



Dowden's Station: Extension Request for Site Plan No. 820160060

H.S. Molline Jackson, Area 3 Senior Planner, molline.jackson@montgomeryplanning.org, 301.495.4573

RAW Richard Weaver, Area 3 Supervisor, richard.weaver@montgomeryplanning.org, 301.495.4544

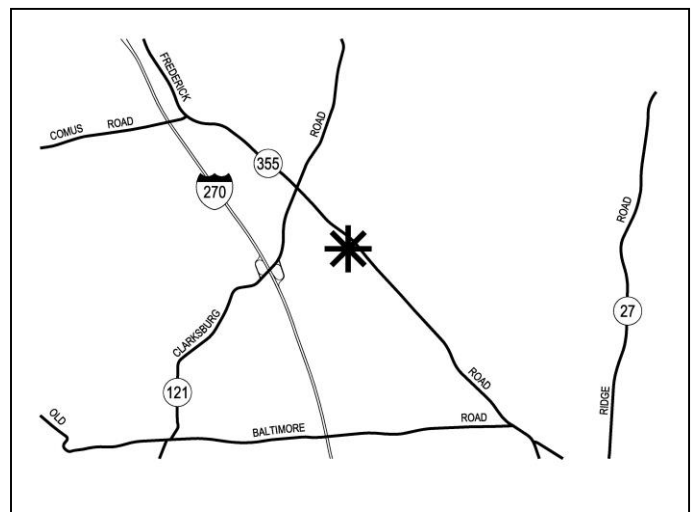
KRR Kipling Reynolds, Area 3 Chief, kipling.reynolds@montgomeryplanning.org, 301.495.4645

Completed: 04-08-16

Description

Request to extend the review period for Site Plan No. 820160060 an additional 14-weeks to July 28, 2016.

- Residential development consisting of 105 units, including 21 single family detached units and 84 townhouse units (14 MPDUs among the townhouse units, 8.2 percent bonus density) on 24.37 acres of land zoned PD-4.
- Located on the west side of Frederick Road (MD 355) 1,300 feet north of the intersection with Shawnee Lane in Clarksburg, MD within the Clarksburg Special Protection Area.
- Application Accepted: December 23, 2015
- Applicant: Clarksburg Mews, LLC.
- Review Basis: Chapter 50 and 59, Montgomery County Code.



Summary

Section 59-7.3.4.C of the Zoning Ordinance generally states that a Site Plan application must be scheduled for a public hearing within 120-days after the date an application is accepted. The Applicant may request an extension of up to 30 days with the Planning Director; however, an extension beyond 30-days must have the Planning Board approval. Any extension of the public hearing must be noticed by mail and placed on the hearing agenda with the new public hearing date indicated.

The Applicant is requesting an extension for the Site Plan review period beyond the 30 days, because there are a number of outstanding issues that will require significant time to resolve. The original public hearing date was scheduled for April 21, 2016.

At the time of posting of this Staff Report, the Applicant has not met the interim ePLANS review deadlines that would have allowed an April 21, 2016 Planning Board date. Staff supports the Applicant's request to extend the review period, which updates the current status of the application review, and indicates a tentative Planning Board date on July 28, 2016.

Attachment A: Applicant's extension request letter (dated April 8, 2016)

Law Offices Of
MILLER, MILLER & CANBY
MM&C
CLIENT FOCUSED. RESULTS DRIVEN.

200-B MONROE STREET, ROCKVILLE, MARYLAND 20850 P: 301.762.5212 F: 301.762.6044 WWW.MILLERMILLERCANBY.COM

All attorneys admitted in Maryland and where indicated.

PATRICK C. MCKEEVER (DC)
JAMES L. THOMPSON (DC)
LEWIS R. SCHUMANN
JODY S. KLINE
JOSEPH P. SUNTUM

ROBERT E. GOUGH
DONNA E. MCBRIDE (DC)
GLENN M. ANDERSON (FL)
HELEN M. WHELAN (DC, WV)

MICHAEL G. CAMPBELL (DC, VA)
SOO LEE-CHO (CA)
BOBBY BAGHERI (DC, VA)
DIANE E. FEUERHERD
MICHAEL S. SPENCER

JSKLINE@MMCANBY.COM

April 8, 2016

Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Site Plan Application No. 820160060,
“Dowden’s Station”

Dear Chairman Anderson and Members of the Planning Board:

The Applicant of Site Plan Application No. 820160060, Clarksburg Mews LLC, hereby requests an extension of time for presentation of its site plan to the Planning Board for the reasons described in the attached extension request form.

The Board members may recall that when reviewing Rezoning Application No. G-957, the “Dowden’s Station” project had a lot of “moving parts” and not all of the important issues involved in implementation of the approval of Zoning Application No. G-957 have yet been resolved. A meeting between staff and MCDEP occurred this week and a follow up meeting between Staff and the applicant is scheduled for next week. The Staff has not yet received final recommendations from some County agencies. Accordingly, the Applicant requests an extension of time up to the last hearing date before the Board begins its August recess (July 28, 2016) in order to have adequate time to resolve all pending issues.

Thank you for your consideration of this request.

Sincerely Yours,

Miller, Miller & Canby

A handwritten signature in black ink that reads "Jody Kline". The signature is written in a bold, cursive style with a thick horizontal line above the name.

Jody S. Kline

JSK/dlc

cc: Molly Jackson
Ryan Sigworth
Jonathan Lerner
Mike Fisher
Steve Crum
David Crowe



8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Effective: December 5, 2014

Phone 301.495.4550
Fax 301.495.1306

REGULATORY PLAN EXTENSION REQUEST

Request #1 Request #2

File Number	_____	MCPB Hearing Date	_____
Date Received	_____		

Plan Name: "Dowden's Station" Plan No. 820160060

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: May 19, 2016

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.)

Jody S. Kline, Attorney Miller, Miller & Canby
Name Affiliation/Organization

200-B Monroe Street
Street Address

Rockville Maryland 20850
City State Zip Code

301-762-5212 jskline@mmcanby.com
Telephone Number ext. Fax Number E-mail

We are requesting an extension for 2.5 months until July 28, 2016

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

Site Plan Application No. 820160060 seeks approval to implement the "Dowden's Station" approval obtained through the granting of Rezoning Application No. G-957. As of this date, there remain a number of unresolved issues including: confirmation from MCDOT of acceptance of Applicant's plan; comments from Fire and Rescue on adequate accessibility to the total number of units proposed; and comments from the Water Resources Division, MCDPS. An extension of time to the Planning Board's August recess is deemed adequate to address these issues.

Signature of Person Requesting the Extension

Jody S. Kline
Signature Jody S. Kline

8 APRIL 2016
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 _____.