

Montgomery Planning  
DUNKIN' – MUNCASTER ROAD  
SITE PLAN NO. 820230060  
REGULATORY REVIEW EXTENSION REQUEST NO. 3

**Description**

Request to extend the regulatory review period until September 12, 2024: Application for a drive-thru facility for a new restaurant in an existing commercial building.

No. 820230060

Completed: 5-3-2024

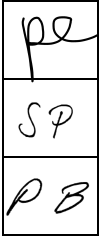
MCPB

5-16-2024

2425 Reddie Drive

Floor 14

Wheaton, MD 20902



Phillip Estes, AICP, Planner III, Upcounty, [Phillip.Estes@montgomeryplanning.org](mailto:Phillip.Estes@montgomeryplanning.org), 301-495-2176

Sandra Pereira, Supervisor, Upcounty, [Sandra.Pereira@montgomeryplanning.org](mailto:Sandra.Pereira@montgomeryplanning.org), 301-495-2186

Patrick Butler, Chief, Upcounty Planning, [Patrick.Butler@montgomeryplanning.org](mailto:Patrick.Butler@montgomeryplanning.org), 301-495-4561



## Summary

- Section 59.7.3.4.C of the Zoning Ordinance generally states that Site Plan applications must be scheduled for a public hearing within 120 days after the acceptance date.
- Site Plan No. 820230060 was accepted on October 26, which established a Planning Board date no later than January 18, 2024.
- On December 7, 2023, the Director granted a 30-day extension which established a Planning Board date no later than February 15, 2024.
- On February 15, 2024, the Planning Board granted a three-month extension which established a revised Planning Board date no later than May 16, 2024
- The Applicant requests a four-month extension, which will establish a Planning Board date no later than September 12, 2024. This will allow the Applicant additional time to work through final comments from Montgomery County Department of Transportation regarding safe and adequate sight distance.
- Staff recommends APPROVAL of the extension request.

Attachment A: Time Extension Request form

### LOCATION

17700 Muncaster Road, Derwood

### MASTER PLAN

2004 Upper Rock Creek Master Plan

### ZONE

CRT-0.75 C-0.75 R-0.25 H-45

### PROPERTY SIZE

0.31 acres

### APPLICANT

Luis Group Holdings, LLC

### ACCEPTANCE DATE

October 26, 2023

### REVIEW BASIS

Chapters 22A, 59



8787 Georgia Avenue  
 Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Effective: December 5, 2014

Phone 301.495.4550  
 Fax 301.495.1306

**REGULATORY PLAN EXTENSION REQUEST**

Request #1       Request #3

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

**Plan Name:** Dunkin' - Muncaster Road      **Plan No.** 820230060

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: May 16, 2024

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.)

Stacy P. Silber	Lerch, Early & Brewer, Chd.	
<i>Name</i>	<i>Affiliation/Organization</i>	
7600 Wisconsin Avenue, Ste. 700		
<i>Street Address</i>		
Bethesda	MD	20814
<i>City</i>	<i>State</i>	<i>Zip Code</i>
(301) 841-3833	spsilber@lercheearly.com	
<i>Telephone Number</i>	<i>E-mail</i>	
<i>ext.</i>	<i>Fax Number</i>	

We are requesting an extension for 4 months until September 16, 2024

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

Please see attached.

**Signature of Person Requesting the Extension**

\_\_\_\_\_  
 Signature

4/25/2023  
 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 \_\_\_\_\_.

**Stacy P. Silber**  
301-841-3833  
[spsilber@lerchearly.com](mailto:spsilber@lerchearly.com)

**Elizabeth C. Rogers**  
301-841-3845  
[ecrogers@lerchearly.com](mailto:ecrogers@lerchearly.com)

April 25, 2024

**VIA ELECTRONIC DELIVERY**

Mr. Artie Harris, Chair  
And members of the Montgomery County Planning Board  
Maryland National Capital Park and Planning Commission  
2425 Reddie Drive, 14<sup>th</sup> Floor  
Wheaton, Maryland 20902

Re: Dunkin' – Muncaster Road  
Site Plan No. 820230060 ("the Application")

Dear Chair Harris and Members of the Planning Board:

Our firm represents Luis Group Holdings, LLC (the "Applicant") in connection with the above-referenced Site Plan Application for the adaptive re-use of the commercial building located at 17700 Muncaster Road in Derwood, Maryland (the "Property") with a Dunkin' Donuts restaurant. On behalf of the Applicant, and pursuant to Montgomery County Code Section 59-7.3.4.C, we respectfully request a 120-day extension of time in which the Planning Board is required to hold a public hearing on the above-referenced Application. The Application was initially accepted on September 20, 2023 and two prior extensions have been granted. As such, the current regulatory review period runs through May 16, 2024.

The Applicant has expended significant time and effort on this Application and addressed all of the plan comments received from Technical Staff. The Applicant is requesting this additional time to work through comments from the Montgomery County Department of Transportation ("MCDOT"). The Applicant has had numerous meetings with MCDOT and needs additional time to work through a remaining issue with MCDOT and Park and Planning Staff. Due to the Board's August recess, the Applicant is requesting an extension of 120-days, which would last until the Board returns in early September. Of course, it is the Applicant's intention to work with MCDOT and Park and Planning Staff during the review period so that the Board's review can occur as early as possible.

Attached to this letter is a signed application for the requested extension. Thank you for your consideration of this matter.

Very Truly Yours,

  
Stacy P. Silber

  
Elizabeth C. Rogers

cc: Patrick Butler  
Sandra Pereira  
Phillip Estes  
Boris Lander