

**Montgomery Planning**

**BLACK HILL PROJECT PLAN AMENDMENT NO. 92012004C, PRELIMINARY PLAN AMENDMENT NO. 12012021D; BLACK HILL TOWNES SITE PLAN NO. 820240100: REGULATORY REVIEW EXTENSION REQUEST NO. 2**

**Description**

Request to extend the regulatory review period until December 19, 2024. Application to remove properties from the Project Plan area, create a new lot and parcel, and construct 69 townhouses (including 12.5% MPDUs).

Nos. 92012004C, 12012021D,  
820240100  
Completed: 8-30-2024

MCPB  
9-12-2024

2425 Reddie Drive  
Floor 14  
Wheaton, MD 20902



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## Summary

### LOCATION

North of Dorsey Mill Road and southwest of I-270, Germantown

### MASTER PLAN

2009 *Germantown Employment Area Sector Plan*

### ZONE

CRT-0.75 C-0.5 R-0.5 H-145-T

### PROPERTY SIZE

171.89 acres

### APPLICANT

Black Hill Germantown, LLC

### ACCEPTANCE DATE

April 17, 2024

### REVIEW BASIS

Chapters 22A, 50, 59

- Section 59-D-22.2 of the Zoning Ordinance provides a 90-day review period for Project Plan Hearings. Section 50.4.1.E provides a 120-day review period for Preliminary Plan hearings. Section 59.7.3.4.C of the Zoning Ordinance generally states that a Site Plan application must be scheduled for a public hearing within 120 days after the acceptance date.
- Project Plan Amendment No. 92012004C, Preliminary Plan Amendment No. 12012021D and Site Plan No. 820240100 were accepted on April 17, 2024, which established a Planning Board date no later than August 15, 2024.
- On August 2, 2024, the Director granted a 30-day extension which established a Planning Board date no later than September 12, 2024.
- The Applicant requests a three-month extension, which will establish a Planning Board date no later than December 19, 2024. This will allow the Applicant additional time to work through comments related to site plan design.
- Staff recommends APPROVAL of the extension request.

Attachment A: Time Extension Request form

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

August 26, 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: Black Hill  
Extension Request for Preliminary Plan No. 12012021D and  
Site Plan No. 820240100<sup>1</sup>

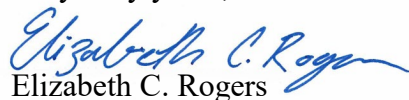
Dear Chair Harris:

Our firm represents Black Hill Germantown, LLC, an affiliate of Lerner Enterprises, (the “Applicant”) in connection with the above-referenced Preliminary Plan Amendment and Site Plan Applications for the Property located in Germantown, Maryland (the “Property”). On behalf of the Applicant, and pursuant to Montgomery County Code Sections 50.4.1.E and 59-7.3.4.C, we respectfully request an 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 April 17, 2024. Accordingly, the 120-day regulatory review period ran through August 15, 2024. Since the Planning Board hearing date fell within the Planning Board’s August recess, the Applicant requested a 30-day extension until September 14, 2024, which was granted by the Planning Director on August 2, 2024. The current regulatory review period is set to expire on September 14, 2024.

The Applicant is requesting additional time to work through a few outstanding design comments raised by technical staff. Specifically, the Applicant is requesting a three month extension, which would last until December 14, 2024 and result in a Planning Board hearing no later than December 12, 2024. However, it is the Applicant’s intention to work with Staff during the review period so that the full extension period will not be needed.

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

Very truly yours,

  
Elizabeth C. Rogers

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<sup>1</sup> The Applicant is also concurrently processing Project Plan Amendment No. 92012004C. Because the Project Plan is being processed under the Prior Zoning Ordinance, there is no applicable regulatory review period.



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 Silver Spring, Maryland 20910-3760

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Effective: December 5, 2014

Phone 301.495.4550  
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**REGULATORY PLAN EXTENSION REQUEST**

Request #1       Request #2

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

**Plan Name:** Black Hill/Black Hill Townes      **Plan No.** 12012021D  
 and 820240100

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: September 14, 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.)

|                                 |             |                                 |                 |
|---------------------------------|-------------|---------------------------------|-----------------|
| Elizabeth Rogers                |             | 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) 841-3845                  |             | ecrogers@lerchearly.com         |                 |
| <i>Telephone Number</i>         | <i>ext.</i> | <i>Fax Number</i>               | <i>E-mail</i>   |

We are requesting an extension for 3 months until December 14, 2024

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

Please see attached.

**Signature of Person Requesting the Extension**

*Elizabeth C. Rogers*

\_\_\_\_\_  
 Signature

August 26, 2024  
 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 \_\_\_\_\_.