

## BATTERY LANE DISTRICT SITE C, SITE PLAN NO. 820220230, EXTENSION REQUEST NO. 2

### Description

This application is for a new multifamily building with a maximum density of 367,500 square feet in downtown Bethesda. It will be the first Site Plan to move forward under the Battery District Sketch Plan, approved by the Planning Board in 2020. The Site Plan will be delivering the first portion of the Sector-Planned separated bicycle lanes on the south side of Battery Lane, which required additional coordination with Montgomery County agencies including DOT, DPS, and the Fire Access Division. The Applicant is requesting to extend the review period from January 22, 2023 to March 30, 2023 to accommodate this additional coordination.

NO. 820220230

COMPLETED: 01.06.2023

MCPB

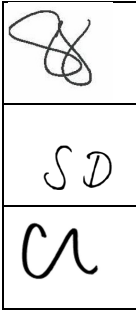
Item No. 3

January 19, 2023

2425 Reddie Drive

Floor 14

Wheaton, MD 20902



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Stephanie Dickel, Supervisor, Downcounty Planning, Stephanie.Dickel@montgomeryplanning.org, 301.495.4527

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**LOCATION:**

Located on Battery Lane approximately 350 feet west of the Woodmont Avenue intersection

**MASTER PLAN ZONE**

CR 3.5, C-0.5, R-3.5, H-120 & Bethesda Overlay Zone; 2017 Bethesda Downtown Sector Plan

**PROPERTY SIZE**

3.19 acres

**APPLICANT**

Brown Development, LLC

**ACCEPTANCE DATE:**

August 24, 2022

**REVIEW BASIS:**

Section 59.7.3.3.C and Section 50.4.1.E



**Summary**

- Section 59.7.3.3.C of the Zoning Ordinance states that a Sketch Plan accepted for concurrent review with a preliminary plan follows the 120-day preliminary plan review period. Section 50.4.1.E provides a 120-day review period for Preliminary Plan hearings. The Planning Board may, however, extend this period.
- On December 6, 2022, the Planning Director granted a 30-day administrative extension to extend the review period from December 22, 2022 to January 22, 2023.
- The Applicant has stated, in an application dated December 20, 2022, that the extension is necessary due to complexities relating to the location and design of the Sector-Planned separated bicycle lanes on the south side of Battery Lane along the Site’s frontage. Additional coordination with Montgomery County agencies including DOT, DPS, and the Fire Access Division is needed to finalize design and receive agency approvals. The Applicant is requesting an extension to March 30, 2023.
- Since the submittal of this extension request, the Applicant has resubmitted the plans and final review is underway.
- Staff recommends APPROVAL of the extension request.

**Attachment:**

- A. Applicant's 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 #2

M-NCPPC Staff Use Only			
File Number	_____	MCPB Hearing Date	_____
Date Received	_____		

**Plan Name:** Battery District Site C **Plan No.** 820220230

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: 01/19/23

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.)

Nancy Regelin, Esquire		Shulman Rogers Law Firm	
<i>Name</i>		<i>Affiliation/Organization</i>	
12505 Park Potomac Avenue #600			
<i>Street Address</i>			
Potomac		MD	<input checked="" type="checkbox"/> 20854
<i>City</i>		<i>State</i>	<i>Zip Code</i>
(301) 230-5224	(301) 230-2891	nregelin@shulmanrogers.com	
<i>Telephone Number</i>	<i>Fax Number</i>	<i>E-mail</i>	

We are requesting an extension for 2.5 months until 3/30/23

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

This extension is requested as the Project needed additional time to coordinate with and obtain approval from MCDOT and the County Fire Marshall due to the extra complexities associated with the first segment of the separated cycle track to be designed and built on Battery Lane along the frontage of this project and the two thru-block connections to be built onsite. These final issues have been resolved with the outside agencies and the final plans are being submitted as of the date of this request.

As of the date of Planning Board consideration of this time extension, Applicant will have made its final submission and this matter can be considered by the Planning Board upon completion of staff review and applicable notice periods at the earliest Planning Board date. Unfortunately because of required time periods, this cannot be accomplished before the current review period expires and an extension is required to permit the Planning Board hearing to be scheduled on the final submission.

**Signature of Person Requesting the Extension**

Nancy Regelin  
 Signature

12/20/22  
 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 \_\_\_\_\_.