



**Committee:** PHED  
**Committee Review:** Completed  
**Staff:** Pamela Dunn, Senior Legislative Analyst;  
Glenn Orlin, Senior Analyst  
**Purpose:** To make preliminary decisions – straw vote expected  
**Keywords:** #Ashton Village Center, Sector Plan, M-NCPPC

AGENDA ITEM 8A  
May 4, 2021  
**Worksession**

## SUBJECT

Council worksession to discuss the recommendations of the Planning, Housing, and Economic Development (PHED) Committee regarding Planning Board Draft of the Ashton Village Center Sector Plan.

## EXPECTED ATTENDEES

Casey Anderson, Chair, Montgomery County Planning Board  
Gwen Wright, Director, Montgomery Planning Department  
Robert Kronenberg; Deputy Director, Montgomery Planning Department  
Patrick Butler, Upcounty Division Chief, Montgomery Planning Department  
Jamey Pratt, Senior Planner, Upcounty, Montgomery Planning Department  
Roberto Duke, Planner Coordinator, Upcounty, Montgomery Planning Department  
Chris Van Alstyne, Senior Planner, Upcounty, Montgomery Planning Department

## COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- Council will take straw votes on the recommendations of the PHED Committee regarding the Planning Board Draft of the Ashton Village Center Sector Plan.
- The recommendations (too numerous to list here) are covered in the attached staff report.

## DESCRIPTION/ISSUE

On December 3, 2020, the Montgomery County Planning Board approved the Ashton Village Center Sector Plan. The Sector Plan covers about 127 acres around the MD 108/MD 650 intersection. The Ashton Village Center Sector Plan boundary includes all of the area within the Sandy Spring/Ashton Rural Village Overlay zone that is east of the area covered by the 2015 Sandy Spring Rural Village Plan.

## SUMMARY OF KEY DISCUSSION POINTS

- The PHED Committee held two worksessions on the Plan.
- The staff report for the first worksession, held April 5, 2021, can be viewed at:  
[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210405/20210405\\_PHED1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210405/20210405_PHED1.pdf)
- The staff report for the second worksession, held April 19, can be viewed at:  
[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210419/20210419\\_PHED1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210419/20210419_PHED1.pdf)

- The Planning Board Draft and Technical Appendix can be viewed at:  
<https://montgomeryplanning.org/planning/communities/upcounty/sandy-springashton/ashton-village-center-sector-plan/>

**This report contains:**

Staff Report on the Recommendations of the PHED Committee	1-17
Planning Board Chair’s Transmittal Letter	©1
MCDOT Comments	©2-3
Planning Department CLV Analysis	©4-11
Planning Department Memo on Design Guidelines	©12-17
Fiscal Impact Analysis (FIA) Transmittal	©18
FIS Summary	©19
FIA Detail	©20
Public Hearing Testimony	©21-61

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**MEMORANDUM**

April 29, 2021

TO: County Council

FROM: Pamela Dunn, Senior Legislative Analyst  
Glenn Orlin, Senior Analyst

SUBJECT: Ashton Village Center Sector Plan

PURPOSE: Worksession - Review PHED Committee Recommendations

This memorandum presents the recommendations of the Planning, Housing, and Economic Development (PHED) Committee regarding the Ashton Village Center Sector Plan. This report covers all of the recommendations in the Plan.

**Councilmembers may wish to bring their copy of the Plan to the meeting.**

**BACKGROUND**

The Ashton Village Center sits at the intersection of New Hampshire Ave (MD 650) and MD 108, known as Olney Sandy Spring Road to the west of New Hampshire Avenue and Ashton Road to the east. A modest amount of commercial development is located at the crossroads, with business activities in all four quadrants of the intersection. These businesses are generally neighborhood-serving establishments, including a bank, a convenience store, a pharmacy, restaurants, a dry cleaner, and a service station. The area surrounding the commercial crossroads consists primarily of residential neighborhoods, which themselves are surrounded by larger residential properties and areas of farmland.

According to the Plan, the population of the Sandy Spring/Ashton<sup>1</sup> area has increased significantly since 2000, adding almost 1,700 more residents, a 38 percent increase. The number of housing units increased by 27 percent over the same period; however, housing growth appears to have slowed in recent years, with fewer than 35 new homes built since 2014.

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<sup>1</sup> The Ashton-Sandy Spring Census Designated Place (CDP) closely matches the area covered by the prior master plans for Sandy Spring and Ashton and is used for the purposes of analyzing the demographic data for this Sector Plan (whose area is too small for Census data on its own).

The Plan envisions the Ashton Village Center as a compact, low-rise, walkable and bikeable rural village with a mix of land uses. To this end, the Sector Plan provides zoning and design recommendations intended to allow the density and uses expected for a rural village while ensuring that new development complements Ashton’s existing commercial center and rural character. Because two state highways (MD 108 and MD 650) form a crossroads at the core of the Village Center, this Plan also provides transportation recommendations related to vehicle, pedestrian, and bicycle mobility within the Plan area.

## **PLAN RECOMMENDATIONS**

The Plan makes areawide recommendations on land use and zoning, community design, the transportation network, community facilities, trails and open spaces, the environment, and historic preservation. The Plan also includes local area and property-specific recommendations for three neighborhoods: the Village Core, the Residential Edge, and the Rural Buffer (Page 25, Map 4).

### **A. Areawide Land Use and Zoning Recommendations**

The Plan lists several areawide recommendations regarding land use and zoning, the first four of which are covered in more detail under the local area and property-specific recommendations. The one true areawide recommendation on land use and zoning is to revise the Sandy Spring/Ashton Rural Village Overlay zone.

As can be seen on the map of existing zoning (Page 31, Map 6), much of the Plan area is covered by the Sandy Spring/Ashton Rural Village (SSA) Overlay zone. The SSA Overlay zone was created to restrict uses and provide guidance for “village scale” development in both Sandy Spring and Ashton. The 2015 Sandy Spring Rural Village Plan rezoned properties from the CRT zone to the CRN zone and removed the SSA Overlay zone from the Sandy Spring Village Center. A similar review was performed for this Plan, and while many provisions of the Overlay zone are no longer needed, there are some protections allowing specific land uses that warrant modifying. The Plan, therefore, recommends retaining the SSA Overlay zone for the Ashton Village Center, preserving the requirement for site plan approval of new development, and modifying other elements of the Overlay zone as follows:

- Remove the limitations on land uses.
- Remove or update the residential development standards.
- Remove the development standards for the Commercial/Residential or Employment zones.
- Remove the sewer requirement.
- Remove the use of properties in a residential zone for off-street parking.
- Retain the site plan requirements but remove the requirement for direct accessibility from a sidewalk, plaza, or other public space.
- Allow a drive-thru as a Limited Use if associated with a bank. Do not allow the drive-thru lane to be located between the building edge and MD 108 or MD 650 under any condition.
- Allow a filling station and its accessory uses to be considered a conforming use and to be continued, altered, repaired, or replaced on the same site or a contiguous property.
- Revise the purpose statement to reflect these proposed changes.
- Revise the boundary of the SSA Overlay zone to only cover the CRN-zoned properties.

**PHED Committee recommendation (2-0): Councilmembers Riemer and Friedson concur with the Planning Board’s recommendations for modifying the SSA Overlay zone for the Ashton Village**

## Center.

### **B. Community Design Recommendations**

An integral part of creating a vibrant and successful village center is the design of buildings and open spaces. Many basic design elements, such as building placement and orientation and building heights, are already prescribed under the recommended CRN zone. This Sector Plan builds upon CRN zoning requirements by adding further recommendations to provide visual interest, engage public spaces, and ensure new buildings complement existing development and the surrounding neighborhoods.

The Planning Board's areawide Community Design Recommendations are as follows:

- Building height, massing, and placement should create a transition between the single-family detached dwelling units outside the Village Core neighborhood and potential commercial, mixed-use, or multifamily buildings clustered around the intersection of MD 108/MD 650.
- Entirely residential buildings with front or side elevations along MD 108 or MD 650 should be designed so that the building width, building massing, and façade treatment fronting to these roads suggests a single-family detached or duplex building form, regardless of actual housing type.
- Multi-use buildings with varying storefronts should be designed to let each storefront have unique architecture, ideally carrying that uniqueness up the façade, giving the impression of multiple attached buildings rather than one large building. The depth of these buildings should be flexible to accommodate various building types and building densities.
- New commercial and mixed-use buildings containing neighborhood-serving retail should be located closer to the corner of MD 108 and MD 650 to establish a clear village center or should be placed adjacent to planned open spaces to establish community gathering spaces.
- Use front and side building façades to establish street walls along MD 108 and MD 650 to frame the streets, creating a distinction from areas outside the Village Core.
- A landmark structure or portion of a building could be located near the main intersection at the Village Core to create a single point of emphasis or architectural dynamic defining the corner and the remainder of the village. Parking should be located behind or to the side of buildings to avoid visibility from the street. Parking potentially visible from the street should be screened with walls and/or landscaping to maintain the street wall. Parking should not be located at a street corner.
- Orient primary building façades, including entrances, toward streets or publicly accessible open spaces. Additional entrances may be located to the side and rear of buildings for public or private access.
- Building heights should vary between adjacent buildings, with lower heights closer to the edge of the Village Core neighborhood and higher heights closer to the MD 108/MD 650 intersection. Taller buildings may be located interior to a site to take advantage of natural grade and screening from other buildings, limiting their visibility from the main roads. (Page 39, Figure 4)
- Vary rooflines and setbacks in the front façade plane to break down the massing and to provide visual interest for new buildings.
- A majority of buildings should contain pitched roofs. If flat roofs are used, the façade should introduce a cornice along the roof edge.
- Provide pedestrian-accessible passthroughs between commercial or mixed-use buildings to break up the scale of structures on larger development sites and to provide access to the street from parking areas.

- Incorporate architectural elements in the façades, such as front and side-turned gables, front and side porches, covered stoops, recessed entries, bay windows, dormer windows, and cupolas.
- All sides of each individual building should be designed and built with the same exterior architecture and building materials in mind.
- Buildings should be clad in materials and patterns authentic to rural village character, such as brick, stone, wood shingles, or wood cladding.

### *Testimony*

The Council received testimony from Francoise Carrier on behalf of the Nichols Development Company, the master developer of the approximately 9.3 acres of land in the southeast quadrant. Ms. Carrier requests that the recommendation that a majority of buildings should contain pitched roofs be deleted. In addition, she asks that the text for Figure 4 on page 39 clarify that it depicts suggested development patterns for the properties in the southeast quadrant, not maximum building heights. In fact, Figure 4 does note this; however, combining maximum zoning height and suggested maximum height (that does not equal the zoning height) on one map is confusing.

**PHED Committee recommendation (2-0): Councilmembers Riemer and Friedson concur with the Planning Board’s areawide community design recommendations, except for the reference to Figure 4. The Committee recommends that the right side of Figure 4 on page 39 be removed from the Plan and the reference to Figure 4 under the eighth bullet above be deleted.**

### **C. Transportation Recommendations**

The Draft Plan calls for a host of bikeway, pedestrian, bus transit, and Vision Zero improvements that are supported by the Department of Transportation (DOT) and Council staff, and for which there was no public hearing testimony or correspondence. DOT’s main comments are summarized on ©2-3. This portion of the staff report addresses only those points where a concern is raised.

The Planning staff held a two-day workshop in October 2019 with community members who participated in a SWOT (strengths, weaknesses, opportunities, and threats) analysis. The transportation-related weaknesses included “an incomplete and unsafe pedestrian and bicycling network, and heavy traffic leading to long wait times and dangerous situations at the main intersection” (page 22). The main intersection, of course, is New Hampshire Avenue (MD 650) and Olney Sandy Spring Road/Ashton Road (MD 108).

The Growth and Infrastructure Policy (GIP) level of service standard for all intersections in the Rural East Policy Area (in which the Ashton Village Center sits) is 1,350 Critical Lane Volume (CLV). The most recent traffic count at this intersection was taken on Wednesday, May 15, 2019, and it operated that day at 1,046 CLV in the morning peak hour and 1,244 CLV in the evening peak hour. No bicyclists and one pedestrian crossed a leg of the intersection in the morning peak hour; no bicyclists or pedestrians crossed in the evening peak hour.

However, the Draft Plan did not forecast the future traffic at the intersection. Master and sector plans compare future traffic with a plan’s recommended improvements to determine adequacy in the long term: 20-25 years from now. Such a forecast for this Plan would include the added traffic from the remaining buildout of area—including development in the intersection’s southeast quadrant<sup>2</sup>—plus

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<sup>2</sup> One perceived threat raised by the community in the SWOT analysis was that overdevelopment would result in “worsening existing traffic congestion” (page 40).

any long-term growth in through traffic on MD 108 and MD 650.

Council staff asked Planning staff to develop such a forecast, and its analysis is on ©4-11. The analysis projects that, adding the traffic from a reasonable assumption of the remaining buildout in the Plan area, the congestion in the evening peak would rise to 1,337 CLV, only 1% better than the 1,350 CLV standard of adequacy. Assuming that through traffic will grow by 10% over the next 20-25 years would bring the congestion to 1,496 CLV in the evening peak hour, which would exceed the GIP adequacy standard by about 11%.<sup>3</sup> Thus, it can be concluded that there is a good chance the intersection will fail during the lifetime of the Plan without remediation.

Five months ago, the Council provided guidance on how to prioritize strategies to address a failing intersection in Orange, Yellow, and Green policy areas:

...transportation demand management is the first mitigation option to be pursued. Operational changes are the next priority. Roadway capacity improvements can be considered next but only if they do not negatively impact safety.

The density of development in Ashton is low and there is not a concentration of residences or employment where TDM would be effective.<sup>4</sup> Operational improvements—those that do not involve road widening such as signal retiming and changing the assignment of existing lanes—conceivably could bring the intersection within the standard. But there is no guarantee of that, so the ability to add one or more lanes at the intersection should be allowed, as a last resort.

In several places the Draft Plan would restrict or prohibit the County from implementing this last-resort option to widen the intersection. The last full paragraph on page 40 reads:

This Plan supports SHA's efforts to improve this intersection for all modes of transportation *and to only widen the pavement necessary to fix the geometric issues on the northeast quadrant.* [emphasis, mine]

The paragraph overlapping pages 40-41 of the Draft Plan reads as follows:

To further the goals of Vision Zero and to build on the successes of previous plans to keep roadway widths to a minimum, this Plan emphasizes improvements that increase pedestrian and bicycle mobility. This Plan continues the two-lane road policy for both MD 650 and MD 108. *Additionally, it recommends against pavement widening along, or at least the intersection of, MD 650 and MD 108, including turn lanes or acceleration/deceleration lanes.* Capacity issues should be dealt with first by adjusting signal timing and reconfiguring lane movements to determine if efficiencies can be found within the existing pavement. [emphasis, mine]

The second roadway recommendation on page 46 reiterates the text on page 40, stating:

*2. Maintain the pavement width at the approaches to the MD 108/MD 650 intersection except for necessary geometric improvements that serve to increase safety.* [emphasis, mine]

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<sup>3</sup> In the morning peak hour, adding through traffic and traffic from planned development in the area would bring the congestion level to 1,249 CLV, safely within the standard.

<sup>4</sup> Bill 36-18, approved by the Council in 2019, did not call for a more robust TDM regime in Green Policy Areas, such as in the Rural East Policy Area.

As noted, these sentences recommending against pavement widening are counter to the guidance in the recently approved GIP. The GIP doesn't prohibit intersection widening outright, and the Plan shouldn't do so here either, should traffic ever exceed the GIP standard. The Draft Plan does get the concept right in its third roadway recommendation on page 46, which states:

3. *Prioritize* signal retiming, lane movement reconfiguration, and new bicycle and pedestrian facilities before considering any road widening to address roadway capacity issues.

Most of the traffic using MD 108 and MD 650 is regional traffic passing through Ashton to get to its ultimate destination—the Background section of the Draft Plan acknowledges as much—and so the capacity to process this traffic efficiently and effectively should not be constrained. However, the speed of this traffic should be slowed to a level appropriate for a village center. Therefore this Plan, as other recent plans, should establish an appropriately low target speed for all roads within the Plan area. Currently, the posted speed on both MD 108 and MD 650 is 30 mph within the plan area.

*Council staff recommends deleting the text noted in italics, noted above. The Road Classification table on page 41 should set a target speed of 25 mph for each of the roads within the planning area.*

DOT writes:

The Streets Table on page 41 references to “ROW Width” should be changed to “Minimum ROW Width,” with a footnote added stating that additional right-of-way may be required to accommodate turn lanes, sidepaths, bike lanes, etc.

Council staff agrees with DOT: roadway classification tables in master and sector plans have had this concept as a standard footnote for more than three decades. *Council staff recommends adding the same footnote to a “Minimum ROW” column in the Roadway Classifications table on page 41 as on page 119 of the Planning Board Draft’s Shady Grove Sector Plan:*

*Reflects minimum right-of-way and may not include lanes for turning, parking, acceleration, deceleration, pedestrian facilities, bicycle facilities, transit facilities, or stormwater management (or other purposes auxiliary to through travel). Rights-of-way are measured symmetrically based upon roadway right-of-way centerline.*

**PHED Committee recommendation (2-0): Councilmembers Riemer and Friedson do not recommend deleting the text to which Council staff refers. They concur with Council staff’s recommendation that page 41, Table 1: Road Classifications, include a “Target Speed” column and assign each road in the table a target speed of 25 mph. Furthermore, Table 1 should include a footnote to the “ROW Width” column that states: “\*Reflects minimum right-of-way and may not include right-of-way needed for on-street parking and pedestrian, bicycle, transit, and stormwater management facilities.”**

#### **D. Recommendations for Open Space, Trails and Public Facilities**

**Open Space.** No County-owned parks exist within the Plan boundary; however, Ashton is served to some extent by privately-owned open space and publicly-owned parks at its edges. The Sandy Spring Museum property, the Northwest Branch Stream Valley Park, and Woodlawn Manor Cultural Park are just outside the Plan boundary. Current publicly-accessible open spaces include a seating area and stormwater management feature in the northeast quadrant of MD 108 and MD 650, in front of the CVS, and a small green area with trees in front of the Sandy Spring Bank. There are a few



small green spaces within existing residential developments; however, they are intended for use by only those residents. This lack of usable open space within the Plan area that can be enjoyed by the whole community is a major concern noted in the Planning Board's Draft.

To address this concern, the Plan proposes the following open space recommendations:

- Encourage new open spaces to provide amenities that accommodate social interaction, such as picnic areas, playgrounds, community gardens, and dog parks.
- Explore opportunities for active amenities such as a skate park near Sherwood High School if public land becomes available.
- Consider options to make the Ashton Village HOA's common area more accessible and usable to the public.
- New development in the southeast quadrant of the MD 108/MD 650 intersection should provide a publicly accessible public green space large enough to act as a civic gathering space. This space is encouraged to be adjacent to the environmental features to help the space feel larger. Any public green space in this area should have direct frontage on a public or private road.
- Consider using a linear neighborhood green or other similar open space that would connect a new public green in the southeast quadrant to MD 650.
- Designate a small open space area adjacent to the southeast corner of the intersection of MD 650 and MD 108 to protect the existing large shade trees.
- Frame open spaces with building façades and uses that activate those spaces wherever practical.
- Do not enclose open spaces with fencing unless the open space is intended only for private use, or the fence is for safety, such as for a tot lot or dog park, in which case context-sensitive fencing should be provided. Small private open spaces may not be fenced if doing so would prevent access to or make access to public open spaces more difficult.
- Designate the proposed public open spaces within the Legacy Open Space Functional Master Plan.

