the Sketch Plan’s binding elements or conditions based on the Montgomery County Code, the Sector Plan, or other requirements; and

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 all binding site development elements shown on the latest version of Sketch Plan No. 320200030, Residences at Forest Glen, received by M-NCPPC as of the date of the Staff Report March 30, 2020, are required, except as modified by the above conditions of approval; 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 APR 13 2021 (which is the date that this Resolution is mailed to all parties of record); and

\* \* \* \* \*

**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 Cichy, seconded by Commissioner Verma, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor of the motion at its regular meeting held on Thursday, April 8, 2021, in Wheaton, Maryland.

  
\_\_\_\_\_  
Casey Anderson, Chair  
Montgomery County Planning Board



## Attachment C



**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 21-025  
Preliminary Plan No. 120210030  
**Flats at Knowles Station**  
Date of Hearing: March 18, 2021

**APR 13 2021**

### RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on November 24, 2020, Summit Venture, LLC c/o Woodside Ventures and Realty Services ("Applicant") filed an application for approval of a preliminary plan of subdivision of property that would consolidate six (6) lots and create one (1) lot on approximately 0.84 acres of land in the Commercial Residential Town (CRT-1.5, C-1.0, R-0.5, H-60) zone, located at 10509 Summit Avenue, Kensington, Maryland, at the northern side of the intersection of Summit Avenue and Knowles Avenue ("Subject Property"), in the Kensington Policy Area and in the Town Center District of the 2012 *Kensington Sector Plan* ("Sector Plan") area; and

WHEREAS, the Applicant's preliminary plan application was designated Preliminary Plan No. 120210030, Flats at Knowles Station ("Preliminary 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 March 10, 2021, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 18, 2021, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on March 18, 2021, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Verma, seconded by Commissioner Fani-Gonzalez, with a vote of 5-0; Commissioners Anderson, Cichy, Fani-Gonzalez, Patterson, and Verma voting in favor.

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Preliminary Plan No. 120210030

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NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120210030 to create one (1) lot on the Subject Property, subject to the following conditions:<sup>1</sup>

### **General Approval**

1. This Preliminary Plan is limited to one (1) lot for up to 102,205 square feet of total development, comprised of up to 79,554 square feet of residential uses for up to 75 multi-family dwelling units and up to 25 live/work units, and up to 22,651 square feet of commercial uses.

### **Adequate Public Facilities and Outside Agencies**

2. The Adequate Public Facility (“APF”) review for the Preliminary Plan will remain valid for sixty (60) months from the date of mailing of this Planning Board Resolution.

### **Outside Agencies**

3. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated February 2, 2021 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
4. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
5. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration (“MDSHA”) in its letter dated February 11, 2021 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDSHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
6. Before the issuance of access permits, the Applicant must satisfy the Maryland State Highway Administration’s requirements for access and improvements.

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<sup>1</sup> 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.

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7. 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 January 28, 2021 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
8. 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 February 1, 2021 and 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 amendment does not conflict with other conditions of Preliminary Plan approval.

### **Other Approvals**

#### Concurrent Site Plan Approval

9. Before approval of a record plat or any clearing or grading for the Subject Property, the Applicant must receive Staff certification of Site Plan No. 820210030. The number and location of site elements including but not limited to buildings, dwelling units, on-site parking, site circulation, and sidewalks is determined through site plan review and approval.
10. If an approved site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan amendment.

### **Environment**

#### Forest Conservation

11. The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Forest Conservation Exemption.

### **Transportation**

12. Prior to issuance of the Use and Occupancy permit, the Applicant must reconstruct the sidewalks and ADA curb ramps and restripe the crosswalks along Knowles Avenue and Summit Avenue, as shown on the certified Preliminary Plan. Final details subject to review and approval by MDSHA.

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### Existing Frontage Improvements

13. Prior to the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS and MDSA, respectively, to ensure construction of a ten-foot (10') wide sidewalk along the property frontage on Summit Avenue and six-foot (6') wide sidewalk along the property frontage on Knowles Avenue (MD 547). The Applicant must provide and show on the record plat(s) the following right-of-way dedications:
  - a) Knowles Avenue: Approximately fifteen (15) feet to accommodate a minimum right-of-way of forty (40) feet, as measured from the existing pavement centerline.
  - b) Summit Avenue: Approximately five (5) feet to accommodate a minimum right-of-way of forty (40) feet, as measured from the existing pavement centerline.

### Off-Site Improvements

14. Prior to recordation of plat(s), the Applicant must execute a declaration of covenant with the Town of Kensington to repurpose a portion of the western end of Kaiser Place within the Town of Kensington's right-of-way for a public open space area, as illustrated on the approved Preliminary and Site Plans.

### **Record Plats**

15. Except for clearing and grading associated with the existing building demolition, there shall be no clearing or grading of the site prior to recordation of plat(s).

### Easements

16. The record plat must reflect common ingress/egress and utility easements over all shared driveways.
17. The record plat must reflect a common use and access covenant for the benefit of the public over all trails, sidewalks and paths not included in a public right-of-way. The covenant must be in a form approved by the M-NCPPC Office of the General Counsel and recorded among the Montgomery County Land Records.
18. The record plat must include a general note that describes an access easement recorded among the Montgomery County Land Records by book and page on the property to the east, 10414 Detrick Avenue, which provides ingress and egress to the Site.

### Notes and Labels

19. The record plat must reflect all areas under common ownership.

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20. The record plat must reference the Common Open Space Covenant recorded among the Montgomery County Land Records at Book 28045 Page 578 ("Covenant").

### Certified Preliminary Plan

21. The Applicant must include the stormwater management concept approval letter and Preliminary Plan Resolution on the approval or cover sheet(s).

22. The certified Preliminary Plan must contain the following note:

*Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.*

23. Prior to submittal of the Certified Preliminary Plan, the Applicant must make the following changes:

- a. Show resolutions and approval letters on the certified set.
- b. Plan notes associated with the undergrounding of utility poles and removal of overhead wires shall clearly state that work will be completed "by the Applicant".
- c. The Summit Avenue road section detail and plan view adjacent to the Site should include the following elements between the roadway curb and the Property line:
  - i. Existing Five-foot Sidewalk
  - ii. Existing Twelve-foot & Six inches (12 ft.- 6 in.) Lawn Panel
  - iii. Existing Eight-foot (8-ft.) Parking
  - iv. Restripe Eleven-foot (11-ft.) Travel Lane
  - v. Restripe Ten-foot (10-ft.) Left Turn lane
  - vi. Restripe Eleven-foot (11-ft.) Travel Lane
  - vii. Relocate the Curb and Gutter
  - viii. Proposed Nine-foot-six inches (9.6-ft.) Lawn Panel with Major Species Trees
  - ix. Proposed Ten-foot (10-ft.) Sidewalk
  - x. Proposed Two-foot (2-ft.) Maintenance Buffer between sidewalk and property line.
- d. Net Taxable Area in all Data Tables must be revised to Tract Area.

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BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and 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 layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.*

The size, width, shape, orientation, and density of the lot will be appropriate for the location considering the recommendations of the 2012 Kensington Sector Plan. The Preliminary Plan will accommodate a single phase of development on the Subject Property at an appropriate and efficient location. The lot was reviewed for compliance with the dimensional requirements for the CRT Zone as specified in the Zoning Ordinance. As illustrated in Table 1, the lot will accommodate the anticipated use and meet all the dimensional requirements for the lot, density, height, placement, form, and building type in the zone.

