






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

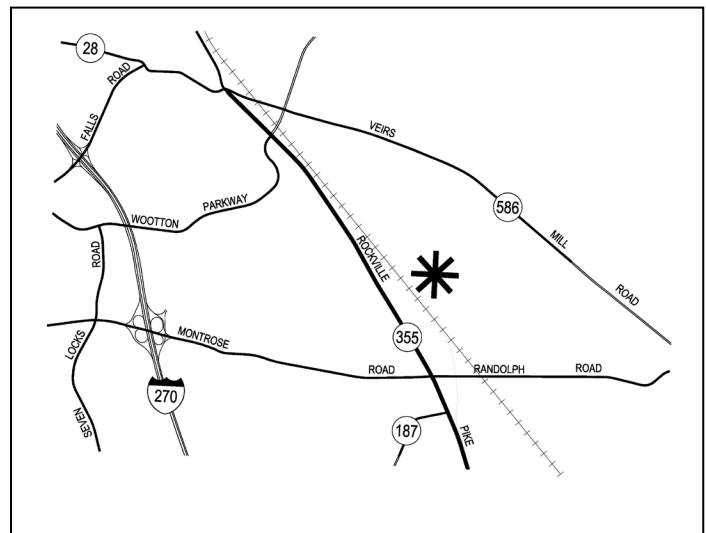
-  Amy Lindsey, Planner Coordinator, Area 2 Division, [amy.lindsey@montgomeryplanning.org](mailto:amy.lindsey@montgomeryplanning.org), 301-495-2189
-  Patrick Butler, Supervisor, Area 2 Division, [patrick.butler@montgomeryplanning.org](mailto:patrick.butler@montgomeryplanning.org), (301) 495-4561
-  Carrie Sanders, Chief, Area 2 Division, [carrie.sanders@montgomeryplanning.org](mailto:carrie.sanders@montgomeryplanning.org), (301) 495-4653

**Staff Report Date: 6/10/19**

**Description**

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.  
 Master Plan: 1994 *Aspen Hill Master Plan*.  
 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

Effective: February 6, 2019

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Phone 301.495.4550
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REGULATORY REVIEW EXTENSION REQUEST

[X] Request #1 [ ] Request #2

Table with 4 columns: File Number, Date Received, MCPB Hearing Date, and an empty column. Header: M-NCPPC Staff Use Only

Plan Name: Montgomery County Humane Society Campus Plan No. 120190100

This is a request for extension of: [ ] Project Plan [ ] Sketch Plan
[X] Preliminary Plan [ ] Site 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, [X] 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

Handwritten signature of Jody Kline and printed name 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 \_\_\_\_\_.



CLIENT FOCUSED. RESULTS DRIVEN.

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[JSKLINE@MMCANBY.COM](mailto:JSKLINE@MMCANBY.COM)

## MEMORANDUM

**TO: AMY LINDSEY**

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

**FROM: JODY S. KLINE**

**DATE: 28 MAY 2019**

**RE: EXTENSION REQUEST FOR PENDING PRELIMINARY PLAN**

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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<sup>th</sup> until December 19<sup>th</sup>. I realize that my description of the work that necessitates the extension request probably does not do justice 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:

| Dates              | Explanation  |
|--------------------|--|
| June – July        | Conduct site research and subterranean readings, collate information, prepare 3D modeling and report |
| August             | Revise preliminary plan of subdivision and ready it for submission to M-NCPPC                        |
| September          | Submission of revised Preliminary Plan Application   |
| October – November | Preparation and publication of Staff Report  |
| December           | Publication of Staff Report; Planning Board hearing  |

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 19<sup>th</sup> 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 12<sup>th</sup> action date.

JSK:sda