



## Downtown Silver Spring

### Project Plan No. 91998005C Extension Request No. 2, Site Plan No. 81999002M Extension Request No. 1

[GB] Grace Bogdan, Planner Coordinator, Area 1, grace.bogdan@montgomeryplanning.org, 301.495.4533

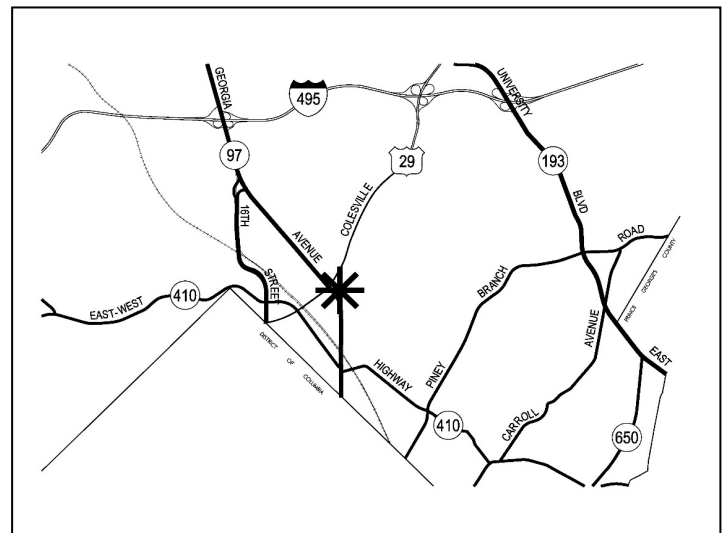
[SD] Stephanie Dickel, Supervisor, Area 1, stephanie.dickel@montgomeryplanning.org, 301.495.4527

[CM] Elza Hisel-McCoy, Chief, Area 1, Elza.Hisel-McCoy@montgomeryplanning.org, 301.495.2115

Staff Report Date: 2/14/2020

#### Description

- Request to extend the review period for Downtown Silver Spring Project Plan and Site Plan from March 19, 2020, to not later than April 30, 2020.
- Location: Ellsworth Drive between Georgia Avenue and Fenton Street
- Zone: CR 5.0 C 4.0 R 4.75 H 200T & CR 3.0 C 2.0 R 2.75 H 145T
- Master Plan: 2000 Silver Spring CBD Sector Plan
- Property size: 0.21 acres.
- Applicant: Foulger Pratt.
- Acceptance Date: November 19, 2019.



#### Summary

Section 59.7.3.3.C of the Zoning Ordinance and Section 50.4.1.E of the Subdivision Regulations provide a 90-day limit for sketch plan hearings and 120-day limit for site plan hearings, respectively. The Planning Board may, however, extend this period.

On December 23, 2019, the Applicant received an administrative extension of 30 days, from February 17, 2020 to March 19, 2020, for the Project Plan Amendment to allow concurrent review with the related Site Plan Amendment. The Applicant requested, in an application dated January 24, 2020, that the review period for the Project and Site Plan Amendments be extended from March 19, 2020 to April 30, 2020. The Planning Board hearing on the applications may take place before the end of the review period and will be publicly noticed in accordance with the Zoning Ordinance. This Project requires review by the Historic Planning Commission and Art Review Panel, as well as further discussions with the Development Review Agencies. This is the second extension request associated with the Project Plan Amendment and first extension request for the related Site Plan Amendment.

Staff recommends **APPROVAL** of the extension request.

Attachment A: Extension requests for Project Plan Amendment 91998005C and Site Plan Amendment 81999002M  
Attachment B: Previously Approved Administrative Extension for Project Plan Amendment 91998005C

**LINOWES**  
**AND BLOCHER LLP**  
ATTORNEYS AT LAW

January 24, 2020

**Barbara A. Sears**  
bsears@linowes-law.com  
301.961.5157

**Laura M. Tallerico**  
ltallerico@linowes-law.com  
301.961.5125

Ms. Grace Bogdan  
Planner Coordinator - Area 1  
Montgomery County Planning Dept.  
Maryland-National Capital Park and  
Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Re: Downtown Silver Spring – Site Plan Amendment No. 81999002M and Project Plan  
Amendment No. 91998005C

Dear Ms. Bogdan:

Attached please find a completed Regulatory Review Extension Request for Site Plan Amendment No. 81999002M and Project Plan Amendment No. 91998005C (“Amendments”) for 42 days, or until April 30, 2020. The Amendments are currently scheduled for a Planning Board hearing on March 19, 2020. Staff has recently advised that the Planning Board will not meet on that day and the Amendments will now be tentatively scheduled for a Planning Board hearing on March 26, 2020. Therefore, a 7 day extension is technically necessary. However, the Applicant is requesting an additional 34 days, or to and including April 30, 2020, in the event that more time is needed for follow-up meetings with the Art Review Panel and Historic Preservation Commission or to submit any necessary revisions to the plans based on comments that may be received at those meetings.

Thank you for your attention to this matter. Should you require any further information, please contact me.

