

WHEATLEY SUBDIVISION - 3420 PLYERS MILL ROAD

MANDATORY REFERRAL NO. MR2026004

Description

The Town of Kensington proposes the disposition of land located at 3420 Plyers Mill Road. The disposition of the Subject Property has been approved by the Town of Kensington through the Mayor and Council Adopted Ordinance No. O-01-2025.

COMPLETED: 2/23/2026

PLANNING BOARD HEARING DATE: 3/5/2026

MCPB ITEM NO. 6

Planning Staff

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LOCATION/ADDRESS

3420 Plyers Mill Road

MASTER PLAN

2012 *Kensington Sector Plan*

ZONE

R-60

PROPERTY SIZE

7,500 square feet

APPLICANT

The Town of Kensington

ACCEPTANCE DATE

01/14/2026

REVIEW BASIS

Md. Land Use Article, Section 20-301, et seq.



Summary:

- The Mandatory Referral will allow for the disposition of land at 3420 Plyers Mill Road.
- Staff recommends approval of the Subject Mandatory Referral.
- Planning staff received community correspondence in opposition to the application which is relevant to the required findings of a mandatory referral. Therefore, this application has been added to the Planning Board's public hearing agenda.

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SECTION 1: RECOMMENDATION

MANDATORY REFERRAL NO. MR2026004

Staff recommends approval of Wheatley Subdivision - 3420 Plyers Mill Road, Mandatory Referral No. MR2026004 and the transmittal of the staff report to the Town of Kensington with no conditions.

SECTION 2: SITE DESCRIPTION

The Subject Property (“Property”) is approximately 7,500 square feet in size, and zoned R-60. The Property is located at the southwest quadrant of the intersection of Plyers Mill Road and Wheatley Street, within the Town of Kensington. The Subject Property consists of vacant, unimproved land identified as Joseph's Park¹. The Subject Property once was planned for future right-of-way expansion. However, in 1986, the width of the right-of-way was reduced when the Kensington Historic District was expanded to include properties along St. Paul Street. The 2025 *Master Plan of Highways and Transitways* (MPOHT) designates an 80-foot right of way for the portion of Plyers Mill Road running adjacent to the Property. This reduced right of way allows for the Property to be developed under the R-60 Zoning Standards, per Section 59-4.4.9.

¹ The Town of Kensington purchased the property in 1956 (for \$10.00) but has made few improvements, designating it as “Joseph’s Park” in 2003, planting some trees and installing an identification sign.

