

 **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. 3

Description

Request to extend the regulatory review period until March 20, 2025. 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: 12-6-2024

MCPB
12-19-2024

2425 Reedie Drive
Floor 14
Wheaton, MD 20902

pe

Phillip Estes, AICP, Planner III, Upcounty, Phillip.Estes@montgomeryplanning.org, 301-495-2176

SP

Sandra Pereira, Supervisor, Upcounty, Sandra.Pereira@montgomeryplanning.org, 301-495-2186

PB

Patrick Butler, Chief, Upcounty Planning, Patrick.Butler@montgomeryplanning.org, 301-495-4561



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 of the Subdivision Regulations generally states that a Preliminary Plan application must be scheduled for a public hearing within 120 days after the acceptance date. 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 14, 2024.
- On September 12, 2024, the Planning Board granted a three-month extension which established a Planning Board date of no later than December 19, 2024.
- The Applicant requests a three-month extension, which will establish a Planning Board date no later than March 20, 2025. This will allow the Applicant additional time to work through outstanding comments related to site plan layout, architecture, and open space and amenities.
- Staff recommends APPROVAL of the extension request.

Attachment A: Time Extension Request form



8787 Georgia Avenue
 Silver Spring, Maryland 20910-3760

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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: 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: December 19, 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@lercheearly.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 March 20, 2025

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

December 02, 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 _____.

Elizabeth C. Rogers
301-841-3845
ecrogers@lerchearly.com

December 2, 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, 14th Floor
Wheaton, Maryland 20902

Re: Black Hill
Extension Request for Preliminary Plan No. 12012021D and
Site Plan No. 820240100¹

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. The Planning Director granted an extension, since the regulatory review period initially fell within the Planning Board’s August recess and thereafter, the Planning Board approved a three-month extension. Accordingly, the Applications are tentatively set for a December 19, 2024 Planning Board hearing.

The previous extensions were necessary to give the Applicant additional time to work through design comments raised by technical staff at the Development Review Committee meeting. The Applicant has had several productive meeting with Staff and is close to being able to make its formal resubmission. To allow Staff sufficient time to complete the technical review and prepare the Staff Report, following the resubmission, the Applicant is requesting an additional three-month extension, to last until March 20, 2025. 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.

¹ 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.

Chair Artie Harris
and Members of the Montgomery County Planning Board
December 2, 2024
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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