

Ashton Market: Preliminary Plan No. 120180180 & Site Plan No. 820180160, Regulatory Review Extension Request No. 2

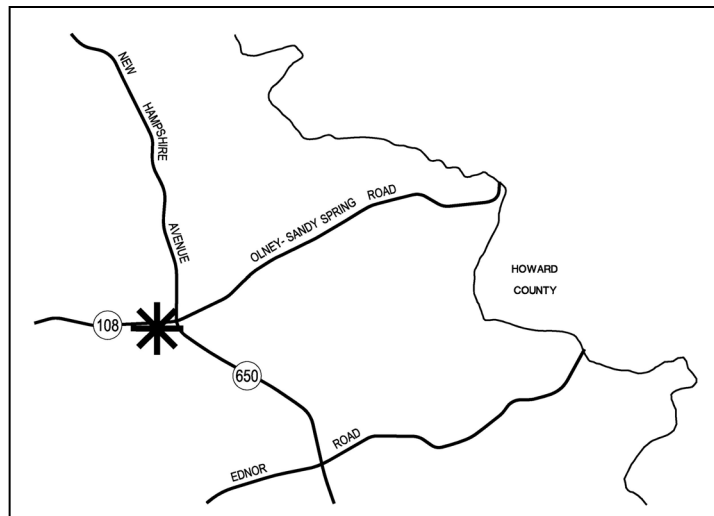
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Staff Report Date: 10/16/18

Description

A. Preliminary Plan No. 120180180: Requesting to extend the regulatory review period for 30 days; An application to create 20 lots for 20 townhouses, and one lot for a mixed-use building with 3 multi-family units and up to 6,800 square feet of restaurant space, including 12.5 percent MPDUs, located on Porter Road at its intersection with Olney Sandy Spring Road (MD 108); 3.04 acres, TF zone, CRT-0.75, C-0.75, R-0.25, H-35 zone & the Sandy Spring/Ashton Rural Village Overlay zone; Sandy Spring/Ashton Master Plan.

B. Site Plan No. 820180160: Requesting to extend the regulatory review period for 30 days; An application to construct 20 townhouses, and a mixed-use building with 3 multi-family units and a 6,800 square foot restaurant, including 12.5 percent MPDUs, located on Porter Road at its intersection with Olney Sandy Spring Road (MD 108); 3.04 acres, TF zone, CRT-0.75, C-0.75, R-0.25, H-35 zone & the Sandy Spring/Ashton Rural Village Overlay zone; Sandy Spring/Ashton Master Plan.



Applicant: Nichols Development, LLC.
Submittal Date: April 23, 2018
Review Basis: Chapter 50 & Chapter 59

Summary

Section 50.4.1.E of the Subdivision Regulations and Section 59.7.3.4.C of the Montgomery County Zoning Ordinance provides that the Planning Board shall hold a public hearing for Preliminary and Site Plans no later than 120 days after the date the application(s) are accepted. However, the Director may postpone the public hearing by up to 30 days once without Board approval and the Director or applicant may request one or more extensions beyond the original 30 days with Board approval.

The Ashton Market Preliminary and Site Plan applications were accepted on April 23, 2018, which established a Planning Board date no later than August 21, 2018. The Planning Board granted the first extension on July 19, 2018 for a total of 3 additional months or until October 20, 2018. The Applicant has now obtained all required agency approvals and is scheduled on the Planning Board's agenda for November 1, 2018. Therefore, the Applicant requests a final 1-month extension or until November 19, 2018.

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

Attachment A: Extension request



Montgomery County Planning Department
Maryland-National Capital Park and Planning Commission

Effective: December 5, 2014

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REGULATORY PLAN EXTENSION REQUEST

 Request #1 Request #2

M-NCPPC Staff Use Only

File Number Date Received	_____	MCPB Hearing Date	_____
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Plan Name: _____ **Plan No.** _____

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: _____

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.)

Name		Affiliation/Organization	
Street Address			
City		State	Zip Code
Telephone Number	ext.	Fax Number	E-mail

We are requesting an extension for _____ months until _____

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

Signature of Person Requesting the Extension

Signature

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 _____.

October 15, 2018

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

Re: Preliminary Plan Application 120180180 and Site Plan
Application 820180160, Ashton Market: Request for Extension

Dear Chair Anderson:

My firm represents Nichols Development Company, LLC, the applicant (“Applicant”) in the applications referenced above (the “Applications”). On behalf of the Applicant, and pursuant to Montgomery County Code Sections 59.7.3.4.C and 50.4.1.E, we respectfully request an extension of the time in which the Planning Board is required to hold a public hearing on the above referenced Applications.

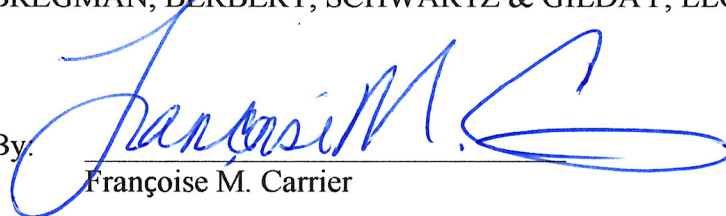
The Applications were formally accepted on April 23, 2018. The standard 120-day period to conduct a Planning Board hearing on these applications would have expired during the Board’s August recess. Accordingly, the Applicant requested an extension of the time for that hearing to take place, which the Board granted on July 19, 2018. That extension expires on October 20, 2018. The hearing was further postponed due to delays in obtaining necessary approvals from outside agencies. We now have all required agency approvals and are scheduled on the Board’s agenda for November 1, 2018. To permit the matter to be heard on that date, we request an additional extension of the time for the public hearing for 30 days, to November 19, 2018.

Thank you for your consideration. We look forward to presenting these applications to you.

Sincerely yours,

BREGMAN, BERBERT, SCHWARTZ & GILDAY, LLC

By.



Françoise M. Carrier