

ROCK SPRING CENTRE:

**PRELIMINARY PLAN AMENDMENT NO.11998092C, REGULATORY EXTENSION REQUEST #5;
SITE PLAN AMENDMENT NOS. 82003036C, 82004017C, 82009003A, REGULATORY EXTENSION REQUEST #3**

Description

Request to extend the regulatory review period for Preliminary Plan Amendment No. 11998092C and for Site Plan Amendment Nos. 82003036C, 82004017C, and 82009003A through March 24, 2022.

PLAN TYPE: EXTENSION
REQUEST
COMPLETED: 11-29-2021

MCPB
Item No.
12-9-2021

2425 Reedie Drive
Floor 14
Wheaton, MD 20902

ET

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Mat

Matthew Folden, Supervisor, Mid-County Planning, Matthew.Folden@montgomeryplanning.org, 301-495-4539

CS

Carrie Sanders, Chief, Mid-County Division, Carrie.Sanders@montgomeryplanning.org, (301) 495-4653



Summary

LOCATION:

NW corner of the intersection of Old Georgetown Road and Rock Spring Drive, North Bethesda.

PROPERTY SIZE

53.4 acres

MASTER PLAN ZONE

Rock Spring Master Plan; CR-1.5, C-0.75, R-1.0, H-275 and CR-1.5, C-0.75, R-0.75, H-275 Zones

APPLICANT

Rock Spring Properties and Floyd E. Davis Company

ACCEPTANCE DATE:

March 27, 2019 (Preliminary Plan Amendment);
July 1, 2020 (Site Plan Amendments)

REVIEW BASIS:

Chapters 50, 59

- Section 50-4.1.E of the Subdivision Regulations and Section 59-7.3.4.C of the Zoning Ordinance generally state that Preliminary Plan and Site Plan applications must be scheduled for a public hearing within 120-days after the date an application is accepted. However, the Planning Board may extend these regulatory review periods.
- Preliminary Plan Amendment Application No.11998092C was initially accepted on March 27, 2019, with a tentative Planning Board date of July 25, 2019. The Applicant previously submitted four extension requests, granted by the Planning Board on July 18, 2019, January 3, 2020, September 10, 2020, and most recently on April 22, 2021 with a tentative Planning Board date of December 23, 2021. On November 17, 2021, the Applicant submitted a fifth request to extend the regulatory review period from December 23, 2021 to March 24, 2022.
- Site Plan Amendment Applications Nos. 82003036C, 82004017C, and 82009003A were originally accepted on July 1, 2020, with a tentative Planning Board date of October 29, 2020. The Applicant previously submitted two extension requests, granted by the Planning Board on September 10, 2020 and most recently on April 22, 2021 with a tentative Planning Board date of December 23, 2021. On November 17, 2021, the Applicant submitted a third request to extend the regulatory review period from December 23, 2021 to March 24, 2022
- Staff supports the extension requests for the reasons stated in Attachment 1.

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November 17, 2021

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: Rock Spring Centre Regulatory Extension Requests for
Preliminary Plan Amendment No. 11998092C
Site Plan Amendment Nos. 82003036C, 82004017C & 82009003A

Dear Chairman Anderson and Members of the Board:

Our firm represents Rock Spring Properties and Floyd E. Davis Company (as authorized representatives of the various family ownership entities) (the “Applicant”), together with Buchanan Partners (as Owners’/Applicants’ Representative) (“Buchanan”), in connection with the above-referenced Preliminary and Site Plan Amendment Applications for the 54 acre Rock Spring Centre property (the “Property”). On behalf of the Applicant and Buchanan, and pursuant to Montgomery County Code Sections 50.4.1.E and 59.7.3.4C, we respectfully request a 91-day extension of the time in which the Planning Board is required to hold a public hearing on the above referenced Applications. The Applications were initially accepted on March 26, 2019 (Preliminary Plan) and June 24, 2020 (Site Plans). The Planning Board has granted previous extensions of the Applications, including, most recently, an 8 month extension on April 22, 2021. Accordingly, the Preliminary Plan and Site Plan Amendments collectively are tentatively schedule for a December 23, 2021 Planning Board hearing.

The Applicant and Buchanan have expended significant time and resources in diligently pursuing the Amendments and importantly, continue to do so today. The Applicant and Buchanan originally submitted only a Preliminary Plan Amendment. However, given Planning Staff’s strong preference for the Site and Preliminary Plans to be processed concurrently, the Applicant undertook the additional work necessary to prepare the associated Site Plan Amendments. Furthermore, at Planning Staff’s request, the scope of Site Plan Amendment No. 82009003A was significantly expanded. This move to increase the scope of the first phase, while certainly a step that will benefit the project, also had the effect of adding a much greater level of complexity to the planning and design process.

