

Montgomery Planning  
DUNKIN' – MUNCASTER ROAD  
SITE PLAN NO. 820230060  
REGULATORY REVIEW EXTENSION REQUEST NO. 4

**Description**

Request to extend the regulatory review period until January 23, 2025: Application for a drive-thru facility for a new restaurant in an existing commercial building.

No. 820230060

Completed: 8-23-2024

MCPB

9-12-2024

2425 Reddie Drive

Floor 14

Wheaton, MD 20902



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## Summary

### 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

- 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.
- On May 16, 2024, the Planning Board granted a four-month extension which established a revised Planning Board date no later than September 12, 2024.
- The Applicant requests a four-month extension, which will establish a Planning Board date no later than January 23, 2025. 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

**Stacy P. Silber**  
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August 23, 2024

**VIA ELECTRONIC DELIVERY**

Mr. Artie Harris, Chair  
And members of the Montgomery County Planning Board  
Maryland National Capital Park and Planning Commission  
2425 Reedie 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 three prior extensions have been granted. As such, the current regulatory review period runs through September 12, 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 continue to work through comments from the Montgomery County Department of Transportation ("MCDOT"). Specifically, the Applicant needs additional time to work through a remaining issue with MCDOT related to sight distance.

Since the Board granted the last extension, Applicant's traffic engineer, Gorove Slade, has been diligently running analyses and pursuing input from MCDOT. Gorove provided MCDOT with multiple studies and multiple solutions. These solutions include significant traffic calming measures, which would resolve sight distance deficiencies at the existing access point and improve safety of all vehicles traveling on Muncaster Road. The proposed traffic calming measures are measures that have specifically been recommended in Montgomery County's Complete Street Design Guidelines.

We had hoped to have a resolution by now, but MCDOT continues to delay in their review (and subsequent scheduling of meetings) of Applicant's traffic engineer's recommended roadway improvements, which would be constructed by Applicant, to ensure adequate sight distance. MCDOT responded to Gorove Slade this week and we hope to have a meeting with MCDOT in the coming weeks. But, based on MCDOT correspondences, it is expected that MCDOT will ask Gorove Slade to provide additional information for their review. Because of this continued delay, we ask for the 120-day extension to provide adequate time to resolve this issue. 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

Attachments

cc: Jason Sartori  
Patrick Butler  
Sandra Pereira  
Phillip Estes  
Boris Lander



**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 \_\_\_\_\_.