**Table 1: Approved Data Table**

Data Table: CRT-1.5, C-1.0, R-0.5, H-60 Zone			
Chapter 59	Development Standard	Permitted/ Required	Approved
	Tract Area (sf)	n/a	36,507 sq. ft.
	Previous Dedication	n/a	14,018 sq. ft.
	Proposed Dedication	n/a	3,414 sq. ft.
	Site Area	n/a	33,093 sq. ft.
<b>4.5.4.B.2.b</b>	<b>Density</b>		
	Commercial	C-1.0 FAR (50,525 sq. ft.)	C-0.45 FAR (22,651 sq. ft.)
	Residential	R-0.5 FAR (25,263 sq. ft.)	R-1.57 FAR (79,554 sq. ft.) <sup>2</sup>
	Density Transfer Property 1 (and Zoning)  Property 2 (and Zoning)	Available for Transfer Property 1 - Commercial Property 1 - Residential Property 1 - Total  Property 2 - Commercial Property 2 - Residential Property 2 - Total  Total Density Transfer Available	
	Total Density including transferred density and bonus density for 25%	1.50 FAR (503,552 sq. ft.)	2.02 FAR (102,205 sq. ft.)

<sup>2</sup> 25,263 sq. ft. residential base density + 33,666 sq. ft. residential transferred density + 20,625 sq. ft. 35% MPDU bonus residential density = 79,554 SF

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	MPDUs		
4.5.4.B.2.b	<b>Building Height (feet)</b>	60	72 <sup>3</sup>
4.5.4.B.3	<b>Minimum Setback (feet)</b>	TBD at Site Plan	0
4.5.4.B.1	<b>Minimum Public Open Use Space (%)</b>	0%	8.2% (2,705 sq. ft.) <sup>4</sup>
6.2.4.	<b>Total Vehicle Parking Spaces (min/max)</b>	123/208 Final TBD at Site Plan	166 Final TBD at Site Plan
	<b>Bicycle Parking Spaces (min)</b>	54	65

Details of the Density Transfer of residential FAR from Sending Property 1 (10414 Detrick Avenue) and Sending Property 2 (3827-3833 Plyers Mill Road) to the Subject Property (10509 Summit Avenue) and the Moderately Priced Dwelling Units (MPDUs) bonus density and building height bonus associated with this Project for the construction of a mixed-use building can be found in Planning Board Resolutions for Sketch Plan No. 320210020 and Site Plan No. 820210030.

To realize the recommendations of the 2012 Kensington Sector Plan, the Project is utilizing a density transfer from two Sending Sites in order to construct a mixed-use development with a higher number of residential units on the Subject Site. The associated Sketch Plan Application (No. 320210020) approved the transfer of 12,431 square feet of residential FAR from the Sending Site located at 10414 Detrick Avenue. The Applicant is also the contract purchaser of 21,235 square feet of residential FAR from a Sending Site located at 3827-3833 Plyers Mill Road to the Subject Property.

The Project meets the Zoning Code requirements for density transfer to the CRT Zone and also aligns with the Sector Plan which cites that the Optional Method of Development for more intense mixed-use is desirable in the Town Center district. Through the approved density transfer of residential FAR, the Project can deliver a higher density mixed-use which is consistent with the Sector Plan's goal for creating a mixed-use core for the Town of Kensington.

The overall density and building height are consistent with the Sector Plan's recommendations for the Town Center District. The proposed lot and building massing are also appropriate and compatible with the existing development surrounding the Subject Site and future development aspirations prescribed by the Sector Plan. The building's orientation within the lot is towards Summit and Knowles Avenues which creates a continuous street front and continuity with surrounding lots.

<sup>3</sup> Additional 12 feet of height for providing 25% MPDUs

<sup>4</sup> 1,125 sq. ft. on-site + 1,580 sq. ft. off-site

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Per Section 50.4.3.D of the Montgomery County Code, the Subject Property is not required to provide public open space due to the project developing on a tract smaller than 1 acre with two frontages. However, the Application is proposing a total of 2,705 square feet (8.2%) for public open space, which includes 1,125 square feet for a gateway plaza on-site at the north side of the intersection of Knowles Avenue and Summit Avenue. A total of 1,580 square feet of open space will be provided off-site, which ties into the public open space area that was previously approved with the Development Site that confronts the Subject Property to the south (4000 Knowles Avenue).

The Kensington Town Council provided authorization to allow the Applicant to construct a portion of the off-site open space improvement at the west end of the Kaiser Place (formerly Mitchell Street) right-of-way which is owned by the Town. The conditions pertaining to repurposing the public right-of-way as open space will be recorded within a declaration of covenants between the Town and the Applicant. The existing public path along Kaiser Place will remain and will continue to be maintained by the Town of Kensington and will connect with the proposed sidewalk through the public open space.

Further, in accordance with Section 50.4.3.B of the Subdivision Regulations, the subdivision layout for the one (1) proposed lot for a mixed-use building provides for efficient accessibility and circulation via appropriate sidewalks that connect the Site to the public realm and adjacent developments and orients access points for direct building access and parking.

For the above-stated reasons, the lot size and layout of the subdivision are appropriate given the location of the Site, the type of use contemplated, and the applicable requirements of Section 50.4.3.C the Subdivision Regulations.

There are no public sites required of this Site. However, the Preliminary Plan will provide adequate open areas. The lot consolidation created by the Preliminary Plan will also provide space for amenities such as public art, seating, and specialty paving. The plan will also provide the adequate space needed to support transportation, utilities, and stormwater management facilities.

### *2. The Preliminary Plan substantially conforms to the Master Plan.*

The Preliminary Plan substantially conforms to the vision of the 2012 Kensington Sector Plan ("Sector Plan") which is to "promote a mixed-use Town Center with pedestrian-friendly connections to the vibrant neighborhoods that define Kensington." The Sector Plan depicts the Town Center as "a lively and



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active place with streets that are welcoming and comfortable for residents, workers, and visitors.”

The Sector Plan provides both general and site-specific guidance for the Subject Property which is located within the Sector Plan’s Town Center District Area TC-19, which is identified as the Detrick and Summit block and consists of roughly 30 relatively small properties that total about four (4) acres. The Plan’s analysis suggests that due to the ownership and lot size pattern in the TC-19 area, revitalization is likely to use the standard method of development that would reduce intensity of development. However, the Plan further cites the optional method of development for more intense mixed-use is desirable.

The Preliminary Plan consolidates smaller lots to create one (1) lot in order to intensify development density at this location as permitted by the Sector Plan and the zoning, where properties in this District Area with the potential to support mixed-use developments with parking structures could have five- to six-story buildings.

Further, both the Sector Plan and Kensington Urban Design Guidelines emphasize the need for street-oriented development that creates an animated community life along the sidewalks to encourage high levels of pedestrian comfort and activity. The lot is oriented to allow sidewalk improvements to separate pedestrians from vehicular traffic with trees along the curb.

The Preliminary Plan satisfies the intent of the CRT zone as envisioned in the Sector Plan and helps to revitalize the Town Center by utilizing an opportunity for redevelopment, encouraging various housing types such as the proposed live/work units and fostering a pedestrian scale development. The housing goals of the 2012 Kensington Sector Plan notes that more housing is desirable in the Town Center as it “will mean livelier and more active streets that are attractive for residents, shoppers, and visitors” and “increase the diversity of housing choices.” The Preliminary Plan responds to the Sector Plan’s call for more housing and more diverse housing types in the Town Center by creating a lot for 100 high-density residential units. The lot allows for a mixed-use building with 25 live/work units and 75 multi-family units that will replace the existing small home on the Subject Property, providing greater activation at the intersection of Knowles Avenue and Summit Avenue and new housing opportunities within the Town, thereby fulfilling a Sector Plan recommendation.