The additional time granted by the Board in its last extension was needed to work through the comments raised at the Development Review Committee (“DRC”) meeting with Technical Staff and the various reviewing agencies. The Applicant and Buchanan are pleased to say that in this time, they have made significant progress toward resolving almost all of the DRC comments. For example, through numerous meetings, the Applicant and MCDOT, Park and Planning and MCPS have reached a consensus on the design details and layout for the Rock Spring Drive right-of-way, to ensure that this main street meets the County’s goals and objectives both in the short-term and long-run (*i.e.* once the Transitway is implemented). The Applicant and Buchanan also have worked closely with Planning Staff to substantially refine the building architecture to its benefit, to ensure the Project achieves design excellence. The Applicant also has spent a significant amount of time studying the potential adaptive reuse of the family’s Estate House, which is located on the Property, and working with Staff to determine its appropriate disposition. This aspect of the Project has significant sentimental importance to the ownership families. The use and placement of the Estate House is something that is close to resolution and will be an exciting element for Rock Spring Centre. There also are a few agency Staff members that are new to the project (for example, DPS stormwater management) and this has resulted in the need for additional time as Staff becomes familiar with what certainly is a very complex project. Even so, we are pleased to report that only a few final outstanding issues remain. We have been working closely with Staff on both of the plans and we all agree that it would be best if the plans were in a form that addressed all of these matters. The additional time will give all of us the opportunity to do just that.

Of course, all of this has taken place during the on-going COVID-19 pandemic – the coordination necessary for these Amendments only has been compounded by the challenges associated with the unprecedented situation. The Applicant has diligently pursued both Applications since the filings, and Staff and the reviewing agencies have spent considerable time and effort working with the Applicant to mold the project into one that will set the tone for Rock Spring in the very near future. As an aside, Buchanan also has been actively pursuing potential uses of the retail/commercial space in the Project and is very excited about its prospects.

As previously mentioned, these few remaining issues require just a little additional time for the Applicant and the reviewing agencies to address, in order to complete the review of the Preliminary and Site Plan Amendments. We are actively coordinating with the Department of Housing and Community Affairs (“DHCA”), M-NCPPC, and DPS to resolve the outstanding matters related to this project’s complicated design, so that these Applications can be presented to the Board in the very near future. The Applicant and Staff fully anticipate having the Preliminary and Site Plan Amendments heard concurrently by the Board, which will ensure the most efficient use of the Planning Department and Planning Board’s resources and will provide the Board with a true feel for the project, particularly the more robust first phase of development. Accordingly, the Applicant is requesting a 91-day extension of the Preliminary Plan and Site Plan Amendments, which will provide an extension until March 24, 2022. Of course, it is the Applicant’s and Buchanan’s intention to work with Staff during the review period so that the Board’s review can occur as early as possible (hopefully well in advance of the full extension period).

This much anticipated project is on the cusp of commencing and Staff and the Applicant have been working very hard on the various aspects of the Amendments. While we were hopeful

that we would not need another extension, and certainly would prefer to appear before the Board without the need for this extension, we are extremely excited by the progress being made on the Project. We look forward to presenting these Applications to the Board in the near future, as we move towards completion of these final aspects of the Project. Thank you for your consideration of this matter.

Very truly yours,



Steven A. Robins



Elizabeth C. Rogers

cc: Gwen Wright
Carrie Sanders
Emily Tettelbaum
Chris Camalier
John Davis
Russ Gestl
Jimmy Roembke
Sylke Knuppel



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

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Effective: January 29, 2021

Phone 301.495.4550
Fax 301.495.1306

REGULATORY REVIEW EXTENSION REQUEST

☐ Request #1

☐ Request #2

M-NCPPC Staff Use Only

File Number Date Received	 	MCPB Hearing Date	
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Plan Name: Rock Spring Centre

Plan No. 11998092C;
82003036C; 82004017C;
& 82009003A

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: 12/23/2021

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, Chd.	
Name		Affiliation/Organization	
7600 Wisconsin Ave, Ste. 700			
Street Address			
Bethesda	MD	<input type="checkbox"/>	20814
City	State		Zip Code
(301) 657-0747	sarobins@lercheearly.com		
Telephone Number	Fax Number	E-mail	

We are requesting an extension for 3 months until 03/24/2022

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

Please see attached.

Signature of Person Requesting the Extension


Signature

11/17/2021
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 _____.