

Action

MEMORANDUM

March 25, 2011

TO: County Council

FROM: Jeffrey L. Zyontz,  Legislative Attorney

SUBJECT: **Action** – Draft Amendment to the Master Plan for Historic Preservation:
Kensington Cabin

PHED Recommendation: On March 21, 2011 the Committee (3-0) recommended approval of the proposed Amendment to the Master Plan for Historic Preservation to include the Kensington Cabin, with a revision to the last sentence in the last bullet on page 7 of the Amendment. The Committee recommends that the sentence be deleted and replaced with the following:

Site changes, such as the installation of playground equipment, may be done through staff-level review and do not require a Historic Area Work Permit. Such changes would have no material effect on the historic resource.

Background

On December 3, 2010 the Montgomery County Planning Board transmitted to the Council the Planning Board Draft Amendment to the Master Plan for Historic Preservation: Kensington Cabin.

On January 31, 2011 the County Executive urged approval of the amendment. He noted that the Kensington Cabin is located within the 100-year floodplain. He suggested that if any measures are taken to protect the Cabin from flood damage, the measure should include actions to improve runoff and to protect Silver Creek from further degradation. (The proposed Master Plan Amendment includes the following statement: It is anticipated that protective actions may be needed to minimize potential flood damage to the Cabin.)

On March 8, 2011 the Council held a public hearing. All testimony favored including the cabin and its environmental setting in the Master Plan for Historic Preservation. The recommended environmental setting is approximately 3.8 acres. It excludes the right-of-way for Kensington Parkway, except that it includes a stone bridge located just north of Frederick Avenue.

Resource description

The proposed amendment described the resource as follows:

- Built in 1934 as a park recreation building and community center, Kensington Cabin was a collaborative effort of the Town of Kensington and the Maryland-National Capital Park and Planning Commission. Blanche Armstrong, Chairman of the Civic Committee of the Woman's Club of Kensington, initially conceived of the park and community center in 1924. M-NCPPC landscape architect Roland Rogers drafted a park plan in 1929, and M-NCPPC engineer Irving Root requested funds for the recreation building in 1934.
- Kensington Cabin is one of the earliest park structures built by or for M-NCPPC, founded in 1927. Built in the New Deal era, the cabin was begun with funding from the Civil Works Administration and completed with M-NCPPC funds.
- The log structure is an outstanding example of a rustic park building exemplifying parkitecture, the concept of rustic architecture promoted by the National Park Service in the 1930s. Characteristic features include whole log construction, the stone chimney, and the rustic bracketed door hood.
- Kensington Cabin is an established visual feature of the local landscape and the namesake of the Kensington Cabin Local Park.

Criteria for designation

The Planning Board and the Historic Preservation Commission found that the Kensington Cabin meets the following historic criteria:

The historic resource:

- 1) has character, interest, or value as part of the development, heritage or cultural characteristics of the County;
- 2) exemplifies the cultural, economic, social, political or historic heritage of the County and its communities;
- 3) embodies the distinctive characteristics of a type, period or method of construction; and
- 4) represents an established and familiar visual feature of the neighborhood, community, or County due to its singular physical characteristic or landscape.

Special provision

The proposed Master Plan Amendment includes the following provision:

Site changes that are considered normal park operations including installation of playground equipment, may be done through staff-level review and do not require a Historic Area Work Permit.

The Committee recommends deleting the phrase "that are park operations including" and replacing the phrase with "such as" and adding the following sentence: "Such changes would have no material effect on the historic resource." The provision would then read as follows:

Site changes, such as the installation of playground equipment, may be done through staff-level review and do not require a Historic Area Work Permit. Such changes would have no material effect on the historic resource.

These changes would make the provision squarely within the allowable exception from Historic Area Work Permits under §24A-6(b).¹

<u>This packet contains:</u>	<u>© page</u>
Planning Board Draft Amendment	1 – 10
Resolution to Approve the Amendment	11 – 12

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¹ Sec. 24A-6. Historic area work permits-Generally.