### *Testimony*

The Council received testimony from Francoise Carrier on behalf of the Nichols Development Company, the master developer of the approximately 9.3 acres of land in the southeast quadrant. This testimony supports the three open space recommendations (bullets 4, 5, and 6 above) specific to the southeast quadrant of the Village Core neighborhood. In her testimony, Ms. Carrier states that the developer's site design will closely track the Village Core Framework shown on page 69 of the Draft Sector Plan, including a large open space that will be open to the public as a community gathering space, as well as a linear park connecting the large open space to New Hampshire Avenue, and an open space at the corner (of MD 108 and MD 650) to help preserve existing trees that are highly valued by the community.

**PHED Committee recommendation (2-0): Councilmembers Riemer and Friedson concur with the Planning Board's open space recommendations with one exception. Legacy Open Space designations are evaluated on a case-by-case basis. The Committee suggests the last bullet be modified to read: "Consider the designation of proposed open spaces for inclusion in the Legacy Open Space Functional Master Plan."**

**Trails.** The 1998 Sandy Spring/Ashton Master Plan identified the Sherwood High School property as an important link connecting the sidewalks and sidepaths along MD 108 to abundant parkland outside the Plan boundary. This Sector Plan reiterates support for this link which would provide

access to the Northwest Branch Stream Valley Park and the Underground Railroad Experience Trail.

The Sector Plan includes the following trail recommendations:

- Coordinate with Montgomery County Public Schools (MCPS) and Sherwood High School to construct a multi-use natural surface trail on either the east or west side of the school (or both) connecting the sidewalk along MD 108 with Park property to the south.
- Remove the prior plan recommendation to continue the Northwest Branch Trail/Underground Railroad Experience Trail north of MD 108. This connection was removed by the 2016 Countywide Parks Trails Master Plan.

**PHED Committee recommendation (2-0): Councilmembers Riemer and Friedson concur with the Planning Board’s trail recommendations.**

**Public Facilities.** According to the Plan, the Olney Library, the County’s 4<sup>th</sup> District Wheaton Police Station, Montgomery County’s Fire and Rescue Station 4 on Brooke Road, and several MCPS schools serving Ashton all have sufficient capacity to continue serving the residents and businesses of the Ashton Village Center. The Plan does not include recommendations related to these public facilities or services.

**E. Environmental Recommendations**

Approximately 75 percent of the Sector Plan area is located either in the Lower Patuxent River watershed or in the Hawlings River watershed, which is a tributary to the Patuxent River. The Plan notes the importance of Environmental Site Design to control stormwater and maintain pre-development runoff characteristics by integrating a site’s natural hydrology into its design. The Plan also notes the value of increased tree canopy to assist with shading and cooling in the Village Core neighborhood.

The Plan includes the following environmental recommendations:

- Retain the existing RC zoning in the Rural Buffer neighborhood for continued water quality protection in the Patuxent Primary Management Area.
- Incorporate shade-creating elements into building and site design with any new development or redevelopment, including but not limited to:
  - including large canopy tree species in its landscaping;
  - using awnings and canopies over doors and windows; and
  - orienting buildings to try to provide shade to any public or outdoor gathering space.
- Maintain existing shade trees to the extent feasible and plant new shade trees in strategic locations that will eventually overarch MD 108 and MD 650, including at the entry points to the village.
- Promote existing tree programs such as Reforest Montgomery to increase shade and canopy coverage on private properties.

**PHED Committee recommendations (2-0): Councilmembers Riemer and Friedson concur with the Planning Board’s environmental recommendations.**

**F. Recommendations for Historic Preservation**

Despite Ashton’s long history, many of its 19th and early-20th century buildings have been demolished, leaving few remaining historic structures within the Plan boundary. Just outside the Plan area, numerous properties have been designated in the Master Plan for Historic Preservation. Inside the Plan boundary, only one resource is designated in the Master Plan for Historic

Preservation. Cloverly, circa 1849-1852, is located north of MD 108 across from Sherwood High School near the Sandy Spring Museum. There are a few surviving older homes within the Plan area that have been found eligible for listing in the National Register of Historic Places (Page 61).

In light of the limited historic resources within the Plan boundary, the Plan includes the following recommendations for Historic Preservation:

- Provide pedestrian and bicycle scale wayfinding signage that connects the village center to the abundant historic and cultural resources of the greater Sandy Spring/Ashton community.
- Continue implementation of the Montgomery County Heritage Area Management Plan (2002).
- During future development or major redevelopment, consider opportunities to integrate interpretive signage, markers, or public art that commemorate Ashton's origins as a rural commercial crossroads and home to free Black settlers.

**PHED Committee recommendations (2-0): Councilmembers Riemer and Friedson concur with the Planning Board's recommendations for historic preservation.**

### **G. Local and Property-Specific Recommendations by Neighborhood**

The Ashton Village Center Sector Plan has divided the Plan area into three neighborhoods: the Village Core, the Residential Edge, and the Rural Buffer. Recommendations for land use, zoning, design, and other impacts unique to each neighborhood are covered by neighborhood below.

#### **1. Village Core Neighborhood**

The Village Core neighborhood is located at the intersection of MD 108 and MD 650 and is the current and future focal point of community activity and potential development. Commercial uses are located in the immediate four corners of this intersection, although the southeast quadrant is largely undeveloped. Overall neighborhood recommendations for the Village Core are noted first, followed by recommendations for each intersection quadrant.

##### Overall Recommendations

This Sector Plan proposes a uniform density for the entire area of 0.5 FAR. The proposed zoning for three of the four quadrants is identical—CRN-0.5 C-0.5 R-0.5 H-35. Only the southeast quadrant is recommended for a different zone—CRN-0.5 C-0.5 R-0.5 H-45, where a height of up to 45 feet would be allowed under certain circumstances. The proposed total FAR of 0.5 accommodates all current development in the Plan area and allows for modest expansion of either existing commercial or residential uses on all properties.

The change from CRT to CRN zoning more closely aligns land uses allowed under the zone with uses allowed under the existing SSA Overlay zone and is consistent with the recommendations of the 2015 Sandy Spring Rural Village Plan.

##### Southwest Quadrant

The existing zoning in the quadrant is CRT-0.75 C-0.75 R-0.25 H-35, except for the Christ Community Church of Ashton, which is zoned R-90.

The Planning Board Draft recommends:

- Rezone all Village Core properties in the southwest quadrant from CRT-0.75 C-0.75 R-0.25 H-35 and R-90 to CRN-0.5 C-0.5 R-0.5 H-35.
- Extend the sidepath on the west side of MD 650 both to the north and south of the

currently-built segment in front of the Alloway building.

- Eliminate the two driveways closest to the intersection at the filling station and replace with the sidepath and a vegetated buffer between the path and MD 650. There may be room for parking in the parts of the driveways outside the rights-of-way.
- Pursue pedestrian and/or vehicular interconnectivity between the Ashton Market development and any redevelopment of the gas station property.
- Provide additional shade trees on both private property and within the right-of-way along MD 650.

#### Northwest Quadrant

The northwest quadrant is currently zoned PD-5. Since the Planned Development zone is no longer in the current Zoning Ordinance, a replacement zone must be recommended. There are two distinct land uses in the PD-5 zoned area: the Ashton Village Shopping Center located at the immediate corner of MD 108 and MD 650, and several single-family dwellings. However, only the Ashton Village Shopping Center is located in the Village Core neighborhood.

The Planning Board Draft recommends:

- Rezone the Ashton Village Shopping Center property from PD-5 to CRN-0.5 C-0.5 R-0.5 H-35.
- Provide a bus shelter for shade and seating in front of the Ashton Village Shopping Center on the north side of MD 108.
- Construct a shared-use sidepath along the north side of MD 108.
- Construct a sidewalk along the west side of MD 650 along the frontage of the Ashton Village Shopping Center.
- Coordinate with the State Highway Administration and the Ashton Village Shopping Center owners to enhance landscaping and to incorporate structural elements such as screening, a seating wall, or shade trees or structures along portions of the MD 108 and MD 650 frontages.
- If the Ashton Village Shopping Center redevelops, encourage a mix of uses with ground floor commercial activity activating the street and with parking behind.
- Maintain adequate pedestrian lead walks from MD 108 through to the townhouse development behind.

#### Northeast Quadrant

The northeast quadrant is currently developed with a CVS pharmacy that was constructed in 2016. The existing zoning is CRT-1.25 C-0.75 R-0.5 H-35.

The Planning Board Draft recommends:

- Rezone the property from CRT-1.25 C-0.75 R-0.5 H-35 to CRN-0.5 C-0.5 R-0.5 H-35.
- Relocate the utility pole at the corner and modify the curve to enable easier vehicle turning without negatively impacting pedestrian safety.
- Plant understory street trees in the right-of-way of MD 108 and MD 650 to increase greenery and shade and to provide a buffer to the open space.
- If the property on the northeast quadrant redevelops, move the building adjacent to the street and improve the open space with shading and buffering.

**PHED Committee recommendation (2-0): Councilmembers Riemer and Friedson concur with the Planning Board's recommendations on the southwest, northwest, and northeast quadrants.**

### Southeast Quadrant

About half of the southeast quadrant is zoned CRT-0.75 C-0.75 R-0.25 H-35, with the remaining portions in the R-60 or Rural Cluster (RC) zones. The southeast quadrant is home to a Sandy Spring Bank branch, a BG&E electrical substation, and a single-family detached home, but is otherwise undeveloped.

The Planning Board Draft recommends:

- Retain the R-60 zone for the BG&E property.
- Rezone all other properties in the southeast quadrant to CRN-0.5 C-0.5 R-0.5 H-45.
- Ensure a variety of building widths, building heights, and the number of building floors to achieve compatibility with existing surrounding development and maintenance of the rural village character.
- Provide sidewalks along MD 108 and MD 650.
- Interconnected vehicle access to both MD 108 and MD 650 should be provided through streets built to a public standard, including sidewalks, street trees, and street parking where feasible. The circulation should be designed with traffic calming measures to discourage high-speed cut-through traffic.
- Design any future drive-thru uses to avoid vehicle queuing between the building edge and a public roadway.
- Provide a publicly-accessible open space, ideally adjacent to the environmental features at the eastern edge of the quadrant.
- Provide a linear green space to connect the primary public open space to the sidewalk along MD 650.
- Retain a small green area near the MD 108/MD 650 intersection to protect the existing mature shade trees, to the extent feasible.

### *Testimony*

The Council also received testimony from Françoise Carrier, on behalf of the Nichols Development Company, in support of the Planning Board's recommended zoning for properties in the southeast quadrant of the Village Core neighborhood. The Council received testimony from individuals and civic/neighborhood associations in the Ashton area opposed to the Planning Board's recommended height of 45 feet for this quadrant, advocating instead for a maximum height of 40 feet. Several of those who testified in opposition to the maximum height of 45 feet also oppose the Planning Board's recommended density for this area of 0.5 FAR.

*Council staff comments:* The current zoning for properties in this quadrant is CRT-0.75 C-0.75 R-0.25 H-35, R-60, or RC. The properties in the CRT and R-60 zones are also subject to the SSA Overlay zone. Currently, for properties under the SSA Overlay zone, commercial development is restricted to a height of 30 feet, and residential development is restricted to a height of 40 feet, regardless of the underlying zone. The RC zone allows a maximum height of 50 feet. The Planning Board Draft recommends removing the development standard restrictions for all properties in a C/R or Employment zone subject to the SSA Overlay zone. This means that the height of the underlying zone prevails.

As noted in the Planning Board Draft, the southeast quadrant is still largely undeveloped and has the best opportunity for redevelopment within the Village Core. It presents the best opportunity for creating a new, meaningful public open space and gathering place for the community. The Board suggests that the proposed zoning be consistent with the other three quadrants at CRN-0.5 total FAR, but with a maximum allowable height of 45 feet instead of 35 feet, further specifying that "the additional 45-foot

height should be limited to buildings that are interior to the site (to take advantage of the natural grade) and to buildings where the additional height helps to define a focal point that stands out from the rest of the block. In any event, the 45-foot maximum height should be applied selectively; this maximum is not intended to apply across all new buildings in the quadrant (see Figure 10).”

**PHED Committee recommendation (2-0): Councilmembers Riemer and Friedson concur with the Planning Board’s recommendation to zone all quadrants of the Village Core to the same maximum density of CRN-0.5 FAR. This density is lower than the maximum total density allowed currently, even under the SSA Overlay zone, which allows a maximum density of 0.75 FAR.**

**However, in an effort to address the community’s concern with scale and character, the PHED Committee recommends (2-0) replacing the second paragraph on page 75 of the Plan with the following more restrictive language regarding where a 45-foot tall building is appropriate:**

“In the southeast quadrant, the proposed zoning should be consistent with the other three quadrants at CRN-0.5 total FAR, but with a maximum allowable height of 45 feet instead of 35 feet. The additional 45-foot height must be limited to buildings that do not front on MD 108 or MD 650. The 45-foot maximum building height must be applied selectively, taking advantage of natural grade where possible. This maximum is not intended to apply across all new buildings in the quadrant. The BG&E property is an exception that should remain under its current zone, R-60.”

**In addition, the Committee recommends (2-0) that Figure 10 on page 76 be modified to show primarily properties in the southeast quadrant (as this section is specifically about the southeast quadrant) with text that reads:**

“Figure 10. Suggested building heights for buildings in the southeast quadrant where the tallest buildings must not front on MD 108 or MD 650, and where building heights of 40 feet are appropriate at the intersection of MD Routes 108 and 650 transitioning from 35 feet in height along MD 108 and MD 650 starting at the Village Core edge.”

DOT comments that:

The two new streets in the southeast quadrant of the Plan area appear to have substantial impacts to parcels such that they may render several properties undevelopable. These impacts may affect the opportunities for implementing the project, should these properties not be consolidated under a single developer.

While these two new streets are proposed to be private streets, it would nonetheless be helpful to include these streets in the Streets Table (Table 1) to help coordinate the vision for these streets.

The Draft Plan shows the location of these two streets in Figure 7 on page 69. However, the caption clearly notes that “All features shown are illustrative.” Therefore, the street layout would not be binding.

**PHED Committee (and Council staff) recommendation (2-0): Councilmembers Riemer and Friedson concur with the Draft Plan.**

## **2. Residential Edge Neighborhood**

The Residential Edge neighborhood, located immediately west of the Village Core neighborhood, is primarily made up of residential developments constructed between the 1980

and the 1998 Plans.

The Planning Board Draft recommends:

- Retain the R-90 and TF-10 zones for all properties south of MD 108 currently in those zones.
- Retain the R-200 zone for the 1.5-acre property at 17920 New Hampshire Avenue.
- Rezone the residential and open space portions of the Ashton Village development from PD-5 and R-200 to TLD.
- Extend the sidewalk on the west side of MD 650 from the Ashton Village Shopping Center to Orion Club Drive.
- Provide a sidepath along the north side of MD 108 from the existing path at the Sandy Spring Museum to the MD 650 intersection.
- Pursue options, including a future public/private partnership, to provide an enhanced community gathering space in the open space adjacent to the stormwater retention pond in the Ashton Village Development.

### **3. Rural Buffer Neighborhood**

The western half of the Plan area currently serves as a buffer that separates and distinguishes the village centers of Ashton and Sandy Spring. Sherwood High School, in the RNC zone, occupies the area south of MD 108 in the Rural Buffer neighborhood.

On the north side of MD 108, there is a mix of older single-family homes on large lots, horse pastures, and other agricultural uses. This area is in the Rural Cluster (RC) zone.

The Planning Board Draft recommends:

- Retain the existing RC and RNC zoning.
- Provide a sidepath along the north side of MD 108 through the Rural Buffer neighborhood connecting to the existing path at the Sandy Spring Museum.
- Upgrade the sidewalk along the south side of MD 108 to a five-foot-wide sidewalk with a lawn or tree panel where missing.
- Coordinate with MCPS and Sherwood High School to provide a natural surface trail connection through the school property connecting the sidewalk along MD 108 with parkland to the south.

**PHED Committee recommendation (2-0): Councilmembers Riemer and Friedson concur with the Planning Board’s recommendations for the Residential Edge and Rural Buffer neighborhoods.**

## **H. Design Guidelines**

The Ashton Village Center Sector Plan includes a chapter titled Design Guidelines. The Plan states that the recommendations in this chapter offer a frame of reference for the design recommendations included elsewhere in the Plan and provide a more detailed specification of design expectations. Below are the Planning Board’s design recommendations for buildings, open spaces, and elements of the transportation network.

### **Building Guidelines**

To ensure that the form and scale of new development is compatible with the surrounding area, building guidelines are proposed to address building types, building placement, massing and composition of buildings, architectural embellishments, and building materials.

### *Building Types<sup>5</sup>*

The Plan envisions the following building types as part of future development in the Plan area:

- Single-family detached houses
- Duplexes
- Townhouses
- Stacked Flats (multifamily structure of two or more stories with a unit(s) on each floor)
- Multiplex (4-12 unit multifamily structure)
- Multi-Use and General Buildings

### *Building Placement*

Building placement both horizontally and vertically along streets and open spaces can promote a walkable, bikeable, and vibrant environment. This section provides direction for building placement in a build-to area, consistent spacing, and entrance and garage placement.

### *Building Massing and Composition*

The overall shape and size of a building influences the scale of the built environment. This section provides direction for development regarding building elevations, façade treatments, the composition of multi-use and general buildings, rooflines and fenestrations.

One element of massing was referenced in testimony to the Council. On page 89, the Plan contains two paragraphs that limit the width of a residential building to 80 feet or less, if located along MD 108 or MD 650. For multi-use and general buildings, width can be up to 120 feet; however, if greater than 80 feet, the maximum building height is limited to two-thirds of the building's width. It is recommended that no buildings in the Plan area be wider than 120 feet.

### *Testimony*

The Council received testimony from Francoise Carrier on behalf of Nichols development Company requesting the maximum length for residential buildings on main roads be increased from 80 feet to 90 feet and the maximum length for mixed-use buildings not on main roads be increased from 120 feet to 150 feet.

### *Architectural Embellishments*

Architectural embellishments such as porches, recessed entries, bay windows, stoops, and shutters provide visual interest to the streetscape. This section encourages and provides design directions for construction that contains these elements.

### *Building Materials*

Currently, the buildings within the greater Ashton/Sandy Spring area represent a wide variety of architectural styles, including Georgian, Federal, Greek Revival, Queen Anne and Victorian. This section of the Plan provides direction on the composition and location of façade materials.

### **Open Space Guidelines**

Open spaces come in a variety of forms, providing a place for passive and active recreation and social gathering. The locations of open spaces, their dimensions, and the activities adjacent to those spaces help determine if they are part of the public or private realm. This section of the Plan

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<sup>5</sup> The third and fourth paragraphs under this section address building massing and will be covered under that section.



provides design direction for different types of open spaces, including linear greens, neighborhood greens, and viewsheds.

### **Connections Guidelines**

DOT Comments:

The following comments were provided on a passage in this section of the Plan:

On page 98 there is a statement that “The size of existing public rights-of-way should not be expanded, ensuring that crossing distances are minimized for pedestrians and that drivers do not speed.” This reference to “public rights-of-way” should be changed to “curb-to-curb distances,” as additional ROW may be needed for a variety of reasons, potentially including expanded pedestrian and bicycle facilities in the spirit of what this plan is seeking to achieve.

*Council staff recommends deleting the sentence entirely.* As noted above, the GIP states that, if demand management and operational improvements do not resolve the congestion problem, then adding roadway capacity is appropriate as long as it does not cause a safety problem. Furthermore, there is no basis to the claim that the width of a roadway leads to speeding: there are numerous examples where the prevailing speed on a 4-lane or 6-lane highway is less than that of a 2-lane road. Speed is affected by the width of a lane, the length of turning radii, and a host of other engineering design elements.

