



Poplar Grove: Preliminary Plan No. 120190040 & Site Plan No. 820190060 – Regulatory Review Extension Request No. 2

BCB

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Staff Report Date: 7/10/19

Description

Preliminary Plan No. 120190040: Request for a second extension to the 120-day regulatory review period for the Preliminary Plan by two months.

Site Plan No. 820190060: Request for a second extension to the 120-day regulatory review period for the Site Plan by two months.

The property is located on the east side of Century Boulevard between Father Hurley Boulevard and the future Dorsey Mill Road; 19.41 net acres; CR 2.0, C-1.75, R-1.0, H-145T and Germantown Transit Mixed Use Overlay Zone; 2009 Germantown Employment Area Sector Plan.



Applicant: Symmetry at Cloverleaf LLC

Submittal Date: November 8, 2018

Review Basis: Chapters 50, 59

Recommendation: Approval of the two-month extensions

Summary

Section 59-7.3.4.C. of the Zoning Ordinance and Section 50.4.1.E of the Subdivision Ordinance establishes the review procedures for Site Plans and Preliminary Plans, both providing for 120-day limits to their review period. The Planning Director may postpone the public hearing by up to 30 days once without Planning Board approval. The Planning Director or applicant may request an extension beyond the original 30 days with Planning Board approval. The current regulatory review deadline for the Preliminary and Site Plans for Poplar Grove is July 25, 2019.

The Preliminary and Site Plans have previously received one four-month extension by the Planning Board, based on additional time needed to resolve many issues raised by the DRC committee. The Applicant has overcome most of the challenges raised, but the approval of the stormwater concept by DPS Water Resources, and the stormdrain review from MCDOT are still outstanding.

The shape and topography of the Subject Property continues to be a challenge to design an urban and compact project that provides adequate space for all the competing utility and infrastructure requirements. The Applicant continues to be in coordination with both MNCPPC Staff and DPS and DOT staff to resolve the remaining issues. The Applicant's request letter anticipates submitting revised plans in the coming weeks with a projected hearing in the first week of September.

LINOWES
AND BLOCHER LLP
ATTORNEYS AT LAW

June 26, 2019

Heather Dlhopsky
301-961-5270
hdlhopsky@linowes-law.com

VIA EMAIL

Mr. Benjamin Berbert
M-NCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Poplar Grove, Preliminary Plan No. 120190040 and Phase 1 Site Plan No. 820190060
(the "Applications"): Request for Additional Two-Month Extension of Review Period

Dear Mr. Berbert:

On behalf of Symmetry at Cloverleaf LLC (the "Applicant"), we are submitting this request for an extension of the review period for the Applications. The Applications were tentatively scheduled for a public hearing before the Montgomery County Planning Board (the "Planning Board") on March 14, 2019. However, due to the large size (approximately 20 acres) of this development site, the unique vision that the Applicant has for the site (the subject project is proposed to be an urban agricultural neighborhood focused on urban farming and local production, which honors the site's history as an 18th and 19th century farm), and the resulting complexities, the Applicant had originally requested an extension through the end of July in order to continue coordination with its consultants and reviewing agencies.

The Applicant has made significant progress with the reviewing agencies over the past several months, with all major substantive matters having been addressed and only final details of certain aspects needing to be worked out at this time. The Applicant is in need of several more weeks of coordination with the agencies before it can make its final submission, with several weeks needed thereafter for the agencies to complete their final reviews. As a result, and given the Planning Board's August recess, the Applicant expects that it will have its final submission made in time to secure a September 5th hearing date (the Planning Board's first date back in session). To be safe, the Applicant is requesting a two-month extension of the review period, through the month of September.

Enclosed, please find the completed Regulatory Review Extension Request form for the Applications. Please contact us should you have any questions or require any additional information.

**L&B 7566080v1/11181.0003

Mr. Benjamin Berbert
June 26, 2019
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Very truly yours,

LINOWES AND BLOCHER LLP



Heather Dlhopsky

Enclosure



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

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Effective: February 6, 2019

Phone 301.495.4550
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REGULATORY REVIEW EXTENSION REQUEST

☐ Request #1

☐ Request #2

M-NCPPG Staff Use Only			
File Number		MCPB Hearing Date	
Date Received			

Plan Name: Poplar Grove

Plan No. 120190040
820190060

This is a request for extension of:

☐ Project Plan
☒ Preliminary Plan

☐ Sketch Plan
☒ Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: 7-25-19

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: Heather Dhopolsky Affiliation/Organization: Linowes and Blocher LLP
Street Address: 7200 Wisconsin Avenue, Suite 800
City: Bethesda State: MD Zip Code: 20814
Telephone Number: 301-961-5270 Fax Number: 301-654-0504 E-mail: hdhopolsky@linowes-law.com

We are requesting an extension for 2 months until 9-26-19

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

Please see attached letter of explanation.

Signature of Person Requesting the Extension

Signature

6/26/19
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 _____.