The Project also addresses substantial compliance with transportation-related Plans. Knowles Avenue is designated as an Arterial, A-66, with a recommended 80-foot right-of-way in the 2012 *Kensington Sector Plan*. Accordingly, the Knowles Avenue public right-of-way will be increased by the Application by 15-foot of dedication, for a total of 40 feet to the centerline, along the Property’s

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frontage. The Summit Avenue public right-of-way will be increased by the Applicant by 5-feet of dedication, for a total of 40 feet to the centerline, along the Property's frontage.

The 2018 Bicycle Master Plan recommends a two-way protected bikeway along the west side of Summit Avenue. While the Project will not implement this Bicycle Master Plan recommendation that is off-site, the dedication along Summit Avenue provides the right-of-way necessary for the construction of the bicycle facility in the future.

- 3. Public facilities will be adequate to support and service the area of the subdivision.*

Public facilities are adequate to support and service the area of the subdivision. Primary vehicular access is from Summit Avenue, with secondary access through the adjoining commercial development from Detrick Avenue, which are adequate to accommodate vehicular traffic anticipated by the proposed redevelopment. The structured parking is incorporated into the proposed development and includes long term bicycle parking. A separate loading dock is accessed from Summit Avenue and provides for trash service, as well as commercial deliveries. Currently, there is no sidewalk on Summit Avenue along the Property's frontage. The Application includes construction of a new ten-foot (10') wide sidewalk along the property frontage on Summit Avenue, which is adjacent to a nine-foot-six-inch (9.6-ft.) lawn panel to accommodate major tree species to enhance the public realm. The Project will also reconstruct the existing six-foot (6') wide sidewalk along the property frontage on Knowles Avenue (MD 547).

In accordance with Section 59.6.2.4 of the Zoning Ordinance, adequate parking will be provided to support the subdivision for the mixed-use building. Based on minimum requirements for parking, the Application provides a total of 166 parking spaces in an above and below grade structure and a total of 65 bicycle racks. The number of vehicular parking spaces and bicycle parking spaces will be finalized with Site Plan No. 820210030 based on the square footage of non-residential uses, and number and type of residential dwelling units.

Based on projections for peak-hour trips generated for the mixed-use building, 71 person trips are expected to be generated in the peak morning hour and 111 person trips are expected to be generated in the evening peak hour, as shown in Table 2 below. The Site will generate more than 50 total person trips; therefore, a transportation study was required per the 2017 Local Area Transportation Review Guidelines. The Application triggers the requirement for roadway capacity analysis, but not for pedestrian, bicycle, or transit adequacy analyses.

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**Table 2: Vehicular Peak Hour Trip Generation**

Vehicle Trip Generation	AM	PM
<b>Site Generated Vehicle Trips (Driver)</b> (ITE 10 <sup>th</sup> Edition - 100 Midrise Units)	34	44
LATR Policy Area Adjustment (Residential)	59.1% of ITE Rate	
<b>Site Generated Vehicle Trips (Driver)</b> (ITE 10 <sup>th</sup> Edition – 7,000 SF Office)	8	8
LATR Policy Area Adjustment (Office)	69.6% of ITE Rate	
<b>Site Generated Vehicle Trips (Driver)</b> (ITE 10 <sup>th</sup> Edition – 6,000 SF Retail)	6	23
LATR Policy Area Adjustment (Retail)	69.8% of ITE Rate	
<b>Net New Vehicle Trips (Driver)</b>	44	70
<b>Net New Person Trips</b> (Converted using total vehicle driver mode share)	71	111
<b>Local Area Transportation Review Required?</b> (Are AM or PM person trips ≥ 50?)	Yes	Yes

*(Source: ITE, 10<sup>th</sup> Edition, from Applicant's LATR Review dated December 11, 2020)*

**Table 3: Multimodal Peak Hour Trip Generation**

Multimodal Trip Generation (LATR Guidelines, Kensington Wheaton Policy Area)		Percentage	AM	PM
Residential	New Vehicle Driver Trips (see "Vehicle Trip Generation" Table)	59.1%	31	40
	New Vehicle Passenger Trips	25.4%	13	17
	New Transit Trips	8.1%	4	6
	New Non-Motorized Trips	7.4%	4	5
<b>Net New Person Trips</b>		<b>100%</b>	<b>52</b>	<b>68</b>
Office	New Vehicle Driver Trips (see "Vehicle Trip Generation" Table)	69.6%	7	7

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<b>Multimodal Trip Generation</b> (LATR Guidelines, Kensington Wheaton Policy Area)		<b>Percentage</b>	<b>AM</b>	<b>PM</b>
	New Vehicle Passenger Trips	18.6%	2	2
	New Transit Trips	6.1%	1	1
	New Non-Motorized Trips	5.7%	1	1
<b>Net New Person Trips</b>		<b>100%</b>	<b>10</b>	<b>10</b>
Retail	New Vehicle Driver Trips (see "Vehicle Trip Generation" Table)	69.8%	6	23
	New Vehicle Passenger Trips	23.8%	2	8
	New Transit Trips	2.1%	0	1
	New Non-Motorized Trips	4.3%	0	1
<b>Net New Person Trips</b>		<b>100%</b>	<b>9</b>	<b>33</b>
<b>Total Person Trips</b>			<b>71</b>	<b>111</b>
<b>Pedestrian Adequacy Test Required?</b> (Are non-motorized + transit trips $\geq$ 50?)			No	No
<b>Bicycle Adequacy Test Required?</b> (Are non-motorized trips $\geq$ 50?)			No	No
<b>Transit Adequacy Test Required?</b> (Are transit trips $\geq$ 50?)			No	No

*(Source: ITE, 10<sup>th</sup> Edition, revised from Applicant's LATR Review dated December 11, 2020)*

The Property falls within the Kensington Wheaton Policy Area, which requires both Critical Lane Volume (CLV) and Highway Capacity Manual (HCM) delay analyses. The intersection congestion standards for the policy area are a CLV of 1600 and 80 seconds of delay per vehicle. As demonstrated in Table 4, each of the studied intersections fell below its relevant congestion standards. The LATR capacity analysis was consistent with the Department's LATR Guidelines.

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	AM				PM			
	Existing CLV	Future CLV	Existing Delay	Future Delay	Existing CLV	Future CLV	Existing Delay	Future Delay
<b>Connecticut Ave. and Knowles Ave.</b>	1,133	1,151	28.3	29.4	959	982	37.1	37.7
<b>Knowles Ave. and Summit Ave.</b>	693	713	19.8	20.6	823	873	29.2	29.6
<b>Summit Ave. and Plyers Mill Rd.</b>	297	308	8.4	8.4	485	499	9.3	9.3

**Table 4: Existing and Future Traffic Impact**

The Subject Property is located within the Walter Johnson High School cluster and was tested for school adequacy under the rules of the 2016-2020 Subdivision Staging Policy. To calculate the number of students generated by the proposed development, the number of dwelling units is multiplied by the applicable regional student generation rate for each school level. The Subject Property is located in the southwest region of the County and the student generation rates are shown below in Table 5.

**Table 5: Per Unit Student Generation Rates – Southwest Region**

	Elementary School	Middle School	High School
<b>SF Detached</b>	0.186	0.109	0.151
<b>SF Attached</b>	0.167	0.085	0.111
<b>MF Low-Rise</b>	0.150	0.068	0.085
<b>MF High-Rise</b>	0.041	0.018	0.025

On average, this Project for 100 units is estimated to generate an additional 15 new elementary school students, 6 new middle school students, and 8 new high school students.