- (a) Required. An historic area work permit for work on public or private property containing an historic resource must be issued pursuant to the provisions of this chapter before:
 - (1) Constructing, reconstructing, moving, relocating, demolishing or in any manner modifying, changing or altering the exterior features of any historic site or any historic resource located within any historic district.
 - (2) Performing any grading, excavating, construction or substantially modifying, changing or altering the environmental setting of an historic site or an historic resource located within an historic district;
 - (3) Erecting or causing to be erected any sign or advertisement (with the exception of those signs which temporarily advertise for sale an historic site or an historic resource located within an historic district, or which for a temporary period advertise a political viewpoint) on the exterior or on the environmental setting of any historic site or any historic resource located within any historic district.
- (b) Exceptions. Nothing in this section shall be construed to require the issuance of an historic area work permit for any ordinary maintenance, repair of exterior features, any customary farming operations or any landscaping, which will have no material effect on historic resource located within an historic district, of which such features are a part. For the purposes of clarification of this section, the commission shall develop and publish guidelines regarding what activities constitute ordinary maintenance and shall send a copy of these guidelines by registered mail to all owners of historic resources designated on the master plan.

Kensington Cabin

Amendment to the



Planning Board Draft
November 2010

montgomery county planning department
The Maryland-National Capital Park and Planning Commission
MontgomeryPlanning.org

Kensington Cabin

Kensington Cabin, 10000 Kensington Parkway, Resource #31/41

Amendment to the *Master Plan for Historic Preservation in Montgomery County*

abstract

This document contains the text, with supporting illustrations, for an amendment to the Master Plan for Historic Preservation, as amended; being also an amendment to the Kensington Sector Plan (Planning Board Draft, October 2009); the 1978 Sector Plan for the Town of Kensington and Vicinity and an amendment to the General Plan for the Physical Development of the Maryland Washington Regional District within Montgomery County, Maryland, as amended. This Amendment considers the designation of one resource to the Master Plan for Historic Preservation.

source of copies

The Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910
www.montgomeryplanning.org/historic

The Maryland-National Capital Park and Planning Commission

The Maryland-National Capital Park and Planning Commission is a bi-county agency created by the General Assembly of Maryland in 1927. The Commission's geographic authority extends to the great majority of Montgomery and Prince George's Counties; the Maryland-Washington Regional District (M-NCPPC planning jurisdiction) comprises 1,001 square miles, while the Metropolitan District (parks) comprises 919 square miles, in the two counties.

The Commission is charged with preparing, adopting, and amending or extending The General Plan (On Wedges and Corridors) for the Physical development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties. The Commission operates in each county through Planning Boards appointed by the county government. The Montgomery Planning Board is also responsible for updates to the Locational Atlas and Index of Historic Sites in Montgomery County, Maryland.

The Maryland-National Capital Park and Planning Commission encourages the involvement and participation of individuals with disabilities, and its facilities are accessible. For assistance with special needs (e.g., large print materials, listening devices, sign language interpretation, etc.), contact the Community Outreach and Media Relations Division, 301-495-4600 or TDD 301-495-1331.

Kensington Cabin

Amendment to the Master Plan for Historic Preservation in Montgomery County

November 2010

master plan for historic preservation

The Master Plan for Historic Preservation is a functional master plan with countywide application. The plan and the Historic Preservation Ordinance, Chapter 24A of the Montgomery County Code, are designed to protect and preserve Montgomery County's historic and architectural heritage. When a historic resource is placed on the Master Plan for Historic Preservation, the adoption action officially designates the property as a historic site or historic district, and subjects it to the further procedural requirements of the Historic Preservation Ordinance.

Designation of historic sites and districts serves to highlight the values that are important in maintaining the individual character of the County and its communities. It is the intent of the County's preservation program to provide a rational system for evaluating, protecting and enhancing the County's historic and architectural heritage for the benefit of present and future generations of Montgomery County residents. The accompanying challenge is to weave protection of this heritage into the County's planning program so as to maximize community support for preservation and minimize infringement on private property rights.

The following criteria, as stated in Section 24A 3 of the Historic Preservation Ordinance, shall apply when historic resources are evaluated for designation in the Master Plan for Historic Preservation:

1. Historical and cultural significance

The historic resource:

- a. has character, interest, or value as part of the development, heritage or cultural characteristics of the County, State, or Nation;
- b. is the site of a significant historic event;
- c. is identified with a person or a group of persons who influenced society; or
- d. exemplifies the cultural, economic, social, political or historic heritage of the County and its communities; or

2. Architectural and design significance

The historic resource:

- a. embodies the distinctive characteristics of a type, period or method of construction;
- b. represents the work of a master;
- c. possesses high artistic values;
- d. represents a significant and distinguishable entity whose components may lack individual distinction; or
- e. represents an established and familiar visual feature of the neighborhood, community, or County due to its singular physical characteristic or landscape.

implementing the master plan for historic preservation

Once designated on the Master Plan for Historic Preservation, historic resources are subject to the protection of the Ordinance. Any substantial changes to the exterior of a resource or its environmental setting must be reviewed by the Historic Preservation Commission and a historic area work permit issued under the provisions of the County's Preservation Ordinance, Section 24A 6. In accordance with the Master Plan for Historic Preservation and unless otherwise specified in the amendment, the environmental setting for each site, as defined in Section 24A 2 of the Ordinance, is the entire parcel on which the resource is located as of the date it is designated on the Master Plan.