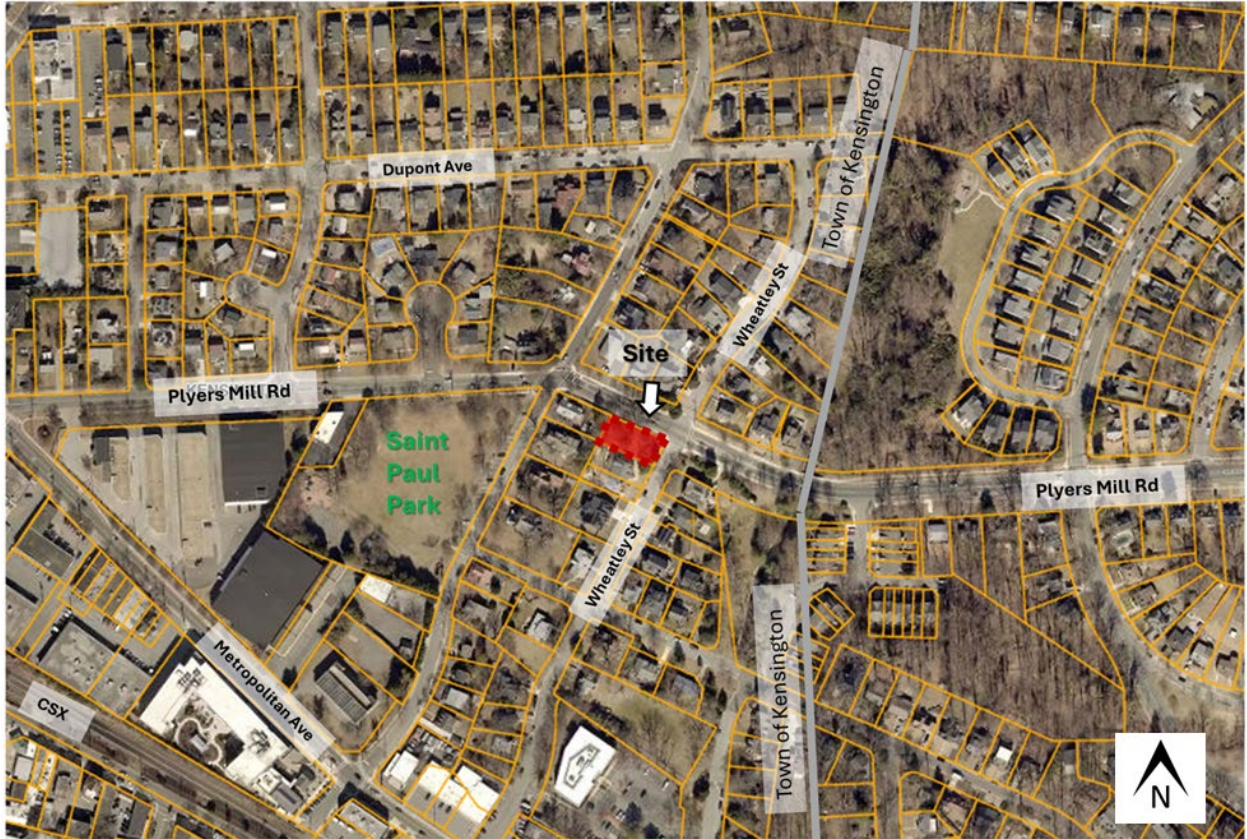


Figure 1 - Vicinity Map



Figure 2 - Subject Property



Figure 3– Streetview of Wheatley Street and Plyers Mill Road

SECTION 3: PROJECT DESCRIPTION

The disposition of land located at 3420 Plyers Mill Road has been approved by the Town of Kensington through the Mayor and Council Adopted Ordinance No. O-01-2025 at the March 12, 2025, Town Council Meeting. It has been determined by the Town that the Subject Property being used as park has significant limitations, including its small size, lack of accessibility, and topography. The Town has identified other, larger properties² that would be better suited for parkland.

The Subject Property is permitted to be developed under the R-60 zone, which would allow for the construction of a single-family home. The Town intends to take proceeds from the sale of the Subject Property to acquire other properties to increase the overall amount of parkland within the Town, provide more room for active and passive recreation, permit additional tree plantings that would expand the Town’s existing tree canopy, and integrate better into the Town’s overall stormwater management improvement plan.

² A portion of the Kensington Crossing HOA property (0.35 acres) west of Silver Creek, along with 10800 St. Paul Street (0.14 acres)

SECTION 4: COMMUNITY OUTREACH

After Planning Staff accepted the Mandatory Referral application for review, Montgomery Planning notified local civic and homeowners' associations and other interested parties of this proposal. As of the date of this report Staff received one email expressing the following concerns (see Attachment A):

- The resident stated that many Town residents supported keeping Joseph's Park.
- The resident disputes the Town's reasons for selling the park, stating it is comparable to other parks in size and access and that its lack of improvements resulted from long-term Town neglect, not lack of use.

The Town of Kensington has determined that this site is not suitable for a park. As noted in Finding No. 7, selling the property supports long-term planning, and proceeds will fund the purchase of two new parcels for park use.

Staff recommends approval of Mandatory Referral and the transmittal of this report to Town of Kensington with no conditions.

SECTION 5: MANDATORY REFERRAL ANALYSIS

MANDATORY REFERRAL CONSIDERATIONS

Mandatory Referral review is guided by Montgomery Planning's *Uniform Standards for Mandatory Referral Review* (December 2022), and the authority granted to the Planning Board in Section 20-301 of the Land Use Article of the Maryland Code. In order to ensure comprehensive review of public projects, the Planning Board has jurisdiction over applications filed by the State, Federal, and County governments, as well as municipalities located within the Montgomery County portion of the Regional District. This includes the following activities: (i) acquiring or selling land; (ii) locating, constructing or authorizing a road, park, public way or ground, public building or structure, or publicly owned or privately owned public utility; or (iii) changing the use of or widening, narrowing, extending, relocating, vacating or abandoning any of the previously mentioned facilities. The Planning Board, or its Staff, must review such projects pursuant to the Uniform Standards and transmit comments to the applicant within the prescribed timeframe.

As described in the Uniform Standards, the Planning Board, or its Staff, considers all relevant land use and planning aspects of the proposal including, but not limited to, those listed below.

