



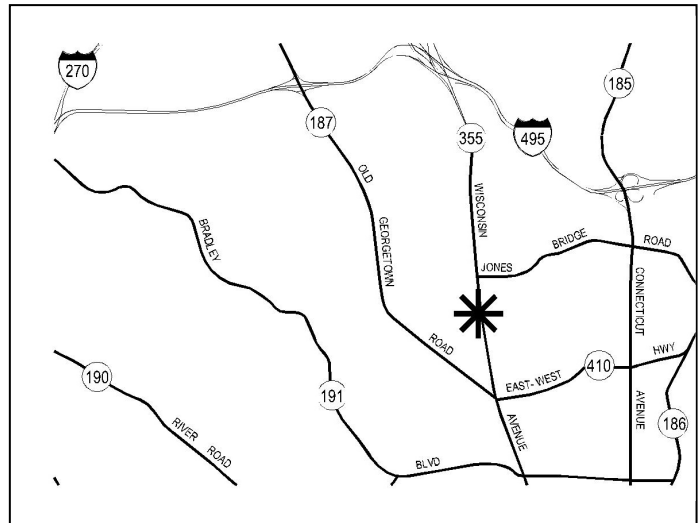
8008 Wisconsin Avenue, Project Plan Review Extension Request, 920150020

- Neil Braunstein, AICP, Area 1, neil.braunstein@montgomeryplanning.org, (301) 495-4532
- Elza Hisel-McCoy, Supervisor, Area 1, elza.hisel-mccoy@montgomeryplanning.org, (301) 495-2115
- Robert Kronenberg, Chief, Area 1, robert.kronenberg@montgomeryplanning.org, (301) 495-2187

Staff Report Date: 3/6/15

Description

Location: Southwest quadrant of the intersection of Cordell Avenue and Wisconsin Avenue
 Zone: CBD-1
 Master Plan: Woodmont Triangle Amendment to the Bethesda CBD Sector Plan
 Property size: 15,389 square feet
 Application to extend the review period for a project plan for up to 90 days, from March 30, 2014, to June 28, 2015
 Applicant: Jemal’s Surplus, LLC
 Filing Date: October 1, 2014



Summary

Under 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.

Because issues were raised at DRC relating to right-of-way width and site design that will not be able to be resolved with the 90-day review period, the Applicant wishes to extend the review. The Planning Board approved one 90-day extension of the review period on December 18, 2014. However, the issues related to the plan have not yet been fully resolved. Therefore, the Applicant has requested, in a letter dated February 24, 2015, that the review period for the project plan be extended for an additional 90 days, to June 28, 2015, to allow the Applicant to address these issues.

Staff recommends **APPROVAL** of the extension request.

Attachment A: Applicant’s extension request

LINOWES
AND BLOCHER LLP
ATTORNEYS AT LAW

February 24, 2015

Emily J. Vaias
301.961.5174
evaias@linowes-law.com

Via Electronic Mail
And Regular US Mail

Mr. Neil Braunstein
Maryland National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: 8008 Wisconsin Avenue – Project Plan Application No. 920150020 (the “Application”):
Request for Extension of Public Hearing Date to June 2015

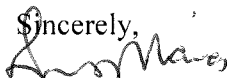
Dear Mr. Braunstein:

On behalf of Jemal’s Surplus LLC c/o Douglas Development Corporation, the applicant for the above-referenced Application (the “Applicant”) and pursuant to Section 59-D.2.2 of the Montgomery County Zoning Ordinance (2004), we request that the Application’s public hearing date be extended until June 2015.

The Application was accepted on October 1, 2014 and DRC was conducted on November 10, 2014. At DRC, Staff from M-NCPPC and DOT provided substantive comments on the project, including requiring an expanded right-of-way dedication along Wisconsin Avenue to accommodate the future BRT. Based on the extensive nature of those comments, on November 24, 2014, the Applicant filed a request to extend the public hearing until the end of March in order to redesign the project and submit revised plans.

The Applicant has been working diligently over the past several months (which were limited by the holidays), with MNCPPC Staff’s assistance, exploring potential solutions and attempting to obtain more clarity from SHA on the subject right-of-way. Within the past week, there has been progress on identifying a reasonable alternative design. Accordingly, the Applicant will need some additional time to revise the plans and resubmit the package. Therefore, we are respectfully requesting an extension of the public hearing date until June. The requested additional time is reasonable and does not constitute prejudice or undue hardship to any interested party.

Thank you for your consideration of this matter.

Sincerely,

Emily J. Vaias

cc: Ms. Cathy Conlon
Mr. Patrick Cooper

**L&B 4652230v2/07425.0025