Designation of the entire parcel provides the County adequate review authority to preserve historic sites in the event of development. It also ensures that, from the beginning of the development process, important features of these sites are recognized and incorporated in the future development of designated properties. In the case of large acreage parcels, the amendment will provide general guidance for the refinement of the setting by indicating when the setting is subject to reduction in the event of development; by describing an appropriate area to preserve the integrity of the resource; and by identifying buildings and features associated with the site which should be protected as part of the setting. It is anticipated that for a majority of the sites designated, the appropriate point at which to refine the environmental setting will be when the property is subdivided.

Public improvements can profoundly affect the integrity of a historic area. Section 24A 6 of the Ordinance states that a Historic Area Work Permit for work on public or private property must be issued prior to altering a historic resource or its environmental setting. The design of public facilities in the vicinity of historic resources should be sensitive to and maintain the character of the area. Specific design considerations should be reflected as part of the Mandatory Referral review processes.

In many cases, the parcels of land on which historic resources sit are also impacted by other planned facilities in the master plan; this is particularly true with respect to transportation right-of-way. In general, when establishing an environmental setting boundary for a historic resource, the need for the ultimate transportation facility is also acknowledged, and the environmental setting includes the entire parcel minus the approved and adopted master planned right-of-way. However, in some specific cases, the master planned right-of-way directly impacts an important contributing element to the historic resource. In such cases the amendment addresses the specific conflicts existing at the site, and suggests alternatives and recommendations to assist in balancing preservation with the implementation of other equally important community needs.

In addition to protecting designated resources from unsympathetic alteration and insensitive redevelopment, the County's Preservation Ordinance also empowers the County's Department of Housing and Community Affairs and the Historic Preservation Commission to prevent the demolition of historic buildings through neglect.

The Montgomery County Council passed legislation in September 1984 to provide for a tax credit against County real property taxes in order to encourage the restoration and preservation of privately owned structures located in the County. The credit applies to all properties designated on the Master Plan for Historic Preservation (Chapter 52, Art. VI). Furthermore, the Historic Preservation Commission maintains current information on the status of preservation incentives including tax credits, tax benefits possible through the granting of easements on historic properties, outright grants and low interest loan program.

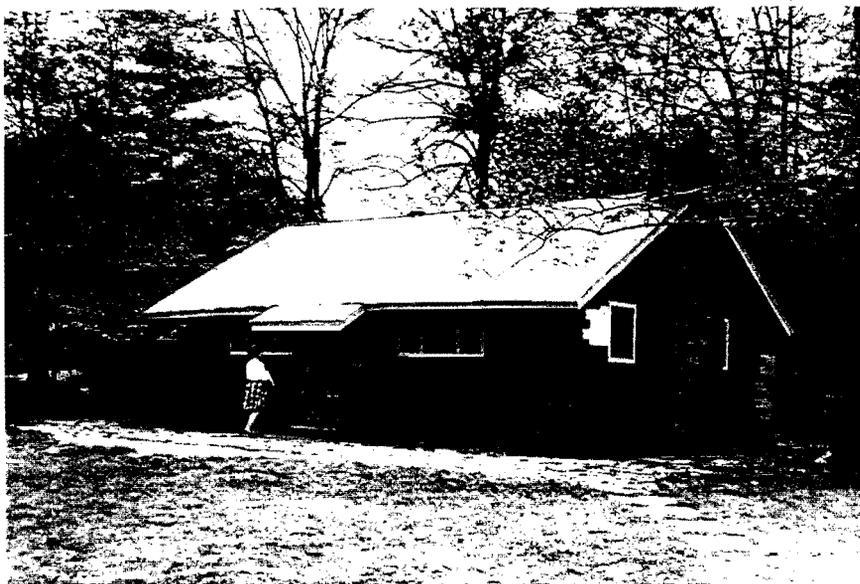
the amendment

This Amendment considers the designation of one resource to the Master Plan for Historic Preservation. If designated on the Master Plan, the resource would be protected by the County's Historic Preservation Ordinance, Chapter 24A of the Montgomery County Code.

