**MEMORANDUM**

DATE: April 7, 2006
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief *RK*
FROM: Kathleen Mitchell *KM*
 Development Review Division
 (301) 495-4588

PROJECT NAME: Downtown Silver Spring
CASE #: 9-98005B
REVIEW TYPE: Project Plan

ZONE: CBD-.05, -1, -2 and R-2 Zones
APPLYING FOR: Approval of extension of plan review time beyond 90 days
LOCATION: Properties bounded by Georgia Avenue, Colesville Road, Wayne Avenue and Cedar Street in Silver Spring
MASTER PLAN: Silver Spring Central Business District Sector Plan
REVIEW BASIS: Section 59-D-3, Montgomery County Zoning Code.

APPLICANT: PFA Silver Spring LC, Bryant Foulger
FILING DATE: January 9, 2006
HEARING DATE: April 20, 2006



The applicant filed the subject Project Plan application for Downtown Silver Spring on January 9, 2006. Section D-2.2 of the Zoning Ordinance provides that the Planning Board shall hold a public hearing no later than 90 days after the filing of a project plan. The Planning Board, however, can extend this time period.

The attached letter from the applicant, dated April 7, 2006, requests a continuance of the hearing beyond the 90-day review period. The basis of the request is the recent denial of a waiver request by the Department of Public Works and Transportation which my result in the need for changes to the proposed site plan. The applicant received notification of the decision by a letter dated March 27, 2006 and have not had adequate time to assess the impact, if any, on the proposed site. Therefore, additional review time is needed to allow them to resolve the issue and to allow staff adequate time to review changes to the site plan if they are required.

The applicant has also asked that the public hearing be rescheduled to the next available date; however, staff recommends against setting a new date before the extent of the problem and options for resolution are more clear.

STAFF RECOMMENDATION: APPROVAL of extension of the review time.

LINOWES
AND BLOCHER LLP
ATTORNEYS AT LAW

April 7, 2006

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Mr. Michael Ma
Development Review - Site Planning
Maryland-National Capital Park and
Planning Commission
8787 Georgia Avenue, 2nd Floor
Silver Spring, MD 20910-3760

Re: Project Plan Amendment 9-98005B - Downtown Silver Spring

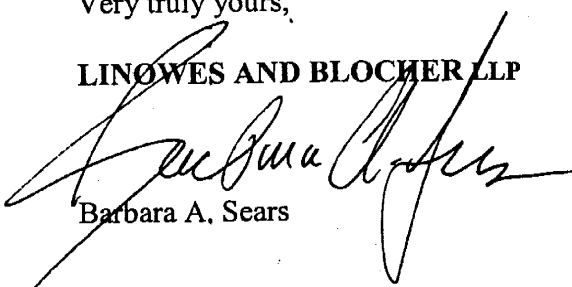
Dear Mr. Ma:

The above-referenced project plan amendment is currently scheduled for Planning Board hearing for April 20, 2006. The purpose of this letter is to request a continuance of the hearing date in order to resolve certain issues recently raised by the Montgomery County Department of Public Works and Transportation. We expect these issues to be shortly resolved and, therefore, request that the matter be postponed to the soonest available date for Planning Board hearing.

Thank you for your attention to this matter.

Very truly yours,

LINOWES AND BLOCHER LLP


Barbara A. Sears

cc: Ms. Rose Krasnow
Mr. Robert Kronenberg
Mr. Richard Weaver
Mr. Bryant Foulger
Ms. Lynne Hansen
Mr. Richard Perlmutter
Mr. Dan Pino
Ken Wire, Esq.

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