Very truly yours,

**LINOWES AND BLOCHER LLP**

  
Barbara A. Sears

  
Laura M. Tallerico

Ms. Grace Bogdan  
January 24, 2020  
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cc: Elza Hisel-McCoy  
Stephanie Dickel  
Grace Bogdan  
Bryant Foulger  
Kelly M. Price  
Todd Langford  
Paul Weinschenk  
Ian P. Duke  
Don Hoover  
Matthew Traucht



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

Page 1 of 2

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Effective: December 5, 2014

Phone 301.495.4550

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## REGULATORY PLAN EXTENSION REQUEST

☒ Request #1 (Site) ☒ Request #2 (Project)

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

**Plan Name:** Downtown Silver Spring

**Plan No.** 91998005C & 919990002M

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: 03/19/2020

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.)

Barbara A. Sears

Linowes & Blocher LLP

Name

Affiliation/Organization

7200 Wisconsin Avenue Suite 800

Street Address

Bethesda

MD

20814

City

State

Zip Code

(301) 961-5157

bsears@linowes-law.com

Telephone Number

ext.

Fax Number

E-mail

We are requesting an extension for 1+ months until April 30, 2020 (42 days)

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

The Site Plan Amendment No. 81999002M and Project Plan Amendment No. 91998005C are tentatively scheduled for a Planning Board hearing on March 19, 2020. Staff has indicated that the Planning Board will not meet on that day and the Amendments will be tentatively scheduled for a hearing on March 26, 2020; therefore, a 7 day extension is necessary. However, an additional 34 days are requested in the event that more time is needed for follow-up meetings with the Art Review Panel and Historic Preservation Commission or to submit any necessary revisions to the plans based on comments that may be received at those meetings.

**Signature of Person Requesting the Extension**

*Linowes and Blocher LLP*  
*By Barbara A. Sears* *Honey to Applicant*  
Signature

01/24/20

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 \_\_\_\_\_.



**LINOWES**  
**AND | BLOCHER LLP**  
ATTORNEYS AT LAW

December 20, 2019

**Barbara A. Sears**  
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301.961.5157

**Laura M. Tallerico**  
ltallerico@linowes-law.com  
301.961.5125

Ms. Gwen Wright  
Director, Planning Department  
Montgomery County Planning Dept.  
Maryland-National Capital Park and  
Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Re: Downtown Silver Spring – Project Plan Amendment No. 91998005C

Dear Ms. Wright:

Attached please find a completed Regulatory Review Extension Request for Project Plan Amendment No. 91998005C (“Project Plan Amendment”) for 31 days, or until March 19, 2020. The 90 day review period for the Project Plan is tentatively scheduled to end on February 17, 2020. An extension is requested in order to provide time for the Applicant to respond to Development Review Committee (“DRC”) comments received on December 10, 2019. Specifically, as a result of comments received at the DRC meeting, the Applicant requires more time to meet with staff and complete its resubmission after coordination with its consultant team. Further, the extension will allow for the Project Plan Amendment to be reviewed concurrently with related Site Plan Amendment No. 81999002M, which is currently scheduled for a Montgomery County Planning Board hearing on March 19, 2020 based on the December 10, 2019 DRC meeting date.

Thank you for your attention to this matter. Should you require any further information, please contact me.

Very truly yours,

**LINOWES AND BLOCHER LLP**

  
Barbara A. Sears

Ms. Gwen Wright  
December 20, 2019  
Page 2

cc: Elza Hisel-McCoy  
Stephanie Dickel  
Grace Bogdan  
Bryant Foulger  
Paul Weinschenk  
Kelly M. Price  
Todd Langford  
Ian P. Duke  
Don Hoover  
Matthew Traucht



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

Page 1 of 2

8787 Georgia Avenue  
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**REGULATORY PLAN EXTENSION REQUEST**

☒ Request #1

☐ Request #2

M-NCPPC Staff Use Only

File Number		MCPB Hearing Date	
Date Received			

**Plan Name:** Downtown Silver Spring

**Plan No.** 91998005C

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: 02/17/2020

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.)

Barbara A. Sears

Linowes and Blocher LLP

Name

Affiliation/Organization

7200 Wisconsin Ave. Suite 800

Street Address

Bethesda

MD

20814

City

State

Zip Code

bsears@linowes-law.com

Telephone Number

ext.

Fax Number

E-mail

We are requesting an extension for 1 months until 03/19/2020

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

As a result of comments received at the DRC meeting on December 10, 2019, the Applicant is requesting more time to complete its resubmission to Staff. Additionally, this extension is requested in order for the Project Plan Amendment to be reviewed concurrently with related Site Plan Amendment No. 81999002M, which is currently scheduled for a Montgomery County Planning Board hearing on March 19, 2020 based on the December 10, 2019 DRC meeting date.

**Signature of Person Requesting the Extension**

Signature

12/20/19  
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 2/17/20 until 3/19/20.

Gwen Wright  
Signature

12/23/19  
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 \_\_\_\_\_.