Montgomery County Humane Society Campus, Preliminary Plan 120190100, Regulatory Extension Request #1

Request to extend the regulatory review period for Preliminary Plan No. 120190100 for six months, from June 13, 2019 to December 19, 2019.

Location: Southwest corner of the intersection of Georgia Avenue and Aspen Hill Road.
Zone: R-60.
Property size: 7.79 acres.
Application Accepted: February 4, 2019.
Applicant: Montgomery County Humane Society, Inc.
Review Basis: Chapter 50, Subdivision Regulations.

Summary
Section 50-4.1.E of the Subdivision Regulations generally states that Preliminary Plan applications must be scheduled for a public hearing within 120 days after the date an application is accepted.

The Application was accepted on February 4, 2019, with a tentative Planning Board date of June 13, 2019. On May 28, 2019, the Applicant made a timely request for a six-month extension, which exceeds the 30-day extension that can be granted by the Planning Director; therefore, it requires Planning Board approval.

The Applicant is requesting a six-month regulatory extension for the Preliminary Plan review period from June 13, 2019 to December 19, 2019, because the property is designated historic and requires additional steps under the recently adopted burial site regulations. The Applicant has engaged the services of a professional to conduct subterranean soil readings, and to prepare 3D modeling of said readings in order to establish the location of both human and animal burials and to ensure minimal disturbance of such sites. It will take approximately 2-3 months to complete such sophisticated research.

Staff supports the Applicant’s request to extend the review period from June 13, 2019 to December 19, 2019.

Attachment 1: Applicant’s extension request (May 28, 2019).
ATTACHMENT 1

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

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Silver Spring, Maryland 20910-3760
Phone 301.495.4550
Fax 301.495.1306

www.montgomeryplanning.org

REGULATORY REVIEW EXTENSION REQUEST

☑ Request #1  ☐ Request #2

<table>
<thead>
<tr>
<th>File Number</th>
<th>Date Received</th>
<th>MCPB Hearing Date</th>
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Plan Name: Montgomery County Humane Society Campus

Plan No. 120190100

This is a request for extension of:

☑ Preliminary Plan  ☐ Sketch Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: 06/13/2019

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 S. Kline, Attorney for Applicant       Miller, Miller & Canby

Name          Affiliation/Organization

200-B Monroe Street

Street Address

Rockville        MD        20850

City        State        Zip Code

(301) 762-5212       (301) 424-9673       JSKline@mmcanby.com

Telephone Number       Fax Number       E-mail

We are requesting an extension for 6 months until 12/19/2019

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

There are several challenges that the Applicant must deal with for this site due to the fact that the property is designated historic but more particularly the steps that the Applicant must go through under the recently adopted burial site regulations. The Applicant has engaged the services of a professional to conduct subterranean soil readings, and to prepare 3D modeling of said readings in order to establish the location of both human and animal burials and to ensure minimal disturbance of such sites. It will take 2-3 months to complete such sophisticated research.

Signature of Person Requesting the Extension

Jody Kline

05/28/2019

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 _________________.

TO: AMY LINDSEY

CC: REBECCA BALLO
    BRIAN CRANE
    CRIS BOMBAUGH
    BRIAN DONELLY
    GABRIEL ROMERO
    BOYD SIPE

FROM: JODY S. KLINE

DATE: 28 MAY 2019

RE: EXTENSION REQUEST FOR PENDING PRELIMINARY PLAN

Amy,

Enclosed, per our discussions, is a request to extend the date for Planning Board consideration for Preliminary Plan No. 120190100, Montgomery County Humane Society Campus, from June 12\textsuperscript{th} until December 19\textsuperscript{th}. I realize that my description of the work that necessitates the extension request probably does not do justification to the sophistication of the work to be conducted. But I hope that it provides a satisfactory justification for the extension
request. As we discussed, the Applicant generally considers its future work schedule to be the following:

<table>
<thead>
<tr>
<th>Dates</th>
<th>Explanation</th>
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<tbody>
<tr>
<td>June – July</td>
<td>Conduct site research and subterranean readings, collate information,</td>
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<tr>
<td></td>
<td>prepare 3D modeling and report</td>
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<tr>
<td>August</td>
<td>Revise preliminary plan of subdivision and ready it for submission to</td>
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<td></td>
<td>M-NCPPC</td>
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<tr>
<td>September</td>
<td>Submission of revised Preliminary Plan Application</td>
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<tr>
<td>October – November</td>
<td>Preparation and publication of Staff Report</td>
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<tr>
<td>December</td>
<td>Publication of Staff Report; Planning Board hearing</td>
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We do think there is a bit of a “cushion” in this schedule. But, as I have mentioned, I would prefer not to have to ask for another extension in light of Commissioner Patterson’s dislike of multiple requests for extension. It is my understanding that if the Applicant and staff can complete its work earlier, this matter will be presented to the Planning Board at an appropriate time in advance of the December 19th date requested in the attached extension.
Please let me know if I need to do anything else to have this matter presented to the Planning Board before the June 12th action date.

JSK:sda