**Table 6: Per Unit Student Generation Rates – Southwest Region**

Type of Unit	Net # of	ES Generati	ES Students	MS Generati	MS Students	HS Generatio	HS Student
--------------	----------	-------------	-------------	-------------	-------------	--------------	------------

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	Units	on Rates	Generate d	on Rates	Generate d	n Rates	s Generat ed
MF Low-Rise	100	0.150	15.000	0.068	6.800	0.085	8.500
<b>TOTALS</b>	<b>100</b>		<b>15</b>		<b>6</b>		<b>8</b>

### Cluster Adequacy Test

The adequacy testing also confirmed that there is additional capacity at the Walter Johnson High School Cluster level (Table 7) and individual school level (Table 8) to accommodate the number of students estimated to be generated. The Moratorium Threshold identified in the table is the number of additional projected students that would cause the projected utilization to exceed the 120% utilization threshold. As indicated in the last column, the estimated enrollment impacts of this amendment fall below the moratorium thresholds at all three school levels. Therefore, there is sufficient capacity at each school cluster level to accommodate the estimated number of students generated by this Project.

**Table 7: Per Unit Student Generation Rates – Southwest Region**

School Level	Projected Cluster Totals, September 2025			Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	4,607	4,579	100.6%	888	15
Middle	2,494	2,449	101.8%	444	6
High <sup>5</sup>	2,127	2,321	91.6%	658	8

### Individual School Adequacy Test

Under the individual school adequacy test, a school is deemed inadequate if the projected school utilization rate exceeds 120% and the school seat deficit meets or exceeds 110 seats for an elementary school or 180 seats for a middle school. If a school's projected enrollment exceeds *both* thresholds, then the school service area is placed in a residential development moratorium.

The Moratorium Enrollment Thresholds identified in the table above are the numbers of additional projected students that would cause the projected utilization to exceed the 120% utilization threshold and the seat deficit threshold. As indicated in the last column, the estimated enrollment impacts of this amendment fall below the moratorium thresholds for both Kensington-Parkwood Elementary School and North Bethesda Middle School.

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<sup>5</sup> The projected Walter Johnson HS enrollment has been modified to estimate the impact of redistricting students to Woodward HS in September 2025.

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**Table 8: Student Enrollment and Capacity Projections by School**

School	Projected School Totals, September 2025				Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus /Deficit		
Kensington-Parkwood ES	644	757	85.1%	+113	265	15
North Bethesda MS	1,301	1,233	105.5%	-68	179	6

Based on the school cluster and individual school capacity analysis performed, using the FY2021 Annual School Test, there is adequate school capacity for the amount and type of development proposed by this Application.

Further, the Project will be adequately served by public water and sewer, of which these mains currently service the Property. Dry utilities including gas, electricity, and telephone will also serve the Property. Fire access for the Property has been deemed adequate according to the Montgomery County Department of Fire and Rescue Services.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

### A. Environmental Guidelines

The Subject Property lies within the Lower Rock Creek watershed and contains no streams or stream buffers, wetlands or wetland buffers, 100-year floodplains, hydraulically-adjacent steep slopes, or known habitats of rare, threatened, and endangered species, or specimen trees of 30 inches diameter at breast height (DBH) or greater. The Preliminary Plan is in conformance with the Montgomery County Planning Department's Environmental Guidelines.

### B. Forest Conservation

The Project is subject to the Montgomery County Forest Conservation law (Chapter 22A of the Code) but the Property is exempt from Article II under Section 22A-5(s)(2). This Application received a Forest Conservation Plan Exemption approval on October 4, 2018 (No. 42019044E) and does not have a requirement for a Tree Save Plan or Forest Conservation Plan. This exemption was granted because the proposed activity occurs on a tract of land less than 1 acre in size that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and the reforestation requirements will not exceed 10,000 square feet.

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- 5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.*

The Preliminary Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from Montgomery County Department of Permitting Services (DPS) Water Resources Division on January 28, 2021. The Application will meet stormwater management goals through a variety of techniques including micro-bioretenention areas and green roofs.

BE IT FURTHER RESOLVED that this Preliminary Plan will remain valid for 36 months from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records, or a request for an extension must be filed; 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 APR 13 2021 (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 Cichy, seconded by Commissioner Verma, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor of the motion at its regular meeting held on Thursday, April 8, 2021, in Wheaton, Maryland.

  
\_\_\_\_\_  
Casey Anderson, Chair  
Montgomery County Planning Board



## Attachment C



**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 21-026  
Site Plan No. 820210030  
Flats at Knowles Station  
Date of Hearing: March 18, 2021

MAY 13 2021

### 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 7, 2020, 10509 Summit Venture, LLC c/o Woodside (“Applicant”) filed an application for approval of a site plan for construction of a mixed-use development with up to 102,205 square feet of total development, with up to 79,554 square feet of residential development and up to 22,651 square feet of commercial development. The Application includes a transfer of 33,666 square feet of residential density and 25% Moderately Priced Dwelling Units (MPDUs), on 0.84 acres of CRT-1.5, C-1.0, R-0.5, H-60 zoned-land, located at 10509 Summit Avenue (“Subject Property”) in the 2012 Kensington Sector Plan (“Sector Plan”) area; and

WHEREAS, Applicant’s site plan application was designated Site Plan No. 820210030, Flats at Knowles Station (“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 March 8, 2021, setting forth its analysis and recommendation for approval of the Application, subject to conditions (“Staff Report”); and

WHEREAS, on March 18, 2021, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on March 18, 2021, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Verma, seconded by Commissioner Fani-Gonzalez, with a vote of 5-0; Commissioners Anderson, Cichy, Fani-Gonzalez, Patterson, and Verma voting in favor.

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NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820210030, Flats at Knowles Station, for construction of up to 102,205 square feet of total development, with up to 79,554 square feet of residential development and up to 22,651 square feet of commercial development, including a transfer of 33,666 square feet of residential density and 25% MPDUs on the Subject Property, subject to the following conditions<sup>1</sup>:

1. Density

The Site Plan is limited to a maximum of 102,205 square feet of mixed-use development including up to 79,554 square feet of residential development for up to 75 multi-family dwelling units and up to 25 live/work units (including bonus density for providing 25% Moderately Priced Dwelling Units (MPDUs) on site and density transferred from neighboring properties) and up to 22,651 square feet of commercial development.

2. Density Averaging

Before plat recordation, the Applicant must record an instrument among the County Land records reflecting the density transfer for this project as required under Section 59-4.5.2.B of the Zoning Ordinance.

3. Height

The development is limited to a maximum height of 72 feet (including up to 12 feet of additional height for providing 25% MPDUs), as measured from the building height measuring point, as illustrated on the Certified Site Plan.

4. Occupancy Provisions

- a) The twenty-five units designated as live/work on the Certified Site Plan must each be restricted to commercial and residential uses.
- b) The twenty-five live/ work units cannot include any MPDUs that count toward the 25% MPDU requirement.
- c) Commercial usage of the live/work units must be included in lease agreements.
- d) Prior to Certified Site Plan:
  - i. The Applicant must enter into a covenant with the Planning Board reflecting the commercial use restriction in a form approved by the M-NCPPC Office of General Counsel;
  - ii. The covenant must be recorded in and among the Land Records of Montgomery County; and
  - iii. The Book/Page reference must be included on the Certified Site Plan.

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

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### 5. Public Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 2,705 square feet of public open space (8.2% of site area). This open space is comprised of 1,125 square feet on-site and 1,580 square feet off-site, as shown on the Certified Site Plan.
- b) Before the issuance of the final use and occupancy certificate for the residential development,
  - i. All public use space on the Subject Property and off-site must be completed and open to the public;
  - ii. The Applicant must construct the streetscape improvements, as shown on the Certified Site Plan, along the Property's frontage on Knowles Avenue and Summit Avenue; and
  - iii. The Applicant must underground existing and future utility poles located along the Property's frontage on Knowles Avenue as shown on the certified plan.
- c) Within one growing season after issuance of the final use and occupancy certificate, all landscaping must be installed.

