

NEWS FROM NEIGHBORS

SEPTEMBER 2020

Knowles Manor Settlement Reached. Neighbors win Concessions

Great news! Earlier this year, Neighbors for an Improved Kensington successfully reached a [settlement agreement](#) with the developers of Knowles Manor, the senior apartments under construction across from Stronsiders. In exchange for dropping our appeal, the developers agreed to a number of concessions. Specifically they will:

- Adjust the position of the layby lane (used for delivery, pickup/dropoff, etc) to improve safety as recommended by Montgomery planning board staff
- Contribute \$100,000 to the Town of Kensington to supplement traffic and parking enforcement (if the Town Council passes a resolution to accept it)
- Require off-site parking for building staff to ensure in-building parking for residents and visitors
- Implement measures to permanently prevent delivery trucks from blocking Knowles Ave (designed to avoid the problems with deliveries made to 10400 Connecticut which blocks the right lane of southbound Conn Ave at all hours of the day)
- Implement measures to protect residents of nearby streets during construction

Why did Neighbors appeal the approval of the apartments?

As approved by the Montgomery Planning Board in July 2019, concerns about access, safety, delivery trucks, insufficient resident parking, traffic congestion/circulation, and cut-through traffic remained unaddressed. Many in the neighborhood (TOK, KECA & other parts of Kensington) raised these concerns during the Town's and Planning Board's review process in email messages, testimony and phone calls. But citizens were shut out of the Town's Development Review Board meetings (see below) and Town Council

review. Furthermore, the Montgomery Planning Board ignored not only concerns raised by citizens, but also those raised by their own staff.

Maryland State law gives citizens the right to appeal decisions of the Planning Board. Our group banded together to hire an attorney and file an appeal in August 2019. The appeal allowed us to sit down with the developer and have our concerns addressed. And, we were successful in achieving improvements to the plan for the benefit of the community!

Who is Neighbors for an Improved Kensington?

We are Kensington residents. Our group includes Al Carr, Jim Cooper, Nate Engle*, Molly Hauck, Ruth Hoffman, Jennifer Loukissas, Doug Lynott, Jill and Jack McCrory, Jackie and Peter Pickard, Pam Smith and many other supporters.

*Nate Engle was elected to the Kensington Town Council and began serving on July 1, 2020. When acting in his official capacity he will recuse himself from any matters involving Knowles Manor on advice he requested from the Town's ethics committee.

What happens next and how can I support Neighbors?

If you agree with the concerns we noted above, particularly about traffic enforcement:

- 1) If you are a Town of Kensington voter, contact the Town Council (mayor.council@tok.md.gov) and ask them to support [Resolution No. R-07-2020](#) to accept the \$100K for traffic and parking enforcement - especially council members Bartram and Crimmins who co-chair the DRB are up for re-election in 2021.
- 2) Attend an upcoming TOK Town Council monthly meeting and speak up in support of the settlement and for accepting the \$100K (tok.md.gov for zoom meeting info). The Council discussed the settlement at its August 10th meeting and may do so again at an upcoming meeting.

3) Consider chipping in to cover the cost of the appeal. We gladly accept donations to defray attorney fees incurred in the appeal process. Make checks payable to Jill McCrory and send to 3919 Baltimore St. For more info, contact us at NeighborsImproveKensington@gmail.com

4) Write to the Montgomery Planning Board in support of the safer layby lane design that we negotiated (the timeframe to write is likely November/December 2020)

5) Follow our page:

<https://www.facebook.com/NeighborsforanImprovedKensington>

Additional Questions and Answers about Knowles Manor Apartments

What is Knowles Manor?

Knowles Manor will be a 5-story, 94-unit apartment building at 3906/3910 Knowles Ave providing needed below-market rental housing for seniors age 62 and above. It is one of five development projects, recently completed, underway or proposed on Knowles Ave between Summit and Connecticut.

When will Construction be completed?

The developer estimated that construction would take 15 months from start to end. Construction began on July 20, 2020.

How is Knowles Manor funded?

Knowles Manor is a private project funded by

- A Montgomery County Government Housing Initiative Fund loan (\$9M)
- Montgomery County Government PILOT property tax abatement
- Maryland State Government Rental Housing Works Program loan (\$2.5M)

- A payment from Solera/Modena (assisted living building under construction on Metropolitan Ave.) for fulfilling Modena’s obligations for providing off-site Moderately Priced Dwelling Units in exchange for increased density on Metropolitan Ave per DHCA records. (\$700K)

Did the Town of Kensington notify the public about meetings regarding Knowles Manor?

The developer’s sketch plan pre-submittal community meeting took place in May 2018. But by that time, the Town’s Development Review Board (DRB) had already met with the developer three times, starting in November 2017. According to the DRB minutes, no members of the public attended these three public meetings, only the developer, and members of the DRB. It was the Town’s practice at that time to notify the public of DRB meetings via a flyer posted on the door of town hall and an entry in the Town’s web calendar. DRB meeting minutes were not always posted promptly to the Town’s website.

Nov 2, 2017	Presentation at TOK Development Review Board meeting - there was a calendar entry in the Around Town Journal mailed days before the meeting, at the end of October. But the Town sent no notice by email. Meeting minutes were posted almost 2-years late, in Sept 2019, and only in response to an inquiry.
Feb 1, 2018	Presentation at TOK Development Review Board meeting - no email notice, no journal notice (no Around Town Journal published Dec 2019 - Feb 2020)
Mar 14, 2018	Presentation at TOK Development Review Board mtg. No email notice. No Around Town Journal notice.

What is the Town’s role in the appeal and the settlement?

The Town government was not a party to the appeal. The settlement agreement is between Neighbors for an Improved Kensington and the developer but is designed to benefit the Town. The Town Council has a 6-year window of opportunity to accept the escrowed \$100K to be used to supplement traffic and parking enforcement.

More details about the concessions that we negotiated:

Separated the driveway and the layby lane to foster better traffic flow in and out of the building as well as add more accessibility to the layby lane. This was the original recommendation of the planning board staff but was overruled by the planning board when the developer claimed it would take too long to make the change.

Drafted a delivery policy for UPS, FED EX, Amazon etc. This will prevent delivery trucks from blocking the right hand lane on eastbound Knowles Ave as they do almost every day on Connecticut Ave. in front of the 10400 building. Deliveries will only be accepted when trucks have used the designated delivery truck area at the bottom of the driveway in the parking garage. No deliveries are to be accepted from trucks parking in front of the building on Knowles.

Developer to require off-site parking for building staff. This will prevent the very limited short term parking spaces being used by staff forcing other short term parkers to use neighborhood streets or the parking lots of nearby businesses.

Required the eastbound lane on Knowles, in front of the building, to be free of any construction vehicles or materials by 3:00 each day to maintain free traffic flow through the intersection during rush hour.

Developer agreed to make a \$100K contribution to the Town to supplement traffic and parking enforcement for the benefit of Kensington residents, nearby businesses and everyone else using this corridor. Additional enforcement is imperative to keep the traffic flowing and keep access open to the businesses in this area.