**PHED Committee recommendation (2-0): Councilmembers Riemer and Friedson recommend revising the first sentence in the second paragraph on page 98, under section 5.4.1.1 Connection Elements, to read: “The size of existing [public rights-of-way] curb-to-curb distances should not be expanded, ensuring that crossing distances are minimized for pedestrians and that drivers do not speed.**

### **Design Guidelines, In General**

The inclusion of design guideline in the Ashton Village Center Plan and the resulting testimony regarding elements of the proposed design standards prompted a lengthy discussion during the first Committee worksession. As part of this dialog, Councilmember Friedson requested the Planning Department provide information on a systematic approach to the inclusion/exclusion of design guidelines in master plans. A memo produced by the Planning Department regarding this issue is attached on ©12-17.

The memo from Planning notes that almost all plans include recommendations related to design. In most cases these are the “high-level” recommendations such as the ones included in Chapter 3 of this Plan. However, it is the more detailed design recommendations (Chapter 5) that are either included in the plan or developed as a separate document.

According to the memo by Planning, slightly more than half of the plans produced over the past 15 years provided design guidelines separately from the plan. In these cases, the guidelines were substantial documents of 25-150 pages in length. In general, Planning recommends the following policy guidance for the treatment of design guidelines:

Design guidelines will be included in the body of master plans except for the following situations:

- Plans that are particularly complex and include multiple potential development sites that require detailed guidance to assure future compatible development.

- Plans that require design guidelines that are so detailed and voluminous that a separate document would be most logical from a logistical standpoint.
- Plans that use special zoning tools that allocate development capacity based upon design review, such as the Bethesda Downtown Plan.

The memo from Planning also notes that, under the Zoning Ordinance, to approve a site plan application, the Planning Board must find that the proposed site plan substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable (master) plan. This appears to give equal weight to guidelines, regardless of location.

Testimony requested that the Plan be revised to refer to the design guidelines as design requirements, while Council staff had recommended the term “guidelines” be changed to “recommendations”; however, in light of the reference to guidelines in the Zoning Ordinance, the Plan should remain unchanged with respect to this reference.

**PHED Committee recommendation (3-0): The Committee unanimously concurs with the Planning Board’s inclusion of design guidelines in the Ashton Village Center Sector Plan.**

**I. Implementation**

As is customary, this Sector Plan includes a section on implementation, noting specific follow-up actions that may follow the Plan’s adoption. A Sectional Map Amendment is required to implement the Plan’s zoning changes. A Zoning Text Amendment will be required to implement the recommended modifications to the Sandy Spring/Ashton Rural Village Overlay zone.

In addition, the Plan also recommends further evaluation of the proposed park trail connection across the Sherwood High School property, and increased wayfinding for pedestrians and bicyclists. It also supports the creation of an advisory group to assist with the implementation of the Plan. It is suggested that the advisory group would be staffed by the Planning Department and would work in close coordination with the Ashton Alliance and the Regional Services Center.

*Testimony*

The Council received testimony from several individuals and civic/neighborhood groups in support of an Ashton Village Center Implementation Advisory Committee. In addition to expressing their support, several residents requested that the participation of the Advisory Committee be required at the earliest stage in the development process. The Council also received testimony requesting that the Implementation Advisory Committee include diverse viewpoints.

**PHED Committee recommendation (2-0): Councilmembers Riemer and Friedson concur with the Planning Board’s views on implementation with one exception; text should be added to the section on the Implementation Advisory Committee to ensure its notification and participation in the development review process at the earliest stage of the process. Furthermore, the Councilmembers recommend that formation of the Advisory Committee should be coordinated with all of the civic/neighborhood groups within the Ashton area. A resolution to establish the Advisory Committee will follow the adoption of the Plan.**

## **FISCAL IMPACT ANALYSIS**

The Office of Management and Budget (OMB) has forwarded its fiscal impact analysis (FIA) for the Sector Plan, a requirement under Chapter 28 of the State Code. The transmittal from the OMB Director is on ©18, the Executive Branch's estimates of the County cost of projects recommended in the Plan are on ©19, and the estimate of the full cost is on ©20.

All the capital and operating costs are related to transportation. The \$20.2 million capital cost to governments include:

- \$16.2 million for several sidewalk and bikeway improvements.
- \$3.4 million for additional Ride On buses and Metrobuses to add service and to relocate the bus stop at Sherwood HS.
- \$0.6 million for reconstructing the traffic signal at the Sherwood HS entrance.
- No costs are shown for improvements to the MD 108/MD 650 intersection or for undergrounding utilities.

The Executive Branch estimates the cost of the new streets in the southeast quadrant of MD 108/MD 650 at \$7.3 million, to be funded by developers.

OMB estimates the additional annual operating and maintenance cost of these transportation facilities to be \$1,287,500.

January 6, 2021

The Honorable Tom Hucker  
President, Montgomery County Council  
Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850

SUBJECT: Ashton Village Center Sector Plan Planning Board Draft

Dear Council President Hucker:

On behalf of the Montgomery County Planning Board, I am pleased to transmit the Planning Board Draft of the Ashton Village Center Sector Plan. This Sector Plan amends the Approved and Adopted 1998 *Sandy Spring/Ashton Master Plan*.

The Ashton Village Center Sector Plan area is located around the intersection of New Hampshire Avenue (MD 650) and MD 108 (Olney-Sandy Spring Road to the west and Ashton Road to the east). The plan area consists of a mix of single-family housing types on varying lot sizes, and a few retail and service businesses. The village center is surrounded by larger residential properties and areas of farmland. Sherwood High School is also within the Plan boundary.

Ashton Village Center is envisioned as a compact, low-rise, walkable, and bikeable rural village with a mix of land uses. The plan aims to create a vibrant village center while maintaining and enhancing the rural character of Ashton and raising awareness of the county's rich array of cultural and historic resources. Key recommendations in the Sector Plan include: rezoning the properties closest to the main intersection to encourage a mix of neighborhood-serving businesses and a variety of additional housing types; design guidelines to encourage architecture suitable for a rural village; connectivity improvements to help the county meet its Vision Zero goals; the creation of inviting gathering places that foster a sense of community; and the formation of an advisory group to address the Sector Plan's implementation.

The Planning Board Draft can be viewed online at <https://montgomeryplanning.org/avc>.

The Planning Board and its staff look forward to working with the County Council and the Executive Branch through the review and approval of this Plan.

Sincerely,



Casey Anderson  
Chair

CA:jp:pb:cr

cc: Pam Dunn

**MEMORANDUM**

March 1, 2021

**TO:** Claire Iseli  
Office of the County Executive

**FROM:** Hannah Henn, Deputy Director   
Department of Transportation

**SUBJECT:** Ashton Village Center Sector Plan  
Planning Board Draft – MCDOT Comments

Thank you for the opportunity to review the December 2020 Planning Board Draft of the Ashton Village Center Sector Plan. Our most significant comments are highlighted in the list below. Footnotes within these comments refer to the associated comment number in the attached document that details a comprehensive list of comments from the Department of Transportation.

- 1) **ROW:** The Streets Table on page 41 references to “ROW Width” should be changed to “Minimum ROW Width”, with a footnote added stating that the additional ROW may be required to accommodate turn lanes, sidepaths, bike lanes, etc.<sup>4</sup>

On page 98 there is a statement that “The size of existing public rights-of-way should not be expanded, ensuring that crossing distances are minimized for pedestrians and that drivers do not speed.” This reference to “public rights-of-way” should be changed to “curb-to-curb distances”, as additional ROW may be needed for a variety of reasons, potentially including expanded pedestrian and bicycle facilities in the spirit of what this plan is seeking to achieve.<sup>18</sup>

- 2) **New Streets:** The two new streets in the southeast quadrant of the plan area appear to have substantial impacts to parcels such that they may render several properties undevelopable.<sup>12</sup> These impacts may affect the opportunities for implementing the project, should these properties not be consolidated under a single developer.

While these two new streets are proposed to be private streets, it would nonetheless be helpful to include these streets in the Streets Table (Table 1) to help coordinate the vision for these streets.<sup>11</sup>

Should you have any questions regarding our comments on the plan, please feel free to contact me or Mr. Andrew Bossi, Senior Engineer, at 240-777-7200.

HH:AB

Attachment: Detailed Comments Spreadsheet

cc: Chris Conklin, MCDOT  
Gary Erenrich, MCDOT  
Andrew Bossi, MCDOT  
Meredith Wellington, CEX  
Kara Olsen Salazar, DGS  
Amy Donin, DGS

**Memorandum**

March 30, 2021

**To:** Glenn Orlin, Senior Analyst  
Montgomery County Council

**From:** Chris Van Alstyne, Planner Coordinator, Upcounty Planning  
Montgomery County Planning Department



**Subject: Future CLV Scenario Analysis for Ashton Village MD 108 / MD 650 Intersection  
Based on Development Scenario of Southeast Quadrant**

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**Summary:**

A moderate increase in vehicular traffic is expected to occur within the planning horizon of the Ashton Village Center Sector Plan according to additional Critical Lane Volume (CLV) analysis of the central MD 108 / MD 650 study intersection. Planning staff used an internal “best guess” estimate on a higher-end realistic “future” scenario of development for the southeast quadrant of the MD 108 / MD 650 intersection in Ashton Village. Staff also studied transportation/land use scenarios reflecting current conditions, approved background development, as well as a hypothetical “future + 10%growth” condition. All analysis was conducted using the CLV methodology described in the *2017 Local Area Transportation Review (LATR) Guidelines*. Most scenario conditions meet the Rural East policy area threshold of 1350 for CLV (Table 1). Only the context of the hypothetical scenario in which an additional 10% growth rate was applied to the “future” scenario is this CLV threshold exceeded, and only during the evening peak hour.

*Table 1 – MD 108 / MD 650 CLV Analysis – Results by Scenario*

Scenario	CLV – 1350 Area Standard	
	AM	PM
<i>Current</i>	1046	1244
<i>Background</i>	1102	1306
<i>Future</i>	1134	1337
<i>Future + 10%</i>	1249	<b>1496</b>

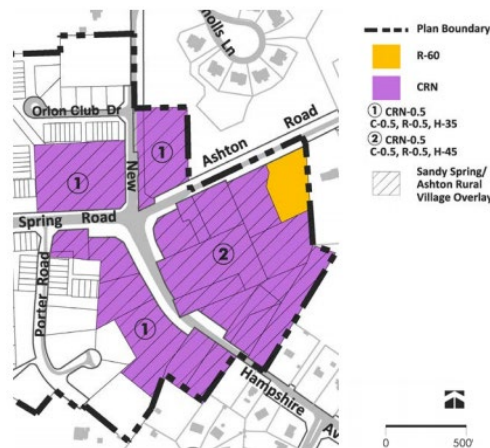
As mentioned in the Draft Sector Pan, significant uncertainties exist in forecasting vehicular traffic decades into the future. This is compounded by Ashton Village’s equidistance to both downtown Washington and Baltimore drawing traffic south and northeast as well as proximity to significant centers such as Olney, Rockville, Gaithersburg and Germantown in the west and destinations in

Prince George's and Howard Counties in the north, east, and south. Sizable shifts in commuting patterns are likely as these locations continue to grow and do so at different rates. It should also be noted that, in the wake of the Covid-19 pandemic and dramatic growth in work-from-home mode share, long term commuting habits have and will continue to change in ways that are only beginning to be studied.

**Analysis:**

In comparing the Draft Sector Plan with the adopted 1998 *Sandy Spring/Ashton Master Plan*, the Draft Plan would significantly reduce the number of *allowable* overall trips on the condition of a full build-out of the plans (as measured by FAR and density). This is the result of the significant reduction in overall allowable commercial density in the plan area. However, market conditions have never proven as favorable in the study area to support this level of commercial development, making such a comparison irrelevant. Additionally, the majority of the Plan area has now been developed to a level believed to remain constant through the life of the plan. The notable exception is the collection of properties to the southeast of the MD 108 / MD 650 intersection, marked “2” in the map below. This portion of the Plan area, the southeast quadrant, is the focus of the following analysis.

Map 1 – Village Core Neighborhood Proposed Zoning



While commercial density has been reduced for about half of this area (the other half is currently residentially zoned) with this rezoning, allowable residential density has increased. Although this increase in residential density is not guaranteed to result in development, it is reasonable to expect that it will, albeit at a lesser intensity than earlier approved development (the 2005 Ashton Meeting Place Preliminary Plan) that included a larger share of commercial use.



## Trip Generation

Due to the mixed-use nature of the zone, along with the vagaries of development review, it is difficult to predict the exact eventual buildout of these properties should development occur. However, Planning staff presents a “best guess” of a higher-end level of development roughly modeled off the nearby approved 2018 Ashton Market development on Porter Road, with a higher-end of development picked to better test the resulting change in traffic conditions on the MD 108 / MD 650 intersection (Table 2). These numbers *do not represent Planning Staff support* of such a scale of development, which is presented without a complete understanding of the characteristics of these properties; these numbers are used only to provide a rough estimate of vehicular traffic impact through the studied intersection. As a note, internal Planning Department practice has been to analyze townhomes under the ITE code for low-rise multifamily as there is no separate code for that form of construction; in other words, both townhouse units and low-rise multifamily units are assumed to have the same trip generation rate.

Table 2 – Studied Development Scenario

Type	Scale	ITE Trip Gen. Code
Townhomes	34 d.u.	220
Multifamily	66 d.u.	220
Retail	12,500 s.f.	820

Table 3 – ITE Trip Generation Studied Development Scenario

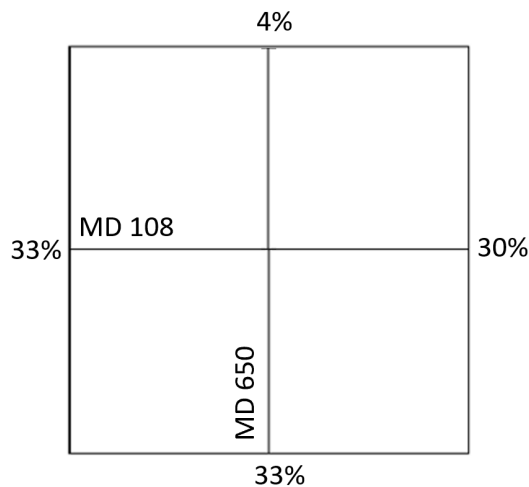
			ITE Vehicle Trips					
			AM			PM		
	ITE Land Use Code	Scale	In	Out	Total Vehicle	In	Out	Total Vehicle
<b>Existing</b>								
Bank w/ Drive-thru	912	3,000 sf	16	11	27	29	29	58
Pass By (29%)	--	--	(5)	(3)	(8)	(10)	(10)	(20)
<b>Future</b>								
Townhomes	220	34 d.u.	4	13	17	13	8	21
Multifamily	220	66 d.u.	7	25	32	20	12	32
Retail	820	12,500 sf	98	60	158	107	116	223
Internal Capture (Credit)	--	--	(2)	(2)	(4)	(14)	(14)	(28)
Pass-by	--	--	(25)	(15)	(40)	(36)	(40)	(76)
Total Future (w/Pass-by Credit)			82.0	81.0	163.0	90.0	82.0	172.0
<b>Net New Trips (w/ Pass-by Credit)</b>			<b>71.0</b>	<b>73.0</b>	<b>144.0</b>	<b>71.0</b>	<b>63.0</b>	<b>134.0</b>

Vehicle trips based on this development scenario are presented in Table 3 above. This calculation considers the presence of an existing drive-thru bank; those existing trips as well as pass-by and internal capture trips have been deducted from overall trip generation numbers to reflect a ‘clean slate’, net-new trips condition. It should be noted that the bank may very well continue as-is under future development as well, potentially resulting in greater trip generation overall. This scenario predicts a modest amount of retail, exceeding to a small degree what is currently a tepid rate of commercial development seen in rural areas of Montgomery County. However, even at this modest level of commercial development, site commercial uses will still predominate trip generation, even if the large majority of the land area is used for residences. This impact may be even larger should the retail development pursued be of a more auto-centric nature, have a preponderance of more trip-generating uses such as coffee shops, fast food, or convenience stores, or simply propose a larger amount of retail use up to the density allowed by the zone. Alternatively, if commercial uses are proposed at levels below what this study scenario envisions, trips may be significantly reduced.

*Trip Distribution*

Trips generated by the development of the southeast quadrant are predicted to roughly follow the existing travel patterns exhibited at the MD 108 / MD 650 intersection.

*Image 1 – Site Trip Distribution*

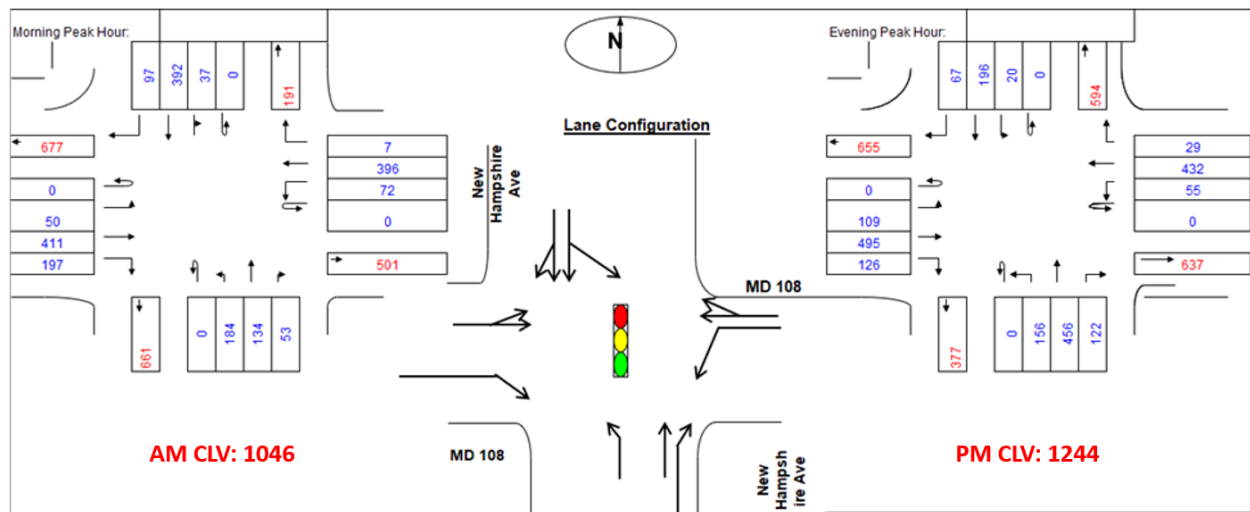


Ashton’s centrality to many sizable destinations to the east, northeast, south, and west yields a roughly even split for trip distribution for any future development with the exception of north on MD 650, which is predicted to remain largely rural, and thus not a major source or destination for new trips.