- 1. whether the proposal is consistent with the County's General Plan, functional plans such as the master plan of highways, environmental guidelines, the approved and adopted area master plan or sector plan, and other public plans, guidance documents, or programs for the area;**

Disposition of the Property will not impede or affect the dedication of the right-of-way for Plyers Mill Road called for in the *Master Plan of Highways and Transitways* (MPOHT). Development in the Town is guided by the 2012 *Kensington Sector Plan* (“Master Plan” or “Plan”). The Plan does not make any site-specific recommendations for the Subject Property. While the Plan concludes that the existing park system (including County and Town parks) is adequate, it recommends enhancing connectivity between parks and residents (Plan page 14). It also contains environmental goals that emphasize reducing stormwater and managing it where possible (Plan pages 14-15). Redevelopment of the Subject Property would introduce stormwater management where none exists and enable the Town to replace the Subject Property with parkland that integrates better with its stormwater management plan in other areas of the Town.

2. *whether the proposal is consistent with the intent and the requirements of the zone in which it is located;*

The Subject Property would be required to be developed under R-60 Zoning development standards (if applicable), which could be developed as a single-family home on the Subject Property.

3. *whether the nature of the proposed site and development, including but not limited to its size, shape, scale, height, arrangement, design of structure(s), massing, setback(s), site layout, and location(s) of parking is compatible with the surrounding neighborhood and properties;*

Not applicable. The disposition of land does not propose any development.

4. *whether the locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient;*

Not applicable. The disposition of land does not propose any development.

5. *whether the proposal has an approved NRI/FSD and a preliminary SWM Concept Plan, and meets the requirements of the Forest Conservation Law (Chapter 22A of the County Code). Forest Conservation Plan, if applicable, must be approved by the Planning Board, either before or at the time of the Board’s mandatory referral review and action on the project. Unlike the mandatory referral review by the Board, the conditions of the Forest Conservation Plan are binding on all county projects and require a Resolution of Approval.*

Not applicable. The disposition of land does not propose any development.

6. *whether a Preliminary or a Final Water Quality Plan has been reviewed by the Planning Board if the project is located in a Special Protection Area. In addition, for a Water Quality Plan for a project on public property, the Board must determine if the plan meets any*

additional applicable standards for Special Protection areas, including the standards of Article V. WATER QUALITY REVIEW IN SPECIAL PROTECTION AREAS, of the County Code (pursuant to Section 19-65(d)(4));

Not applicable. The disposition of land does not propose any development.

7. whether or not the site would be needed for park use if the proposal is for disposition of a surplus school or other publicly-owned property.

The Town of Kensington has determined that other properties within the Town are better suited for development or expansion of parkland, as the Subject Property's small size, limited accessibility, and topography create significant constraints. As part of the Town's long-term planning efforts to meet the future needs of its residents, proceeds from the disposition will be used to acquire two new parcels that will increase the overall amount of parkland and support the creation of larger, more accessible recreational spaces, expand the tree canopy, and better integrate with the Town's future stormwater management plans.

8. whether alternatives or mitigation measures have been considered for the project if the proposal is inconsistent with the General Plan or other plans and policies for the area, or has discernible negative impacts on the surrounding neighborhood, the transportation network, the environment, historic resources (including burial sites) or other resources.

The Application is not inconsistent with the General Plan, Sector Plan and policies for the area, therefore mitigation measures are not needed. As stated above, the Town does plan to use the funds from the sale of this Property to acquire other properties better suited for park or recreational purposes.

SECTION 6: CONCLUSION

The Mandatory Referral application satisfies the applicable standards of the Land Use Article and the Uniform Standards and substantially conforms to the recommendations of the 2012 *Kensington Sector Plan*. Therefore, Staff recommends approval of Mandatory Referral No. MR2026004.

ATTACHMENTS

Attachment A: Community Correspondence

Attachment B: Town of Kensington Statement of Justification

Attachment A

Leftwich, Troy

From: Beth Meyer <[REDACTED]>
Sent: Sunday, February 1, 2026 12:52 PM
To: Leftwich, Troy
Subject: Comments on MR2026004
Attachments: Save Joseph's Park Handout.docx

Follow Up Flag: Flag for follow up
Flag Status: Flagged

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Mr. Leftwich,

I am writing regarding MR2026004, the mandatory referral for the sale of Joseph's Park in Kensington.