### 6. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the CR Zone Incentive Density Implementation Guidelines for each one.

- a) Connectivity and Mobility
  - i. Streetscape Improvements
    - a. The development must provide 1,580 square feet of off-site public open space improvements.
- b) Diversity of Uses and Activities
  - i. Affordable Housing/MPDUs.
    - a. The development must provide 25 percent MPDUs on-site, consistent with the requirements of Chapter 25A.
    - b. Before issuance of any building permit for any residential unit, the MPDU agreement to build between the Applicant and the Montgomery County Department of Housing and Community Affairs (MCDHCA) must be executed.
- c) Quality Building and Site Design
  - i. Architectural Elevations
    - a. Final elevation design must be shown on the Certified Site Plan. The architectural elements must be substantially similar to architectural elevations as shown on the Certified Site Plan and as determined by M-NCPPC Staff.
  - ii. Structured Parking
    - a. The Applicant must provide a minimum of 166 spaces in an above and below grade structure.

### 7. Recreation Facilities

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The Applicant must provide the minimum required recreation facilities as shown on the Certified Site Plan.

8. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities.

9. 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.

10. Forest Conservation

The Limits of Disturbance ("LOD") shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Forest Conservation Exemption.

11. Transportation

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Right of Way Plan Review Section in its letter dated December 18, 2021, 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.

12. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 55 long-term and 10 short-term bicycle parking spaces.
- b) The long-term spaces must be in a secured, well-lit bicycle room within the parking garage, and the short-term spaces must be inverted-U racks (or

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approved equal) installed in a location convenient to building main entrances (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.

### 13. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, 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, indoor and outdoor recreational facilities, site furniture, mailbox pad sites, fences, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and street lights. The surety must be posted before issuance of any building permit of 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 to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."

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- c) 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.”
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape plans. Add a note to the Site Plan stating that “An on-site pre-construction meeting is required to be set up with the Montgomery County Department of Permitting Services (MCDPS), Zoning & Site Plan Enforcement Division before any building construction activity occurs on-site. The owner or designee who has signature authority and general contractor must attend the pre-construction meeting with the DPS Site Plan Enforcement inspector. A copy of the Certified Site Plan is required to be on-site at all times.”
- f) Include floor plans showing the entire live/work floor and designation of commercial and residential density.
- g) Revise the cross-section for Summit Avenue to remove the on-street parking and provide a cross-section that includes the following elements:
  - i. Existing Five-foot Sidewalk
  - ii. Existing Twelve-foot & Six-inches (12 ft.- 6 in.) Lawn Panel
  - iii. Existing Eight-foot (8-ft.) Parking
  - iv. Restripe Eleven-foot (11-ft.) Travel Lane
  - v. Restripe Ten-foot (10-ft.) Left Turn lane
  - vi. Restripe Eleven-foot (11-ft.) Travel Lane
  - vii. Relocate the Curb and Gutter
  - viii. Proposed Nine-foot-six-inches (9.6-ft.) Lawn Panel with Major Species Trees
  - ix. Proposed Ten-foot (10-ft.) Sidewalk
  - x. Proposed Two-foot (2-ft.) Maintenance Buffer between sidewalk and property line.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Flats at Knowles Station, 820210030, 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 and findings of its Staff as presented at the hearing and 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:

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

The Site Plan is consistent with the Sketch Plan No. 320210020 and Preliminary Plan No. 120210030, which were reviewed concurrently with this Site Plan.

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; the Property was not associated with any 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; the 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

All shown uses are permitted uses in the CRT Zone with no applicable use standards.

- b. Development Standards

The Subject Property includes approximately 0.84 acres zoned CRT 1.75, 1.5, C-1.0, R-0.5, H-60. The Application satisfies the applicable development standards as shown in the following data table:

Data Table: CRT-1.5, C-1.0, R-0.5, H-60 Zone			
Chapter 59	Development Standard	Permitted/ Required	Approved
	Tract Area (sf)	n/a	36,507 sq. ft.
	Previous Dedication	n/a	14,018 sq. ft.
	Dedication	n/a	3,414 sq. ft.
	Site Area	n/a	33,093 sq. ft.
4.5.4.B.2.b	<b>Density</b>		
	Commercial	C-1.0 FAR (50,525 sq. ft.)	C-0.45 FAR (22,651 sq. ft.)

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	Residential	R-0.5 FAR (25,263 sq. ft.)	R-1.57 FAR (79,554 sq. ft.) <sup>2</sup>
	Total Density including transferred density and bonus density for 25% MPDUs	1.50 FAR (503,552 sq. ft.)	2.02 FAR (102,205 sq. ft.)
<b>4.5.4.B.2.b</b>	<b>Building Height (feet)</b>	60	72 <sup>3</sup>
<b>4.5.4.B.3</b>	<b>Minimum Setback (feet)</b>	TBD at Site Plan	0
<b>4.5.4.B.1</b>	<b>Minimum Public Open Use Space (%)</b>	0%	8.2% (2,705 sq. ft.) <sup>4</sup>

For an optional method development in the CRT Zone, the Zoning Ordinance requires 50 points in a minimum of three categories. However, per Section 59.4.5.2.B.3.c, when density is averaged across two or more non-contiguous properties in the CR or CRT zones, the minimum public benefit points must be exceeded by at least 50%. This development requires a minimum of 75 public benefit points. The following table shows both the categories and points for the approved public benefits. Per Section 59.4.7.1.B, granting points as a public benefit for any amenity or project feature otherwise required by law is prohibited.

Approved Public Benefits		
Public Benefit	Incentive Density Points	
	Max Allowed	Total Requested
<b>59.4.7.3.C: Connectivity and Mobility</b>		
<b>Streetscape Improvements</b>	20	3
<b>59.4.7.3.D: Diversity of Uses and Activities</b>		
<b>Affordable housing-25% MPDUs</b>	n/a	150
<b>59.4.7.3.E: Quality of Building and Site Design</b>		
<b>Architectural Elevations</b>	20	10
<b>Structured Parking</b>	20	10
<b>Total</b>	-	<b>173</b>

<sup>2</sup> 25,263 sq. ft. residential base density + 33,666 sq. ft. residential transferred density + 20,625 sq. ft. 35% MPDU bonus residential density = 79,554 SF

<sup>3</sup> Additional increase in building height to provide 25% MPDUs

<sup>4</sup> 1,125 sq. ft. on-site + 1,580 sq. ft. off-site



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### *Connectivity and Mobility*

Streetscape improvements: The Applicant was approved for 3 points for providing approximately 1,114 SF of paver installation and the addition of four public benches to upgrade the off-site public open space on the southeast corner of Knowles Avenue and Summit Avenue. The Planning Board approved the Applicant's request based on the following calculation:

$$[1,114/33,093] * 100 = 3 \text{ points}$$

### *Diversity of Uses and Activities*

Affordable housing-25% MPDUs: The Applicant was approved for 150 points for providing 25% MPDUs. The project will provide 25% MPDUs, 12.5% above the minimum required. Twelve (12) points are allowed for every percentage point over the required 12.5% MPDUs as demonstrated in the calculation below. The Planning Board approved the Applicant's request based on the following calculation:

$$[25\% \text{ (percentage MPDUs provided)} - 12.5\% \text{ (percentage MPDUs required)}] * 12 = 150 \text{ points}$$

### *Quality of Building and Site Design*

Architectural Elevations: The Applicant was approved for 10 points for providing architectural elevations with the Site Plan. The elevations show elements including transparency on the first floor, minimal spacing between operable doors, and the implementation of the design guidelines of the Sector Plan.

