

1910 UNIVERSITY BLVD SENIOR HOUSING

PRELIMINARY PLAN NO. 120210230,

REGULATORY EXTENSION REQUEST NO. 4

Description

Request to extend the regulatory review period for Preliminary Plan No. 120210230 through December 29, 2022.

No. 120210230
Completed: 08-01-2022

MCPB
09-08-2022

2425 Reddie Drive
Floor 14
Wheaton, MD 20902

ET

Emily Tettelbaum, Planner III, Midcounty Planning, Emily.Tettelbaum@montgomeryplanning.org, 301-495-4569

MAF

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CS

Carrie Sanders, Chief, Midcounty Planning, Carrie.Sanders@montgomeryplanning.org, 301-495-4653

LOCATION:

1910 University Blvd.

PROPERTY SIZE:

3.56 acres

MASTER PLAN/ZONE:

Wheaton CBD and Vicinity Sector Plan/ R-60

APPLICANT:

1910 University, LLC

ACCEPTANCE DATE:

September 8, 2021

REVIEW BASIS:

Chapter 50



Summary

- Section 50-4.1.E of the Subdivision Regulations generally states that Preliminary Plan applications must be scheduled for a public hearing within 120 days after the date an application is accepted. However, the Planning Director may extend the regulatory review period for 30 days and the Planning Board may extend it beyond 30 days.
- The Application was initially accepted on September 8, 2021 with a tentative Planning Board date of December 23, 2021. On December 13, 2021, the Planning Director granted a 30-day extension of the regulatory review period with a tentative Planning Board hearing date of January 20, 2022. On January 20, 2022, the Planning Board approved a second request to extend the regulatory review period from January 20, 2022 to April 28, 2022. On April 21, 2022, the Planning Board approved a third request to extend the regulatory review period from April 28, 2022 to July 28, 2022.
- On July 5, 2022, the Applicant submitted a fourth request to extend the regulatory review period from July 28, 2022 to December 29, 2022.
- Staff supports the extension request for the reasons stated in Attachment A.

ATTACHMENT

Attachment A: Applicant's fourth extension request



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

Effective: January 29, 2021

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 Wheaton, Maryland 20902

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REGULATORY REVIEW EXTENSION REQUEST

☐ Request # 1☒ Request # 4

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

Plan Name: 1910 University Senior HousingPlan No. 1-20210230

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: July 28, 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.)

Jody S. Kline

Attorney, Miller, Miller & Canby

Name

Affiliation/Organization

200-B Monroe Street

Street Address

Rockville

MD

20850

City

State

Zip Code

(301) 762-5212

jskline@mmcanby.com

Telephone Number

Fax Number

E-mail

We are requesting an extension for 5 months until December 29, 2022

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

See Applicant's Statement attached.

Signature of Person Requesting the Extension

Signature Jody S. Kline

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 _____.

Preliminary Plan No. 120210230 is paired with Conditional Use Application No. CU 22-04 for an affordable independent living facility for seniors. Both applications were originally proposed to be considered by the Planning Board on Thursday, July 28, 2022. It has now been determined that the two applications should not be considered simultaneously and that the preliminary plan should not be reviewed until the Conditional Use has been approved. Unfortunately, due to workload and scheduling conflicts, the Office of Zoning and Administrative Appeals has not yet set a public hearing date for Case No. CU 22-04. The hearing date could be set as early as August 19, 2022, assuming prompt receipt by OZAH of the Planning Board's recommendation on the Conditional Use application following the Board's July 28, 2022 consideration of the same. However, OZAH has advised the Applicant that scheduling of an OZAH public hearing is more likely to occur in September.

It normally takes approximately 45 days from the OZAH public hearing until the Hearing Examiner's Report and Decision is published. Accordingly, it is presently projected that Technical Staff review of Preliminary Plan No. 120210230 could recommence in early November, 2022 with an OZAH Decision in hand.

Based on the scheduling described above, the Applicant requests that review of Preliminary Plan No, 120210230 be extended until December 29, 2022 for review and action by the Planning Board with the potential that the Board's hearing date could be scheduled for an earlier date if the Hearing Examiner's Report is published earlier, or if Technical Staff does not feel that it needs seven (7) weeks to write a Report and Recommendation on the preliminary plan for a property that has just gone through the scrutiny of a conditional use review.