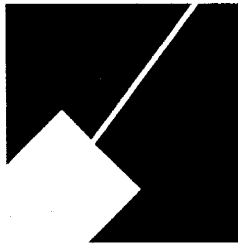


M-NCPPC



**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760  
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**MCPB  
ITEM #2  
10/25/05**

**MEMORANDUM**

October 19, 2005

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *R&K*  
Development Review Division

FROM: Catherine Conlon, Supervisor 301-495-4542  
Development Review Division *CC*

SUBJECT: Request for Second "Interim" Extension to the Validity Period – Preliminary Plan No. 1-95042, Clarksburg Town Center

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**STAFF RECOMMENDATION:** Grant an additional six-month extension of validity period for Preliminary Plan No. 1-95042 to April 26, 2006.

**BACKGROUND**

The subject preliminary plan application was submitted on November 23, 1994 to create a mixed-use development on 267.5 acres of land in the RMX-2 zone located in the northeast quadrant of the intersection of Frederick Road (MD 355) and Stringtown Road in Clarksburg. The preliminary plan was brought before the Planning Board for a public hearing on September 28, 1995 and was approved for a maximum of 1300 dwelling units, 150,000 square feet of retail uses, and 100,000 square feet of commercial office uses. The approval was granted subject to conditions as set forth in the Opinion of the Board mailed on March 26, 1996 (Attachment "A"). Per Condition No. 17, the preliminary plan remained valid for 109-months from the date of the mailing, or March 26, 2005 unless, prior to that date, the applicant either (1) recorded all plats among the land records of Montgomery County or (2) submitted a request to extend the validity period.

On March 24, 2005, the Applicant requested an extension of the Preliminary Plan for a period of two years. The request was discussed by the Planning Board on July 28, 2005 and an interim extension of the plan was granted until October 26, 2005. At that time, it was decided that review and discussion of alleged violations and other significant issues related to the Clarksburg Town Center development needed to be completed prior to the Planning Board's full

consideration of the preliminary plan extension request. It was anticipated that such review would be completed by October 26.

In light of the continuing nature of the Planning Board's review of the overall development project, the Applicant has requested an additional six-month interim extension of the Preliminary Plan until April 26, 2006 (Attachment B). The additional extension would maintain the status quo only, and would not in any manner indicate a prejudgment by the Board on the merits of the two-year extension request which Staff will schedule for Board consideration prior to the April 26, 2006 expiration date. Staff recommends granting the six-month extension request until April 26, 2006.

#### Attachments

Attachment A – Planning Board Opinion dated 3/26/96

Attachment B – Applicant's Extension Request dated 10/10/05