

From: Sandy Spring-Ashton Rural Preservation Consortium [SSARPC@PreserveAshton.net]
Sent: Tuesday, November 04, 2008 4:20 PM
To: announce@PreserveAshton.net
Subject: Thomas Building (Goddard School) Development Plan Amendment Hearing

Sandy Spring-Ashton Rural Preservation Consortium

*The SSARPC (PreserveAshton.net)
supports development in Ashton that conforms to the Master Plan.
We are pro-Master Plan, not anti-development.*

**Thomas Building (Goddard School)
Development Plan Amendment Hearing
November 13, 2008**

RECEIVED

NOV 10 2008

OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

The process for approval of the construction of the Thomas Building (Goddard School and commercial offices) on Route 108, near the intersection with Norwood Road, includes a Development Plan Amendment Hearing to determine if amending the existing Development Plan to include the new use is appropriate. The Development Plan Amendment approval process has two steps. The first step is a Planning Board hearing that is scheduled for November 13 at about 2:30 PM. The precise time will depend on the time taken by preceding hearings. The Planning Board will forward its findings to a County hearing examiner, who will conduct another public hearing on November 21 at 9:30 AM (see below for the location). The hearings will reference a schematic plan for the project. The October 9 version of that plan is available for your inspection. The Planning Staff's report and several letters to the Planning Board from the SSARPC Steering Committee and others are also available.

The planning process will also include the usual Preliminary and Site Plan hearings before the Planning Board, which will take place if the Development Plan Amendment is approved. At these hearings the Planning Board considers whether it should grant permission to construct the building, as designed, on the site. The Planning Board may require changes to the design as a condition of approval. Sometimes the Preliminary and Site Plan Hearings are combined. We will let you know when these hearings are scheduled. There will be opportunities to give input prior to these hearings.

You can give written input to the Planning Board's Development Plan Amendment Hearing by sending a letter to these two people:

Royce Hanson
Chair, Planning Board
Attn: Goddard School (Thomas Building), DPA 08-2
Maryland National Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910
Email: mcp-chairman@mncppc-mc.org

Elsabett Tesfaye
Planner Coordinator-Zoning
Attn: Goddard School (Thomas Building), DPA 08-2
Montgomery County Department Of Planning
Maryland National Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910
Phone: 301-495-1301
Email: elsabett.tesfaye@mncppc-mc.org

The Planning Board's public amendment hearing will be held on November 13 at 2:30 PM, in the auditorium at the Park and Planning Commission building at 8787 Georgia Avenue in Silver Spring. The precise time will depend on the time taken by preceding hearings. There will be an opportunity for members of the community to verbally express their opinions. If you would like to testify, call 301-495-4600 to register. You can also [register online](#). Testimonies are limited to three minutes, and if you have written testimony, bring ten copies to the hearing.

The second phase, the County hearing, will be held on November 21, 9:30 AM, at the Office of Zoning and Administrative Hearings
Stella B. Werner Council Office Building
100 Maryland Avenue, Room 200
Rockville, MD 20850
Phone: 240-777-6660
Email: ozah@montgomerycountymd.gov

Letters can be sent to the above address. Anyone desiring to represent a group or association at the hearing must submit a pre-hearing statement in writing, no later than ten days before the hearing, indicating the name of the group, the name of the person(s) giving testimony, approximately how long the testimony will take and a statement of the grounds for the group's position. The pre-hearing statement must specifically identify any expert witnesses and summarize their testimony, must be accompanied by any reports or documents intended to be introduced at the hearing and should be sent to the address listed above. An individual wishing to give testimony does not require a pre-hearing statement unless that individual is represented by counsel. All information should be sent to the above address.

SSARPC would like to receive copies of letters. Please send the letters electronically to feedback@ssarpc.org or via surface mail to Box 518, Sandy Spring, Maryland 20860.

Note: An [article](#) about the Thomas Building was published in The Gazette, October 22, 2008, Page A4. The hearings described are the Development Plan Amendment Hearings. The date of the first hearing was changed after the article was published.



