



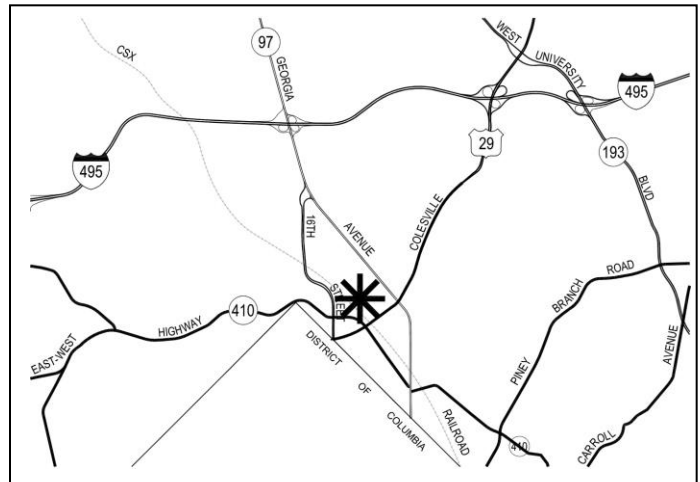
Elizabeth Square, Project Plan Review, 920150010

- SD Stephanie Dickel, Planner Coordinator, Area 1, stephanie.dickel@montgomeryplanning.org, (301) 495-4527
- M Elza Hisel-McCoy, Supervisor, Area 1, elza.hisel-mccoy@montgomeryplanning.org, (301) 495-2115
- RK Robert Kronenberg, Chief, Area 1, robert.kronenberg@montgomeryplanning.org, (301) 495-2187

Staff Report Date: 2/27/15

Description

Location: Northwest quadrant of the intersection of Second Avenue and Apple Avenue
 Zone: CBD-1 and CBD-2
 Master Plan: Silver Spring CBD Sector Plan
 Property size: 3.12 acres
 Application to extend the review period for a project plan
 Applicant: Lee Development Group, Inc. & the Housing Opportunities Commission of Montgomery County
 Filing Date: September 25, 2014



Summary

Section 59-7.7.1.B.1. of the Zoning Ordinance, a project plan “filed or approved before October 30, 2014, must be reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014. As this application was filed before October 30, 2014, under Section 59-D-2.2 of the Zoning Ordinance in effect on October 29, 2014, the Planning Board shall hold a public hearing no later than 90 days after the filing of a project plan. The Planning Board may, however, extend this period. On December 18, 2014, the Planning Board extended the review period for this plan through March 12, 2015. The Applicant has requested a second extension for additional time to continue to address issues raised at the Development Review Committee, particularly transportation and emergency service access issues, and to resubmit updated plans to all agencies. The Applicant has requested, in a letter dated February 2, 2015, that the review period for the Project Plan be extended until and including July 23, 2015.

Staff recommends **approval** of this second extension request.

Attachment A: Applicant’s extension request



ideas that work

Attorneys at Law

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February 2, 2015

VIA ELECTRONIC MAIL AND U.S. MAIL

Ms. Stephanie Dickel
Montgomery County Planning Board
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

RE: Elizabeth Square (the "Project")
Project Plan No. 920150010 (the "Project Plan");
Preliminary Plan No. 120150030
Request for Further Extension of Review Period

Dear Ms. Dickel:

On behalf of Lee Development Group and the Housing Opportunities Commission of Montgomery County, co-applicants in the above-referenced combined plan applications, and pursuant to Section 59-D-2.2 of the prior Montgomery County Zoning Ordinance (under which this Project is grandfathered), this letter requests an extension of the time period within which the Planning Board must hold a public hearing on the Project Plan. This extension request is from the current expiration date of March 12, 2015 (based on the extension granted on December 18, 2014), through and including July 23, 2015.

During the ongoing period of the current statutory review, the co-applicants have been working closely with the Planning Board Staff and other County and State agencies on a variety of issues, particularly transportation and emergency service access issues. The applicants and the Departments of Transportation and Fire and Rescue Services have been in discussions about these issues, testing different alternative configurations and approaches. We believe that the Project would benefit from additional dialogue among the participants, allowing development of better solutions on these overlapping, and sometimes conflicting, issues and policies. Therefore, for these reasons and in order to accommodate vacation schedules of involved members of public agency staffs, the co-applicants request an extension of the review time until July 23, 2015, for the public hearing before the Planning Board.

Ms. Stephanie Dickel
February 2, 2015
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We are hopeful that this extension request will provide sufficient time for the co-applicants and the different government staffs to complete their work, and for the Planning Board to hear this matter on or before July 23, 2015. No party will be adversely affected by this requested extension.

Thank you for your consideration of this request.

Very truly yours,

LERCH, EARLY & BREWER, CHARTERED



William Kominers



Susan M. Reutershan

WK/paj

cc: Mr. Casey Anderson
Ms. Rose Krasnow
Mr. Robert Kronenberg
Mr. Elza-Hisel McCoy
Mr. Bruce Lee
Mr. Christopher Donald



Montgomery County Planning Department
Maryland-National Capital Park and Planning Commission

Effective: December 5, 2014

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REGULATORY PLAN EXTENSION REQUEST

Request #1 Request #2

M-NCPPC Staff Use Only			
File Number	_____	MCPB Hearing Date	_____
Date Received	_____		_____

Plan Name: Elizabeth Square Plan No. 920150010; 120150030

This is a request for extension of: Project Plan Sketch Plan
 Preliminary Plan Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: March 12, 2015

The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

Person requesting the extension:

Owner, Owner's Representative, Staff (check applicable.)

William Kominers & Susan M. Reutershan Lerch, Early & Brewer, Chartered
Name Affiliation/Organization

3 Bethesda Metro Center, Suite 460
Street Address
Bethesda, Maryland 20814
City State Zip Code

301-841-3829 301-347-1783 wkominers@lercheearly.com
City State Email

301-841-3830 ext. 301-347-3754 smlreutershan@lercheearly.com
Phone Number Phone Number Email

We are requesting an extension for 4.5 months until on or before July 23, 2015

Describe the nature of the extension request. Provide a separate sheet if necessary.

See attached letter, dated January 30, 2015.

USACH, EARLY & BREWER, CHARTERED
Signature of Person Requesting the Extension

William Kominers
Signature

2/2/15
Date

ATTORNEY FOR CO-APPLICANT

Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from _____ until _____.

Signature

Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _____ and approved an extension for more than 30 days of the Planning Board public hearing date from _____ until _____.