Structured parking: The Applicant was approved for 10 points for providing structured parking. All of the 166 parking spaces will be provided in structured parking.

## c. General Requirements

### *Site Access*

As conditioned, the Project provides safe, adequate, and efficient circulation, parking, and loading for cars, trucks, pedestrians, and bicyclists and integrates the project into the surrounding area. Vehicular access to the Property occurs via a new curb cut on Summit Avenue, midblock between Knowles Avenue and Brainard Avenue, on the western frontage of the Site, providing access to the structured, multi-level

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parking garage. Additionally, an access point into the parking garage is created to the existing private drive aisle with access to Detrick Avenue. Trash pick-up is accommodated through a loading dock area, adjacent to the Summit Avenue vehicular garage entrance, providing access to a trash room and associated compactor for trucks backing into the garage from the street. A new dumpster is also accommodated by vehicular access located off the drive aisle in the existing surface parking area, where trash will be wheeled out of the existing adjacent building for pick-up, with an expected frequency of twice per week.

### *Parking, Queuing, and Loading*

Parking, queuing, and loading will be provided in an adequate, safe, and efficient manner. As demonstrated below, the Site provides an adequate number of parking, queuing, and loading spaces for the uses. All parking spaces are located within the parking garage.

Parking		
Parking	Spaces Required	Spaces Provided
Residential Vehicle Parking Studios (18 units) 1 bedroom (39 units) 2 bedroom (18 units)	9 min/18 max 19.5 min/48.75 max <u>13.5 min/27 max</u> 42 min/94 max	48 spaces
Live/work (residential component) (25 units)	25	25 bundled tandem
Commercial Vehicle Parking Office (6,000 sq. ft.) Retail (6,000 sq. ft.) Live/work (commercial component) (11,500 sq. ft.) <sup>5</sup>	12 min/18 max 21 min/36 max 23 min/35 max	15 spaces 23 spaces 25 bundled tandem
<b>Total</b>	<b>123 min/208 max</b>	<b>166 spaces</b>
Residential Bicycle Parking (100 units)	50 min/100 max	50 long term

<sup>5</sup> Office parking requirement used for live/work units.

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Office Bicycle Parking (17,500 sq. ft.) <sup>6</sup>	3 min/200 max	5 long term 10 short term
Retail Bicycle Parking (6,000 sq. ft.)	1 min/50 max	
<b>Total</b>	<b>54 min/350 max</b>	<b>65 (10 short term, 55 long term)</b>

### *Open Space and Recreation*

Per Section 59.4.5.4.B.1, a project developed on a tract smaller than 1.00 acres with two frontages is not required to provide Public Open Space. However, the development is providing a total of 8.2% Public Open Space in two separate locations. A 1,125 sq. ft gateway plaza at the corner of Summit Avenue and Knowles Avenue provides a welcoming entrance to the Town of Kensington and complements the open space provided on the south side of Knowles Avenue, directly opposite of the Subject Property. The Applicant is also developing a 1,580 square feet off-site area connecting to the open space on the HOC property to the south (4000 Knowles Avenue). The Public Open Spaces include landscaping, seating, and specialty paving and help define and connect the entrance to Kensington.

Section 59.6.3.9 of the Zoning Ordinance requires that any building containing 20 or more dwelling units offer recreational facilities in accordance with M-NCPPC's Recreation Guidelines. The recreation facilities meet the requirements of the Recreation Guidelines according to the Recreation Facilities Data table shown on the Certified Site Plan. The Applicant is providing a courtyard on the third floor (live/work level) that provides a gathering space and amenities for residents in addition to the yoga room, resident lounge, interior courtyard, urban plaza, and bicycle support station.

### *General Landscaping and Outdoor Lighting*

The Project provides adequate landscaping and lighting, as well as other site amenities, to ensure that these facilities will be safe, adequate, and efficient for residents and visitors. The Project includes streetscaping along Knowles Avenue and Summit Avenue, with widened sidewalks, street trees, and lighting that connects to the on-site amenities.

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<sup>6</sup> Includes 11,500 sq. ft. live/work and 6,000 sq. ft. office.

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As shown in the Development Standards table and findings above, the Site Plan meets all the applicable use standards, development standards of Division 4.5. of the Zoning Ordinance, and the general development requirements of Article 6 of the Zoning Ordinance.

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

The Montgomery County Department of Permitting Services (MCDPS) Stormwater Management Section issued a letter accepting the stormwater management concept approval on January 28, 2021. Stormwater treatment will be accomplished through the use of micro bioretention and a green roof. A partial stormwater management quantity waiver was requested, due to site constraints associated with this redevelopment project. The Applicant submitted a study demonstrating adequacy of the existing storm drain receiving system. The partial quantity waiver was granted by DPS.

b. Chapter 22A, Forest Conservation

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Environmental Guidelines and the Forest Conservation Law. Forest Conservation Exemption No. 42019044E was confirmed on October 3, 2018 because the tract is less than one acre and will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation 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.*

As conditioned, the Site Plan provides adequate, safe, and efficient parking and circulation patterns. The Project provides well-integrated structured parking with multiple access points, including the ingress and egress access easement on the adjacent property (10414 Detrick Avenue). The Site Plan provides adequate open space and site amenities, circulation patterns, streetscape improvements, safe pedestrian environments, and building massing consistent with the zone.

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.*

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The Property is located at the corner of Knowles Avenue and Summit Avenue, within the Town Center District, as delineated on page 20 of the 2012 Kensington Sector Plan. According to page 21 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 Avenue.”

The Property is a part of analysis area TC-19, as outlined on page 22 of the Sector Plan. The Sector Plan recognized the small scaled parcels within this analysis area and expected proposals to be filed under the Standard Method. The Sector Plan did state that should significant land assembly occur, optional method, mixed-use development would be desirable. While the Site Plan does not include assembly, it does include the transfer of density, as allowed under Section 59.4.5.2.B, and the Sketch Plan is for mixed-use development using the optional method of development.

The Sector Plan’s goal is to create a mixed-use core for the Town of Kensington. The mix of unit types and office and retail space will provide new residential and commercial options in Kensington.

Both the Sector Plan and associated Urban Design Guidelines emphasize that development within the Town of Kensington should be compatible with the Town’s character. While the Property is not within a historic district, the Sector Plan and Urban Design Guidelines still recommend that compatibility be a key factor in building design. The development incorporates the following elements as described in the Sector Plan and Urban Design Guidelines:

- o Strong delineation of a base – middle – top.
- o Strong horizontal expression along the top datum line where a traditional cornice would occur.
- o A balanced façade composition with repeating bays and standard doors and windows.
- o Human-scaled design features and details, especially along the base.
- o Detailing in the portion of the façade along Knowles Avenue and Summit Avenue, especially at the ground floor level.

Additionally, both the Sector Plan and Urban Design Guidelines emphasize the need for street-oriented development that creates an animated community life along the sidewalks to encourage high levels of pedestrian comfort and activity. The project increases the street-level activity by having retail uses opening onto public open space at the corner of Summit Avenue and Knowles Avenue. The open space at the corner of the Property is similar in design and materials to the

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open space on the southeast corner of Summit Avenue and Knowles Avenue (approved with Preliminary Plan No. 120200160), creating a unified streetscape and a pedestrian-scale entrance into 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.*

The Planning Board determined adequate public services and facilities exist to support the proposed development as part of Preliminary Plan No. 120210030.