Resource number	Historic name	Location
31/41	Kensington Cabin	10000 Kensington Parkway



Kensington Cabin faces east toward Silver Creek and Kensington Parkway, current view

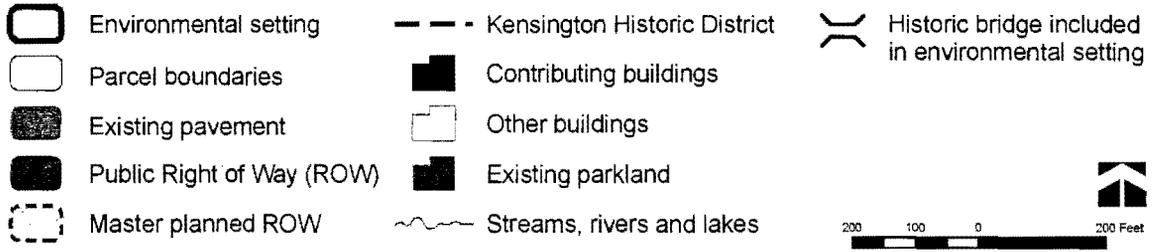
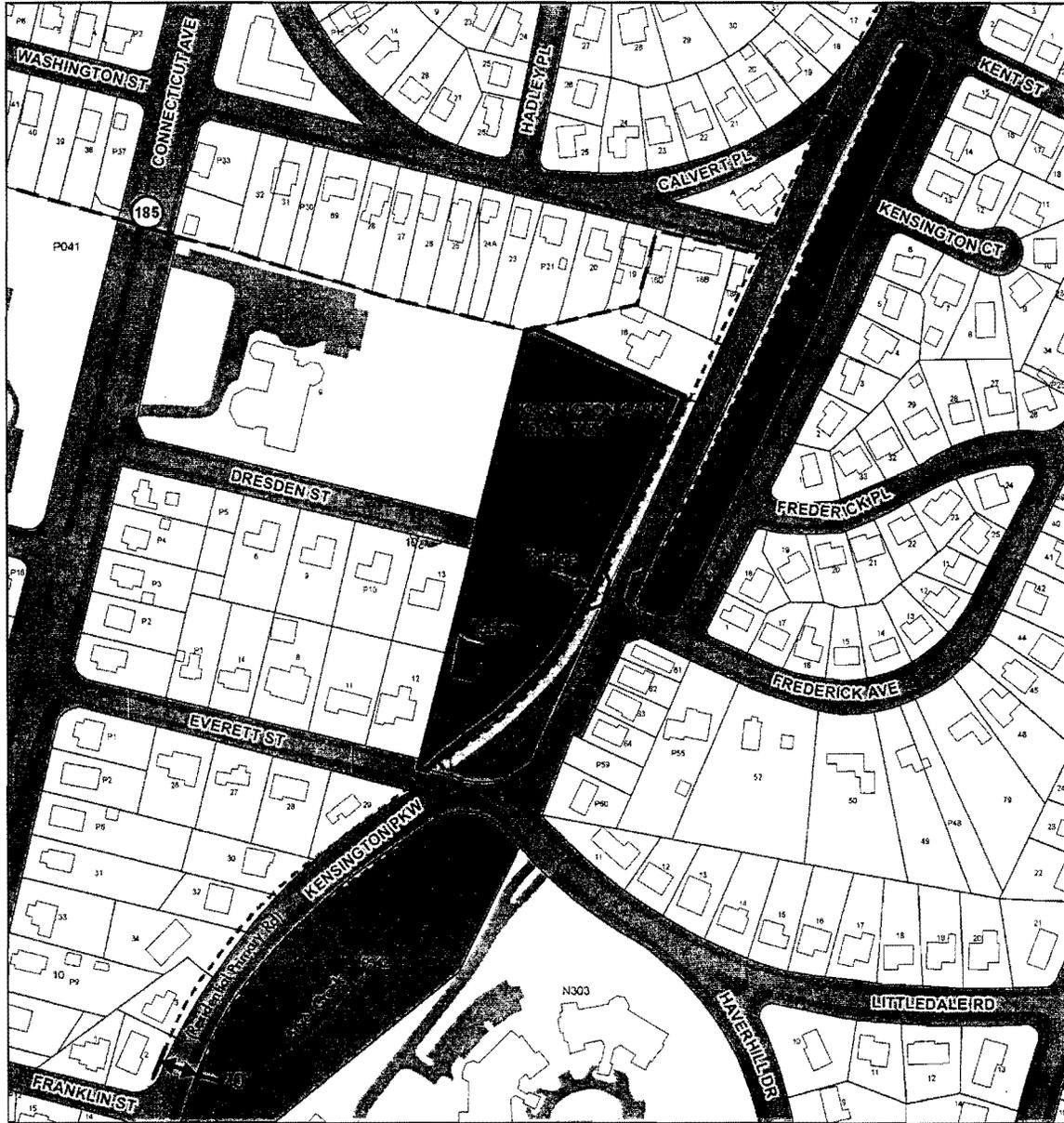