I want to give you a fuller picture of the amount of support there was among Town residents to save Joseph's Park. The Mayor and Town Council Introduced Ordinance No. O-01-2025, at the January 8, 2025, Town Council Meeting, which proposed the sale of 3420 Plyers Mill Road (Joseph's Park). There were a few public hearings beginning on February 12. These were without exception publicized poorly and at the last minute to Town residents. Even with the poor advance notice, there were always a number of residents and nonresidents at the hearings who were vocal about their reasons to preserve their neighborhood park. The moderators would often discuss that Joseph's Park was not utilized. While the lack of anything but mature trees has not prevented residents from frequenting the Park, some amenities would have been welcomed. The lack of improvements could easily be remedied and multiple suggestions were made. The Town has made significant improvements to other parks in the town but deliberately neglected Joseph's Park. Our neighbor repeatedly offered to buy a bench for the Park. These offers were ignored. The Town has invested no money on benches or landscaping. Joseph's Park is the only town park without a Swain sculpture. Even with just trees, the Park was frequented by residents which the moderators would deny.

In March 2025, the Town Council took a vote. Two Council members were for the sale and two were against. Mayor Tracey broke the tie and was for the sale. In my opinion, the action should have stopped there pursuant to the Town Charter section 411 (b), which reads, "Neither the Mayor, the Town Council, nor any member or representative thereof shall present to the Montgomery County Council, the Maryland National Capital Park and Planning Commission... or any official proposal or recommendation for the more intensive use of land within the corporate limits of the Town than has been approved by said Park and Planning Commission (i) unless said proposal or recommendation has been approved by the Mayor and all members of the Town Council in a recorded vote on the specific proposal." Despite that, the Town proceeded.

With that, the best way to save the Park was to collect enough signatures for a referendum to put the fate of the Park to a vote. 362 signatures (20% of registered Town voters) were needed for this referendum. Last spring buoyed by the passionate pleas of neighbors upset by the possible sale of Joseph's Park, I decided to collect signatures for a referendum and assembled a team of 13 Town residents to go through the streets of

Attachment A

Kensington so residents could decide the fate of the Park. In three weeks, we got 402 signatures of confirmed town voters—well over the 362 required. In addition, we got around 50 signatures of residents in town that we could not confirm were town voters and signatures of around 270 non-Town residents. These nonresident votes were, of course, not counted but show that our neighbors also felt strongly about saving the Park.

Two days before the June 2 election, Mayor Furman’s cover page article in the Town newsletter endorsing the sale went out to all Town residents <https://tok.md.gov/wp-content/uploads/2025/05/MayJune-2025-web-Journal.pdf>. Residents who were opposed to the sale were not invited to state their opinions in the Town newsletter. The official newsletter of the Town should either have been a mere announcement of the election or represented both sides. I feel that this article significantly skewed the election result and that endorsing a voting position in her official capacity as Mayor on an upcoming vote was unethical. In fact, the Mayor was publicly rebuked at a subsequent board meeting by another Town resident. Unfortunately, the results were 236 for the sale and 111 to save the Park.

Finally, in reviewing the Statement of Justification, it lists Joseph’s Park’s “small size, lack of accessibility, topography, and lack of improvements” as reasons to sell. The size is actually bigger .17 versus .14 than 10800 St. Paul Park and comparable in size to the Kensington Crossing Park if you subtract the unusable creek. It is also more accessible than 10800 St. Paul Park. As for the lack of improvements that has historically been a choice of the Town’s to neglect it. Joseph’s Park is used as it is but has the potential to be far more if the Town chose to value and invest in it.

Attached is the handout that we distributed on election day summarizing our reasons for wanting to save the Park.

I hope that you will take this information into consideration while reviewing the Town’s application.

Sincerely,

Beth and Larry Meyer

Attachment B



October 20, 2025

Ms. Carrie Sanders, AICP
Chief, East County Planning
Montgomery County Planning Department
2425 Reedie Drive, Floor 13
Wheaton, MD 20902

RE: Administrative Mandatory Referral Application:
3420 Plyers Mill Road, Kensington MD 20895

Dear Ms. Sanders:

On behalf of my client the Town of Kensington (“Town”), please accept this mandatory referral application for review of a proposed sale of land owned by the Town, *i.e.*, 3420 Plyers Mill Road, Kensington, Maryland (“Property”), a 7,500 square-foot tax parcel zoned R-60. Use of the Property has been significantly impeded in the past because a large portion was dedicated to the right-of-way for widening Plyers Mill Road, which at that time reduced the amount of unconstrained square footage below the minimum lot size required in the R-60 Zone. The parcel has remained vacant and unimproved (except for an identification sign for “Joseph’s Park”) since 1956. The reservation/master planned right-of-way was subsequently reduced, and the unencumbered parcel now can be developed in conformance with its current R-60 Zoning. As the Property is not functionally suitable for use as a park, the Town intends to sell it and use the proceeds to purchase two parcels elsewhere in the Town that can better serve needed public functions and, additionally, allow for improved stormwater management facilities in those other locations.