## Existing and Background Conditions

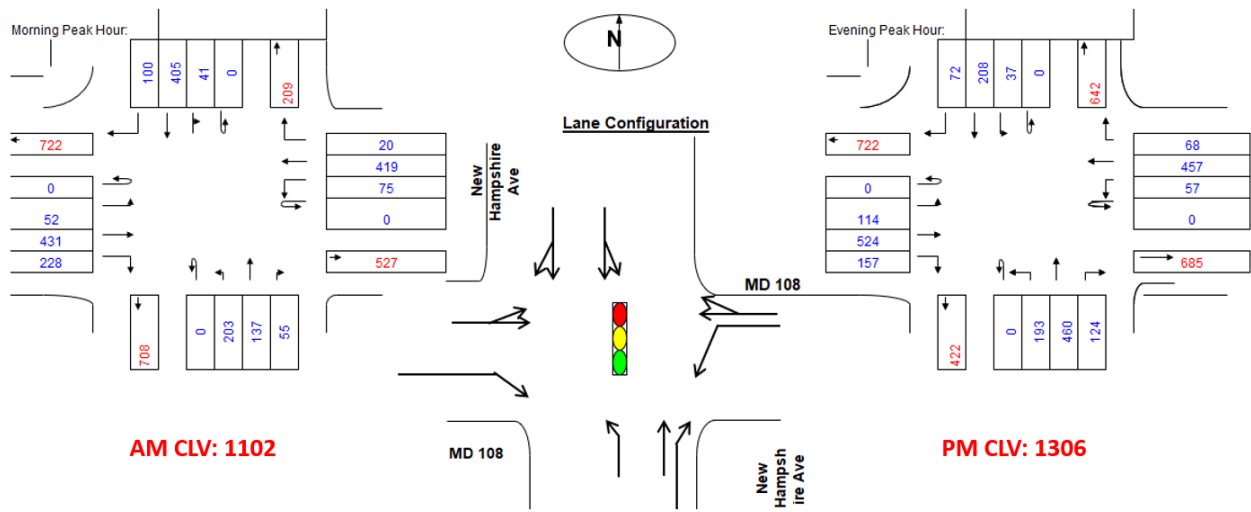
Traffic counts and CLV analysis was conducted on the study intersection by Sabra & Associates in May of 2019 in support of the Master Plan under current conditions (Image 2). The intersection was found to be operating under the Rural East Policy Area CLV threshold of 1350 in both the AM and PM peak hour. The analysis found more traffic and delays in the PM peak hour than in the AM hour, typical for regional commuting patterns.

Image 2 – CLV Analysis – Current Conditions



Building from current conditions, Planning staff has analyzed the intersection to include all predicted background development, namely all relevant approved projects in the vicinity (Image 3). This is predicted to modestly increase traffic through the intersection, in line with other recent transportation studies, with both AM and PM peak hour traffic remaining below the 1350 congestion standard. Notably, the PM peak hour traffic under this background scenario exceeds a CLV level of 1300.

Image 3 – CLV Analysis – Background Conditions



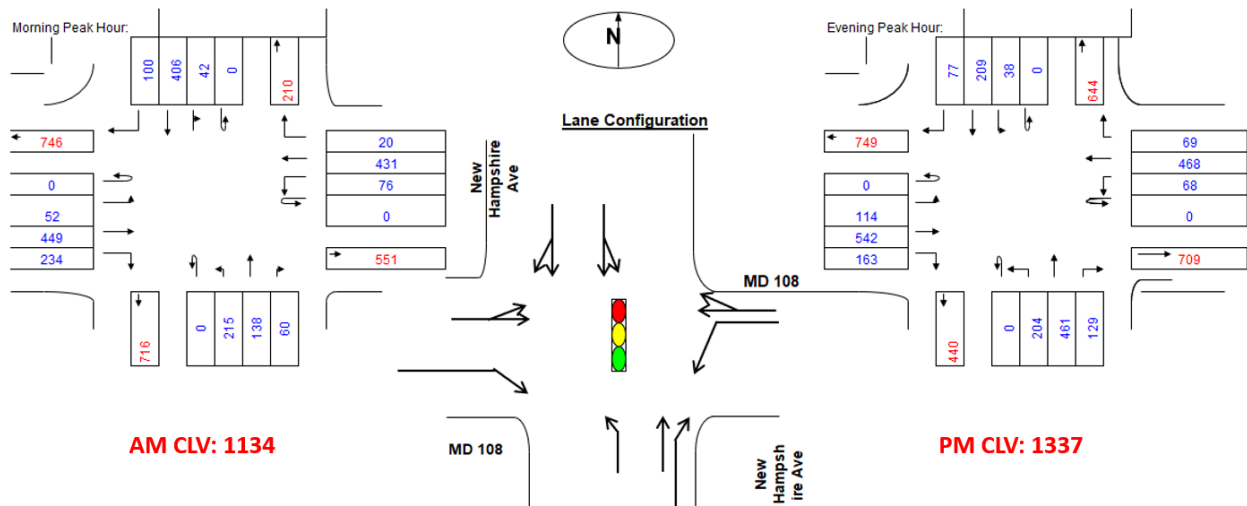
Site generated trips for the “future” scenario for the southeast quadrant (as calculated previously in Table 3) were allocated between two potential future access points along MD 108 and MD 650. These access points are envisioned on p. 39 of the Plan in support of development (Image 4). As a note, while the Plan illustrates three access points, in terms of CLV analysis of the study intersection, there is no difference in the overall travel distribution between the two studied and the three as illustrated.

Image 4 – Potential Access on Southeast Quadrant



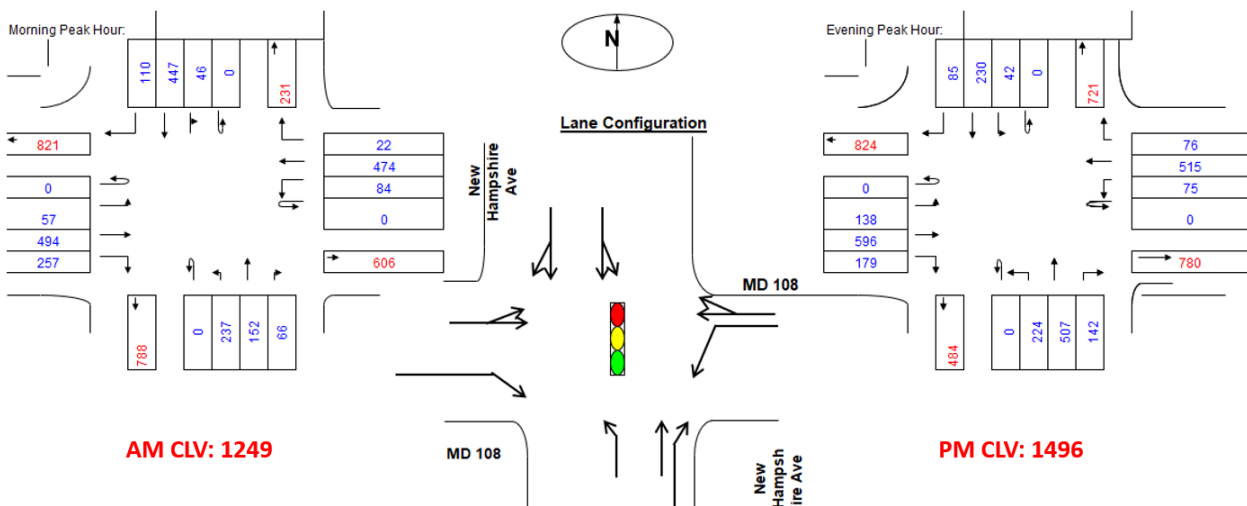
A development at roughly the scale of this studied future scenario, generating between 100 – 150 peak hour vehicle trips, would approach the CLV threshold of 1350 in the PM peak hour (Image 5). Under the future study scenario assumptions, this amounts to a CLV of 1337. On the other hand, traffic levels remain comfortably below the threshold in the AM peak hour.

Image 5 – CLV Analysis – Future Conditions



Last, a “stress test” was performed on the study intersection (Image 6). This employs the same assumptions as the full future scenario but includes an escalation of 10% in traffic for each travel lane. The 10% figure represents a “significant growth” scenario dependent largely on growth well beyond the Plan boundaries. For perspective, there was a roughly 10% reduction in traffic through the study intersection following the opening of the ICC.

Image 5 – CLV Analysis – Future Conditions + 10%



Under this “future conditions + 10% growth” scenario, the CLV threshold in the PM peak hour period threshold is significantly exceeded; this amounts to an equivalent average vehicle delay of roughly 1 minute. The AM peak hour remains below the 1350 congestion standard.

**Conclusion:**

A moderate increase in traffic delay is expected to occur at the MD 108/ MD 650 intersection within the planning horizon of the Ashton Village Master Plan. Most of any future delay is likely to be the result of some combination of growth beyond the plan boundary, shifts in commuting patterns, technological change, and overall economic growth, all of which is difficult to predict beyond a 5-10-year window. Other factors may instead result in static levels of traffic or even a reduction in traffic, perhaps a result of a rapid and potentially permanent increase in work-from-home and the continued growth of e-commerce following the Covid-19 pandemic.

Nevertheless, limited local development is expected within the Plan boundaries, with the focus of this study being the re-zoned CRN properties on the southeast quadrant of the MD 108 / MD 650 intersection. Development will result in a moderate net increase in trips, with corresponding increase in vehicle movement and delay through the study intersection. The bulk of this change will likely predominantly be the result of any new commercial component of the development, especially if that commercial use is auto-centric or reliant on large customer volume. Future housing, despite the expectation of occupying the large majority of the remaining available land on the studied properties, will result in a comparatively lower trip generation rate.

With the joint embrace by the County and Montgomery Planning for Vision Zero, the Sector Plan does not advocate for additional engineered capacity improvements for the studied intersection. The Plan instead recommends the intersection remain within the existing right-of-way to achieve a more pedestrian-friendly, rural village crossroads function. As with any large development, a project at the southeast quadrant will result in an additional full transportation study better suited to addressing multi-modal priorities at the study intersection. Should that development or any local development exceed the 1350 CLV threshold, efforts will be made to mitigate added trips as well as to address any underlying safety concerns and deficiencies in the bike and pedestrian network.

April 12, 2021

**MEMORANDUM**

**TO:** PHED Committee

**FROM:** Gwen Wright, Planning Director  
Patrick Butler, Chief, Upcounty Division  
Jamey Pratt, Senior Planner, Upcounty Division  
Roberto Duke, Urban Designer, Upcounty Division

**SUBJECT:** Policy regarding design guidelines and master plans

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**Recommendation:**

Discuss policy regarding design guidelines and master plans. Approve Ashton Village Center Sector Plan with design guidelines included in the Sector Plan as recommended by the Planning Board.

**Background:**

The PHED Committee discussed this topic on April 5<sup>th</sup>. The primary focus of discussion was whether the design guidelines for the Ashton Village Center Sector Plan should be included in the plan (as recommended by the Planning Board) or published as a separate document (as recommended by Council staff).

Planning staff was asked to look at how this issue has been addressed in other master plans and return to the PHED Committee with a clear written policy on the issue.

**Discussion:**

Planning Staff reviewed all master plans adopted by the Planning Board and County Council over the last fifteen years. For each Plan, Staff determined the format of the guidelines and categorized them as shown in Table 1.

*Table 1. Design Guidelines Formats*

Format	Description
External	Standalone document approved by the Board
Included	A design guidelines or similar plan section
Incorporated	Design guidelines/recommendations throughout the Plan text
None	Plan does not contain design recommendations

Table 2Table 3, on the following page, lists the 30 master plans approved and adopted since 2006 in chronological order. The format and length of the guidelines are shown, as is the size of the plan area. In almost all cases, even when a plan has external design guidelines, the master plan has design elements incorporated into the text of the plan, generally in the form of plan recommendations. Most plans without external design guidelines have a chapter or section with design recommendations. A few plans do not have a specific plan section for design guidelines or recommendations but instead incorporate design elements throughout the plan when discussing plan neighborhoods or specific sites. One plan

does not contain any design recommendations at all. Table 3 and Table 4, at the end of the report, contain the same list sorted by alphabet and size of plan area, respectively.

*Table 2. Master Plans Sorted by Year Adopted*

Master Plan	Year Adopted	Size of Plan Area (Acres)	Design Guidelines Format	Length of Guidelines (Pages)
Damascus Master Plan	2006	22,200	Included	10
Shady Grove Sector Plan	2006	1,967	Incorporated	
Woodmont Triangle Amendment	2006	101	Included	7+
Germantown Employment Area Sector Plan	2009	2,602	External	51
Twinbrook Sector Plan	2009	154	External	35
Great Seneca Science Corridor	2010	4,329	External	45
White Flint Sector Plan	2010	434	External	26
Burtonsville Commercial Crossroads Neighborhood Plan	2012	232	Included	8
Kensington Sector Plan Update	2012	394	External (Projects also reviewed by Town of Kensington)	46
Takoma/Langley Crossroads Sector Plan	2012	181	External	52
Wheaton Central Business District and Vicinity Sector Plan	2012	484	External	38
Chevy Chase Lake Sector Plan	2013	380	External	54
Glenmont Sector Plan	2013	711	External	32
Long Branch Sector Plan	2013	242	External	46
Bethesda Purple Line Station Minor Master Plan Amendment	2014	13	Incorporated	
Ten Mile Creek Area Limited Amendment to the Clarksburg Master Plan	2014	4,057	Included	1+
White Oak Science Gateway	2014	3,132	External	40
Aspen Hill Minor Master Plan Amendment	2015	15	Included	4
Sandy Spring Rural Village Plan	2015	53	Included	2+
Montgomery Village Master Plan	2016	2,513	Included (Montgomery Village also has an Architectural Review Board)*	2+
Westbard Sector Plan	2016	181	Incorporated	
Bethesda Downtown Sector Plan	2017	452	External	110
Greater Lyttonsville Sector Plan	2017	584	External	60
Rock Spring Sector Plan	2017	536	External	150**
Grosvenor-Strathmore Metro Area Minor Master Plan Amendment	2018	117	Included	22
White Flint 2 Sector Plan	2018	547	External	150**
MARC Rail Communities Plan	2019	541	Incorporated	
Veirs Mill Corridor Master Plan	2019	1,004	Incorporated	
Forest Glen/Montgomery Hills Sector Plan	2020	257	Incorporated	



Germantown Plan for the Town Sector Zone	2020	1,429	None
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\* Montgomery Village’s architectural guidelines are far more extensive and specific than any master plan design guidance.

\*\*Rock Spring and White Flint 2 were both included in a single 150-page design guidelines book.

It is important to note that, per the Zoning Ordinance, site plans reviewed by the Planning Department must be found to “substantially [conform] with the recommendations of the applicable master plan **and any guidelines approved by the Planning Board** [emphasis added] that implement the applicable plan”. This appears to give equal weight to guidelines regardless of location. So, deciding where to place guidelines is not a matter of where they will be most enforceable, but rather where they make the most sense from the perspective of plan size and complexity.

From staff’s review of master plans, the decision to have separate design guidelines appears to be focused on plans that are particularly large and complex with multiple potential development sites. For example, the White Flint 2 and Rock Spring sector plans.

Where design guidelines have been included within a master plan, either as a separate section or incorporated throughout the plan, they have typically been much shorter than the external guidelines. These plans are frequently for smaller plan areas or the design guidelines cover only a small portion of an overall plan area, such as a town center. Most of the time they have been included, they are fewer than ten pages long—oftentimes much fewer—although it is difficult to get a precise page count for the design recommendations and guidelines when they are spread throughout a master plan. Even when plans have external guidelines, the plans also typically include general design guidance within the plan document.

For those plans that have included design guidelines in the body of the plan, some of the design guidelines are very specific. For example, in the Aspen Hill Minor Master Plan Amendment, there is the following language in the plan document:

Transition to Residential Neighborhoods: Ensure appropriate transitions between non-residential development and adjacent residential neighborhoods to minimize the impact of new development on those neighborhoods. As required by the Zoning Ordinance, provide landscaping and new tree canopy in parking areas; taper building heights away from existing residential development; and retain (and expand where feasible) existing trees and greenery the entire length of the western edge of the Vitro/BAE property to buffer new development. **On the north side of Aspen Hill Road, non-residential buildings may not be constructed within 100 feet of an adjacent lot improved with a detached house.**

In the recent Forest Glen/Montgomery Hills Plan, guidance is in the plan document and states (as an example):

**Provide a 25-foot setback, at a minimum, from building face to curb along Georgia Avenue and Forest Glen Road to accommodate a generous sidewalk.**

These types of guidance in a plan have a direct impact on the placement and design of new buildings – just as is the case with the recommendations in the Ashton Plan. It is also important to note, that we have never been faced with a request to amend guidelines – either external or internal. Applicants work with Planning staff to implement guidelines and they have not prevented projects from moving forward.

In addition, the logistics of creating design guideline documents needs to be considered. If design guidelines are less than about ten pages in length, it is difficult to create a document that will be sufficiently “memorable” and there is a strong possibility that future applications may not focus on the design guidelines in an appropriate way.

**Policy Recommendation:**

Based on the review of previous practice over the past 15 years, Planning Department staff recommends the following policy:

Design guidelines will be included in the body of master plans except for the following situations:

- Plans that are particularly complex and include multiple potential development sites that require detailed guidance to assure future compatible development.
- Plan that require design guidelines that are so detailed and voluminous that a separate document would be most logical from a logistical standpoint.
- Plans that use special zoning tools that allocate development capacity based upon design review, such as the Bethesda Downtown Plan.

Table 3. Master Plans Sorted by Plan Name

Master Plan	Year Adopted	Size of Plan Area (Acres)	Design Guidelines Format	Length of Guidelines (Pages)
Aspen Hill Minor Master Plan Amendment	2015	15	Included	4
Bethesda Downtown Sector Plan	2017	452	External	110
Bethesda Purple Line Station Minor Master Plan Amendment	2014	13	Incorporated	
Burtonsville Commercial Crossroads Neighborhood Plan	2012	232	Included	8
Chevy Chase Lake Sector Plan	2013	380	External	54
Damascus Master Plan	2006	22,200	Included	10
Forest Glen/Montgomery Hills Sector Plan	2020	257	Incorporated	
Germantown Employment Area Sector Plan	2009	2,602	External	51
Germantown Plan for the Town Sector Zone	2020	1,429	None	
Glenmont Sector Plan	2013	711	External	32
Great Seneca Science Corridor	2010	4,329	External	45
Grosvenor-Strathmore Metro Area Minor Master Plan Amendment	2018	117	Included	22
Kensington Sector Plan Update	2012	394	External (Projects also reviewed by Town of Kensington)	46
Long Branch Sector Plan	2013	242	External	46
Greater Lyttonsville Sector Plan	2017	584	External	60
Montgomery Village Master Plan	2016	2,513	Included (Montgomery Village also has an Architectural Review Board)*	2+
MARC Rail Communities Plan	2019	541	Incorporated	
Rock Spring Sector Plan	2017	536	External	150**
Sandy Spring Rural Village Plan	2015	53	Included	2+
Shady Grove Sector Plan	2006	1,967	Incorporated	
Takoma/Langley Crossroads Sector Plan	2012	181	External	52
Ten Mile Creek Area Limited Amendment to the Clarksburg Master Plan	2014	4,057	Included	1+
Twinbrook Sector Plan	2009	154	External	35
Veirs Mill Corridor Master Plan	2019	1,004	Incorporated	
Westbard Sector Plan	2016	181	Included	4+
Wheaton Central Business District and Vicinity Sector Plan	2012	484	External	38
White Flint Sector Plan	2010	434	External	26
White Flint 2 Sector Plan	2018	547	External	150**
White Oak Science Gateway	2014	3,132	External	40
Woodmont Triangle Amendment	2006	101	Included	7+

\* Montgomery Village's architectural guidelines are far more extensive and specific than any master plan design guidance.

\*\*Rock Spring and White Flint 2 were both included in a single 150-page design guidelines book.