Kensington Cabin, 1964

- Built in 1934 as a park recreation building and community center, Kensington Cabin was a collaborative effort of the Town of Kensington and the Maryland-National Capital Park and Planning Commission. Blanche Armstrong, Chairman of the Civic Committee of the Woman's Club of Kensington, initially conceived of the park and community center in 1924. M-NCPPC landscape architect Roland Rogers drafted a park plan in 1929, and M-NCPPC engineer Irving Root requested funds for the recreation building in 1934.
- Kensington Cabin is one of the earliest park structures built by or for M-NCPPC, founded in 1927. Built in the New Deal era, the cabin was begun with funding from the Civil Works Administration and completed with M-NCPPC funds.
- The log structure is an outstanding example of a rustic park building exemplifying parkitecture, the concept of rustic architecture promoted by the National Park Service in the 1930s. Characteristic features include whole log construction, the stone chimney, and the rustic bracketed door hood.
- Kensington Cabin is an established visual feature of the local landscape and the namesake of the Kensington Cabin Local Park.
- The resource meets criteria 1a, 1d, 2a, and 2e.
- Kensington Cabin is located in Kensington Cabin Local Park, being Lots 1 through 15, Block 13 (Tax parcel 13-01022503). The recommended environmental setting, shown on the accompanying map, is approximately 3.85 acres, and includes the historic cabin structure, as well as the adjacent Kensington Parkway stone bridge near the Frederick Avenue intersection. The setting excludes the master planned right-of-way for Kensington Parkway except for the portion that encompasses the stone bridge.
- The cabin is located within the 100-year flood plain. It is anticipated that protective actions may be needed to minimize potential flood damage to the Cabin. Site changes that are considered normal park operations including installation of playground equipment, may be done through staff-level review and do not require a Historic Area Work Permit.

Kensington Cabin (31/41)

10000 Kensington Parkway





Kensington Cabin south elevation



View east of stone bridge

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M'Lisa Whitney

Resolution No.: _____
Introduced: February 1, 2011
Adopted: _____

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Approval of Planning Board Draft Amendment to the Master Plan for Historic Preservation: Kensington Cabin #31/41

1. On December 3, 2010 the Montgomery County Planning Board transmitted the Planning Board Draft Amendment to the Master Plan for Historic Preservation: Kensington Cabin #31/41 (hereafter referred to as the Amendment) to the Council.
2. The Kensington Cabin includes an environmental setting of approximately 3.8 acres. It excludes the right-of-way for Kensington Parkway, except that it includes a stone bridge located just north of Frederick Avenue.
3. On January 31, 2011 the County Executive submitted comments on the Amendment that endorsed the Planning Board's recommendation.
4. On March 8, 2011 the Council held a public hearing on the Amendment. The Amendment was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.
5. On March 21, 2011 the Planning, Housing, and Economic Development Committee held a worksession to review the issues raised in connection with the Amendment.
6. On March 29, 2011 the County Council reviewed the Amendment and the recommendations of the Planning, Housing, and Economic Development Committee and agreed that the documentation of the buildings and the scholarship on the Kensington Cabin make the designation of the Kensington Cabin in the Master Plan for Historic Preservation in the public interest.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following resolution:

The Planning Board Draft Amendment to the Master Plan for Historic Preservation: Kensington Cabin is approved with revisions. Council's revisions are identified below. Deletions to the text of the Plan are indicated by [brackets], additions by underscoring.

Page 7 – the last sentence of the last bullet:

Site changes, [that are considered normal park operations including] such as the installation of playground equipment, may be done through staff-level review and do not require a Historic Area Work Permit. Such changes would have no material effect on the historic resource.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council