

PG Associates, Inc.
932 Hungerford Drive, Suite 4B
Rockville, MD 20850

November 1, 2005

Ms. Cathy Conlon
MNCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Henderson Corner
Extension of Preliminary Plan
1-02017

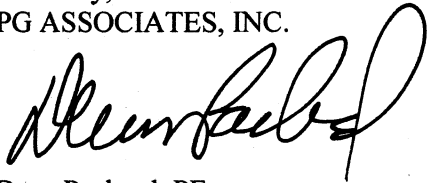
Dear Cathy,

I hereby request on behalf of my client Henderson Corner @ 355, LLC to grant an extension of the preliminary plan. My client had searched for two and a half for a purchaser for the property. He was hesitant to move forward on the site plan until a buyer was engaged and a mix of use, building type and orientation could be developed. Six months ago, a purchaser was contracted and I collected information to file a site plan. Over the last six months, we have been responding to the comments presented by the staff in order to complete the package and obtain planning board approval. When it became apparent that we could not achieve approval of the site plan prior to the expiration of the preliminary plan, last month, the planning commission staff informed me to file a request for an extension. I had planned on completing the approvals prior to the expiration of the preliminary plan, but the staff has performed a thorough review of the package and the items requested took longer to complete than anticipated.

The neighborhood has not changed and all of the information presented previously is accurate and consistent with the current conditions. The surrounding properties have not changed and are owned by the same entities as before. There was no opposition or discussion on this property at the last hearing and we would not anticipate any for the extension hearing.

We are anticipating going to the planning board for approval of the site plan in December. At that point the signature package will be submitted at the beginning of January. Anticipating 6 weeks for the signature package to be approved, we should be ready to file the record plat by the middle of February. I would anticipate that the planning board would approve the record plat by the middle of March and we could record the plat by the middle of April. With the anticipation of scheduling issues with the holidays, administrative delays with the planning or legal staff, and considering all of the issues at bay, we request a maximum of a one year extension on the preliminary plan.

Sincerely,
PG ASSOCIATES, INC.



Dean Packard, PE
President



Date Mailed: October 1, 2002

Action: Approved Staff Recommendation

**Motion of Comm. Bryant, seconded by
Comm. Robinson with a vote of 4-0;**

**Comms. Berlage, Bryant, Perdue,
and Robinson voting in favor;
Comm. Wellington absent**

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-02017

NAME OF PLAN: HENDERSON CORNER

On 09/06/01, HENDERSON CORNER at 355 L.L.C. submitted an application for the approval of a preliminary plan of subdivision of property in the C-3 zone. The application proposed to create 1 lot on 1.27 acres of land. The application was designated Preliminary Plan 1-02017. On 09/12/02, Preliminary Plan 1-02017 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-02017 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-02017.

Approval, subject to the following conditions:

- (1) Approval under this preliminary plan is limited to a 5,754 square foot "high turnover, sit-down" restaurant**
- (2) The applicant shall participate with the Clarksburg Village/Greenway Village at Clarksburg developments in constructing the following roadway improvements:**
- (3) A second left turn lane from northbound MD 355 to westbound MD 27 at the MD 355/MD 27 intersection**
- (4) An additional through travel lane on northbound and southbound MD 27, a second left turn lane from southbound MD 27, and an additional through travel lane and a second left turn lane on westbound Brink Road at the intersection of MD 27 and Brink Road**
- (5) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits**
- (6) Compliance with the conditions of MCDPS stormwater management approval**
- (7) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s) and/or MDSHA prior to issuance of access permits**
- (8) Final landscape and lighting plan must be approved by Planning Board prior to recordation of plat**

- (9) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- (10) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- (11) Applicant's participation shall be on a proportionate basis of the total number of applicant's peak hour trips using the improvements in condition 2(a)(b) above to the total number of peak hour trips from Clarksburg Village/Greenway Village and any other adjacent developments to be responsible for these improvements. Applicant must post with MCDPWT or Montgomery County Designated, its proportionate contribution at the time of application for building permit
- (12) Other necessary easements