

### **September 9, 2019 Town Council Meeting**

- Held a Closed Session pursuant to State Government Article §3-305(b) to discuss a personnel matter that affects one or more specific individuals.
- Approved the Town Organizational Meeting Minutes from July 8, 2019.
- Approved the Town Meeting Minutes from August 12, 2019.
- Adopted Resolution No. R-17-2019 – A Resolution of the Mayor and Town Council of Kensington in support of the proposed sale of Warner Mansion and the Carriage House to Washington Landmark Construction for the rehabilitation of the historic buildings as residential condominiums, and to preserve the surrounding land around the historic buildings as public park land within the Montgomery Parks system as amended.

*The following closed session Special Town Council Meetings were held in between the regularly scheduled Town Council Meetings August 12, 2019 and September 9, 2019:*

### **Special Town Council Meeting - Closed Meeting August 14, 2019**

Mayor Furman; Council Members Bartram, Crimmins, Hill-Zayat (arrived 4:15 p.m.), and Rollins; Town Attorney Michele Rosenfeld and Assistant Town Manager Hoffman were present.

Council Member Bartram moved to close the meeting at 4:01 p.m. pursuant to State Government Article §3-305(b)(7) to consult with the Town Attorney to obtain legal advice. Council Member Crimmins seconded the motion. The motion passed unanimously.

Testimony for the August 20, 2019 Hearing Examiner Hearing on conditional use application (CU-19-03) for a proposed self-storage facility at 10619 Connecticut Avenue was discussed. There were no actions taken.

Council Member Crimmins moved to adjourn the closed session at 5:17 p.m. Council Member Rollins seconded the motion. The motion passed unanimously.

### **Town Meeting September 9, 2019 6 p.m.**

Mayor Furman; Council Members Bartram, Crimmins, Hill-Zayat, and Rollins; and Assistant Town Manager Hoffman were present.

Council Member Hill-Zayat moved to close the meeting at 6:05 p.m. pursuant to State Government Article §3-305(b)(1)(ii) to discuss a personnel matter that affects one or more specific individuals. Council Member Rollins seconded the motion. The motion passed unanimously.

Personnel matters concerning one or more specific individuals were discussed. No action was taken.

Council Member Rollins moved to adjourn the closed session and open the meeting at 6:55 p.m. The motion was seconded by Council Member Hill-Zayat. The motion passed unanimously.

The Council Meeting reconvened in public session at 7:05 p.m.

Town Manager Daily and Clerk-Treasurer Engels joined the public session. The Pledge of Allegiance was recited, and a moment of silence was observed.

The Town Organizational Meeting Minutes from July 8, 2019 were reviewed and approved. See Council Actions.

The Town Meeting Minutes from August 12, 2019 were reviewed and approved. See Council Actions.

### **From the Mayor and Council**

#### Warner Mansion

Joey Lampl, Cultural Resource Manager with Montgomery Parks, presented a proposal for the sale of Warner Mansion and the Carriage House to Washington Landmark Construction (WLC). Ms. Lampl stated that County Parks received an unsolicited proposal from WLC, who specializes in historic restoration projects, to purchase the existing structures and convert them into twelve (12) residential condominiums. Montgomery Parks would retain the land underneath and around the structures and maintain the property as a public park. The project is supported by the M-NCPPC, Montgomery Planning, and Montgomery Parks, and will preserve the deteriorating structures.

The Council asked if the Noyes Children's Library Reading Garden would remain in the Park's plan and the proposed parking for the residential condominiums.

Ms. Lampl noted that the Reading Garden will be incorporated within the proposed project, and that the residential parking has yet to be negotiated with WLC.

Jason Gerson, Friends of Warner Circle, stated the Committee supports the proposed project and hopes to remain engaged with Parks and WLC during the process.

Julie O'Malley, Kensington Historical Society, stated that the Kensington Historical Society is encouraged by the initial concept of the proposed plan and are waiting to see additional details before providing full support.

Priscilla Arenas asked if a market price had been discussed for the proposed residential condominiums and whether the sale of twelve (12) units would financially support the project.

David Romeo asked if any of the units would be rentals.

Ms. Lampl stated that she could not speak to the developers expected pricing for the proposed units at this time and that there is no discussion for development outside of the existing structures as residential condominiums.

#### MCPS Assessment Study

Kendall Watson, Kensington-Parkwood Elementary School Cluster Representative, and Emily Beckman, Walter Johnson High Cluster Coordinator, updated the Mayor and Council on the MCPS Boundary Assessment Study authorized by the Board of Education. Mr. Watson noted that the Assessment Study will examine all 206 MCPS schools in an effort to alleviate overcrowding and increase socioeconomic and/or racial diversity. WXY Architecture + Urban Design has been contracted to conduct the assessment with the finding expected to be released in the summer of 2020.

Residents may stay apprised on the assessment by signing up for the Kensington-Parkwood list serve, Bethesda Magazine (Bethesda Beat), or at kppta.org.

Council Member Crimmins stated that he will update the Council at Town Meetings and within the Around Town Journal.

Rose Starin emphasized the importance of having a liaison on behalf of the Town and to provide communication to those that do not have children within the school system.

#### DRB Guidelines

Council Members Bartram and Crimmins presented draft Guidelines for the Development Review Board (DRB) when reviewing a prospective development project.

Council Member Rollins suggested that a form for legal review be incorporated within the Guidelines; noted concerns with the DRB suggesting changes to projects prior to discussing with the full Council; and suggested adding intended hours of operation for proposed tenants within the questionnaire.

Council Member Hill-Zayat suggested that a developer should be required to revise their responses on the questionnaire if there are significant changes to the proposed project and that the DRB's level of engagement could be defined within the Guidelines.

