

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 23-043

Preliminary Plan Amendment No. 11996032B

Sandy Spring Museum

Date of Hearing: April 27, 2023

AUG 16 2023

CORRECTED RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on April 22, 1996, the Planning Board approved Preliminary Plan No. 119960320, to create one lot on 7.09 acres of land and allow for a maximum of 9,000 square feet of Museum in the RC zone, located at 17901 Bentley Road, Sandy Spring, MD ("Subject Property"), in the Sandy Spring Policy Area and *2015 Sandy Spring Rural Village Plan* ("Master Plan") area; and

WHEREAS, on March 31, 2006, the Planning Board approved an amendment, Preliminary Plan No. 11996032A, to increase the maximum square footage allowed for the Museum from 9,000 to 12,500 square feet on the Subject Property; and

WHEREAS, on December 20, 2022, the Sandy Spring Museum ("Applicant") filed an application for approval of an amendment to the previously approved preliminary plan(s) to allow up to 23,200 square feet of museum development on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan Amendment No. 11996032B, Sandy Spring Museum ("Preliminary Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated April 14, 2023, providing its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on April 27, 2023, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of **Commissioner** Hedrick, seconded by Commissioner Pedoeem, with a vote of 5-0, Chair Zyontz, Vice Chair Piñero, Commissioners Bartley, Hedrick, and Pedoeem voting in favor.

2425 Reedie Drive, Floor 14, Wheaton, MD 20902 | Phone: 301-495-4605 | Fax: 301-495-1320
www.montgomeryplanningboard.org | mcp-chair@mncppc.org

Approved as to

Legal Sufficiency: /s/ Emily Vaias

M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan Amendment No. 11996032B to allow up to 23,200 square feet of development for the Sandy Spring Museum. The following supersedes all previous conditions:¹

General Approval

1. This Preliminary Plan is limited to one (1) lot for 23,200 square feet of cultural institution use.

Adequate Public Facilities (APF)

2. The Adequate Public Facilities (“APF”) review for the Preliminary Plan will remain valid for ten (10) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5), with up to 18,800 square feet of development anticipated in the first five (5) years for Phase I and up to 23,200 square feet of development anticipated in the remaining five (5) years for Phase II.

Outside Agencies

3. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated March 20, 2023 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
4. Before the issuance of access permits, the Applicant must satisfy the Maryland State Highway Administration’s requirements for access and improvements.
5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its stormwater management concept letter December 13, 2022 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
6. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated March 13, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may

¹ For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

Other Approvals

7. Before any demolition, clearing or grading for the Subject Property, the Applicant must receive Staff certification of any subsequent Site Plan(s) associated with this Preliminary Plan. The number and location of site elements including but not limited to buildings, on-site parking, site circulation, sidewalks and sidepaths is determined through site plan review and approval.
8. If an approved site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan amendment.

Certified Preliminary Plan

9. The certified Preliminary Plan must contain the following notes:
 - a) Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.
10. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
 - a) Show resolutions and approval letters on the certified set

BE IT FURTHER RESOLVED that these conditions supersede all previous conditions of approval for this project.

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved preliminary plan as revised by previous amendments, and all findings not specifically addressed remain in effect.

Preliminary Plan Amendment No. 11996032B requests to increase the total building square footage to 23,200 square feet in two phases. The proposed Preliminary Plan

Amendment does not alter the intent of the previous findings, which remain applicable, except as modified below.

- 1. The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.***

The Subject Property is a platted Parcel B identified on Record Plat No. 23420. The existing parcel is subject to the conditions of Preliminary Plan No. 119960320 and 11996032A, all of which have been satisfied. As part of this Preliminary Plan Amendment, the Applicant is increasing the existing square footage with no change in use. No additional right-of-way dedication is required for Bentley Road or MD 108 because both roads have fully dedicated the master-planned widths.

The lot size, width, shape, orientation, density, and location remain appropriate with the expansion of the museum use, consistent with Master Plan recommendations. The lot continues to comply with the dimensional requirements for the RC Zone as specified in the Zoning Ordinance.

Table 1: Project Data Table for the RC Zone - Zoning Ordinance in effect on October 29, 2014

Development Standards	Permitted/Required	Approved
Building Height (feet)	50 ft. max.	35 ft.
Building Setbacks (feet)		
Front	50 ft. min.	50 ft. min.
Rear	35 ft. min.	35 ft. min.
Side	35 min. 20 ft.min.	50 20 ft. min.

