



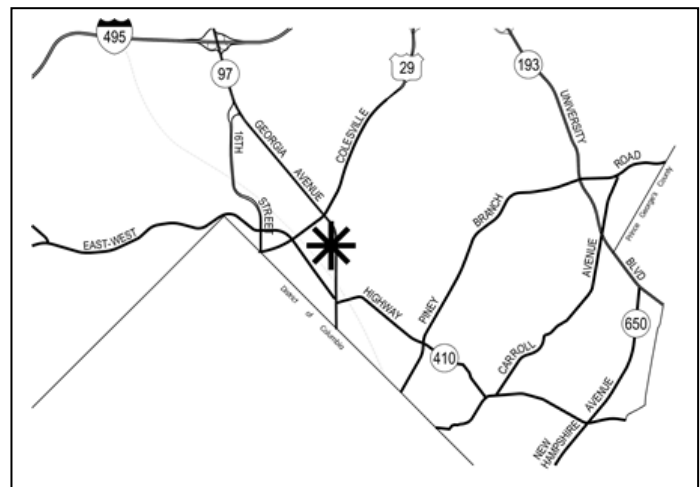
Ripley East, Sketch Plan Amendment No. 32015001A, Site Plan No. 820150130

- 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
- PAK Robert Kronenberg, Chief, Area 1, robert.kronenberg@montgomeryplanning.org, (301) 495-2187

Staff Report Date: 10/9/15

Description

Location: Southwest corner of Georgia Avenue and Bonifant Street
 Zone: CR 5.0: C 4.0, R 4.75, H 200T
 Master Plan: Ripley District of the Silver Spring CBD Sector Plan area and Ripley/South Silver Spring Overlay Zone
 Property size: 1.40 acres
 Application to extend the review period for a sketch plan amendment and a site plan
 Applicant: Diamondback Investors, LLC
 Filing Date: July 30, 2015



Summary

Section 59-7.3.3.C. of the Zoning Ordinance, states for a Sketch Plan that “the Planning Board must schedule a public hearing to begin within 90 days after the date an application is accepted. The Planning Director may postpone the public hearing by up to 30 days once without Planning Board approval. The Planning Director or applicant may request an extension beyond the original 30 days with Planning Board approval. Any extension of the public hearing must be noticed by mail and on the hearing agenda with the new public hearing date indicated”.

Section 59-7.3.4.C. of the Zoning Ordinance, states for a Site Plan that “the Planning Board must schedule a public hearing to begin within 120 days after the date an application is accepted. The Planning Director may postpone the public hearing by up to 30 days once without Planning Board approval. The Planning Director or applicant may request an extension beyond the original 30 days with Planning Board approval. Any extension of the public hearing must be noticed by mail and on the hearing agenda with the new public hearing date indicated”.

The Applicant has requested an extension for additional time to address issues raised at the Development Review Committee, to coordinate with review agencies, and to resubmit updated plans to all agencies. The Applicant has requested, in a letter dated August 17, 2015, that the review period for the Sketch Plan Amendment and the Site Plan be extended until December 22, 2015.

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

RECEIVED

AUG 20 2015

MONTGOMERY PLANNING/REG 1

August 17, 2015

C. Robert Dalrymple
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Heather Dlhopsky
301-961-5270
hdlhopsky@linowes-law.com

VIA EMAIL AND FIRST CLASS MAIL

Ms. Stephanie Dickel
M-NCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Ripley East, Sketch Plan No. 32015001A and Site Plan No. 820150130 (the
“Applications”): Request for Extension of Review Period

Dear Ms. Dickel:

On behalf of Diamondback Investors, LLC (the “Applicant”), we are submitting this request for an extension of the review period for the Applications. Pursuant to Section 59-7.3.3.C of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board (the “Planning Board”) is required to hold a public hearing on a sketch plan application within 90 days of acceptance of the application. As a result, the Planning Board public hearing on the above-referenced Sketch Plan was tentatively scheduled for October 22, 2015. In addition, per Section 59-7.3.4.C of the Zoning Ordinance, the Planning Board is required to hold a public hearing on a site plan application within 120 days of acceptance of the application. However, as we have discussed, there is insufficient time after the Development Review Committee meeting held on August 17th for the Applicant to make and submit revisions to the Applications and to receive final agency comments in time for the October 22nd Planning Board hearing.

As a result, the Applicant is submitting this request for a 60-day extension of the review period for the Sketch Plan and a 30-day extension of the review period for the Site Plan, in order to allow the Planning Board hearing to take place on December 3rd. We also request that the Planning Board hearing on the concurrently submitted Preliminary Plan (No. 120150220) be rescheduled to the same date as the Planning Board hearing on the Applications.

Enclosed, please find completed Regulatory Plan Extension Request forms for the Applications. Please contact us should you have any questions or require any additional information.

**L&B 5164344v1/10361.0086

Ms. Stephanie Dickel
August 17, 2015
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Very truly yours,

LINOWES AND BLOCHER LLP

C. Robert Dalrymple, H/D

C. Robert Dalrymple

H. Dlhopsky

Heather Dlhopsky

Enclosures

cc: Mr. Robert Kronenberg, M-NCPPC
Mr. Elza Hisel-McCoy, MNCPPC
Mr. Daryl South
Ms. Janel Kausner



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 Silver Spring, Maryland 20910-3760

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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: Ripley East Plan No. 32015001A

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: 10-22-15

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, ^{attorney} Owner's Representative, Staff (check applicable.)

Heather Dhopolsky Linowes and Blocher LLP
 Name Affiliation/Organization
7200 Wisconsin Avenue, Suite 800
 Street Address
Bethesda MD 20814
 City State Zip Code
301-961-5270 hdhopolsky@linowes-law.com
 Telephone Number ext. Fax Number E-mail

We are requesting an extension for 2 months until 12-22-15

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

Please see attached cover letter.

Signature of Person Requesting the Extension

[Signature]
 Signature

8-17-15
 Date

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 _____.



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 Silver Spring, Maryland 20910-3760

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 Fax 301.495.1306

REGULATORY PLAN EXTENSION REQUEST

Request #1 Request #2

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

Plan Name: Ripley East Plan No. 820150130

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: 10-22-15

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, ^{attorney} Owner's Representative, Staff (check applicable.)

Heather Dlhopsky Linowes and Blocher LLP
Name Affiliation/Organization
7200 Wisconsin Avenue, Suite 800
Street Address
Bethesda MD 20814
City State Zip Code
301-961-5270 hdlhopsky@linowes-law.com
Telephone Number ext. Fax Number E-mail

We are requesting an extension for 2 months until 12-22-15

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

Please see attached cover letter.

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[Signature]
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8-17-15
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Signature

Date

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