Table 4. Master Plans Sorted by Size of Plan Area

Master Plan	Year Adopted	Size of Plan Area (Acres)	Design Guidelines Format	Length of Guidelines (Pages)
Bethesda Purple Line Station Minor Master Plan Amendment	2014	13	Incorporated	
Aspen Hill Minor Master Plan Amendment	2015	15	Included	4
Sandy Spring Rural Village Plan	2015	53	Included	2+
Woodmont Triangle Amendment	2006	101	Included	7+
Grosvenor-Strathmore Metro Area Minor Master Plan Amendment	2018	117	Included	22
Twinbrook Sector Plan	2009	154	External	35
Takoma/Langley Crossroads Sector Plan	2012	181	External	52
Westbard Sector Plan	2016	181	Incorporated	
Burtonsville Commercial Crossroads Neighborhood Plan	2012	232	Included	8
Long Branch Sector Plan	2013	242	External	46
Forest Glen/Montgomery Hills Sector Plan	2020	257	Incorporated	
Chevy Chase Lake Sector Plan	2013	380	External	54
Kensington Sector Plan Update	2012	394	External (Projects also reviewed by Town of Kensington)	46
White Flint Sector Plan	2010	434	External	26
Bethesda Downtown Sector Plan	2017	452	External	110
Wheaton Central Business District and Vicinity Sector Plan	2012	484	External	38
Rock Spring Sector Plan	2017	536	External	150**
MARC Rail Communities Plan	2019	541	Incorporated	
White Flint 2 Sector Plan	2018	547	External	150**
Greater Lyttonsville Sector Plan	2017	584	External	60
Glenmont Sector Plan	2013	711	External	32
Veirs Mill Corridor Master Plan	2019	1,004	Incorporated	
Germantown Plan for the Town Sector Zone	2020	1,429	None	
Shady Grove Sector Plan	2006	1,967	Incorporated	
Montgomery Village Master Plan	2016	2,513	Included (Montgomery Village also has an Architectural Review Board)*	2+
Germantown Employment Area Sector Plan	2009	2,602	External	51
White Oak Science Gateway	2014	3,132	External	40
Ten Mile Creek Area Limited Amendment to the Clarksburg Master Plan	2014	4,057	Included	1+
Great Seneca Science Corridor	2010	4,329	External	45
Damascus Master Plan	2006	22,200	Included	10

\* Montgomery Village's architectural guidelines are far more extensive and specific than any master plan design guidance.

\*\*Rock Spring and White Flint 2 were both included in a single 150-page design guidelines book.



## OFFICE OF MANAGEMENT AND BUDGET

Marc Elrich  
County Executive

Jennifer Bryant  
Director

### MEMORANDUM

March 26, 2021

TO: Tom Huckler, President, County Council

FROM: Jennifer Bryant, Director, Office of Management and Budget *JW for JRB*

SUBJECT: Fiscal Impact Statement for the Ashton Village Center Sector Plan

Please find attached the Fiscal Impact Statement for the Ashton Village Center Sector Plan.

The proposed Ashton Village Center Sector Plan is an amendment to the 1998 Sandy Spring/Ashton Master Plan, which evaluated the greater Sandy Spring/Ashton area. A more detailed analysis of Sandy Spring Village was conducted in the 2015 Sandy Spring Rural Village Plan. This proposed plan is a corresponding plan for Ashton. Total County capital costs are estimated at \$5,300,000 with an annual operating and maintenance cost of \$1,246,500.

JRB:aa

c: Dave Kunes, Chief of Staff, Montgomery County Council President  
Marlene Michaelson, Executive Director, Montgomery County Council  
Craig Howard, Deputy Director, Montgomery County Council  
Glenn Orlin, Senior Analyst, Montgomery County Council  
Fariba Kassiri, Deputy Chief Administrative Officer  
Dale Tibbitts, Special Assistant to the County Executive  
Pete Fosselman, Master Plan Coordinator, County Executive's Office  
David Dise, Director, Department of General Services  
Chris Conklin, Director, Department of Transportation

**County Capital and Operating Cost Estimates Assumed to be Incurred as a Result of the  
Ashton Village Center Sector Plan  
3/25/2021**

<b>Capital Improvement Projects</b>			
	<b>Project</b>	<b>Description</b>	<b>Total County Costs</b>
<b>Transit</b>	Relocate Sherwood HS Bus Stop, Add Bus Shelters, and Increased WMATA / Ride-On Service	See attached DOT summary for details.	\$ 3,400,000
<b>Intersections</b>	Sherwood HS Signal Reconstruction and MD 108 / MD 650	See attached summary for details.	\$ 200,000
<b>New Roads</b>	New Street connecting 108 and 650 and New Street connecting 650 and other new street	See attached summary for details.	\$ -
<b>Ped / Bike Focused</b>	MD 108 west of MD 650, MD 108 east of MD 650, MD 108 Streetscaping, MD 650 south of MD 108, MD 650 between Orion Club Dr & MD 108, MD 650 north of MD 108, and MD 650 Streetscaping	See attached summary for details.	\$ 1,700,000
<b>Miscellaneous</b>	Undergrounding Utilities	See attached summary for details.	\$ -
<b>TOTAL ESTIMATED CAPITAL IMPROVEMENTS COST - COUNTY</b>			<b>\$ 5,300,000</b>
<b>Operating Budget Impacts (excl)</b>	All Transportation - related	Reflects preliminary estimates.	\$ 1,246,500
<b>Total Estimated Annual Operating Budget Impact (OBI)</b>			<b>\$ 1,246,500</b>

**Notes**

(1) Total estimated capital costs are \$27.5M, \$5.3M - County, \$14.9M - State and Federal, and \$7.3M - Private. Only County costs are shown in the chart above. Costs do not include Land, ROW or Utilities costs.

(2) Total Operating budget estimates are \$1,29M - County (\$1.25M), State and Federal (\$23,000), and Private (\$18,000). Only County costs are shown in the chart above

(3) Maintenance and Operations costs are not included in capital costs. It is typical practice along State corridors to assume a 50/50 split in costs unless there is strong cause to assume otherwise. In practice the actual splits in such costs may vary significantly.

(4) Rounding - Individual values rounded up to nearest \$100,000 for capital costs and \$500 for operating budget impacts, which is the cause of any apparent summation discrepancies

(5) Inflation - All Dollars are in 2021 Dollars.

**Notes**

All costs are Capital only; Maint+Operations costs not included. It is typical practice along State corridors to assume a 50/50 split in costs unless there is strong cause to assume otherwise. In practice the actual splits in such costs may vary significantly.

Individual capital costs are rounded up to the nearest \$100,000. "Approx Total Cost" column is a summation of the County, State/Fed, Private Devel, etc columns, compounding this rounding. Annual O&M costs are rounded to nearest \$500.

**Ashton**

version date - 2021.03.17

	Project	Page Ref	Capital				Annual Operating & Maintenance				Notes	
			Total Capital Cost	County	State / Federal	Private Devel	Total Annual O&M Cost	County	State / Federal	Private Devel		
Transit	Relocate Sherwood HS Bus Stop	47	\$ 100,000	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Bus pad, ADA treatments. Minimal O&M cost; rounding of capital cost will more than cover O&M.	
	Bus Shelters	47	\$ -	\$ -	\$ -	\$ -	\$ 500	\$ 500	\$ -	\$ -	1 on NW corner of 108/650. Minimal capital cost as compared to \$100k min unit value.	
	Increased WMATA / Ride-On Service	44	\$ 3,300,000	\$ 3,300,000	\$ -	\$ -	\$ 1,242,000	\$ 1,242,000	\$ -	\$ -	Connecting to Olney &/or Glenmont. Assumes increasing existing 60 min peak service to 15 min, and adding new 20 min midday service.	
	<b>SUBTOTAL</b>		<b>\$ 3,400,000</b>	<b>\$ 3,400,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,242,500</b>	<b>\$ 1,242,500</b>	<b>\$ -</b>	<b>\$ -</b>		
Intersections	Project	Page Ref	Approx Total Capital Cost	County	State / Federal	Private Devel	Total Annual O&M Cost	County	State / Federal	Private Devel	Notes	
	Sherwood HS Signal Reconstruct	46	\$ 600,000	\$ 200,000	\$ 400,000	\$ -	\$ 1,000	\$ 500	\$ 500	\$ -		
	MD 108 / MD 650	46	\$ -	\$ -	\$ -	\$ -	\$ 500	\$ -	\$ 500	\$ -	Retime signals, reconfigure lane movements. Minimal capital cost as compared to \$100k min unit value.	
	<b>SUBTOTAL</b>		<b>\$ 600,000</b>	<b>\$ 200,000</b>	<b>\$ 400,000</b>	<b>\$ -</b>	<b>\$ 1,500</b>	<b>\$ 500</b>	<b>\$ 1,000</b>	<b>\$ -</b>		
New Roads	Project	Page Ref	Approx Total Capital Cost	County	State / Federal	Private Devel	Total Annual O&M Cost	County	State / Federal	Private Devel	Notes	
	New Street connecting 108 and 650	39	\$ 5,000,000	\$ -	\$ -	\$ 5,000,000	\$ 12,500	\$ -	\$ -	\$ 12,500		
	New Street connecting 650 and other new street	39	\$ 2,300,000	\$ -	\$ -	\$ 2,300,000	\$ 5,500	\$ -	\$ -	\$ 5,500		
	<b>SUBTOTAL</b>		<b>\$ 7,300,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 7,300,000</b>	<b>\$ 18,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 18,000</b>		
Ped / Bike Focused	Project	Page Ref	Approx Total Capital Cost	County	State / Federal	Private Devel	Total Annual O&M Cost	County	State / Federal	Private Devel	Notes	
	MD 108 west of MD 650	104	\$ 1,200,000	\$ 600,000	\$ 600,000	\$ -	\$ 3,000	\$ 1,500	\$ 1,500	\$ -	Sidepath on north side	
	MD 108 west of MD 650	104	\$ 1,000,000	\$ 500,000	\$ 500,000	\$ -	\$ 2,000	\$ 1,000	\$ 1,000	\$ -	Reconstruct sidewalk on south side	
	MD 108 east of MD 650	45	\$ 7,400,000	\$ -	\$ 7,400,000	\$ -	\$ 9,500	\$ -	\$ 9,500	\$ -	Bikeable Shoulders	
	MD 108 Streetscaping	105	\$ 200,000	\$ 100,000	\$ 100,000	\$ -	\$ 1,000	\$ -	\$ 1,000	\$ -		
	MD 650 south of MD 108	104	\$ 600,000	\$ 300,000	\$ 300,000	\$ -	\$ 1,000	\$ 500	\$ 500	\$ -	Sidepath on west side; eliminate 2 filling station driveways	
	MD 650 between Orion Club Dr & MD 108	104	\$ 200,000	\$ 100,000	\$ 100,000	\$ -	\$ 1,000	\$ 500	\$ 500	\$ -	Sidewalk on west side	
	MD 650 north of MD 108	45	\$ 5,400,000	\$ -	\$ 5,400,000	\$ -	\$ 7,000	\$ -	\$ 7,000	\$ -	Bikeable Shoulders	
	MD 650 Streetscaping	105	\$ 200,000	\$ 100,000	\$ 100,000	\$ -	\$ 1,000	\$ -	\$ 1,000	\$ -		
	<b>SUBTOTAL</b>		<b>\$ 16,200,000</b>	<b>\$ 1,700,000</b>	<b>\$ 14,500,000</b>	<b>\$ -</b>	<b>\$ 25,500</b>	<b>\$ 3,500</b>	<b>\$ 22,000</b>	<b>\$ -</b>		
Misc	Project	Page Ref	Approx Total Capital Cost	County	State / Federal	Private Devel	Total Annual O&M Cost	County	State / Federal	Private Devel	Notes	
	Undergrounding Utilities	99	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	The plan does not clarify whether this is proposed to be a public cost.	
	<b>SUBTOTAL</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>		
			Capital				Annual Operating & Maintenance				Notes	
<b>TOTAL ESTIMATED COST</b>			<b>\$ 27,500,000</b>	<b>\$ 5,300,000</b>	<b>\$ 14,900,000</b>	<b>\$ 7,300,000</b>	<b>\$ 1,287,500</b>	<b>\$ 1,246,500</b>	<b>\$ 23,000</b>	<b>\$ 18,000</b>	<b>Plan Year = 2021</b>	<b>Plan Lifetime = 2045</b>

Submitted Electronically

February 23, 2021

TO: Montgomery County Council

RE: Ashton Village Sector Plan

Dear President, Vice President and County Council members,

I am writing to express my thoughts on how the Ashton Village Sector Plan should be implemented to best serve our community.

As a Sandy Spring resident, and a longtime homeowner along Route 108, Ashton is my stomping grounds. I use the bank, the dry cleaner, the post office, and frequent the pharmacy and restaurants. The intersection of Route 108 and New Hampshire Avenue is a hub of community activity. **It cannot absorb 300 more cars entering and exiting new housing at that corner.**

**Further, we lack the critical infrastructure to support such a mega development. The closest Metro is at Glenmont Station, many miles down the road. This is not a walkable community. It cannot support overdevelopment. Already, we have appalling congestion at that intersection.**

It would be nice if we could inherit development in this neighborhood that reflects the area's cherished legacy of rural character--- for that is why we all live here. Let us find a compromise in which developers marginally win their higher residential FAR and the community finally wins the right to contribute to what that density looks like. **PLEASE reduce the FAR of .50 to a FAR of .25. We cannot absorb another Thomas Village with a roughly .50 FAR. That is yet another battle that our community has lost with this same developer. He has successfully overbuilt Thomas Village and Ashton Market. He's 2 for 2; please don't make it 3 for 3. Otherwise it becomes abundantly and shockingly clear that no one--- not the developer, nor the Planning Board, and now the County Council, listens and cares about what the community thinks.**

Honestly, sometimes I wonder why we have public hearings. No one is listening.

Further,

**PLEASE instruct the Planning Board to ensure that the community-based Implementation Advisory Committee is granted a consequential ability to review, comment on, and make**



**recommendations about proposed development plans. And please convert the so-proposed design guidelines into mandated design requirements.**

Please do not push on our community what you think we should become. We need a plan that reflects the best hopes of both parties.

Thank you for your consideration .

A handwritten signature in black ink that reads "Terry Franklin". The signature is written in a cursive, flowing style.

Terry Franklin

Sandy Spring, MD 20860



## Sandy Spring Civic Association

[www.sandyspringcivic.com](http://www.sandyspringcivic.com)

*Meeting the second Monday of each month, 6:30pm at the Ross Boddy Community Center  
located on Brooke Road in Sandy Spring, Maryland*

February 23, 2021

To the Chair and Members of the Montgomery County Council,

We write on behalf of the Sandy Spring Civic Association, the oldest racially integrated Civic Association in Montgomery County, to ask that you revise portions of the Ashton Village Center Sector Plan that the County Planning Board has recommended that you approve.

Our community met, repeatedly, with County Planning staff members and flooded the Planning Board with letters urging that the Plan permit reasonable development, consistent with the rural character of our neighborhoods, and preserve the rural character of Ashton. We strongly believe that four aspects of the proposed plan need to be revised to achieve these goals, before passage by the County Council.

First, the **maximum height of buildings on the Southeast Corner of the Ashton intersection should be reduced by 5' to 40.'** As submitted to the Council, the Plan currently would permit buildings as high as 45', with design *guidelines* (not *requirements*) recommending that buildings that high only be placed at the Ashton intersection or on the interior of the site, where they would be less visible from the street. A 45' height limit would permit four story buildings (even four and a half story buildings, which are four story buildings plus a loft). However, there are no four story buildings currently in Ashton. Four-story buildings are incompatible with a small rural village, as most homes and commercial buildings in the area are no more than three stories. Four and a half story buildings would be even more antithetical to a rural look.

Second, the **density of buildings permitted on about half of the Southeast Corner should be reduced to a FAR of .25 from a FAR of .50.** Specifically, the County Council should reduce the FAR to .25 on SE Corner lots not currently zoned with a commercial density FAR of .75. The proposed Plan recommends the entire SE Corner be zoned at .5 FAR. About half of the nine acres of the SE Corner, the lots farthest away from the intersection, are currently zoned either as R-60 or as Rural Cluster, land that is either vacant or is the site of one single-family home. The County planning staff calculate that a .5 FAR for all

the SE Corner parcels would permit as many as 159 additional residential units on the corner. This would likely mean more than 600 additional residents on the site, and, because Ashton is located far from employment centers or sufficient retail establishments, each unit would likely have two cars, which would add more than 300 cars to traffic. Ashton cannot handle this level of development.

Third, we ask that, in approving the Plan, you **instruct the Planning Board to ensure that the community-based Implementation Advisory Committee (IAC) is granted effective ability to review, comment on, and make recommendations about proposed development plans** before they reach a stage where changes in the plans are unlikely to occur. The Planning Board stated that the IAC should be involved at the public hearing stage, and should not delay development approval. However, we strongly believe that the IAC should be involved early in the plan development process (e.g., at the conceptual design phase, well before submission of developer plans to the Planning Department), and IAC input should be considered by Planning Staff.

Finally, because design of buildings is so important in creating a rural feel, we ask that the **Design Guidelines in the Plan be converted to Design Requirements**. A simple comparison of the buildings proposed for the SE Corner by Nichols Development Company with those of a development built in Forest Glen demonstrates the difference that design can make for the SE Corner:



Townhouse development in Forest Glen:



Allowing the IAC to have useful input into the design process of this and other Ashton projects better ensures that the Ashton intersection will not be overwhelmed by large apartment blocks like those the Nichols Development Company is proposing.

Respectfully submitted,



Daryl Thorne, Ed.D.  
President, Sandy Spring Civic Association



Christine Hill Wilson  
Treasurer, SSCA



Douglas Farquhar  
Correspondence Secretary, SSCA

cc: Claire Iseli, Special Assistant to County Executive Marc Elrich

DOUGLAS B. FARQUHAR  
SANDY SPRING, MARYLAND 20860

February 23, 2021

**Submitted by electronic transmission**

Montgomery County Council

Re: Ashton Village Center Sector Plan

Dear President, Vice-President, and Members of the Montgomery County Council,

As a resident of nearby Sandy Spring, I write to ask the County Council to make several critical changes to the Ashton Village Center Sector Plan you will consider at a public hearing on March 2, 2021.

I fully support the positions of the Sandy Spring Ashton Rural Preservation Consortium and the Sandy Spring Civic Association expressed in other letters that have been or will be sent to you. Specifically, the County Council should:

- reduce the maximum height of buildings on the Southeast Corner of the Ashton intersection by 5 feet to 40 feet.
- reduce the density of buildings permitted on about half of the Southeast Corner from a FAR of .50 to a FAR of .25. (specifically, lots not currently zoned with a commercial density FAR of .75 should be placed in a zone with a FAR of .25, to permit less density on the portions of the 9-acre SE Corner that are farther from the intersection).
- instruct the Planning Board to ensure that the community-based Implementation Advisory Committee is granted effective ability to review, comment on, and make recommendations about proposed development plans (the Committee should be involved at the conceptual design phase, before developer plans become final).
- Convert design guidelines into design requirements.

I write separately to add several points.

First, as to the heights permitted on the Southeast Corner, the Planning Staff said, in a communication I have seen, that they viewed a 5' increase in the maximum height they proposed maximum height for the Southeast Corner (the Planning Board raised it from 40' to 45') as being insignificant. Here is the problem: the Planning Board has, for two other nearby developments, also viewed an increase in maximum height from 35' to 40' as being insignificant, leading to previous approvals of townhouses as high as three and a half stories (meaning the top level is a loft) to now being a full four stories. You

are now being asked to approve buildings as tall as four and half stories on a corner that is supposed to keep its rural character, and which is surrounded by buildings that are nearly all only one story tall. Existing homes throughout the area are mostly two or three stories and nearby commercial buildings, with few exceptions, are one story. The 5' increase in height is not insignificant, but it is colossal when coupled with the 5' earlier-labeled "insignificant" increase in buildings heights already imposed on the area. There are no buildings approaching 45' in height anywhere near Ashton. The closest one, Manor Fair Hill Farm senior living center, in Olney, is pictured below.



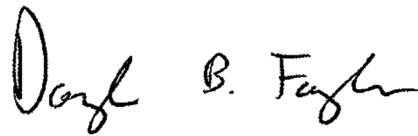
This is hardly in keeping with a small, rural village.

