

**ROCK SPRING CENTRE:
PRELIMINARY PLAN AMENDMENT NO. 11998092C,
REGULATORY EXTENSION REQUEST #6;
SITE PLAN AMENDMENT NOS. 82003036C, 82004017C,
82009003A, REGULATORY EXTENSION REQUEST #4**

Description

Request to extend the regulatory review period for Preliminary Plan Amendment No. 11998092C and Site Plan Amendment Nos. 82003036C, 82004017C, and 82009003A through September 10, 2022.

Regulatory Extension Request
Completed: 3-4-2022

MCPB
Item No.
3-17-2022

Montgomery County
Planning Board
2425 Reddie Drive, Floor 14
Wheaton, MD 20902

Planning Staff

ET	Emily Tettelbaum, Planner III, Mid-County Planning, Emily.Tettelbaum@montgomeryplanning.org, (301) 495-4569
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

LOCATION/ADDRESS

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

MASTER PLAN

Rock Spring Sector Plan

ZONE

CR-1.5, C-0.75, R-1.0, H-275 and CR-1.5, C-0.75, R-0.75, H-275 Zones

PROPERTY SIZE

53.4 acres

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



Summary:

- Section 50-4.1.E of the Subdivision Regulations and Section 59-7.3.4.C of the Zoning Ordinance 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 five extension requests, granted by the Planning Board on July 18, 2019, January 3, 2020, September 10, 2020, April 22, 2021 and most recently on December 9, 2021 for a tentative Planning Board date of March 24, 2022. On February 25, 2022, the Applicant submitted a sixth request to extend the regulatory review period from March 24, 2022 to September 10, 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 three extension requests, granted by the Planning Board on September 10, 2020, April 22, 2021, and most recently on December 9, 2021 for a tentative Planning Board date of March 24, 2022. On February 25, 2022, the Applicant submitted a fourth request to extend the regulatory review period from March 24, 2022 to September 10, 2022.
- Staff supports the extension requests for the reasons stated in Attachment A.

ATTACHMENT

Attachment A: Applicant's extension request

ATTACHMENT A



7600 Wisconsin Avenue, Suite 700 • Bethesda, MD 20814 • lerchearly.com

Steven A. Robins
301-657-0747
sarobins@lerchearly.com

Elizabeth C. Rogers
301-841-3845
ecrogers@lerchearly.com

February 25, 2022

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 170-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, a three-month extension on December 9, 2021. Accordingly, the Preliminary Plan and Site Plan Amendments collectively are tentatively schedule for a March 24, 2022 Planning Board hearing.

Background

The Applicant and Buchanan have expended significant time and resources in diligently pursuing the Amendments and importantly, continue to do so today, working closely with Planning Staff and Staff from the other various agencies. 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 through previous extensions 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 and fully intend to work out all of the issues prior to the Board’s hearing. 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 and also is important to Staff. 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.

Additionally, there have been significant changes to the Applicant’s professional development team, which were beyond the Applicant’s control. There are also a few agency Staff members that are new to the project (for example, DPS stormwater management). These staffing changes have resulted in the need to bring other members of the consultant team and agency reviewers up-to-speed on 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.

Extension Request

There are just a few remaining issues that require 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. Notably, the Applicant has been working closely with DPS, the Department of Recreation, Parks Department, and Planning Staff on the potential re-use of the stormwater parcel located in the northwest quadrant of Rockledge Boulevard and Rockledge Drive – this

element of the Project has required significant coordination with the various agencies, given the many competing priorities. 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 170-day extension of the Preliminary Plan and Site Plan Amendments, which will provide an extension until September 10, 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.

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

Page 1 of 2

2425 Reedie Drive
Wheaton, Maryland 20902

www.montgomeryplanning.org

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		MCPB Hearing Date	
Date Received			

Plan Name: Rock Spring Centre

Plan No. 11998092C;

82003036C; 82004017C;
& 82009003A

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: 03/24/2022

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



20814

City

State

Zip Code

(301) 657-0747

sarobins@lercheearly.com

Telephone Number

Fax Number

E-mail

We are requesting an extension for 6 months until 09/10/2022

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

Please see attached.

Signature of Person Requesting the Extension

Signature

02/25/2022

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 _____.