



**New Hampshire Ave. Restaurant Redevelopment: Site Plan No. 820180090 & Safeway at Cloverly: Site Plan Amendment No. 81999004B, Regulatory Review Extension Request No. 3**

- Jpc* Jonathan Casey, Senior Planner, Area 3, [Jonathan.Casey@montgomeryplanning.org](mailto:Jonathan.Casey@montgomeryplanning.org), (301) 495-2162
- SP* Sandra Pereira, Supervisor, Area 3, [Sandra.Pereira@montgomeryplanning.org](mailto:Sandra.Pereira@montgomeryplanning.org), (301) 495-2186
- RAW* Richard Weaver, Chief, Area 3, [Richard.Weaver@montgomeryplanning.org](mailto:Richard.Weaver@montgomeryplanning.org), (301) 495-4544

Staff Report Date: 12/12/18

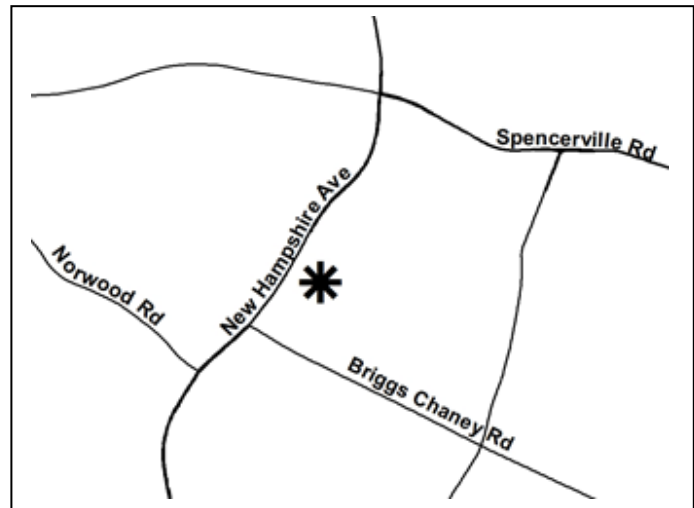
**Description**

**A. Site Plan No. 820180090, New Hampshire Ave.**

**Restaurant Redevelopment:** Requesting to extend the regulatory review period until 2/7/2019; Application proposing the construction of an eating and drinking establishment (Burger King) with a drive thru, located on the southwest corner of New Hampshire Ave. and Cloverly Street, 0.77 acres, Neighborhood Retail Zone, 1997 Cloverly Master Plan.

**B. Site Plan Amendment No. 81999004B, Safeway at Cloverly:**

Requesting to extend the regulatory review period until 2/7/2019; Amendment to reduce the number of parking spaces required for Safeway and removed the condition requiring shared parking on the former bank site, located on New Hampshire Ave., 200 feet south of Cloverly Street, 3.66 acres, Neighborhood Retail Zone, 1997 Cloverly Master Plan.



**Applicant:** Potomac Foods Group & Safeway Inc.  
**Submittal Date:** March 7, 2018  
**Review Basis:** Chapter 59

**Summary**

Chapter 59 of the Montgomery County Zoning Ordinance, Section 59.7.3.4.C, 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 Planning Board approval.

Site Plan No. 820180090 and Site Plan Amendment No. 81999004B were accepted on March 7, 2018, which established a Planning Board date no later than June 5, 2018. The Planning Board granted a 5-month extension until October 25, 2018, in order to file a preliminary plan of subdivision which is required because the subject property is on part of a lot, not a recorded lot. The Planning Board granted a second extension until December 25, 2018, to give the Applicant time to coordinate with reviewing agencies regarding frontage improvements and stormwater management. The Applicant has received approval from most of the reviewing agencies and is in the final stage of acquiring the remaining approval letters. To obtain the remaining approvals and submit final plans the Applicant has requested an extension until February 7, 2019.

Staff recommends **approval** of the extension requests.

Attachment: Extension request forms (2)



**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 \_\_\_\_\_.



8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Phone 301.495.4550

Fax 301.495.1306

**REGULATORY PLAN EXTENSION REQUEST**

Request #1  Request #2  Request #3

M-NCPPC Staff Use Only			
File Number	_____	MCPB Hearing Date	_____
Date Received	_____		

Plan Name: SAFARIWAY at CLOVERY SITE PLAN AMNDMNT Plan No. 01999045

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: 25 December 2018

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 KLINE Attorney for Applicant  
Name Affiliation/Organization  
200-B Monroe Street  
Street Address  
Rockville MD. 20850  
City State Zip Code  
301.762.5212 jskline@mmcanby.com  
Telephone Number ext. Fax Number E-mail

We are requesting an extension for 1.5 months until Not later than February 7, 2019

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

This site plan amendment application is paired with a preliminary plan of subdivision application (120180090). This application has previously been deferred from consideration due to problems in the review of the preliminary plan. These problems have been addressed and this extension will allow this application to be considered with the preliminary plan and a sister site plan application

Signature of Person Requesting the Extension

JODY KLINE  
Signature JODY KLINE

12 DECEMBER 2019  
Date

**Extension Review**

*Planning Director Review for Extensions 30 days or less*

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\_\_\_\_\_  
*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 \_\_\_\_\_.