- 2. The Preliminary Plan substantially conforms to the master plan.***

Based on the following analysis, the Preliminary Plan substantially conforms to the 2015 *Sandy Spring Village Area Plan* ("Master Plan"). The Master Plan divides the area into three neighborhoods: the Village Core Neighborhood (western portion of the area), the Residential Neighborhood (middle portion of the area), and the Cultural Neighborhood (eastern portion of the area). The 2015 Sandy Spring Rural Village Plan includes planning and land use, buildings, connections, open space, and specific property recommendations for the three neighborhoods. The Master Plan also has specific plan recommendations for each site in a neighborhood. The Sandy Spring Museum is located along the northeastern edge of the Master Plan area in the Cultural Neighborhood. The Master Plan states that "the Cultural Neighborhood is a part of the continuation of the rural edge described in the 1998 *Sandy Spring Plan*. This

neighborhood, which includes the Sandy Spring Museum, Olive Branch Community Church Rectory and Christopher's Hardware Store, has cultural and institutional uses. The museum is fronted by an open space used on occasions for community events."

The pertinent Master Plan recommendations for the museum are as follows:

Planning and Land Use Recommendations Section (page 33 of the Master Plan):

- Encourage tree planting along Bentley Road.
- Encourage the use of the museum's open space along MD 108.
- Provide pedestrian connections to institutions.

The Master Plan recommends the preservation of the rural edge as it is an important aspect of the area's character. With the proposed Preliminary Plan Amendment and accompanying Site Plan Amendment No. 81996010B, additional landscaping will be provided along Bentley Road that preserves the rustic character of the road and helps to mark the entrance to the museum. The open space of the museum will be enhanced with additional programmed gathering areas. New pathways will be installed to provide pedestrian connections from MD 108 to the museum and to new gathering spaces on the museum grounds.

Open Space Recommendations (page 33)

- Support open space activities on the existing green in front of the Sandy Spring Museum in Area 8, which has been the location of regional/ community functions, such as the Strawberry Festival and farmer's market.

The primary open space in the Cultural Neighborhood is the green in front of the Sandy Spring Museum. This green is the site of several cultural activities, including the Strawberry Festival held annually in June. The space will be enhanced with additional gathering spaces such as spaces for Folk Life Events, and events in the Square Plazas and the Amphitheater. The plazas and amphitheater will be connected to one another and to the sidepath on MD 108 through new concrete and crushed granite paths.

Specific Property Recommendations (the Sandy Spring Museum page 35)

- Support the cultural institution and its large, protected forested areas.

The existing brick house on the museum site will be demolished and the land will be incorporated into the front gathering space for the museum. The protected forested areas will be maintained even with the proposed additions. The Subject Property is located on a large corner lot bounded by Olney-Sandy Spring Road to the south and Bentley Road to the west. Per the 2021 *Complete Streets Design Guide* (CSDG), Olney-Sandy Spring Road is designated as a Country Connector with approximately 40-feet of right-of-way dedication (for a

total of 80-feet). Bentley Road is designated as a Rustic Road, with 35-feet of right-of-way dedication (for a total of 70-feet). This plan has been coordinated with the Rustic Roads Advisory Committee and conforms with the Rustic Roads Functional Master Plan. No additional dedications are needed.

Per the 2018 *Bicycle Master Plan*, a sidepath is recommended for Olney-Sandy Spring Road. External pedestrian circulation is achieved via an existing buffered 8-foot sidepath on the Property's frontage along Olney-Sandy Spring Road. The maximum and minimum widths for a sidepath on a Country Connector are 10 feet and 8 feet respectively, as dictated by the CSDG. Street buffer widths are limited to between 10 and 15 feet for this road typology.

3. *Public facilities will be adequate to support and service the area of the subdivision.*

Adequate public facilities exist to support and service the Property in accordance with Section 50.4.3.J of the Subdivision Regulations. The Property is in the Rural East Policy Area, which is categorized as a Green Policy Area under the 2020 – 2024 *Growth and Infrastructure Policy* ("GIP"). As demonstrated via the Applicant's Traffic Exemption Statement, dated June 20th, 2022, the Application generates fewer than 50 peak-hour person trips and therefore satisfies the Local Area Transportation Review (LATR) under the GIP without further review. Therefore, roads and transportation facilities are adequate to support the Application. Currently, a buffered 8-foot sidepath exists along the frontage of the Subject Property, which is consistent with recommendations outlined in the 2021 *Complete Streets Design Guide*. The Applicant must construct a ten (10) foot wide sidepath along the frontage on Olney-Sandy Spring Road.