The Council will provide comments with regards to the DRB Guidelines by September 20, 2019 for review at the October Town Council meeting.

Helen Wilkes stated that she supported establishing Guidelines for the Development Review Board and emphasized the importance of the DRB members understanding the Sector Plan and Design Guidelines, in addition to seeking professional advice on development projects.

#### Dog Park

Jon Gerson, Dog Park Committee, which also includes Jessica Chertow, Lindsay Field, Mark Hudson, Jody Krieger, and Evan Reynolds, stated that the Committee is advisory in nature, and will review potential ground covers, signage, and regulations for the park. Mr. Gerson noted that recommendations will be sent to the Council for review and approval.

Marshall Pressor noted the status of Chevy Chase Village's dog park and asked if the dog park was exclusive to Town residents.

Mayor Furman stated that the dog park is not adjacent to residential properties like the park in Chevy Chase Village, and noted that the park will be open to the community.

Mayor Furman provided an update on the Conditional Use application (CU-19-03) for the proposed self-storage facility at 10619 Connecticut Avenue, stating that the Planning Board had denied the Condition Use and that the applicant has appealed the decision to the Hearing Examiner.

### **From the Town Manager and Staff**

The Council set a Work Session for Monday, October 28, 2019, 6:00 pm, to discuss revisions to the proposed Sign Ordinance, Ordinance No. O-03-2019.

The Council set a Work Session for Monday, October 7, 2019, 6:00 pm, to discuss adopting Montgomery County's alcohol regulations; the Work Session will precede the regularly scheduled Town Council Meeting.

The Mayor will offer the use of Town Hall to our District 18 Delegation to hold a community meeting to discuss the upcoming legislative session.

The Mayor and Council discussed the "No Parking Anytime Signs" in front of 10400 Connecticut Avenue and whether the signs were actively being enforced; and if the signs could be changed to "Loading and Unloading Only".

Julie O'Malley questioned whether there could be a pull-off by the garage for loading and unloading.

The Council concurred to maintain the existing signs and to not request increased enforcement by the Montgomery County Police.

Council Member Crimmins thanked the Town staff, Coordinators, and volunteers of the Labor Day Parade and Festival.

Assistant Town Manager Hoffman stated that the Town received seven (7) applications for the two part-time secondary employment opportunities with the Town. The positions will cover an aggregate of 20 hours for enforcement of the Town's traffic control regulations.

Mayor Furman stated that the Modena by Solera Senior Living will begin groundbreaking in October.

Council Member Rollins noted overgrowth obstructing the street sign at the intersection of Kensington Parkway and Metropolitan Avenue; that the train station lots needed to be restriped; and that the ornamental grass at the train station needs trimming.

## **Public Appearances**

Julie O'Malley stated that the flowers along Howard Avenue need to be watered; questioned when the bike rack would be installed at Town Hall; and announced that Historian Jamie Kuhns will speak at the October 8<sup>th</sup> Kensington Historical Society meeting.

Doug Lynott, on behalf of the Neighbors for an Improved Kensington, stated that the group filed an appeal to the Planning Board on the proposed Knowles Manor Senior Housing project at 3906/3910 Knowles Avenue due to concerns with traffic and safety.

Council Member Crimmins requested information on the traffic and safety improvements proposed by the Neighbors for an Improved Kensington.

Council Member Bartram spoke against the appeal by Neighbors for an Improved Kensington and stated that the project was appropriately reviewed by the Town and the County Planning Board.

Leslie Olson requested an update on landscaping, the proposed trash cans for the St. Paul Park pavilion, and stated that Ayoub lighting continues to remain on overnight. Ms. Olson also questioned the spotlights at Murphy Brothers Automotive.

Assistant Town Manager Hoffman stated that he reviewed the security lighting with Murphy Brothers and noted that the lighting is not illegal according to County zoning.

David Romeo noted that the County website addresses light from residential property shining into windows.

Mayor Furman noted that the Kensington Volunteer Fire Department (KVFD) will formally dedicate the 9-11 Memorial to honor the victims of Flight 93 on September 11<sup>th</sup>; the Town donated the funds for the memorial.

## **Ordinances, Resolutions, Regulations**

**Resolution No. R-17-2019** – A Resolution of the Mayor and Town Council in support of the proposed sale of Warner Mansion and the Carriage House to Washington Landmark Construction for the rehabilitation of the historic buildings as residential condominiums, and to preserve the surrounding land around the historic buildings as public park land within the Montgomery Parks system was presented. See Council Actions.

The Council discussed adding the term “general” within the Kensington Historical Society’s support, and to add “continued discussions regarding” within the Now, Therefore, Be It Resolved paragraph. See Council Actions.

## **Council Actions**

Council Member Crimmins moved to approve the Town Organizational Meeting Minutes from

July 8, 2019. The motion passed unanimously.

Council Member Rollins moved to approve the Town Meeting Minutes from August 12, 2019. The motion passed unanimously.

Council Member Rollins moved to adopt Resolution R-17-2019 - A Resolution of the Mayor and Town Council of Kensington in support of the proposed sale of Warner Mansion and the Carriage House to Washington Landmark Construction for the rehabilitation of the historic buildings as residential condominiums, and to preserve the surrounding land around the historic buildings as public park land within the Montgomery Parks system as amended adding “general” to the KHS Whereas paragraph and adding “continued discussions regarding” after support in the Now, Therefore, Be it Resolved paragraph. The motion passed unanimously.

Council Member Crimmins moved to adjourn the meeting at 9:08 p.m. The motion passed unanimously.