Background

The Property consists of vacant, unimproved land located between Plyers Mill Road and Oberon Street, on the northeast side of the Town of Kensington (outside and confronting the Kensington Historic District). In 1955, the Maryland-National Capital Park and Planning Commission reserved a 100-foot swath of the Property (approximately one-half) for the widening of Plyers Mill Road. This reservation reduced the developable portion of the Property to an area below what was required to develop a single-family dwelling. The Town of Kensington purchased the property in 1956 (for \$10.00) but has made few improvements, designating it as “Joseph’s Park” in 2003, planting some trees and installing an identification sign.

In 1986, the width of the right-of-way was reduced when the Kensington Historic District was expanded to include properties along St. Paul Street. The 2025 Master Plan of Highways and Transitways (MPOHT) designates an 80-foot right of way for the portion of Plyers Mill Road running adjacent to the property. This reduced right of way would still permit a developable lot of 7,500 square feet, above the minimum lot size required by the Property’s R-60 Zoning.

Reasons for Sale

Sale of the Property has been considered during the course of the Town’s continuing assessment of how to best accommodate residents’ needs for the future with potentially scarcer resources.

Attachment B

Use of the Property for a park has significant limitations, including its small size, lack of accessibility, topography, and lack of improvements. The Town has identified other, larger properties (a portion of the Kensington Crossing HOA property (0.35 acres) west of Silver Creek, along with 10800 St. Paul Street (0.14 acres)) that could be used for parkland. Proceeds from the sale of the Property would fund acquisition of these properties to increase the overall amount of parkland within the Town, provide more room for active and passive recreation, permit additional tree plantings that would expand the Town's existing tree canopy, and integrate better into the Town's overall stormwater management improvement plan.

The Sales Process

The Town has given extensive notice and opportunity for public comment in connection with the proposed sale. The Town Council adopted an amended ordinance on January 8, 2025, finding that the Property was no longer needed for a public purpose and authorizing its sale. The Ordinance also required publication of notice of the sale at various locations within the Town and to those on the official subscription list. The Town Council adopted the Amended Ordinance on March 12, 2025, after a public hearing and consideration of written comments. The sale was placed on the ballot for referendum. The certified election results were entered June 2, 2025, with 236 residents voting to support the sale, and 111 against.

Master Plan Compliance

Sale of the property will not impede or affect the dedication of the right-of-way for Plyers Mill Road called for in the MPOHT.

Development in the Town is guided by the *2012 Kensington Sector Plan* (Master Plan or Plan). The Plan does not make any site-specific recommendations for the Property, although it does retain the recommendation for R-60 Zoning on the Property and sale will permit development consistent with that zoning.

While the Plan concludes that the existing park system (including County and Town parks) is adequate, it recommends enhancing connectivity between parks and residents. *Plan*, p. 14. It also contains environmental goals that emphasize reducing stormwater and managing it where possible. *Id.*, pp. 14-15. Redevelopment of the Property would introduce stormwater management where none exists and enable the Town to replace the Property with parkland that integrates better with its stormwater management plan.

Conclusion

Sale of the Property is part of the long-term planning for the future needs of the residents of the Town. Proceeds from the sale will be used to purchase two new parcels for park purposes, which will, at a minimum, augment the existing amount of parkland in the Town and provide for larger, more accessible recreational spaces, increased tree canopy, and better integration with the Town's future stormwater management plans.

We welcome the Planning Department's comments on this application and look forward to returning with plan designs for Planning Board consideration on the anticipated purchase of two new park properties.

Attachment B

3

Sincerely,

Michele McDaniel Rosenfeld

Michele McDaniel Rosenfeld

Matt Folden, AICP
Regulatory Supervisor, Planning Department

- Exhibit 1 Part of Parcel A Kensington Crossing Partial
Boundary, Topographic Survey and Plat of Survey
- Exhibit 2 Report by Town Staff published in the *Around Town Journal*, January 27, 2025
- Exhibit 3 Town of Kensington Amended Ordinance Authorizing Sale, March 12, 2025
- Exhibit 4 Written comments from Town residents on proposed sale
- Exhibit 5 Ballot Question
- Exhibit 6 Certification of Election Results
- Exhibit 7 Appraisal of Part of Parcel A, Kensington Crossing (March 10, 2025)
- Exhibit 8 Appraisal of 3420 Plyers Mill Road, Kensington (January 18, 2023)
- Exhibit 9 Town of Kensington FY 2025-2026 Operating and Capital Budget