Second, you may wonder why you should not defer to the Planning Board on the height, zoning, and community input issues. The answer is that the Planning Board has changed, and now appears unwilling to stand up to developers and their attorneys, especially when the attorney for the developer is Francoise Carrier, the former Chair of the Planning Board (the same developer and attorney responsible for successfully advocating for the extremely dense and ugly recent developments called Thomas Village, in Sandy Spring, and Ashton Market, in Ashton). This has not always been the case. Back in 2007, the Planning Board rejected a proposed huge mostly commercial development (actually, less dense than what the developer is seeking now) proposed by the same developer for the same corner of the Ashton intersection, due to community

opposition. The community opposition to the intense development proposed now is just as strong. But the Planning Board, while paying lip service to maintaining rural character, is overly pliant to the developer's wishes.

Area residents appreciate the independent view and control that you can bring to this subject matter, to keep our small, still mostly rural community from becoming Olney or Glenmont, areas that are closer to mass transit, employment centers, and sustainable transportation corridors.

Sincerely,

A handwritten signature in black ink that reads "Douglas B. Farquhar". The signature is written in a cursive style with a large initial 'D'.

Douglas B. Farquhar

cc: Claire Iseli, Special Assistant to County Executive Marc Elrich

Dear County Councilmembers,

I am a member of the Sandy Spring Ashton Rural Preservation Consortium. We are pro-rural village, not anti-development. I am writing to encourage you to approve and adopt most of the recommendations in the Ashton Village Center Sector Plan (AVCSP) Draft, and to change some aspects of it. Specifically, I request that you revise the Plan to:

1. Reduce maximum heights to 40' rather than the proposed 45' on the site at the southeast quadrant of Route 108 and MD 650 (New Hampshire Avenue).
2. Direct the Planning Board to require that developers meet with the proposed Implementation Advisory Committee at the conceptual planning phase rather than the last minute before submitting their plans for regulatory review.

In my nine years as a site plan reviewer with the Montgomery County Planning Department in the 1990s, I learned that zoning is the bottom line, and the Master Plan text might or might not be adhered to in approvals. While I applaud the Planning staff for great detail in the AVCSP Design Guidelines, I am concerned that because these are guidelines, they may be pushed aside by developers who are by law required only to conform with zoning. In the case of AVCSP, that means that 45' tall buildings, which are 150% the height of the tallest building in the area, would potentially cover a substantial part of the planning area. Buildings in Ashton should not be more than 3 stories if we are to retain any semblance of a rural village or compatibility with the existing context.

An Implementation Advisory Committee (IAC) has been effective in other areas of the County, including Bethesda and Olney, but only because the developers meet with the committee in the early phase of planning and design. I urge you to direct the Planning Board to require developer meetings with the IAC early enough to have discussions that may result in designs more in keeping with the intent of the Master Plan. As a staff member of the Planning Department and more recently of Park Planning, I appreciate our desire as public servants to collect and incorporate input from Montgomery County residents. I am certain that the Council and Planning Board also wish to have as inclusive a process as possible. The reality is that the process is very difficult and complicated for most residents. If the IAC, comprised of all stakeholders, gives feedback early in the design process to developers, it will result in plans that are less controversial once they reach the Planning Board, and, probably much better.

Thank you for your attention to these important details of the Plan.

Sincerely,

Brooke Farquhar,

Clarksville, MD 21029 (2 miles from Ashton Village)



We live in the Spring Lawn Farm neighborhood in Ashton where we have been residents for almost 28 years. Spring Lawn Farm is diagonally across New Hampshire Avenue from the proposed development on the southeast corner of the intersection of New Hampshire Avenue and Route 108. We have concerns about some of the provisions that are contained in the Planning Board draft of the Ashton Village Center Sector Plan. These concerns center around traffic, pedestrian safety, building heights, and the implementation advisory committee.

Prior to purchasing our current home in 1993, we went to the Montgomery County Planning Department and reviewed the 1980 Sandy Spring Ashton Master Plan. Based on that Plan, we purchased our home. When the 1980 plan was updated, we actively participated in the meetings because of the proposed impact to our neighborhood. Bruce participated in meetings with other residents and the developer of the property that would impact our neighborhood. Based on those meetings, a compromise was reached that was suitable to all parties.

Following adoption of the Plan, Kathleen was a founding member of the board of the Greater Sandy Spring Green Space land trust, formed to address the green space created through the Plan. Over the past two years, she has participated in the meetings that have been held during the development of the Ashton Village Center Sector Plan and testified before the Planning Board.

As our neighborhood is just south of the intersection of Route 108 and New Hampshire Avenue, we are very affected by how well the intersection functions. Prior to the pandemic, afternoon traffic would back up on New Hampshire Avenue in front of our neighborhood for about a mile to the south, making it difficult to turn left. Morning traffic was bad because of commuters, and the schools (two high schools and an elementary school) on Route 108. While the completion of the Inter County Connector initially took some of the traffic off Route 108, the traffic has increased on both Route 108 and New Hampshire Avenue due to additional development in Olney, north of Ashton, and to the east in Howard County.

In addition to the level of traffic, the intersection lacks any signage, lights, or pavement markings for pedestrians. While we are within walking distance to the post office, bank, and drug store, we drive because of the lack of sidewalks, crosswalks, and walk signals. The configuration of the intersection makes it very dangerous to cross.

The provisions of the draft Ashton Village Plan allow for a significant increase in the number of units that will be built on the southeast corner of the intersection of Route 108 and New Hampshire Avenue, the only undeveloped corner of this intersection. Based on the proposed zoning, the technical appendix indicates that there could be over 150 units. Currently, there is only one Metro bus that serves Ashton, and it only runs during the morning and evening rush hours and only during the week, and there is no Ride-On bus service. As a result, residents of any new housing units will need to have cars. Most households with two adults have two cars and, if the household is multi-generational or includes a teenager, there could be more.

It is critical that adequate onsite parking be provided that includes parking for residents' work commercial vehicles. Inadequate parking on the southeast corner will create a safety hazard because the only available offsite parking is across New Hampshire Avenue or Route 108, which would be even more dangerous at night. Further, we do not want our neighborhood to become an overflow parking area.

The Planning Board draft includes a provision to rezone the property on the southeast corner to allow 45-foot building heights, which is ten feet taller than Ashton's current tallest building. We believe that the height limit for that corner should be consistent with the 35-foot height limitation of the other corners of the intersection. This would still allow a significant increase in the number of housing units beyond what was previously allowed on the entire property and would help keep development to a level that would allow adequate onsite parking. In addition, it would keep this corner from being out of scale with the rest of the center of Ashton.

We strongly support the provision for the implementation advisory committee. However, the language about the implementation advisory committee in the Plan is rather vague. To be effective, the implementation advisory committee should be inclusive of all interests and should be involved throughout the development process. As a member of the Greater Sandy Spring Green Space board, Kathleen participated in many of the meetings with developers following the adoption of the 1998 Sandy Spring Ashton Master Plan. As a result of these meetings, better plans evolved that were embraced by the community and the developers. We believe collaboration can achieve better outcomes.

In addition to the development envisioned in the Plan, there are many aspects of the Plan that require coordination between various County and State agencies. The implementation advisory committee would help oversee coordination between these various entities and provide valuable communication for the community.

As you consider the provisions of the Plan, we ask that you take into consideration the concerns of the residents of Ashton. We are not against development, but we are for development that results in a safe and sustainable community. We support intersection improvements, consistent building heights, and an implementation advisory committee that is involved throughout the process and will ensure all the provisions will be implemented in a way that benefits the community.

Bruce and Kathleen Wheeler  
Ashton, MD 20861

Dr. Linda Smoling Moore  
Dr. David George Seiler  
Ashton, MD20861

February 25, 2021

Dear Honorable Councilmen and Council Woman:

My husband and I are residents of Ashton, MD. We choose this area because of the rural and historic ambiance of the area. Accordingly, this letter is to register our concerns regarding certain development the Planning Board proposes to allow regarding the Ashton Village Plan.

We are in strong opposition to the MC Planning Board's proposed zoning changes for that SE corner. We believe building heights should be kept in accordance with the rural village concept. Specifically, the proposed zoning for the SE quadrant is CRN-0.5 C-0.5 R-0.5 H-45, which would allow 45 foot tall buildings. This is significantly higher than what is found in the current zoning which allows for only 35 feet and is out of character with the rural village concept. Likewise, the proposed increase in density is out of character with the rural village concept.

Further, the proposed level of development at the SE quadrant will undoubtedly lead to a marked increase in traffic with a potentially dangerous impact on the intersection of Routes 108/650. Concerns regarding available parking are also raised by the proposed plan.

Moreover, it is unclear whether the guidelines in the draft will be enforceable. While many of the examples of buildings in the Planning Draft (pages 90-94) appear to be in line with the qualities of a rural village, there is no guarantee this will be carried out to the final product.

Finally, the plan proposes an Implementation Advisory Committee (IAC) to ensure community and stakeholder input. While we strongly support the establishment of an IAC, we are concerned the language regarding this provision is brief and it does not require an IAC to be involved during the design phase to ensure the best outcome for all stakeholders.

We are deeply concerned the Planning Board's proposed plan appears destined to create expensive and intractable problems for MoCo, greater than any problems it purports to solve. There has been strong Ashton community opposition to the above noted aspects of the Planning Board's proposal. It is our hope the County Council will take this opposition into consideration.

Respectfully submitted,



Dr. Linda Smoling Moore  
Dr. David George Seiler



2.25.21

**To the County Council:**

I am writing to ask the Council to view the current Ashton Village Center Sector Plan as an opportunity to regulate the development in the southeast corner in ways that will result in an attractive and believable rural village.

This will require that you consider the following options:

- Reduce the maximum allowed height to 40’
- Incorporate the maximum building height bubble diagram figure 10, page 76 as a requirement, not just suggested heights.
- Approve the Neighborhood Advisory Panel as a check against inappropriate design and planning proposals.

Please see the building height comparisons below in the provided illustration. The existing buildings shown are the Cricket Book Store, CVS, Sandy Spring Bank and the Alloway Building. The remaining images are theoretical buildings that illustrate the relative heights for 45 foot and 40 foot tall structures. As you can see, if these were built, the taller buildings would dwarf the existing structures--looming future neighbors—with the exception of the bank, an institution likely to find a new home in a new Landmark Building.



February 24, 2021

Walt Fennell  
Ashton, MD 20861

Montgomery County Council  
100 Maryland Avenue, 4<sup>th</sup> Floor  
Rockville, MD 20850

RE: Ashton Village Plan

Council Members –

Thank you for providing an opportunity for community members to comment on the Ashton Village Plan. I am a resident of Ashton, and like most of the residents in Ashton, I made an intentional decision to move to Ashton several years ago, because of its unique, rural character. Although Ashton is part of Montgomery County, it is uniquely situated and is entirely different from the more urban portions of the County. Because Ashton is different from say Germantown or Bethesda or Gaithersburg, concepts which are appropriate for our urban centers should not be adopted in rural areas like Ashton.

I recognize that Montgomery County is a rapidly growing County and because of this fact, changes are inevitable. I would also note that I am not opposed to change or growth, but I would hope that the inevitable changes would be practical and reasonable and that the changes would be consistent with the rural character of Ashton.

I would respectfully, offer the following thoughts on the proposed Ashton Village Plan.

1. Density. The density recommendations outlined in the Ashton Village Plan would significantly increase the density of Ashton. I fully recognize the need to increase housing stock within the County, but the FAR recommendations in the Plan would increase the density of Ashton Village by over 100%. This is simply not reasonable and this change would inextricably change the rural character of Ashton. I would respectfully request the County Council to modify the increased FAR ratings recommended in the Ashton Village Plan to a more moderate increase, for example a FAR of .25, and that the Council clarify the exact portions of the Ashton Village Plan to which this rating would be applied.

2. Building Heights. The existing Ashton Master Plan limits building heights to 30 feet. The recommendations in the Ashton Village Plan would allow building height increases of 50%. Once again, a dramatic departure from the prior plan. Some have postulated that an increase of 15 feet (50%) is a small increase. But this is simply not the case. A 50% increase to anything is SIGNIFICANT. This increase would result in buildings which were completely out-of-scale for a rural village. Simply stated buildings of this height will tower over all other buildings in Ashton and is not consistent with the rural nature of our village. If there is a need to increase building heights to accommodate “Missing Middle” housing (see #3 below) or more affordable housing options, it seems that this could be accommodated with a reasonable height limit increase of 16% or 5 feet for a total building height of 35 feet.

3. Missing Middle. I understand and agree with the need to provide affordable housing alternatives for younger families, singles, older couples, and other individuals across the income spectrum who are in need of affordable housing within Montgomery County. The Missing Middle concepts which can be found in various jurisdictions around the country and even in some parts of Montgomery County (i.e., Pike and Rose) are exciting and innovative building alternatives. However, Ashton is entirely different from North Bethesda and from many of the other locations around the country where these concepts have been embraced. Most Missing Middle developments are co-located to business centers and are serviced by robust, integrated public transit. Two key components which are missing from Ashton. I would respectfully request that the Council and the Planning Board consider a “Rural” Missing Middle concept for Ashton.

A Rural Missing Middle concept would consist of thoughtfully designed, compact, affordable housing which complements the historic rural character of Ashton. The buildings would be house-scaled buildings, accommodating 2, 3 or 4 family units with deep, open spaces for community gatherings. The Appendix (Ashton Alliance Housing Concepts) to this letter includes examples of the type of small cottages, small stylish townhomes, and appropriately scaled 2, 3, and 4 block homes which are height limited in a manner consistent with the rural character of Ashton. Height limits would be capped at 2 or 2.5 story buildings. I believe that the housing concepts highlighted in the Appendix provides a reasonable compromise between the need to provide affordable housing without inextricably changing the rural nature of Ashton.

4. Design Guidelines. There are many instances across the County and country of communities adopting specific and development/redevelopment design guidelines. I would respectfully request that the Council and the Planning Board ensure that enforceable design guidelines are included within the Ashton Village Plan to ensure the implementation of a clear and coherent plan.

5. Implementation Advisory Committee. I agree with the Implementation Advisory Committee concept included in the Ashton Village Plan. I believe the Council should strengthen the wording and role of the Implementation Advisory Committee. Specifically, provisions should be included to ensure that any future development/redevelopment to the Ashton Village would be coordinated with the Implementation Advisory Committee. The coordination efforts should take place at each stage of development/redevelopment to ensure the consistent adoption of design guidelines and to help ensure that the Ashton Community is part of the development/redevelopment process.

Thank you for your consideration of these points. I remain hopeful that these reasonable changes will be adopted and included within the Ashton Village Plan to allow our small piece of Montgomery County to retain its rural character.

Sincerely,

A handwritten signature in black ink that reads "Walt Fennell". The signature is written in a cursive style with a large, prominent "W" and "F".

Walt Fennell



February 25, 2021

Dear Montgomery County (Md) Council,

Please accept these comments as part of written testimony for the County Council Public Hearing of March 2, 2021...regarding the Ashton Village Center Sector Plan.

The Ashton/Sandy Spring area is a lovely part of Montgomery County - and we truly enjoy its small town character.

We are very concerned with the zoning modifications being considered for the planned Ashton Center development at the intersection of Route 108 and New Hampshire Avenue. Development at that site is understandable, but as 20-year residents of Ashton, we are opposed to the type and amount of development now being proposed.

Relaxing design guidelines, allowing higher density, and approving taller building heights - than those recommended by the County Planning Staff - will irreparably damage the charm of living in this area.

We respectfully insist that:

- Buildings not be over 40 feet tall in the southeast quadrant behind the existing Sandy Spring Bank.
- Density in that quadrant not be over the recommended FAR of .5 (specifically, not .75 as the developer requests).
- Building lengths not be increased beyond those already recommended. Retain the limits of 80 feet in length for buildings (commercial and residential) along Route 108.

No specific plans have been provided by the developer on what the buildings would actually look like and what would be built here. Providing extra allowances for the developer (to possibly take advantage of) introduces an unacceptable amount of long term risk regarding the ramifications for the area's beauty, integrity, and practicality for the surrounding community having to coexist with the site.

If you lived here, wouldn't you also have these same types of concerns?

Do not overdevelop the site and take away the small town rural feel of the Ashton/Sandy Spring community.

Respectfully,

David Knowles  
Beth Montgomery  
Ashton, MD 20861

This testimony is submitted on behalf of the Spring Lawn Farm Homeowners' Association. Spring Lawn Farm is on the west side of New Hampshire Avenue just south of the intersection of New Hampshire Avenue and Route 108.

While the Plan before you includes many things we support, there are also areas of concern.

First, the provisions that we support:

- An implementation advisory committee.
- Safe sidewalks and side paths where they are missing.
- Pedestrian safety improvements, including crosswalks and pedestrian signals across all parts of the intersection of Route 108 and New Hampshire Avenue.
- Intersection improvements without expanding the overall size of the intersection, including moving the pole at the corner of New Hampshire Avenue and Route 108.
- Expansion of the hiking and biking network in the area.
- Provision of signage that connects the village center to historic and cultural resources of the greater Ashton community.

Each of these provisions are critical and long overdue. While the Spring Lawn Farm neighborhood is close to the bank, post office, and various businesses in Ashton, there is no sidewalk or side path, or crosswalks with signals that enable us to walk there safely.

Our biggest concern with the Plan is the development on the southeast corner because of its proximity to our neighborhood. The entrance to our neighborhood is less than one tenth of a mile from the southern edge of this property and some of the homes in our HOA back to a narrow row of houses directly across New Hampshire Avenue from it. We will be directly impacted by the traffic, noise, and light pollution generated by this development.

The technical appendix indicates that it is possible that over 150 units could be developed on the southeast corner. The Plan relies on support for suggested expansion of WMATA or Ride-on service to address traffic concerns. Given the current budget situation, it is not clear if, and when, this would occur. Ashton is served currently by a single WMATA bus that runs only during the morning and evening rush hours and not on weekends. It has been slated for elimination at various times, most recently in 2020. The lack of adequate public transit means that most residents will be reliant on cars. In this area, most households with two adults have two cars and, if there are teenagers or it is a multigenerational residence, possibly three.

It is imperative that adequate onsite parking be provided, including for residents with commercial work vehicles. It is a pedestrian safety issue since offsite parking would require crossing New Hampshire Avenue or Route 108. Given the proximity to our neighborhood, we are concerned about the potential impact of overflow parking on our streets.

Besides the number of units, the proposed height limits exceed those of the development on adjacent corners of the intersection, as well as single family homes that border the property. Rezoning the entire site (except BG&E portion) to 45 feet with limitations based on a loosely drawn bubble diagram would allow for broad interpretation. Going to 45 feet allows for buildings that are 15 feet higher than the current tallest building in Ashton that is 30 feet high. Most buildings even in Olney are not that tall. We request that building heights be limited to 40 feet.

Effective and enforceable design guidelines are needed to help mitigate the visual impacts of the massing of buildings on the southeast corner—even with a 40-foot building height—that will be much greater than the surrounding corners. So far, the only design that has been shared for this property was at the third work session of the Planning Board and it was not viewed as being aesthetically consistent with the intent of the Plan.

The Plan includes a short paragraph regarding the implementation advisory committee (IAC). The IAC is envisioned to help engage the community in the implementation of the various aspects of the Plan. It has been suggested that for development proposals the IAC should be involved at the end of the process at the same time as the community meetings to avoid additional time and money for the developer.

Instead, we believe that engagement early on and throughout the process would have the opposite effect, especially since the community has been given little information as to the actual plans for the site—a site that defines the entryway into Ashton from the south and will be the dominating feature of Ashton for the future. We ask that the IAC be established similar to the Olney Town Center Advisory Committee that is seated at the table with the developer when plans are presented to the Planning Board.

While the southeast corner is the focal point of development and community concern, possibility for redevelopment exists for the Ashton Village Shopping Center and the remainder of the properties on Porter Road. The IAC should advise on all the properties covered by the Plan.