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

The development is compatible with existing and approved or pending adjacent development through architectural elements and streetscape connections. The Property confronts a townhouse project located south of the Subject Property on the Knowles Avenue known as Residences at Knowles Station (Preliminary Plan No. 120200160) which was approved by the Planning Board on July 2, 2020 and includes architecture and open space complementary to the proposed development. By using similar elements on both sides of Knowles Avenue, the proposed development creates a unified, visual entrance to the Town of Kensington. The architecture of the approved development also complements the existing adjacent commercial development to the east. The pedestrian and vehicular connections from Summit Avenue to Detrick Avenue through the proposed parking garage also create an important connection that helps tie the development to the surrounding area.

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 13 2021 (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

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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 Cichy, seconded by Vice Chair Fani-González, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor of the motion at its regular meeting held on Thursday, April 29, 2021, in Wheaton, Maryland.



\_\_\_\_\_  
Casey Anderson, Chair  
Montgomery County Planning Board

## Attachment D



**10414 Detrick Ave Suite #500 Kensington, MD 20895. Tel: (301) 272-2255**

March 21, 2023

***RE: The Flats at Knowles Station Project***

***SUBJECT: Strong Support***

To whom it may concern:

We write to offer our strong support for the subject property and urge you and the planning board to approve the project so that it may proceed as without delay.

As a Kensington resident and business owner, I have witnessed the redevelopment of the area, and believe it will be a great addition to our community.

We have also reviewed the proposed architecture, the amenities and garage, and consider it as a beautiful, and spectacular improvement from what currently exists.

In conclusion, we reiterate our strong support and request that the board approve this project.

Sincerely,  
*Eliás J Montilla*

Owner



# Attachment D

## Kensington Estates Civic Association Comments on Summit and Knowles development

### Traffic

KH, Puller

It's already a heavily trafficked intersection. Additional traffic generated by new apartment units will make that intersection unmanageable.

PS, Colfax

This intersection is currently failing. Traffic currently backs up onto Summit Ave as well as Knowles Ave every day for hours. Adding additional development at this intersection will further exacerbate an already serious traffic problem. This intersection must be changed/upgraded and the work around from Knowles to Connecticut ave must be included in any development applications.

KG, Summit

Traffic is already TERRIBLY backed up along Summit (going towards Knowles from Cedar) and going up Knowles towards Connecticut and I fear this will only make it worse.

CS, Puller

Because of traffic from Walter Reed and schools, which back up traffic to Connecticut Avenue, these streets are gridlock at about 3 pm, and I avoid going out in that direction for about 90 minutes. Widening the roads would take away walkability in the area.

TK, Puller

Just yesterday I was traveling on Knowles to cross Connecticut Avenue, and there was a vehicles with their hazard lights on in front of the retirement community. The congestion along Summit from Clearbrook to Plyers Mill and on Knowles from Parkwood to Connecticut (and beyond to behind the Safeway) has been completely unmanageable since I moved here 12 years ago. I've noted that just in the past 4 years with the new development on Knowles between Summit and CT, I can no longer exit my neighborhood through this intersection without lengthy delay. I've noticed more frustration amongst drivers too who now race through yellow lights, pre-empt the green lights by turning right on red with more speed and have witnessed pedestrians put at risk because of this.

BE, Colchester

Way too much traffic on Summit. Density too high. Green areas must be preserved. One or more of these corners should remain "green".

BY, Warner

There is already a significant amount of traffic, and it's dangerous for pedestrians because of the small amount of sidewalk. The lanes are too narrow and cars are impatient because they're using Summit as a cut through to or from the freeway. Cars cutting through Kensington Estates is also already a growing problem.

DT, Warner

Sounds like more traffic at all nearby intersections, but especially at Knowles and Detrick, which is already a very contentious bottleneck.. Also worried about staff and visitors parking on our street. Is the lot under the building at the northwest corner of Summit and Knowles available for use as part of the new development? That lot stands empty most of the time.

DY, Warner

There's already a lot of traffic backup especially coming from KECA to the intersection.

## **Attachment D**

LK, Ewell

We all know traffic at those intersections is a nightmare. This will likely make things worse. If the developer relied on traffic studies conducted during the PHE (when significantly fewer cars were on the road), the developer should have to repeat those studies under normal traffic conditions. Otherwise those studies are a complete farce.

DH, Ambler

It is often hard to get out of our street onto Cedar/Summit during morning and afternoon rush hour. When traffic is backed up to near Cedarbrook Pool in the e early evening, cars will divert through the neighborhood streets. The downtown area near Knowles Station already gets extremely backed up and this change does not include any proposed improvements to the road while adding more cars. I am nervous about safety walking in this area, especially at the light and sidewalks near the intersection of Knowles and Summit.

HP, Warner

Increase in cut through traffic, pedestrian, bike injuries due to the Knowles Summit intersection being backed up during peak hours. Inability of EMT vehicles to access the area and KE neighborhood during those hours. Difficulty accessing the commercial stores and parking at the intersection.

LO, Colfax

Not majorly concerned. May have nominal impact on traffic as most traffic is commuters heading through to Connecticut/Univ Blvd from Knowles or Summit. That won't change. Looking forward to additional public parking for knowles station.

### **Drainage**

PS, Colfax

All the drainage from this area flows down/thru the Kensington Estates neighborhood before emptying into Rock Creek. The existing sewer line pipes are too small to support all the additional development proposed at this intersection. The size of the current pipe is incorrectly reported on the WSSC records. The pipe size is listed as a larger size than it actually is. This has been reported to WSSC. Serious flooding already occurs within the Kensington Estates neighborhood when there is heavy rain. We simply cannot absorb all the additional water runoff from the proposed development at this intersection without significant sewer line improvements and redirection into a different line that does not flow through the neighborhood

CS, Puller

I would not be directly affected by drainage problems.

TK, Puller

My home sits at the bottom of Puller Drive and takes on a lot of water as it flows down towards my home. In heavy rains, my sump pumps run routinely but outside of the weather, they were quiet. I only had to be really concerned during storms. Now, they routinely run and I replace them every 2-3 years. The ground water problems have dramatically intensified in the past 3-5 years.

BE, Colchester

Apparently when there is heavy rain, the homes on Knowles and Summit near the intersection with Knowles get flooded

BY, Warner

I'm not aware of potential drainage issues but would ask that it be evaluated and mitigated to protect nearby residences.

## **Attachment D**

DT, Warner

The drainage pipe from Summit and Knowles runs directly under the back/North border of our lot. If it won't bear the run-off - there is surface flooding in our yard. That happens occasionally already. Apparently, someone has determined that the development will cause less run-off than the undeveloped land - which is probably not a reasonable standard to apply for two reasons. First, global warming and new weather patterns mean more rain, less snow and more "30 year storms" than recorded in past history. Our neighborhood experience with excessive run-off is unacceptable with the undeveloped lot. Second, the better comparator would be the likely run-off from development of 1/3 acre lots, each with a detached home, under current requirements to control run-off.

LK, Ewell

I am extremely concerned that the new apartments will be dumping run-off directly into Warner/Colchester. As I understand it, the neighborhood is already (well beyond) maxed-out in terms of its capacity to handle storm water, etc. I do not understand why the County would approve additional water influx when we are already over capacity and our system was built with 1950s technology... The developer needs to direct that storm water somewhere else or diffuse it -- they should not be able to mainline it all to a single point on our existing/maxed-out street intakes for their own convenience. It is unacceptable for the developer to free-ride on existing infrastructure that is already over-burdened. The developer should have to pay for the upgrades required to handle the excess run off created by the apartments (and more, as I am sure the developer is severely underestimating the volume that the apartments would produce and that our system would have to handle). "Less" run-off from the apartments, as indicated by the developer, does not mean an amount that our system can handle. The developer should have to demonstrate that current systems can handle the amount (even if it is "less") - and should have to subsidize any modifications/upgrades that are necessary for that to happen. When all the houses on those streets flood, I want to know who to call to help pay for the remediation. :)

DH, Ambler

I have seen flooding of Parkwood Drive near the input to Rock Creek waterway where the water from the development. In fact, one time I believe they had to use water rescue boats. I find it extremely disappointing that the county never appropriately developed the sewer infrastructure, and didn't have accurate records or rectify the issue once it was discovered, even with household complaints. It is unclear how development can be allowed with this current deficiency.