Other Public Facilities and Services

All other public facilities and services are available and will be adequate to serve the proposed use. Public water and sewer service are adequate and currently serve the Property. Other services including electric, and telecommunications are available to the Property. The Application has been reviewed by the MCDPS, Fire Department Access and Water Supply Section, which determined that the Property has adequate access for fire and rescue vehicles, as shown on the approved Fire Department Access Plan dated March 29, 2023.

Table 2: Trip Generation Summary

ITE Trip Generation						
Development	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Existing Museum						
ITE Trips	4	1	5	0	3	3
Auto Driver			5			3
Auto Passenger			1			1
Transit			0			0
Non-Motorized			1			0
Pedestrian (Transit + Non-Motorized)			1			0
Total Person Trips			7			4
Proposed Museum						
ITE Trips	5	1	6	1	3	4
Auto Driver			6			4
Auto Passenger			1			1
Transit			0			0
Non-Motorized			1			0
Pedestrian (Transit + Non-Motorized)			1			0
Total Person Trips			8			5
Net New Trips						
ITE Trips	1	0	1	1	0	1
Auto Driver			1			1
Auto Passenger			0			0
Transit			0			0
Non-Motorized			0			0
Pedestrian			0			0
Total Person Trips			1			1

The other public facilities and services, such as police stations, firehouses and health services are currently operating within the standards set by the 2020-2024 *Growth and Infrastructure Policy*. The proposed museum does not have a residential use, and therefore does not generate students. Therefore, a school adequacy test is not applicable.

Ten-Year APF Validity Request

The Applicant has requested a ten-year APF Validity Period instead of the standard five-year APF Validity, as specified by the Montgomery County Code Section 50.4.3.J.5. The developer has submitted a phasing plan for completion of the project with up to 18,800 square feet of development anticipated in the first five (5) years for Phase I and up to 23,200 square feet of development anticipated in the remaining five (5) years for Phase II. The complexity of the project, namely the grant and donation funding gradually secured by the museum, warrants the extended validity period and would not be adverse to the public interest. The longer APF is granted as conditioned.

4. All Forest Conservation Law, Chapter 22A requirements are satisfied.

a) Forest Conservation Plan

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code. There is an approved Final Forest Conservation Plan for the Property which must be amended as part of the accompanying Site Plan Amendment Application.

5. All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.

The Application has received an approved Stormwater Management Concept, dated December 13, 2022, and will achieve stormwater management goals on each lot via Environmental Site Design (ESD) practices including two landscape infiltration facilities and three dry wells.

6. Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.

Not applicable to this Property.

7. Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.

No other provisions apply to the Subdivision.

BE IT FURTHER RESOLVED that this Corrected Resolution constitutes the written opinion of the Board in this matter, and the date of this Corrected Resolution remains June 1, 2023, which is the date that the original Resolution was mailed to all parties of record; and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a Corrected Resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Pedoeem, seconded by Commissioner Hedrick, with a vote of **03-00-02**; Vice Chair Pedoeem, and Commissioners Bartley, and Hedrick, voting in favor of the motion, Chair Harris, and Commissioner Linden abstaining, at its regular meeting held on Thursday, July 20, 2023, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board

AUG 16 2023

Robin Ziek
18000 Bentley Road
Sandy Spring, MD 2860

Kevin Foster
3909 National Drive
Burtonsville, MD 20866

Tim Longfellow
3909 National Drive
Burtonsville, MD 20866

David Woodward
20202 Lea Pond Pl
Montgomery Village, MD 20886

Fran Hayward
18010 Bentley Road
Sandy Spring, MD 20860

Keith Bennett
3909 National Drive, Suite 250
Burtonsville, MD 20866

Allison Weiss
17901 Bentley Road
Sandy Spring, MD 20860

Scott Knudson
20505 Top Ridge Drive
Boyd's, MD 20841

Michael Kelbasco
1131 Benefield Boulevard
Suite L
Millersville, Maryland 21108

Sandy Spring Museum – Corrected Resolution

Preliminary Plan Amendment No. 11996032B and Site Plan
Amendment No. 81996010B