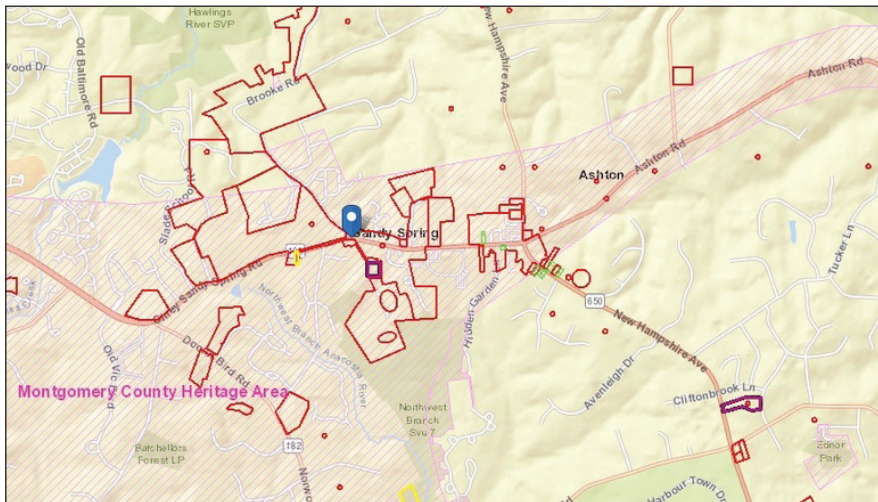
In summary, we ask that the final plan approved by the County Council ensure adequate onsite parking, building heights limited to 40 feet, effective and enforceable design guidelines, and an implementation advisory committee that is engaged throughout the process and is established similar to the Olney Town Center Advisory Committee.

Kathleen Wheeler  
President, Spring Lawn Farm Homeowners Association

February 25, 2021

Dear County Council Members ::

I am writing to ask the Council to prevent the over-development of Ashton. The property known as “Ashton Meeting Place” falls within the area specifically designated as “historic” by Heritage Montgomery and named as the “Quaker and Underground Railroad” sector (see pink hashmarks on Heritage Montgomery map)::



As I read the Planning Board proposal, the height and density will allow as many as 160 dwelling units on this 9.3 acre piece of property. Considering a modest estimate of 3 people per household (and their pets), that’s roughly 480 new human beings . . . and their 320+ new cars.

This over-development of the community of Ashton really makes no sense since it sits at the far Eastern border of the county, just one mile from the more rural parts of Howard County. It is all but devoid of public transportation which forces the people who choose to live here into cars, driving out onto rural roads already significantly choked with excessive traffic.

Ashton is a simple crossroad :: 2 rural 2-lane roads and because of our peripheral situation in the County, that won’t change anytime soon. . . even considering the vision of Thrive Montgomery 2050. Here is what the Thrive document has to say about growth in the County and **not** sacrificing historic and rural areas to fulfil the plan::

**How do we preserve Montgomery County's history while creating opportunities to grow?**

Thrive Montgomery 2050 does not see preservation and growth as mutually exclusive goals. The Plan highlights the need to balance accommodating future growth **with preservation of historically significant** pieces of the county's culture. Montgomery County has a history of doing this successfully; policies like the Agricultural Reserve have successfully protected large parts of the county from losing their rural character and agrarian roots. Preserving our past also means we must continue to **focus our growth in already developed places, especially ones served by transit.** Making better transit, walkable and bikeable connections to existing historical and cultural assets also is recommended in Thrive Montgomery 2050. Thrive Montgomery's **focus on culture as an important aspect of design,** placemaking and historic preservation is reflected in recommendations related to considering the cultural significance of buildings and spaces for different communities as a way **to celebrate history and culture** equitably across the county.

Thrive Montgomery 2050 seeks to add as many as 200,000 new residents in the decades to come. This is great, but it should be obvious to a sensible planner that the optimum area for development would be the Georgia Ave. corridor since the Metro would logically extend from Glenmont in that direction. . . NOT along New Hampshire Avenue.

**Proposed Building Heights ::**

The building heights suggested by the Planning Board proposal are excessive and are ridiculously out of character for a rural village, not to mention the dense population these buildings would allow.

Even though the present bank building is slated for destruction, in the following chart, I am using it to illustrate the scale as compared to the developer’s own suggested design he submitted to the Planning Board::



In its present situation—and considering one of the the styles and designs that the developer would like to explore for this project— the look of the project might appear something like this::



Neither design is rural. Because of that we urge an amendment to the Planning Board Proposal to **limit all structures on the site to 3 stories.**

**Implementation Advisory Committee ::**

All of the citizens of Ashton I’ve talked to are in favor of development—especially convenient commercial properties and encouraging low and middle-income homebuyers, but almost universally, they resist the mass and density of this proposal. Because of that, we are urging that an Implementation Advisory Committee be created to help any and all developers in the Ashton/ Sandy Spring area in designing projects that are acceptable to all parties.

We are very grateful for the protections the County Council has always provided to small communities like ours, to rein-in excessive development and maintain a vision for the rare and precious history of so many parts of our county.

Sincerely,

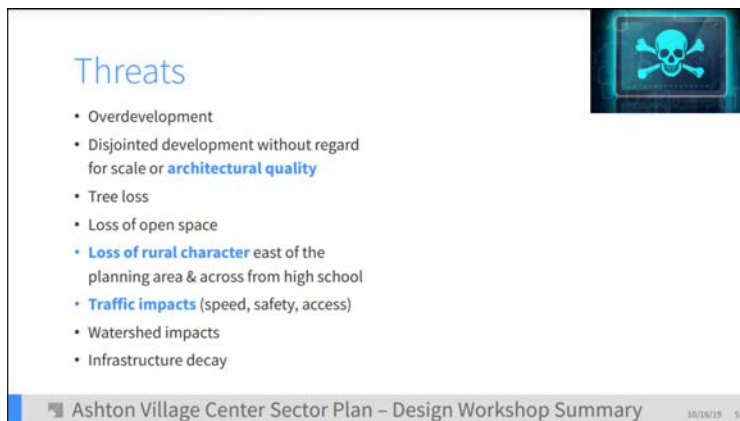
Charles Glendinning

Dear County Council Members,

I am writing to voice my concern regarding the Ashton Village Center Sector Plan to be presented on March 2, 2021. I support the positions sent in by the SSCA and SSARPC, but also felt the need to voice my individual opinion. While I have many concerns on what the future development in our area will bring, I will focus on three: building heights, design guidelines and the Implementation Advisory Committee.

### **Building Heights in the South East Quadrant of 108/650**

It is important to the community that we maintain a rural village character that embraces the heritage and uniqueness of Ashton. This came out as a key theme in the very well attended Design Workshop held by the Planning Staff in Oct 2019. Below is an output of that workshop, which highlighted overdevelopment and the loss of rural character just a few of the potential threats of the Ashton Village Center Sector Plan.<sup>1</sup>



The SE Quadrant, where most of the proposed development is focused, is at the rural edge of 108 and the proposed zone for this area would allow for 45' high buildings. I believe it would be in the best interest of community stakeholders, and those that spend time in our area, to limit the zone in this area to heights of 40'. While 15' does not sound like a great difference, it would mean that we could see a large swath of four story buildings in Ashton, where no 4 story buildings exist today.

To illustrate this, the SSARPC commissioned a local architect, Miche Booze, to lay out the relative heights between existing buildings in Ashton and what has been shown previously by developer to the Planning Board (referred to as "potential landmark building" below). Note that a 45' high building at the mid-point of the roof can actually translate to a taller building overall. It is also much taller the surrounding buildings of that intersection (Alloway, CVS and Cricket buildings). While 45' might be fitting in Rockville or Bethesda, it is not in line with a rural village.



## Design Guidelines

While the Planning Board Draft shows images that appear compatible with a rural village (including bay windows, recessed entries, shutters, stoops, porches, varied rooflines/cornice heights) they are not specific enough to ensure that the final design meets that vision. The elevations and renderings provided by the developer (below) have too much massing and are monolithic despite the inclusion of dormers, varying windows and siding materials.<sup>2</sup> The overall net effect still leads to imposing structures that will overwhelm the surrounding space. As a result, it is important that the design guidelines from the Planning Board are enforceable and closely followed.



## **Implementation Advisory Committee**

While the design recommendations in the Planning Draft may sound enticing to the public & may garner support from some, an Implementation Advisory Committee will be essential to ensure that community stakeholders are involved in the process. Unfortunately this specific section comprises only two paragraphs out of the 117 page Planning Draft document. Additionally, it is vague in terms of how the committee would operate.

I am concerned that the IAC will be removed from the plan or that if it is retained, that it would not be involved early enough in the planning process, rendering it ineffectual. It would be of benefit to both the community stakeholders and the developer for IAC meetings happen during the conceptual plan. This would ensure a less contentious site plan and speed the overall process. IACs have been successful in other areas of Montgomery County such as Bethesda and Olney. I ask that the County Council require the formation of an IAC, with a broad range of community stakeholders, and that it be involved early in the planning process.

The choices made now will change the landscape of Ashton forever and will impact future generations of our small town. Thank you for taking these comments into consideration.

Sincerely,

Amy Medd

Resident of the Wyndcrest neighborhood in Ashton

<sup>1</sup> [https://montgomeryplanning.org/wp-content/uploads/2019/10/19.10.16\\_Design-Workshop\\_Summary.pdf](https://montgomeryplanning.org/wp-content/uploads/2019/10/19.10.16_Design-Workshop_Summary.pdf), Slide 5

<sup>2</sup> <https://montgomeryplanningboard.org/wp-content/uploads/2020/11/Ashton-Village-Center-Sector-Plan-Work-Session-3-Staff-Report-Combined.pdf>, page 82



March 1, 2021

Dear County Council Members ::

Dear Council Members ::

I am writing to ask the Council to do 2 things regarding the Planning Board Proposal for the Southeast corner of the Rt. 108 and New Hampshire Ave. crossroads :

**1. Reduce the maximum building height to 30 feet**

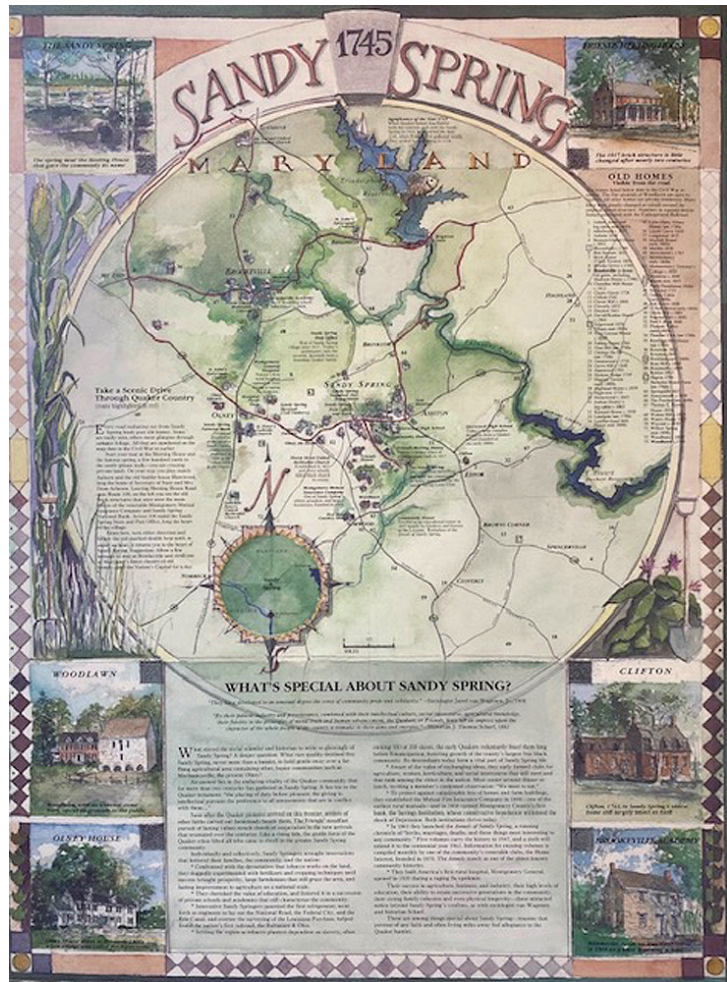
**2. Create an Implementation Advisory Committee to aid in design and density**

**CONCERNING ITEM 1**— The community has no objection to a “signature building” at the corner of the intersection being 40 to 45 feet tall, but believe that to maintain the “rural” character that the Planning Board urges, the rest of the area must be no higher than 30 feet. Otherwise the monolithic display of rows of townhouses, stacked flats, etc. will completely kill the “view shed” of one of the most historic areas in all of Montgomery County. At present the tallest building in Ashton is 30 feet and it looks huge and out of place.

Here is the disturbing conundrum concerning the Planning Board proposal : They have provided very attractive suggestions concerning design. These are the **subjective** aspects of the plan, all open to extremely wide interpretation. But the **objective** aspects of the proposal — their suggested building height and the .5 FAR—will allow as many as 640 new human beings to occupy this 9 acre plot of land (3 acres of which are unbuildable wetlands). Along with these 640 humans, will be their 300 additional cars—a modest estimate. **Subjective proposals mean no more to a developer than unenforceable suggestions.**

Do we think the developer will destroy this 9 acres by over-developing? We don't know... the community has yet to see any of his plans. The overarching problem, though, is that he **can** and this plan will allow him to do just that.

At right is a poster created by Miche Booz, architect of the Sandy Spring Museum, an artist and town planner who lives in the community and has been of great help in imagining how Ashton can develop sensibly. He has, in fact, helped Mr. Nichols, the present



## 2

developer, with his own designs as well. The poster was done years ago to highlight the historic houses in the area and Miche tells me that the text was written by a historian at the Smithsonian. (I wish it was readable.)

In fact, the neighborhood I live in, Spring Lawn Farm, was built on the eighteenth-century Quaker farm that was owned by Richard Thomas. The house he lived in was called “Cherry Grove.” It was built in 1732 and is currently privately owned. On a walk through our neighborhood, you can just see its roof among a grove of cedars. One of the outbuildings that was torn down by the developer of our neighborhood, turned out to be a slave cabin made out of logs and there was a great uproar published in the Washington Post the early 90s concerning its destruction by the developer. Of the history of the cabin, the Post article says it was “... built in 1783 and one of the oldest residences in the county....documents place eight elderly slaves where the cabin used to be in 1807.” All that is left now is a fireplace that I have “adopted” and continue to reclaim from the encroaching underbrush around the neighborhood pond.

**CONCERNING ITEM 2** — What ultimately gets built on the Southeast corner of the crossroads in Ashton will either enhance or destroy the feeling of the rich history that our surrounding community offers to all of Montgomery County. There are families still living in the community that are descendants of the first settlers that came here over 300 years ago. There are also descendants of slaves freed by the Quaker farmers long before emancipation who still call this community home as well. Here is a short video created years ago by Kahlfani Hatcher, a student at Montgomery College. (It makes for good COVID-lockdown entertainment and you may even recognize one of the narrators!):

<https://www.youtube.com/watch?v=XRY5wYAzJb8>

Please notice the number of times “rural” occurs in the Planning Board proposal. What is the meaning of the word? It certainly means different things to different people and because of that, it is essential that an **Implementation Advisory Committee**—made up of developers/citizens/planning board members—be established to decide what rural means. This committee should act as the community’s first line of defense in protecting both its rural and historic character and help the developer to design a project that will be mutually acceptable to all parties. **But most essential would be the backing of the Council with the authority to say “no.”**

Sincerely,

Charles Glendinning

My name is Nadine Mort and I am a member of the Ashton Alliance and the Sandy Spring Ashton Rural Preservation Consortium (SSARPC). Thank you so much for the opportunity to exercise my citizen right to participate in this process during a time when the pandemic has made that procedure much more difficult than it usually is.

I wish to express the following concerns about development that the proposed Sector Plan would allow on the southeast corner of the Ashton Village crossroads.

The Ashton Alliance and the SSARPC is NOT against smart development; we are in total support of construction that supports the mission of the county's Missing Middle effort. We want to be the model for what a vibrant rural village crossroads can bring to a community. However we continue to be very apprehensive about this Sector Plan because even with its detailed design guidelines and nice photos, our analysis shows it would permit development that clearly does not reflect or respect the rural character and historic significance of Ashton. Our group's professional architects studied in detail what could result under the proposed zoning densities and heights,

and we are more alarmed than ever at how out of scale and character it would be. I have participated in the Planning Board's community workshops, meetings and Zooms and was shocked to see that the opinions expressed by the majority of the area residents regarding mass and density is not reflected in the proposed plan.

First the maximum heights shown in this plan (45' possible) and lengths of buildings are problematic, as they do not complement the surrounding rural character or follow the guidelines presented in Ashton Sandy Spring Master Plan. Currently, most of the area structures are not higher than twenty-five feet with the exception of one (the Alloway Building) that is thirty feet high.

Second while we support the County's Missing Middle program the massing and the proposed zoning allows a great number of towering townhouses, apartments and mixed use structures that will overwhelm this site turning a rural village crossroads into a suburban complex of brick and mortar leaving no green space. Why can't we have appropriately scaled missing middle housing here?

Third we are very concerned about how the overbuilding will impact safety for pedestrians and drivers. I am sure you know the Ashton crossroads is a dangerous intersection. It is located ¼ mile from Sherwood High School, which is currently 57 students shy of capacity, and Sherwood Elementary School, a short walk further up the Route 108 is at full capacity. This plan will exacerbate the current traffic nightmare for residents and commuters contrary to the County's Vision Zero program to reduce pedestrian deaths that were a shocking 18 in 2020!

Lastly, I am requesting that the Implementation Advisory Committee supported by the Planning Board be approved. An IAC, composed of multiple community stakeholders, would need to be involved early on and throughout the planning and development process. We ask that you direct the Planning Board to require any developer proposals to be presented to the IAC early in the conceptual design phase of the projects, not just as a formality right before submittal of the site plans to the Planning Department. Based on our experience with Thomas Village in Sandy Spring and Ashton Market in Ashton, we know first-hand

that the potential developer makes design changes, hopes they are ignored, and then asks forgiveness later. Thus, you can certainly understand why we have serious doubts that the design guidelines will be enforceable since no one has been held accountable in the past. Similar committees in other areas, e.g. Bethesda, Olney, are effective because of such a protocol, which allows all stakeholders to influence the shaping of development well before the applicant has spent money on refined drawings. Please note that the population of Ashton Sandy Spring is much more diverse than Bethesda and Olney. Many of its residents are descendants of Montgomery County's largest black community going back to the 1700s. The IAC is a clear opportunity to give equal voice to all stakeholders, which is imperative in today's tenuous social justice climate.

Thank you very much for your kind time and attention.

Nadine Masone Mort  
Ashton, Maryland 20861

February 25, 2021

The Honorable Tom Hucker, President and Members, Montgomery County Council  
Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, MD 20850

By email to: [County.Council@montgomerycountymd.gov](mailto:County.Council@montgomerycountymd.gov)  
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[Councilmember.Rice@montgomerycountymd.gov](mailto:Councilmember.Rice@montgomerycountymd.gov)

Re: Written testimony addressing Ashton Village Center Sector Plan for  
County Council Public Hearing March 2, 2021

Dear President Hucker and Members of the County Council:

This law firm represents Nichols Development Company, LLC (“Nichols”) in connection with the Ashton Village Center Sector Plan (the “Sector Plan”). Nichols is the master developer of a combined tract of approximately 9.3 acres of land in the southeast quadrant of the intersection of New Hampshire Avenue and Olney Sandy Spring Road (the “SE Corner Property”), which is the largest potential development site within the Sector Plan area. The site is mostly vacant, with a small bank branch near the corner. Nichols envisions a predominantly residential mixed-use project for this site, with a focus on missing-middle housing. Due to its size and location, this site holds the key to establishing a vibrant, pedestrian-friendly village center for Ashton.

