



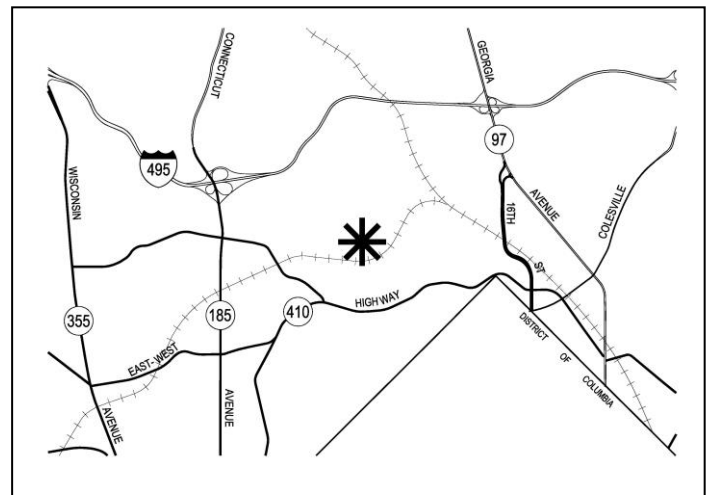
8800 Brookville Road, Preliminary Plan 120190130, Extension Request No. 3

-  Stephanie Dickel, Supervisor, DownCounty Division, stephanie.dickel@montgomeryplanning.org, 301.495.4527
-  Elza Hisel-McCoy, Chief, DownCounty Division, elza.hisel-mccoy@montgomeryplanning.org, 301.495.2115

Staff Report Date: 9.3.20

Description

Location: Brookville Road, 400 feet southwest of Lyttonsville Place
Zone: IM-2.5 H 50
Master Plan: Greater Lyttonsville Sector Plan
Property size: 9.93 acres
Request to extend the review period for one lot from an unplatted parcel with no new development, from September 28, 2020 through December 30, 2021
Applicant: Montgomery County Housing Opportunities Commission
Acceptance Date: November 29, 2018



Summary

Section 50.4.1.E provides a 120-day review period for Preliminary Plan hearings. The Planning Board may, however, extend this period. The Planning Board granted two extensions for this Application on March 18, 2019, extending the review period from March 28, 2019, to September 28, 2019 and from September 28, 2019 through September 28, 2020. The Applicant has requested, in an application dated August 20, 2020, that the review period for the Preliminary Plan be extended from the current date of September 28, 2020, to December 30, 2021. The Applicant is exploring and evaluating potential plan revision alternatives that better achieve the goals of the *Greater Lyttonsville Sector Plan* and requests additional time given the on-going COVID-19 pandemic. The Planning Board hearing on the application may take place before the end of the review period and will be publicly noticed in accordance with the Zoning Ordinance. This is the third extension request associated with the subject project.

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



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

Effective: February 6, 2019

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

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REGULATORY REVIEW EXTENSION REQUEST

Request #1 Request #3

M-NCPPC Staff Use Only

File Number	_____	MCPB Hearing Date	_____
Date Received	_____		

Plan Name: 8800 Brookville Road **Plan No.** 120190130

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: 09/24/2020

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.)


Steven A. Robins	Lerch, Early & Brewer, Chtd.
<i>Name</i>	<i>Affiliation/Organization</i>
7600 Wisconsin Avenue, Suite 700	
<i>Street Address</i>	
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<i>Telephone Number</i>	<i>Zip Code</i>
	sarobins@lercheearly.com
<i>Fax Number</i>	<i>E-mail</i>

We are requesting an extension for 15 months until 12/30/2021

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

See attached letter.

Signature of Person Requesting the Extension



Signature

08/21/2020

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 _____.



Steven A. Robins
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Elizabeth C. Rogers
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August 20, 2020

VIA ELECTRONIC DELIVERY

The Honorable Casey Anderson, Chair
And Members of the Montgomery County Planning Board
Maryland National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: 8800 Brookville Road
Preliminary Plan No. 120190130 (the "Application")

Dear Chairman Anderson and Members of the Board:

On behalf of the Montgomery County Housing Opportunities Commission (the “Applicant”), and pursuant to Montgomery County Code Section 50.4.1.E, we are submitting this request for an extension of the review period for the above-referenced Application.

The Application was formally accepted on November 29, 2018. The Montgomery County Planning Board (the “Planning Board”) has granted previous extensions of the Preliminary Plan – a 6 month extension on March 28, 2019 and a one year extension on September 26, 2019. Accordingly, the Preliminary Plan is tentatively scheduled for a September 24, 2020 Planning Board hearing.

The Preliminary Plan likely will involve other property owners in the Lyttonsville planning, including but not limited to, governmental entities. As mentioned in our last extension request, the Applicant has expended significant time and efforts continuing to explore plan alternatives, and to address agency comments received at DRC. These plan alternatives are complex and involve other property owners in Lyttonsville, including governmental entities, in an effort to further the goals and recommendations of the Greater Lyttonsville Sector Plan (the “Sector Plan”). However, as the Planning Board most certainly can appreciate, these other governmental entities have understandably been focused on other things during this past year, given the on-going COVID-19 pandemic. As such, despite all of these efforts, the Applicant has not been able to solidify all of the necessary pieces to move forward with the plan that will help

achieve the goals of the Sector Plan. As such, the Applicant is respectfully requesting a third extension of the time in which the Planning Board is required to hold a public hearing on the above referenced Application. The proposed extension would be for 15 months, or until December 30, 2021.


We believe that this extension may be covered, in part, by Governor Hogan's emergency order, which extended all "licenses, permits, registrations and other authorizations issued by the State of Maryland or any political subdivision of the State of Maryland" that would otherwise expire during the pandemic until 30 days after "the state of emergency is terminated and the catastrophic health emergency is rescinded." However, to ensure the record is clean moving forward, we are seeking the Planning Board's affirmative approval of this additional extension, to provide the Applicant with the time needed to solidify the planning efforts and thus, move forward with the plan. Importantly, the requested extension will not in any way jeopardize other applications in the Planning Area.

Please find the completed Regulatory Plan Extension Request application form enclosed for your use. We trust that you will contact us if you have any questions, or require any additional information. Thank you for your consideration of this request.

Very truly yours,



Steven A. Robins



Elizabeth C. Rogers

cc: Mr. Elza Hisel-McCoy
Ms. Stephanie Dickel
Mr. Gio Kaviladze
Mr. Jason Sereno
Mr. Joshua Sloan