Sandy Spring-Ashton Rural Preservation Consortium PreserveAshton.net

SSARPC, Post Office Box 518, Ashton, MD 20861

November 2, 2008

Montgomery County Planning Board
9797 Georgia Avenue
Silver Spring, MD

Re: Goddard School (Thomas Building), DPA 08-2, Nichols Development LLC

Dear Chairman Hanson and Members of the Planning Board:

While our group, the Sandy Spring Ashton Rural Preservation Consortium (SSARPC) is not opposed to the addition of a school to the Sandy Spring Village Center, we are opposed to the Thomas Building, proposed to house the Goddard School and additional office and retail space. The size and mass of this building and its parking deck would occupy most of the available site.

The most recent proposal that we have seen (October 9th Schematic Plan) shows a three story building along Route 108 with a two level parking deck behind it which would approximately quadruple the amount of parking currently on the site. The combined mass of this development would be completely out of character with Sandy Spring's historic center.

The SSARPC Steering Committee believes that there are two reasons the plan should not be approved as a Development Plan Amendment.

First, the proposal is not consistent with the Rural Village Overlay Zone because it does not meet the purpose clause of the zone to:

- (a) "Preserve and enhance the rural village character of the Sandy Spring and Ashton village centers by ensuring an attractive and traditional pattern of houses, commercial establishments, open spaces and their relationship to roadways."
- (b) "Encourage a compatible relationship between new or expanded houses or businesses and traditional neighboring structures that reflects the best of local village character, particularly in terms of scale, siting, design features, and orientation on the site." (Sec. 59-C-18.181)

Next, the proposal is not in conformance with the 1998 Sandy Spring-Ashton Master Plan where it says that the entryway to this “unique rural community” is to be maintained. There are several references in the Sandy Spring-Ashton 1998 Master Plan that speak specifically to the importance of the rural entry to this historic area. The proposed Thomas building sits exactly at that entryway from the west.

The Plan calls for:

- (a) “The entries create attractive entrances to the village centers and help establish the character of the area.” (p. 29)
- (b) In speaking about growth of the commercial density, “However, in these village centers such increases need to be balanced with the Plan intent to maintain small scale of existing centers.” (p. 31)

Even the Design Guidelines (p. 36) lists as the first two elements, to

- Preserve the rural entry experience along MD 108, Brooke Road and Norwood/Dr. Bird Road.
- Provide the critical rural setting for the Sandy Spring village center right at the edge of the village.

Finally, the importance of the rural entry experience was recognized in the 1980 Plan and remains an important theme of the 1998 Plan. (p. 29)

It is the hope of the SSARPC Steering Committee that the Board will not approve the Development Plan Amendment for the Goddard School (Thomas Building) unless it is scaled back from what is currently proposed to reflect the traditional small scale village design that is called for in the Master Plan.

Respectfully submitted,

Michelle Layton and Donna Selden
Co-chairs SSARPC

cc: Elsabett Tesfaye, Planner Coordinator Zoning

Jennifer and Roger Fajman
17922 Pond Road
Ashton, Maryland 20861

November 1, 2008

RE: Goddard School (Thomas Building), DPA 08-2

Royce Hanson, Chair
Montgomery County Planning Board
Maryland National Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Chairman Hanson:

As you know, the Thomas Building on Route 108 in Sandy Spring is proposed to house the Goddard School and commercial office space. The lot is located adjacent to a historic area and also forms one side of the entrance into Sandy Spring.

In reviewing the proposed amendment, please consider the following criteria:

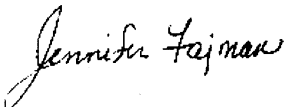
- The size of the structure must be appropriate for the size of the lot.
- The design of the structure must fit in with the rural and historic nature of the area.
- The structure must preserve an inviting entrance into the Sandy Spring area.
- The traffic flow must be appropriately managed. The traffic in the area is already burdensome and any development should not increase the traffic load or should include road improvements to manage the increase.

After reviewing the schematic plan (October 9 version) it is apparent to us that the structure is too massive for the space available and does not fit into a rustic, rural, historic area.

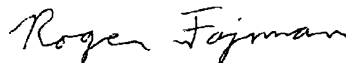
Addressing these concerns should be a condition of any recommended approval of the amendment.

If you need any more information from us, we can be reached by phone at 301-570-9065 or email at jennifer@fajman.org or roger@fajman.org.

Sincerely,



Jennifer Fajman



Roger Fajman

cc: Elsabett Tesfay, Planner Coordinator-Zoning
Michelle Layton, SSARPC
Fred Nichols, Nichols Development, Inc.