Nichols participated actively in the Planning Board’s consideration of the Sector Plan and, overall, is supportive of the Planning Board’s recommendations. **Nichols is not requesting any change in the Planning Board’s zoning recommendation.** While Nichols initially advocated for higher density than the Planning Board recommends, Nichols has determined that the density recommended in the draft plan is workable, provided that the maximum height recommended by the Planning Board is not reduced and that the County Council adopts the Sector Plan with a few minor changes to increase flexibility. The requested changes are outlined in this letter.

Nichols’s site design will closely track the Village Core Framework shown on page 69 of the draft Sector Plan, including a large open space that will be open to the public as a community gathering space, as well as a linear park connecting the large open space to New Hampshire Avenue, an open space at the corner to help

preserve existing trees that are highly valued by community members, five-foot sidewalks, pedestrian-scale lighting and on-street parking.

Nichols hopes to build a community that feels like it developed organically over time, with a variety of building types and sizes intermingled with one another and building density starting at lower levels at the outer edges and increasing closer to the intersection. Adequate height, density and design flexibility will be vital to achieving these goals due to the challenge of making mixed-use development work in the small Ashton market. If the Sector Plan does not support a viable redevelopment project on this site, Ashton risks missing out on the chance for a true village center for another master plan cycle. To ensure that a project can be built that is both vibrant and viable, Nichols requests changes to the draft plan that are summarized below and described more fully in the attachment.

- **Clarify that height bubbles in Figure 4 show suggested development pattern, not maximum building heights.**
- **Give Planning Board discretion to approve alternative design solutions to avoid rigid application of design guidelines.**
- **Increase maximum length for residential buildings on main roads from 80 feet to 90 feet.**
- **Increase maximum length for mixed-use buildings not on main roads from 120 feet to 150 feet.**
- **Delete directive for a majority of mixed-use buildings to have pitched roofs.**
- **Ensure that Implementation Advisory Committee includes diverse local viewpoints.**

Thank you for your consideration of Nichols's concerns.

Sincerely yours,

BREGMAN, BERBERT, SCHWARTZ & GILDAY, LLC

By:   
Françoise M. Carrier

cc: Fred Nichols  
Tyler Nichols  
Casey Anderson  
Gwen Wright  
Pamela Dunn



## Nichols Development Company

### Detailed Comments on Ashton Village Center Sector Plan

February 25, 2021

#### A. Zoning

About half of the SE Corner Property is currently zoned CRT-.75, C-.75, R-.25, H-35T, with a portion in the R-60 zone and a very small portion in the RC zone. Nichols supports the draft Sector Plan recommendation to rezone the entire tract to **CRN-0.5, C-0.5, R-0.5, H-45**. Changing from CRT to CRN represents a downzoning for half the property and an upzoning for the other half. Similarly, the recommended FAR is a downzoning for half the property and an upzoning for the other half. On balance, Nichols considers the recommended density workable, provided that there is no reduction in the recommended height and that the Council adopts Nichols's requested changes.

The recommended height limit is higher than under current zoning, but per the draft plan, the maximum height is restricted to certain portions of the site:

The . . . 45-foot height should be limited to buildings that are interior to the site (to take advantage of the natural grade) and to buildings where the additional height helps to define a focal point that stands out from the rest of the block. In any event, the 45-foot maximum height should be applied selectively; this maximum is not intended to apply across all new buildings in the quadrant.

Sector Plan p. 75.

In addition, the draft plan limits the maximum 45-foot height to only a portion of any building wider than 80 feet:

A building wider than 80 feet should only utilize the maximum height allowed in the zone for a maximum of two thirds of the total linear building width; the remainder of the building should have a readily apparent transition in roofline or number of stories to reflect a change in scale to the

Sector Plan p. 93

Nichols suggested to the Planning Board less restrictive language, which would have allowed up to 40% of the buildings on site to reach a height of 45 feet, while giving Nichols the discretion to decide the best locations for slightly taller buildings to contribute to a vibrant village center. The language quoted above will make site design more challenging. Nonetheless, Nichols feels that it can still develop a viable project, provided that there are no reductions in the recommended density or maximum height and that the Council adopts the changes requested below.

#### B. Community Design Recommendations and Design Guidelines

Nichols requests minor changes to the design guidelines that are included as part of the draft Sector Plan as well as certain design elements stated earlier in the plan. These changes will promote variety in building type and architectural features to help give the project the appearance of having developed organically, over

time. This goal will be difficult and costly to achieve, so it is crucial that the Sector Plan reflect real-world building constraints, rather than creating restrictions that will end up being counterproductive.

**1. Clarify that height bubbles in Figure 4 show suggested development pattern, not maximum building heights.**

Figure 4, reproduced below, includes a series of ovals that could be viewed as imposing rigid height limits in various sectors of the SE Quadrant Property. The Planning Board discussed building height for this site extensively, and nothing in that discussion suggested that building heights should be limited to 35 feet in any given location, or that buildings of similar height should be clustered together in certain areas. On the contrary, the Sector Plan specifically recommends that building heights vary from one building to the next. Moreover, the focus of discussion before the Planning Board was on creating appropriate transitions to surrounding development, with lower building heights at the edges and higher building heights at the corner and in the interior of the site.

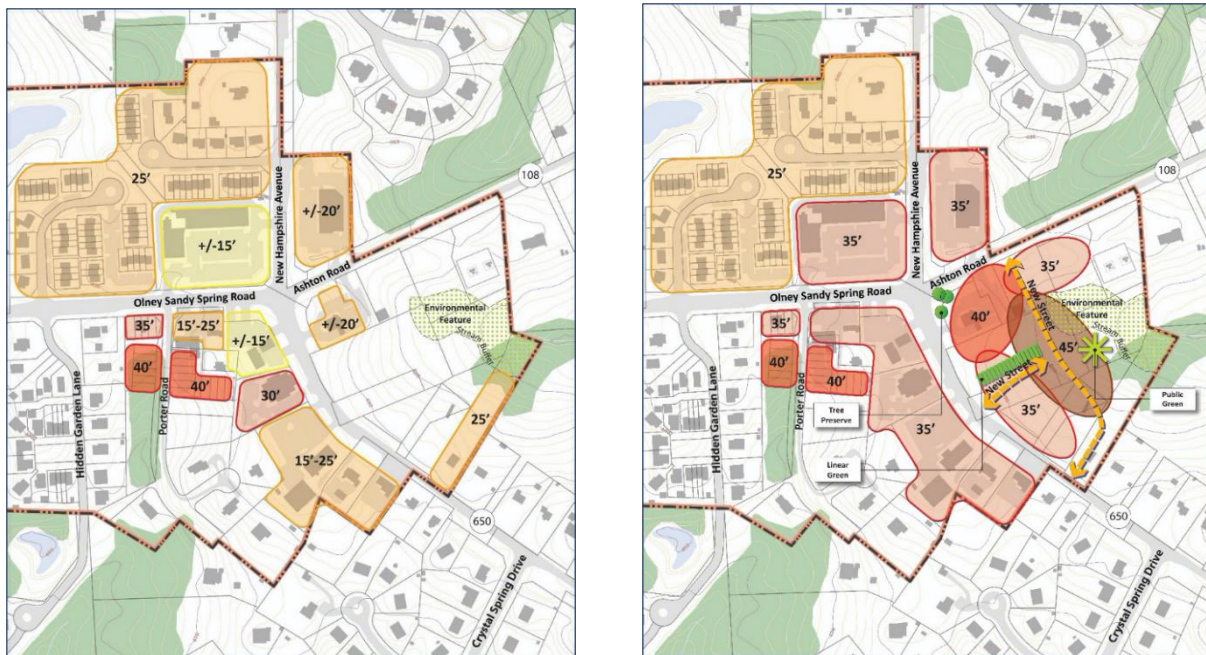


Figure 4. Existing building heights (left) and maximum proposed building heights (right) in the Village Core neighborhood and surroundings, including suggested building heights for buildings in the southeast quadrant showing the tallest buildings in the interior of the quadrant and maintaining a transition along the state highways.

To avoid circumscribing building heights in a way that will be counterproductive and inconsistent with other elements of the Sector Plan, the caption of Figure 4 should be revised as follows:

Figure 4. Existing building heights (left) and **suggested development patterns** ~~maximum proposed building heights~~ (right) in the Village Core neighborhood and surroundings. **Figure 4 includes,—including** suggested building heights for buildings in the southeast quadrant showing the tallest buildings in the interior of the quadrant and maintaining a transition along the state highways, **but this exhibit is not intended to limit specific building heights in any location except as required in other sections of this Plan.**

## 2. Give Planning Board discretion to approve alternative design.

In recent years, the Planning Board has typically adopted design guidelines separately from master plans, clearly differentiating them as guidance documents that are not reviewed by the County Council. In this case, the Planning Board incorporated the design guidelines in the draft Sector Plan. This elevates them to the level of master plan recommendations. As a result, the very specific numerical and other limitations set forth in the guidelines carry more weight than typical design guidelines – the Planning Board will not be able to approve a site plan unless it is substantially consistent with the Sector Plan, including its design guidelines. In addition, the draft Sector Plan introduces the design guidelines with language that places singular importance on them:

This chapter provides a frame of reference for the design recommendations included in other chapters of this Plan. These design concepts are *essential* for realizing the overall plan for a vibrant village center in Ashton.

Sector Plan p. 86 (emphasis supplied).

Thus, the draft plan elevates the guidelines not just to the level of master plan recommendations, but to the level of *essential* master plan recommendations. This would make it very difficult for the Planning Board to approve a plan that deviates in any way from any of the many detailed components of the design guidelines.

Instead of requiring rigid compliance with the design guidelines, the Sector Plan should adopt a technique used in the Downtown Bethesda Design Guidelines and allow the Planning Board to approve alternative design approaches that better meet the intent of the design guidelines and the Sector Plan as a whole. This review flexibility will allow room for creative design solutions to overcome technical challenges that may arise during detailed site plan development. This can be accomplished by revising the language on page 86 as follows:

This chapter provides a frame of reference for the design recommendations included in other chapters of this Plan. ~~While these design concepts are an important part of essential for~~ realizing the overall plan for a vibrant village center in Ashton, ~~the Planning Board may approve minor departures from the design guidelines as part of an alternative design approach that better meets the intent of the design guidelines and the Sector Plan as a whole. This review flexibility will allow room for unexpected, creative solutions to improve the Ashton Village Center.~~ Implementation of these guidelines is primarily through the review of site plans as required by the Sandy Spring/Ashton Rural Village Overlay zone.

## 3. Increase maximum length for residential buildings on main roads from 80 feet to 90 feet.

The draft plan limits any residential building on the site's two road frontages (a large portion of the site) to a maximum length of 80 feet. See Sector Plan p.89. This restriction reduces variety in building types, unit types, and building design, such as side porches. In addition, it sharply reduces the ability to respond to market forces. For example, an 80-foot stick of townhouses can have four units only if each one is no more than 20 feet wide. Current market standards outside of the County's most urban areas generally call for townhouses 22 to 24 feet wide.

**4. Allow mixed-use buildings not on main roads up to 150 feet wide.**

The draft plan limits the length of any building, anywhere on site, to a maximum of 120 feet. See Sector Plan p. 89. Nichols requests that mixed-use buildings in the interior of the site be permitted up to 150 feet wide to allow for a potential larger user in the future, such as a grocery store.

**5. Delete directive for primarily pitched roofs on mixed-use buildings.**

The body of the draft plan states that “A majority of buildings should contain pitched roofs.” See Sector Plan p. 37. The design guidelines contain more nuanced language, noting that rooflines should be similar to architecture in the surrounding area and stating that attached units, mixed-use buildings and commercial buildings should have pitched roofs or provide a strong cornice element. See Sector Plan p. 93. Most existing commercial buildings in Ashton Village Center have flat roofs or mansard roofs.

Nichols would like to mix several roof types on the main roads. A directive for a majority of buildings to have pitched roofs would stymie this design goal. The rigid “majority pitched roofs” provision should be deleted in favor of the more appropriate language in the design guidelines.

**6. Treatment of bank drive-thru should be consistent with proposed Overlay Zone**

Parameters for the redevelopment of the existing bank drive-thru are addressed in two locations in the Sector Plan (pp. 32 and 75) as well as in the Overlay Zone amendment proposed in the Technical Appendix. The language on page 32 is not fully consistent with the text on page 75, and neither one is fully consistent with the language proposed in the Overlay Zone. The Overlay Zone contains the clearest language (shown below). This language should be modeled in the text of the Sector Plan.

B. Land Uses

1. If the underlying zone on the property is CRN:
  - a. A Drive-Thru not associated with a restaurant may be altered, repaired or replaced under limited use standards and may be continued as a conforming use on the same site or a contiguous property.

Technical Appendix p. 61

**7. Sector Plan should support abandonment of excess right-of-way**

The draft Sector Plan states that the size of existing public rights-of-way should not be expanded. Sector Plan at 98. The intent of this recommendation is to help minimize pedestrian crossing distances, exert a calming influence on vehicular speed, and preserve the rural feel of the greater Ashton area. In keeping with that intent, language should be added to the Sector Plan supporting the abandonment of any excess right-of-way beyond master plan right-of-way limits, such as at the intersection of Rtes. 650 and 108. Abandonment of excess right-of-way ensures that the land is put to productive use and reduces potential future pressure to widen roadways contrary to the Sector Plan.

**8. Flexibility needed to avoid potential technical obstacles**

The draft Sector Plan includes specific location guidance for utilities such as transformers. While this

guidance is valuable, it may not be possible to implement in every case. Given that these design guidelines carry the weight of master plan recommendations, the need for possible exceptions should be recognized with the addition shown below:

Utilities, such as transformers, should be strategically located in alleys or to the side or back of buildings, hidden and not visible from streets or open spaces **whenever possible.**

### **C. Implementation Advisory Committee**

The draft plan provides for creation of an Implementation Advisory Committee. The plan states that the advisory group “should be staffed by the Planning Department in close coordination with the Ashton Alliance.” Sector Plan p. 103. It is not appropriate for the Sector Plan to create a special role for one community organization in an area that has several such groups, each with its own perspective on development issues. Membership on the Committee must be balanced to include multiple viewpoints. Moreover, the Sector Plan should direct planning staff to work with the Implementation Advisory Committee so that comments are timely submitted, within the normal timeframe for regulatory review.

Suggested changes to this section are shown in red below:

“This Plan supports the creation of an advisory group to address its implementation. The formation of any new advisory group should be **staffed** ~~carried out~~ by the Planning Department in close coordination with **the local community groups such as the Ashton Alliance and the Greater Ashton Community Association.**

This advisory group would work in coordination with **local community groups** ~~the Ashton Alliance (or successor group)~~ and the Regional Services Center that covers the area of a project by providing specific community and redevelopment expertise. It would also serve as an interface between community members, county agencies, and developers in implementing recommendations of the Ashton Village Center Sector Plan. This new group should be structured to include representatives from the various constituencies interested in successful implementation of the Plan.

**Development applicants should be encouraged to coordinate the timing of the statutorily required pre-filing community meeting with the advisory committee, to avoid the need for a separate briefing for committee members. Planning staff should work with the advisory committee to ensure that its comments on a development application are made in a timely manner, so that staff and the applicant can give such comments full consideration without delaying Planning Board review of the application.”**

## Friends of Ashton Maryland

Recipient: Montgomery County Councilmembers

Letter: Greetings,

WE ARE VERY CONCERNED about over-development at the Ashton crossroads.

We, the undersigned, request that the County Council make the following changes to the Ashton Village Center Sector Plan that has been proposed by the Planning Board:

- Maintain the maximum building height for all four corners of the Ashton intersection at the currently allowed height of 30 feet (the official height of the Alloway Building and presently the tallest building in Ashton).
- Reduce the permitted density of buildings on the Southeast Corner recommended by the Planning Board.
- Change design guidelines into requirements.
- Ensure that the Implementation Advisory Committee (made up of citizens, and other stakeholders) be given review power over development plans early and throughout the process.

FRIENDS OF ASHTON, MARYLAND

# Comments

Name	Location	Date	Comment
Greg Mort	Asthan, MD	2021-03-08	"I look forward to welcoming new neighbors to a viable Ashton Village Center that improves our quality of life, protects fragile eco-systems and reflects the rural and historic character of this community. I do not support a development design that focuses on large blocks of towering suburban-style buildings whose primary goal is to achieve a financial profit of the development investors."
Cheryl Crim	Sandy Spring, MD	2021-03-08	"We need to keep Ashton rural. We do not have the infrastructure to deal with this development!!!"
Amy Medd	Landenberg, PA	2021-03-08	"The choices made now will have repercussions for future generations"
Katherine Farquhar	Olney, MD	2021-03-09	"Preserving the rural village character is a gift to those who drive these roadways from the more contemporary developments in which they live - hold the line to preserve what links Ashton to its heritage."
Michela Sottile	Savannah, GA	2021-03-09	"Please preserve beautiful Ashton!"
Marcine McBride	West Babylon, NY	2021-03-09	"Too much development is destroying the ambiance of people's neighborhoods, destroying the environment, and driving wildlife to extinction."
Richard Banvard	Ashton, MD	2021-03-09	"Let's keep Ashton Village the village we enjoy living in."
Richard Banvard	Ashton, MD	2021-03-09	"Let's keep Ashton Village the village we enjoy living in."
Ellen Coleman	Ashton, MD	2021-03-09	"I am concerned about over development and the loss of the community as we now know it. For a small town with about 5,000 residents, the scale of this project is too large."
Lisa McKillop	Highland, MD	2021-03-09	"Ashton is not the place fir this kind of development!"
Julie Bigham	Ashton-Sandy Spring, MD	2021-03-09	"Keep Ashton rural, this kind of development does not reflect the community."
Aleksandra Nita-Lazar	Olney, MD	2021-03-09	"These buildings are too tall for Ashton."
Robert Conley	Silver Spring, MD	2021-03-10	"I am concerned about the over-development of the Ashton crossroads."
Tobin Denney	Dayton, OH	2021-03-10	"I appreciate the retention of planning and zoning codes that ensure sense of community is retained."
J Hart	US	2021-03-10	"The Alloway building mentioned in this petition, exceeded the height limitations of the recently approved 1997 master-plan, and built by the same developer now asking for an even greater increases in height and the size of each building's footprint. He does not care about the rules or the community, he wants the zoning and then he'll do as he has always done. If the Council

Name	Location	Date	Comment
			agrees to his requests, it will be the final unraveling of all the past work and history of our community to protect Ashton and Sandy Spring's rural nature.If the property is developed as the developer wants it developed, it will darken the RT 108 and New Hampshire intersection; scream for more transit; significantly increase existing congestion, undermine the watershed; and all of it, at significant detrimental cost to the way of life for current residents of Ashton and Sandy Spring. In testimony before the County Council on the approved 1997 Master-plan I asked the Council not to trade the Shiny Silver Dollar of our Ashton and Sandy Spri"
Harvey Beckham	Olney, MD	2021-03-11	"Smart growth also means maintaining character!!"
Robert Lembo	Olney, MD	2021-03-12	"I too foot to turn Ashton into something it is not."
Beth Blevins	Ashton, MD	2021-03-12	"Besides the fact that a tall building at this corner will be ugly and not in keeping with the rural nature of Ashton, I am worried about even more traffic being added to 108, which is already a heavily trafficked, two-lane road."
Carroll Christofaro	Olney, US	2021-03-13	"Unfortunately the roads specifically the intersection of Route 108 & New Hampshire Ave cannot take on more traffic. When schools are in session the traffic in our little town are bad enough. Infrastructure always comes last."
Laura Wilson	Brookeville, MD	2021-03-14	"This plan will ruin the character of the Ashton area as well as having a negative impact on the environment. The roads can't support a project of this scale."