HP, Warner

Potential for flooding due to oversubscribed storm drain infrastructure built last century.

LO, Colfax

None. Drainage proposed seems sufficient.

AT, Warner

We need evidence the development will reduce runoff that results in the overflow of drain between Warner and Knowles, which causes flooding.

### **Other**

KH, Puller

I am concerned about overcrowding schools

PS, Colfax

Parking for residents and guests has been an ongoing issue for both Knowles Station and the Silver Creek apartments. Customers of Knowles Station park in the Strosneider's lot and cause significant issues there. More parking must be required for residents and guests at any new approved developments at this intersection.

## Attachment D

KG, Summit

The upkeep of the construction site of the townhomes was less than ideal and they have not quite delivered on curb appeal and the walkability of that side of the road. Cars come speeding up Knowles and you are right up against the edge of the sidewalk. It's not safe.

TK, Puller

Pedestrian safety is a big concern to me. The bottle neck of traffic has frustrated drivers and I see them take risky measures to get through that intersection. Pedestrians, and new drivers, put at risk. The bus stop, the double-parking delivery trucks and the double parking cars that routinely occupy a lane of traffic, further exacerbate the bottle neck of traffic and create blind spots for pedestrians. There isn't enough parking to support the vehicles that serve these homes/businesses and yet the sidewalks and crosswalks are not designed to accommodate and protect pedestrians. It's a lose-lose situation that is created based on profit motivation and not improving the quality of life for the community that lives here, or the well-being of the businesses that are attempting to serve this community.

BE, Colchester

Please preserve our beautiful town. Don't turn into downtown Bethesda.

BY, Warner

The area must be made more pedestrian friendly. The intersection is dangerous for walkers.

DT, Warner

The developer. I believe it is the same outfit that constructed the townhomes on the south side of Knowles, across from the building currently contemplated. Those units have been finished for a long time - 6-9 months i believe- and still have not been landscaped or otherwise finished on the Knowles side. They remain unsightly and the aging silt fence is holding back a couple of feet of mud - seeping onto the sidewalk and poised to break through momentarily. I am dubious that the company can or will complete the project efficiently and follow through on plans to diminish the neighborhood impact.

DY, Warner

Pedestrian safety at the intersection and parking

DH, Ambler

The developer not providing resources for the community given that it will be adding to the traffic, School demands and taking away current green space.

HP, Warner

Potential loss of KTown's character and charm.

LO, Colfax

Do they plan to close roads/sidewalks for construction? How long will construction take?

RS, Anthony

After reviewing the proposed development, a big concern is parking. At the present time, the area to be developed has a good number of cars parked on it during the day. I'm not sure, but these cars may very well be employee and other overflow vehicles from the nearby overcrowded Strosniders shopping center. My concern is once the new facility is built, where do those cars park? What we don't want are cars parking in our neighborhood. Is the neighborhood going to have to resort to permit parking for residents only?

AT, Warner

The sidewalks and pedestrian connections on Knowles between Summit and Connecticut need to be greatly improved. They are narrow, uneven, and unsafe.

# Attachment D

March 17, 2023

Troy Leftwich  
Montgomery County Planning Department  
2425 Reddie Drive  
Wheaton, MD 20902  
[troy.leftwich@montgomeryplanning.org](mailto:troy.leftwich@montgomeryplanning.org)

Re: Kensington Estates Community input on The Flats at Knowles Station

Dear Mr. Leftwich,

On behalf of the Kensington Estates Civic Association, thank you for the opportunity to submit comments on The Flats development in our community. Below is a summary of concerns from residents of Kensington Estates. Attached are the original submitted comments by residents in our community, identified by initials and street.

## **Parking**

We have concerns about the adequacy of the number of proposed parking spots at The Flats. We are especially concerned because currently, there is insufficient parking at Knowles Station and overflow parking is on the grassy area where The Flats will be built.

- Ten or more cars routinely park on the grassy overflow area referenced above. Will The Flats parking accommodate these additional parking slots?
- The current residential parking spaces proposed for 84 residential units is 48 spaces. Given that the average Maryland household has 1.9 vehicles, the number of parking spaces allotted is insufficient. Where will the residents park vehicles not provided spots in the garage?
- Will every hotel room be allotted a parking spot? Given the location of the development, hotel customers will most likely be driving to the location.
- How many spots will be required for employees of the residential and hotel components?
- How many parking spots are allocated for the retail employees and customers?

In sum, is parking adequate for the number of residents, guests, employees and customers to park? If not, where will the overflow parking be located? Will parking in the Flats be accessible to non-residents in perpetuity? Will parking be free, free with validation, or will there be a charge?

## **Traffic volume**

Regular backups through the Knowles-Summit intersection extend along Knowles from Connecticut to Beach Drive, and south along Summit to Prospect and north over the train bridge onto Plyers Mill. Although the traffic study done in December 2020 concluded that additional traffic from the Flats was negligible compared to through traffic, gridlock in this area shows that the roads cannot handle the current volume, much less 100 more households at that corner.

Residents' concerns include blocked emergency vehicles, danger to pedestrians, aggressive moves by frustrated drivers, inability to exit our neighborhood into traffic and cars bypassing backups by speeding through our side streets.

## **Attachment D**

### **Traffic passage to Detrick Avenue**

Plans to allow flow between Summit and Detrick via passage through the parking garage are of concern. Accidents and backups are the predictable result. Our requests for details of the garage plan have not been answered, so we assume that some of the parking spaces on that level are accessed from the passage lanes. Such a design should be avoided, at a minimum. Under current conditions, without another street connection, access to Detrick locations north of Knowles is by circling the block from Summit to Howard to Detrick. Illegal left-hand turns from Knowles to Detrick are common and access to Strosnider's Hardware and other businesses is safer from Detrick than from the parking lot entrance near Connecticut Avenue. Traffic studies and a comprehensive plan are called for in this commercial area.

### **Stormwater**

Stormwater infrastructure in the Kensington Estates area is inadequate. The 70-year-old system was laid out without driveways, garages and houses that filled the lots. Rainfall events are less frequent, but larger rainfalls are occurring in the last two decades. An error in the GIS system of pipes has been noted, but the flaw in the design remains at the juncture of pipes between Knowles and Warner. Now that very pipe will receive flow from the Flats. If the projected retention of rainfall pans out, flow from the developed area will be reduced for up to a 100-year event. The builder must deliver on his commitment as provided in the proposed design. Residents call for evidence that stormwater control will be adequate. Additional development cannot proceed until the flooding problems in our neighborhood have been addressed.

### **School impact**

The formulas for calculating school impact underestimate the numbers of children entering area schools. Counting only residential units, not short-term stay units, the new households are more than 20% of our whole neighborhood. Our residents express concerns that there will be a significant impact on area schools.

### **Loss of open space**

Plans for a small green area on the southeast corner across from the Flats do not compensate for a permanent loss of open space. The character of the area will be more urban. "Knowles Station" refers to the railroad stop in a rural community, and our streets were not designed for this density.

Thank you for your consideration of these concerns of our community as you review the amendment for this development. We remain available and willing to meet with you to discuss these matters.

Joan McDermott

Joan McDermott, President  
Kensington Estates Civic Association  
4407 Puller Drive  
Kensington, MD 20895  
Jbmcdermott2@gmail.com