

**ROCK SPRING CENTRE:
PRELIMINARY PLAN AMENDMENT NO. 11998092C,
REGULATORY EXTENSION REQUEST #8;
SITE PLAN AMENDMENT NOS. 82003036C, 82004017C,
82009003A, REGULATORY EXTENSION REQUEST #6**

Description

Request to extend the regulatory review period for Preliminary Plan Amendment No. 11998092C and Site Plan Amendment Nos. 82003036C, 82004017C, and 82009003A through February 9, 2023.

Regulatory Extension Request
Completed: 10-26-2022

MCPB
Item No.
11-03-2022

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

Planning Staff

ET	Emily Tettelbaum, Planner III, Midcounty Planning, Emily.Tettelbaum@montgomeryplanning.org, 301-495-4569
	Matthew Folden, Supervisor, Midcounty Planning, Matthew.Folden@montgomeryplanning.org, 301-495-4539
	Carrie Sanders, Chief, Midcounty Planning, Carrie.Sanders@montgomeryplanning.org, 301-495-4653

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 seven extension requests, granted by the Planning Board on July 18, 2019, January 3, 2020, September 10, 2020, April 22, 2021, December 9, 2021, March 17, 2022, and most recently on July 28, 2022 for a tentative Planning Board date of November 10, 2022. On October 17, 2022, the Applicant submitted an eighth request to extend the regulatory review period from November 10, 2022 to February 9, 2023.
- Site Plan Amendment Application 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 five extension requests, granted by the Planning Board on September 10, 2020, April 22, 2021, December 9, 2021, March 17, 2022, and most recently on July 28, 2022 for a tentative Planning Board date of November 10, 2022. On October 17, 2022, the Applicant submitted a sixth request to extend the regulatory review period from November 10, 2022 to February 9, 2023.
- Staff supports the extension requests for the reasons stated in Attachment A.

ATTACHMENT

Attachment A: Applicant's extension request

LOCATION/ADDRESS

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

MASTER PLAN

2017 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

Steven A. Robins
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October 17, 2022

VIA ELECTRONIC DELIVERY

Montgomery County Planning Board
Maryland National Capital Park and Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, MD 20902

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

Dear Montgomery County Planning 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 and Development Partner) (“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, a two-month extension on July 28, 2022. Accordingly, the Preliminary Plan and Site Plan Amendments collectively are tentatively schedule for a November 10, 2022 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, working closely with Planning Staff and Staff from the other various agencies. The previous extensions were required to accommodate a larger scope for Phase One, at the request of Planning Staff; and to work through the comments raised at the Development Review Committee (“DRC”) meeting with Technical Staff and the various reviewing agencies, including building architecture, roadway design for Rock Spring Drive, recreational amenities etc. Details regarding the issues that have been worked through are included in the Applicant's previous extension requests.

We are happy to say that the Applicant has been able to work through these issues with the various reviewing agencies and are working to receive final agency letters, so that we can

bring the Applications before the Planning Board in the very near future. Also, in light of the recent events transpiring at the Planning Board, and the schedule uncertainties with the Board's hearings in the upcoming weeks/months, it would be prudent to request an additional 91 day extension to ensure that the Project's regulatory review period does not lapse during this transitional time. This 91-day extension will provide an extension until February 9, 2023. Of course, it is the Applicant 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. 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. Thank you for your consideration of this matter.

Very truly yours,



Steven A. Robins



Elizabeth C. Rogers

cc: Tanya Stearns
Robert Kronenberg
Carrie Sanders
Emily Tettelbaum
Chris Camalier
John Davis
Russ Gestl
Jimmy Roembke



2425 Reedie Drive
 Wheaton, Maryland 20902

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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	_____	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: 11/10/2022

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

We are requesting an extension for 3 months until 02/09/2023

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

Please see attached.

Signature of Person Requesting the Extension



Signature

10/17/2022

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 _____.