Alan M. Wright
17710 Meeting House Road
Sandy Spring, Maryland 20860

Ph: 301-774-8560
Fx: 301-774-8565
AWrightEsq@aol.com

October 29, 2008

Planning Staff
c/o Elsabett Tesfaye
via e-mail: Elsabett.Tesfaye@mncppc-mc.org

Re: Thomas Building, DPA 08-2, Nichols Development LLC

Dear Ms. Tesfaye:

I am writing in opposition to the requested development plan amendment referenced above. Please consider the following when making your recommendation to the Planning Board in the above-referenced case.

Although I have not yet had an opportunity to review the file, it is my understanding that the current site plan was the basis for a 1989 rezoning of the site which allowed construction of the existing building by Montgomery Mutual Insurance Company. The site plan for that development included the lot upon which the new building is proposed to be built in order to construct some sixty parking spaces required for the Insurance Company building.

The existing parking on the lot has caused the developer to propose a scale and design of development that is completely out of scale for this site. As Mr. Nichols explains it, the anchor tenant for the proposed new building is the Goddard School, which requires 12,000 sf of space on the ground floor for approximately 200 children, aged six weeks through elementary school. Because the school requires its facility to be located completely on the ground level, the footprint of the building must be 12,000 sf. This leaves no room for additional parking on the already-limited space available. The proposed solution to this is to build a two-tiered parking garage (77 spaces above ground, 120 below). The expense of building a parking garage means that the proposed building needs to be three stories in order to bring in additional tenants to help bear the significantly increased cost of the parking garage.

All this is offered by the developer to explain the scale of the proposed development and the reason why it cannot be reduced. This does not alter the fact that the scale of the building, and especially the parking garage, is inappropriate for the zoning and historic district in which this site is located.

1. The underlying zoning is OM, which § 59-C-18.1 of the Montgomery County Zoning Ordinance states is intended to “be located in areas where high-intensity uses are not appropriate, but where moderate intensity office buildings will not have an adverse impact on the adjoining neighborhood. (emphasis added)
2. On top of that, the Sandy Spring/Ashton Rural Village Overlay Zone is intended to “preserve and enhance the rural village character of the Sandy Spring and Ashton Village Centers . . .” and to “encourage a compatible relationship between new or expanded houses or businesses and traditional neighboring structures that reflects the best of local village character, particularly in terms of scale, siting, design features, and orientation on the site. Zoning Ordinance, § 59-C-18.18 (Emphasis added)
3. This is reinforced by the requirement in §§ 59-C-18.184 and 18.185 that the site plan conform to the recommendations of the Ashton/Sandy Spring Master Plan, the paramount goal of which is to preserve the rural character of the area. The entire Master Plan revolves around this purpose. (cf p. 1, Overview; p. 10, Rural Character; p. 12, Transportation; p. 17 *et seq.*, Elements of Rural Character; p. 23, Chapter 4, generally; p. 59, Chapter 5, generally.)
4. Finally, the site is located in a historic district. While the proposed building and parking garage are not themselves in the historic district, the site is mostly within the historic district (containing the Sandy Spring Bank, historic insurance company building, Quaker Meeting House and Community House (Lyceum), and an amendment of site plan must surely comply with historic district requirements.

Query: how is a parking garage consistent with the historic rural village character of Sandy Spring?

The parking garage and the bulk of the building are directly in conflict with the intent of the zoning and master plan. When one imagines a historic “rural village”, a parking garage in the middle, adjacent to some of the most historic buildings in that village, is clearly not part of the picture. And, if the parking garage were not, by its very nature, incompatible with the neighboring properties, its dimensions and location will cause it to stick out like a sore thumb in the middle of this rural village. The parking garage in this case and the proposed building extend unbroken from the road through to the rear of the lot, obstructing the view through the lot and the sense of openness that exists throughout the Sandy Spring community. In this sense it is typical of a cityscape, where one’s view is blocked by buildings, and pedestrian thoroughfare is restricted to narrowly-defined pathways between them, rather than a country feel of openness, trees and vegetation.

I realize that design is not a consideration at this point; however the proposed amendment should not be approved as presented because, regardless of design elements that might be added to soften the impact of the proposed development, it will remain in conflict with the intent of the Zoning Ordinance, Master Plan and historic district. Thank you for your attention to these considerations.

Sincerely,

-S-
Alan Wright

cc: Fred Nichols